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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. PASTOR of Arizona).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 22, 2010.

I hereby appoint the Honorable ED PASTOR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Lord God, we bless You and thank You for Mother Earth. Earth's beauty calls forth wonder in children and offers daily sustenance to the elderly. Earth is common ground for all human life and invites us to be respectful and grateful for her diverse gifts of land and sea.

Help us to learn from her seasons the wisdom of Your timing. May the variety of her species and the potential of her resources teach us prudence and perseverance. May her fruitfulness give witness to Your ever-faithful love; and her tilt to the Sun model our turn to You to face every need.

Earth is home for us all, but no one's lasting city. With all her laws of nature, Earth is stable yet ever-changing, making all dependent upon You both now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WELCH 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. 222. Concurrent resolution recognizing the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America.

The message also announced that pursuant to Public Law 85–874, as amended, the Chair, on behalf of the President of the Senate, appoints the following individual to the Board of Trustees of the John F. Kennedy Center for the Performing Arts:

The Senator from North Dakota (Mr. CONRAD) vice The Honorable Edward M. Kennedy of Massachusetts.

The message also announced that pursuant to Public Law 94–201, as amended by Public Law 105–275, the Chair, on behalf of the President pro tempore, appoints the following individuals as members of the Board of Trustees of the American Folklife Center of the Library of Congress:

Patricia Atkinson of Nevada vice Dennis Holub of South Dakota; and

Joanna Hess of New Mexico vice Mickey Hart of California.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 requests for 1-minute speeches on each side of the aisle.

EXPAND GOLDMAN SACHS INVESTIGATION

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

Mr. DEFAZIO. Well, all America has heard about ''too big to fail,'' and they are still pretty angry about that and the bailout of Wall Street. But now there is a new addition to the lexicon thanks to Goldman Sachs, and that is ''designed to fail for profit.''

Goldman Sachs worked with a hedge fund manager who put together collateralized debt obligations that he hand-picked because he thought they would fail. Goldman got a fee for putting them together, Goldman sold him insurance, or bets against them, and then Goldman went out and sold to unknowing investors those same securities as great investments.

We are thankful that the Securities and Exchange Commission is back on the beat after a long nap under the Bush administration and Chris Cox. We congratulate Chairwoman Schapiro, but we are asking her to expand the scope of her investigation to look at any credit default swaps that were paid to Goldman Sachs that involved these so-called Abacus instruments and whether or not we could reclaim those as ill-gotten gains for America's taxpayers.

HONORING SERGEANT SEAN DURKIN

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

Printed on recycled paper.

Mr. COFFMAN of Colorado. Mr. Speaker, there are many heroes from Colorado who have fought and continue to fight in the global war on terror. Today I rise to pay tribute to one hero in particular, Army Sergeant Sean Durkin of Aurora, Colorado.

On March 27, 2010, Sergeant Sean Durkin and his fellow soldiers were on a mission near Forward Operating Base Wilson in Afghanistan when their convoy was struck by an explosive device. Sergeant Sean Durkin and two other brave soldiers exited the vehicle to respond to the blast but were all injured when a second improvised explosive device went off. Sergeant Sean Durkin was gravely wounded and ultimately succumbed to his injuries while at Walter Reed Army Medical Center.

In 2004, Sergeant Sean Durkin graduated from Eaglecrest High School in Colorado. Sergeant Sean Durkin is a shining example of Army service and sacrifice. As a former member of the Army and as a retired Marine officer, my deepest sympathies go out to his family and to all who knew him.

GOLDMAN SACHS AND BAD BETS

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

Mr. WELCH. Mr. President, last week we saw two stories about Goldman Sachs. It made record profits of $1 billion a month for the past 3 months and it was sued for civil fraud by the Securities and Exchange Commission for the manner in which it made that money misleading its own clients.

Goldman has transformed itself from one of the most respected institutions on Wall Street to one of the most reviled for putting itself ahead of its clients and the American people. The $1 billion designed-to-fail Abacus deal for the benefit of a hedge fund billionaire who needed to get richer did not create a single new job in America. It did not provide a single American family with a new mortgage. It didn't help a single new business get started. It did more to damage the economy than it could possibly have done to have helped it.

But the only difference with this Texas Hold'em new poker game that Goldman fuels is that when Goldman makes a bad bet the American taxpayer is the loser.

JUDGE REJECTS FIRST AMENDMENT

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

Mr. POE of Texas. Mr. Speaker, Federal Judge Barbara Crabb sided with some atheists last week and wrongly ruled the National Day of Prayer is unconstitutional.

The first amendment to the Constitution states, ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.'' The judge obviously forgot the ''free exercise'' part.

Our Founding Fathers jealously guarded the right to free exercise of religious conscience. Thanksgiving was started in 1789 by President George Washington so the Nation could, ''Thank and pray to the Almighty for blessing America.'' We start each day of Congress with a prayer. Heaven knows we need it. We have a long history of honoring the religious foundation of America's liberty.

The National Day of Prayer does not seek to establish a government religion. Quite to the contrary, we specifically recognize one day each year the right of Americans to freely exercise their religion, free from anyone's interference, including atheists and Federal judges.

What's next, Judge Crabb? You going to ban Thanksgiving and Christmas as national holidays?

And that's just the way it is.

EARTH DAY

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

Mr. BLUMENAUER. Mr. Speaker, the last 40 years of Earth Day represent some of my personal highest hopes, fondest dreams, and greatest frustrations about the environment. At times we have watched retreat, denial, and in some cases destruction. But we have also seen people mobilized and government respond with groundbreaking legislation.

Today, Earth Day is not so much an issue of hope or despair as one of determination. The current path we are on is not sustainable. It's, indeed, destructive. More and more people know the devastating facts. But what is exciting is that we know what to do about it. From Girl Scout troops to community colleges to the United States military, people are moving in the right direction with solutions that are cost-effective and that most agree we should implement even if we aren't concerned about destabilizing the Earth's climate.

The Big question is, Where will we be on the 50th anniversary of Earth Day? Will we have risen to the challenge of global pollution, leading by example, making real progress to a low carbon future while we revitalize American industry to compete for business at home and abroad? We can, and I hope that we will.

ENERGY AND THE FARM BILL

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

Mr. SMITH of Nebraska. The Third District of Nebraska is one of the largest agricultural districts in the country and is home to more than 30,000 farmers and ranchers. Yesterday, the House Ag Committee took the first step on the road leading to a new Farm Bill.

Taking a comprehensive look at the agriculture sector requires us to be direct about the impact of policies coming from Washington to those 30,000 Nebraskans and agriculture producers throughout the country. Measures like the House-passed cap-and-trade bill will have dire consequences for agriculture. As higher energy prices hit other areas of our economy, farmers and ranchers will pay more for seed, fertilizer, equipment, energy, and other supplies.

My goal is to create policies which will strengthen U.S. agriculture and provide long-term stability for our Nation's producers who feed America and the world. We must not continue to saddle producers with onerous regulations which stand in the way of growth and only lead to more uncertainty.

LETTER TO THE SEC RE: GOLDMAN SACHS AND AIG

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

Mr. CUMMINGS. Mr. Speaker, I rise to ask the Securities and Exchange Commission to do their job. The letter Mr. DEFAZIO and I wrote to the SEC asks for nothing more and nothing less. The SEC has sued Goldman Sachs for potential fraud. Rather than jumping to the conclusion that there was no fraud or simply convicting Goldman Sachs in the court of public opinion, Mr. DEFAZIO and our 36 cosigners and I call for an expanded investigation by the SEC. Should fraud be found, we ask that any taxpayer money paid by AIG and obtained through fraudulent transactions be recovered.

Finally, we are asking that evidence of criminal wrongdoing be turned over to the Justice Department. The SEC must be serious about reining in companies who ignore our laws. I am committed to this cause, Mr. DEFAZIO is committed to this cause, and our 36 cosponsors are committed to this cause.

I invite all of my colleagues to sign onto the letter and join us.

ELIMINATE SWEETHEART DEALS

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

Mr. BUCHANAN. Mr. Speaker, I introduced a bill that would eliminate sweetheart deals. Recently, the current health care bill that got passed, I know in my area, in my town hall meetings, talking to a lot of Americans, people are concerned about the health care bill that just passed, but they are outraged about the sweetheart deals.

What do I mean? The $300 million that went to the Louisiana purchase, $100 million that went to a hospital in Connecticut. People are outraged because they feel it is their money, it is their taxpayer money, and they are very concerned about it. They feel it is buying votes.

And that's the reason I think we have such a low approval rating in this country, because they view it as backroom deals, secret deals. This bill will eliminate all the sweetheart deals that are in this bill.

I ask my colleagues to join me in eliminating sweetheart deals in the current health care legislation.

THE AMT ADJUSTMENT ACT

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

Mr. HALL of New York. Mr. Speaker, a critical component of our economic recovery is tax relief for our middle class. I rise today to urge my colleagues to support the AMT Adjustment Act, which eliminates the AMT from the lives of most middle class families and greatly reduces it for the rest.

In places with a high cost of living like New York's Hudson Valley, more and more middle class taxpayers find themselves paying the excessive AMT. We must restore balance to the Tax Code and prevent this millionaire's tax from hitting the middle class for once and for all.

H.R. 5077 increases the amount of income exempt from the AMT and permanently fixes the tax by indexing it to the cost of living. Tax day is bad enough already, and it shouldn't have big surprises to the tune of thousands of dollars our families have to pay.

Congress must stand up for the middle class. I urge support for this bill.

THE ADMINISTRATION AND ISRAEL

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

Mr. ROGERS of Alabama. Mr. Speaker, I rise today to express my serious concern about the way the administration is dealing with Israel and how destructive I think their behavior is to our relationship.

I would like to remind the administration that the overwhelming majority of the Members of Congress, Democrat and Republican, but more importantly the overwhelming majority of Americans, fiercely support our friend Israel and expect the administration to reflect that in their behavior.

We have had this President go to Saudi Arabia and to Egypt to reemphasize how important it is to improve relations with the Muslim nations. He didn't visit Israel while he was over there to emphasize how important it was to keep and maintain support for our relationship with that Jewish State.

We have had Vice President BIDEN go there and condemn the construction of apartments in Jerusalem. Secretary Clinton did the same thing. Vice President BIDEN was an hour and a half late for a dinner with the Prime Minister. How disrespectful. When President Obama met with Netanyahu in the White House and had dinner with him, he walked out on that dinner. How disrespectful.

We expect more from our President when it comes to dealing with Israel than just disrespect. We expect a reemphasis of our support for Israel.

□ 1015

EQUAL PAY DAY

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

Ms. PINGREE of Maine. Mr. Speaker, this week we marked Equal Pay Day, a day when we recognize the unequal pay of women in this country. Today, women still only make 77 cents to every dollar earned by men. But this disparity is not a women's issue. It's a family issue.

There are just as many women as there are men in the workforce now, and women are the breadwinner or co-breadwinner in about two-thirds of all American families. That is why all of us, men and women alike, have such a big stake in eliminating this gap.

I was proud that my first speech as a freshman in this body was in support of the Lilly Ledbetter Fair Pay Act and when that legislation became the first bill that President Obama signed after taking office. I was proud when Maine had Lilly Ledbetter herself to visit our State last month. And I am proud of the fact that Maine has passed a comparable worth law and made great strides towards ending pay discrimination in our own State.

But for all we have to be proud of, we have so much more to do because when women are paid less, everybody suffers.

END BAILOUTS ONCE AND FOR ALL

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

Ms. FOXX. What's the difference between an ''orderly liquidation fund'' and a taxpayer-funded bailout? There is no difference.

Senate Democrats say they need $50 billion to create a new fund so the government can ''wind down'' failing financial firms. House Democrats want $100 billion more. Both bills increase taxes on consumers at a time when they can least afford it.

Once the bailout fund is in place, government bureaucrats will decide which Wall Street firms are too big to fail, and then they'll use your hard-earned dollars to pay off the firm's creditors. Sound familiar? It's what they did for companies like AIG with the $700 billion TARP bailout.

Now Democrats are pushing ''TARP Two.'' They want to give the government the power of a permanent bailout fund to get back in the game of deciding which of their Wall Street friends to rescue. And their bill does nothing about Fannie Mae and Freddie Mac—the two enterprises at the heart of the economic meltdown.

Republicans have better solutions. Our measure deals with Fannie and Freddie and places failed firms into bankruptcy. It also provides better and smarter regulatory reform, stops the policy of ''too big to fail,'' and protects taxpayers by ending bailouts once and for all.

EARTH DAY

(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, I rise today on the 40th anniversary of Earth Day to support the millions of people around the world who are dedicating their time and service to protecting our environment. I commend all of our citizens for their efforts to clean up our environment, but most of all, I look forward to seeing what we in Congress will do to support them.

I hope this will include passage of legislation I've recently introduced that will restore and protect the largest estuary on the west coast—the San Francisco Bay and its watersheds, which are a national treasure and a resource of worldwide significance.

I also encourage all of us to stand with our constituents this week who are lending their time and service to activities to clean up our environment. One town in my district expects over 5,000 people to dedicate their day to clean up the local shoreline. Earth Day is truly about service, and it's a great opportunity for friends and neighbors to come together on behalf of our planet.

BAILOUT CULTURE

(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. With all of this talk about another big bank bailout and protecting companies that are too big to fail, I think we need to bring things back into perspective. The government should not be in the business of picking winners and losers—especially not at the expense of the American taxpayer.

America was built on freedom and free enterprise. Our Founding Fathers never envisioned a Big Brother government so entrenched in the private sector that it would prop up companies like Fannie and Freddie, rescue Wall Street, bail out AIG, and own car companies. What incentive does a corporation have to be responsible to its employees, customers, communities, and shareholders if it knows Uncle Sam is going to be there to pick up the pieces when it falls apart?

With unemployment at 10 percent and companies hesitant to hire new

workers, I think the Democrats should realize it's time to stop playing CEO with taxpayer dollars.

EARTH DAY IS OCEAN DAY

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

Mr. FARR. Mr. Speaker, I rise today to commemorate Earth Day and speak of the important role our oceans play in combating global warming.

As we celebrate the 40th anniversary of Earth Day, we must remember that Earth Day issues are closely linked to ocean health. Think about it. Seventy percent of the earth is covered by water. The ocean plays a key role in climate formation. It is not only the atmosphere that collects CO_2, but also the oceans are trapping CO_2. That is why we have melting ice caps, rising sea levels, hotter-than-average temperatures, and more severe storms and periods of drought.

Ocean acidification has the greatest impact on corals, clams, oysters, and crabs. The seafood that we eat, like salmon, depend on those. Ocean health is directly related to land health. As we learn about our responsibility for the sustainable well-being of our planet, we must become concerned citizens of oceans as well.

Earth Day is ocean day. Think about it. There is more ocean than earth.

EPA'S CONTEST USING TAXPAYER DOLLARS

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

Mr. OLSON. Mr. Speaker, I rise to make Americans aware of a contest being held by the Environmental Protection Agency. In an attempt to explain how the bureaucracy works, the EPA has announced a video contest to encourage citizens to create videos that explain the Federal rulemaking process. The reward for showing how your government operates is a prize of $2,500.

To some, I realize that might not seem like a lot of money, but as my friend MARSHA BLACKBURN astutely pointed out, $2,500 is the total tax contribution for a working American making just under $30,000 a year. Do we really want to ask any American to hand their total tax payment over to someone who made a YouTube video?

Mr. Speaker, we must restore fiscal discipline in the Federal Government, and ending this kind of spending is a good place to start.

HONORING ORENE ELLIS FARESE

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

Mr. CHILDERS. Mr. Speaker, I rise today to honor the life of Ms. Orene Ellis Farese—a singular woman of great accomplishment, style, and uncommon beauty. Her home was Ashland, Mississippi, where she was a true partner of her husband, famed attorney John B. Farese. They served together in the Mississippi legislature—the first couple to do so in our State and the United States.

The Fareses became the parents of four exceptional children: John Booth, Kay, Steve, and Jeff. The Farese household was a lively and hospitable one, always open to friends and to children's friends.

Mrs. Farese taught by example and placed a high priority on service and excellence. She founded the Ashland PTA and the Arts Festival, served as a Scout and church leader, and was present at every activity involving her children.

In 1938, Mrs. Farese graduated from Blue Mountain College—a momentous accomplishment for a woman at that time. Through her continued leadership, Mrs. Farese was a role model for young women in Ashland affirming that they, too, could accomplish anything with their lives. The Fareses put the tiny town of Ashland on the map and raised the bar for everyone.

Today, their children continue the Farese legacy of giving begun by their parents. I ask my colleagues to join me in honoring this sterling example of Mississippi womanhood and her beautifully lived life.

IT IS TIME FOR COMMONSENSE REFORM FOR WALL STREET

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

Mr. MURPHY of New York. Mr. Speaker, over the last 10 years, Washington failed to regulate our financial marketplaces, and some people on Wall Street took advantage of that to take ridiculous and dangerous risks with dollars that they couldn't back up. This must never be allowed to happen again. All across America, we know what happened. When Wall Street melted down, Main Street paid the price. It's time for us to put in place commonsense reforms to fix this system.

I was proud to support the financial reform that we passed here in the House last fall, and I look forward to getting a final bill in front of us. We must make sure that taxpayers never again are responsible for bailing out failed financial institutions. We must also protect our consumers from some of the risky and predatory behavior we saw in the marketplace from unregulated organizations pushing mortgages that couldn't be afforded. And we've got to inject transparency and accountability into our financial system. The fresh light of day will disinfect so many of the ills in our financial system.

This is about more than just reform. It's about strengthening the system and strengthening our economy and strengthening all of us in this country.

MOTION TO INSTRUCT CONFEREES ON H.R. 2194, IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009

Mr. BERMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2194) to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran, with the Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I have a motion to instruct conferees at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Ros-Lehtinen moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2194 be instructed—

(1) To insist on the provisions of H.R. 2194, A bill to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran, as passed by the House on December 15, 2009; and

(2) To complete their work and present a conference report and joint explanatory statement by no later than May 28, 2010.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 30 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, this motion comes at a critical point in our efforts to prevent Iran from dealing a devastating blow to the security of our Nation, the security of our closest allies, and to global security and stability. The gravest threat comes from Iran's rapidly advancing nuclear weapons program.

Last week, Lieutenant General Burgess, the director of the Defense Intelligence Agency, and General Cartwright, the vice chairman of the Joint Chiefs of Staff, testified that Iran could produce enough weapons-grade fuel for a nuclear weapon within 1 year. But even with this alarming scenario, we may be too optimistic given the Iranian regime's long history of deception.

Last September, yet another secret Iranian nuclear facility was revealed—an underground uranium enrichment plant. Inspectors from the International Atomic Energy Agency, or

IAEA, reportedly concluded that this facility's capacity is too small to be of use in producing fuel for civilian nuclear power but is well configured to produce material for one or two nuclear weapons a year. The regime has already announced that it intends to build 10 new uranium enrichment plants and will start construction on two in this coming year.

There is mounting evidence that Iran has been working on a nuclear warhead for many years. The IAEA's Iran report from February of this year stated that its inspectors had uncovered extensive evidence of ''past or current undisclosed activities'' to develop a nuclear warhead.

That same IAEA report, Mr. Speaker, raised concerns ''about the possible existence in Iran of undisclosed activities related to the development of a nuclear payload for a missile.''

Iran has long been at work on ballistic missiles and already has the ability to strike U.S. forces and our allies in the Middle East, such as Israel and in many other areas.

But Iran is not stopping there. A recent unclassified report by the Department of Defense estimated that Iran may be able to strike the United States with a missile by the year 2015.

□ 1030

The threat posed by the Iranian regime's nuclear ballistic missile and unconventional weapons capabilities is magnified by its continued support for violent extremism. According to this Pentagon report, Iran is ''furnishing lethal aid to Iraqi Shia militants and Afghan insurgents. And Iran provides Lebanese Hezbollah and Palestinian terrorist groups with funding, weapons and training to oppose Israel.'' The same report stated that ''Iran, through its longstanding relationship with Lebanese Hezbollah, maintains a capability to strike Israel directly and to threaten Israeli and U.S. interests worldwide.''

We know that Iran has a long track record of using these capabilities. The Pentagon report confirms that the Iranian regime has been involved in or has been behind what the report describes as ''some of the deadliest terrorist attacks of the past two decades, including: The 1983 and '84 bombings of the U.S. Embassy and annex in Beirut; the 1983 bombing of the Marine barracks in Beirut; the 1994 attack on the AMIA Jewish Community Center in Buenos Aires, Argentina; the 1996 Khobar Towers bombing in Saudi Arabia; and many of the insurgent attacks on coalition and Iraqi security forces in Iraq since 2003.''

In other words, when the Iranian regime threatens America and Israel with destruction over and over again, they may mean it. Today the Iranian Revolutionary Guard is scheduled to begin a 3-day exercise involving their missiles and other weapons to demonstrate their ability to dominate the Persian Gulf and the Strait of Hormuz, the choke point for much of the world's oil supply.

Diplomacy and engagement have had no real impact on the regime in Tehran. As Iran sprints towards the nuclear finish line, deadlines set by the Obama administration for compliance have been repeatedly disregarded. Now the strategy appears to be resting on securing a new U.N. Security Council resolution. However, Russia and China see themselves as friends of the regime in Tehran and have publicly stated that they will not support a resolution that puts any significant pressure on Tehran. In fact, The New York Times reported last week that Secretary of Defense Robert Gates ''warned in a secret 3-page memorandum to top White House officials that the United States does not have an effective long-range policy for dealing with Iran's steady progress toward nuclear capability.''

Mr. Speaker, the Congress must fill this vacuum. We must not sit idly by and wait for Iran to detonate a nuclear device. In February of 2006, the Congress adopted a concurrent resolution, citing the Iranian regime's repeated violations of its international obligations, underscoring that as a result of these violations, Iran no longer has the right to develop any aspect of the nuclear fuel cycle, and urging responsible nations to impose economic sanctions to deny Iran the resources and the ability to develop nuclear weapons. Then we moved to strengthen U.S. sanctions on Iran and to render support to Iranian human rights and pro-democracy advocates through the passage of the Iran Freedom Support Act of 2006.

Yet again, the U.S. has yet to bring to bear the full force of U.S. punitive measures on the Iranian regime. We have failed to act quickly and decisively before. This may be our last chance to apply pressure on Iran before it is too late. So while the motion to instruct we are considering calls on the conferees to conclude their work by May 28, it is my hope, Mr. Speaker, that we will not wait that long. We must strike at the regime's vulnerabilities and do so quickly and effectively.

As such, the motion to instruct conferees insists on the House-passed version of H.R. 2194, the Iran Refined Petroleum Sanction Act, also known as IRPSA. Chairman BERMAN and I, along with several other members of the Foreign Affairs Committee and the House as a whole, have introduced IRPSA to target one of the Iranian regime's key vulnerabilities; namely, its dependence on imported petroleum products, especially gasoline. The House passed it overwhelmingly on December 15 by a vote of 412–12.

The sanctions bill we enact must match the gravity of the growing threat. There are several provisions that the conference report must contain if this legislation is to have any significant impact. Because Iran's energy sector and its dependence on refined petroleum are the regime's Achilles' heel, in the motion to instruct we must insist on sections 3(a) and 3(b), which strengthen sanctions regarding the development of Iran's petroleum resources and the export of refined petroleum products to Iran. We must not reward countries that allow their businesses and citizens to provide assistance to Iran's nuclear missile or advanced conventional weapons program to be rewarded with a peaceful nuclear cooperation agreement. Therefore, the House must insist on section 3(c), which prohibits such agreements being submitted to Congress or entering into force. We must insist, Mr. Speaker, on those provisions because the executive branch has not once applied sanctions under the Iran Sanctions Act on investment in the Iranian energy sector.

This problem originated more than a decade ago when former Secretary of State Albright exercised a sweeping waiver that turned that act into a paper tiger, and the State Department continues to ignore mandatory sanctions under that act on those who are assisting Iran's proliferation activities. We must also ensure that section 3(d) removes ambiguities regarding the President's waiver authority and, thereby, will ensure the speedy implementation of sanctions. And we must insist on section 3(f), which expands the definition of petroleum resources and products and closes loopholes in the original Iran Sanctions Act that have been repeatedly exploited by others. Because the Iranian threat will continue to grow, the House must insist also on section 3(h), which extends the Iran Sanctions Act by 5 years. And because we must not let those who have already violated our laws off the hook, we must insist on sections 4(a)(1), 4(a)(2), and 4(b)(1).

Mr. Speaker, I urge my colleagues to support this motion and ask conferees to embrace it and commit to sending the strongest possible bill to the President's desk. The clock is ticking. The centrifuges in Iran are spinning. Our time has almost run out.

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

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

I rise in strong support of the ranking member's motion to instruct. The world faces no security threat greater than the prospect of a nuclear-armed Iran. We must make certain that the prospect never becomes a reality. A nuclear Iran would menace, intimidate, and ultimately dominate its neighbors. It would be virtually impervious to any type of pressure from the West, whether regarding its support of terrorism or its crushing of freedom and human rights at home, and it would touch off a nuclear arms race in the Middle East that would shred the Nuclear Non-Proliferation Treaty and almost inevitably lead to catastrophe. And worst of all, Iran might actually use its nuclear arms against those it considers its enemies.

The urgency of this issue is beyond dispute. Iran quite possibly will be capable of developing and delivering a

nuclear weapon in the next 3 to 5 years, and our task of preventing Iran from achieving nuclear weapons capability is made more complicated by the fact that we all know that our best weapon for fighting this battle—economic sanctions—takes time to work. So we need the strongest possible sanctions, and we need them fast.

That's why I support this motion to instruct. The House bill, H.R. 2194, the Iran Refined Petroleum Sanctions Act, is a good, strong measure; and I and my fellow conferees will fight for it in conference. We will also work with the Senate on measures to help Iran's brave dissidents circumvent regime efforts to block their communications.

Our colleague, the gentleman from Florida, will speak about an additional provision with respect to State decisions to disinvest that we want to include in this conference report. And I want to send this bill to the President by or before the May 28 deadline proposed in the motion to instruct.

This bill, along with the Senate bill, has already done much good. In recent months, in anticipation of our sanctions becoming law, several major energy companies have ceased selling refined petroleum to Iran. Others have announced they will not make new investments in Iranian energy. They are making the sensible choice that our bill encourages, choosing the U.S. market over the Iranian market. More will make that choice when our bill becomes law.

Meanwhile, our bill is goading other nations to intensify their efforts to achieve a sanctions resolution in the U.N. Security Council, and our own executive branch is getting the message that Congress is able and willing to take the grave matter of sanctions into our own hands.

April 30 will mark 1 year since we first introduced this sanctions legislation. Since then, Iran has increased the number of its working centrifuges and has reached the one-bomb equivalent level in its stock of low-enriched uranium. It has enriched uranium to 20 percent, a big step on its way to mastering the process of producing weapons-grade uranium, and has installed advanced third-generation centrifuges. It has been caught red-handed building a secret reactor near Qom, which research suggests could only have been intended for bomb-making purposes, and it has announced plans to build 10 more reactors.

Iran is in contempt of the international community, and I had hoped that a U.N. Security Council resolution requiring tough sanctions, followed immediately thereafter by additional muscular sanctions imposed by the European Union, would have happened by now. I know the administration is doing everything possible to bring that result about. Unfortunately, we are now nearly 4 months into 2010 with Iran on the verge of nuclear weapons capability and a U.N. Security Council resolution remains an uncertain prospect. We cannot wait any longer.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to yield 2 minutes to the gentleman from Indiana (Mr. BURTON), the ranking member of the Foreign Affairs Subcommittee on the Middle East and South Asia.

Mr. BURTON of Indiana. I thank the gentlelady for yielding.

You know, I think my colleagues have very eloquently explained the contents of the bill and what we need to do. But the thing I would like to talk about for a minute or two are the ramifications for America and the rest of the world if we don't do something. We get about 30 to 40 percent of our energy from the Middle East, and if I were talking to the American people, I would just say to them that if you look at your lights and you look at the energy you need for your car and for everything else, heating your house, you need to realize that if Iran develops a nuclear capability and that whole area becomes a war zone, the Persian Gulf, where a lot of oil is transported through, we would see a terrible problem as far as our energy is concerned, and that would directly affect our economy.

□ 1045

So it is extremely important that we do something and do something very, very quickly. We have waited too long. We have been talking about negotiating with Iran and putting sanctions on them for the past 4 or 5 years, trying to get our allies to work with us. The fact of the matter is nothing has happened, and Iran continues to thumb their nose at the rest of the world. This is a terrible, terrible threat. A terrorist state, Iran, with nuclear weapons is not only a threat to the Middle East, to Israel, our best ally over there, but it is a threat to every single one of us.

They are also working on intermediate range missiles and possibly intercontinental ballistic missiles. If they get those, nobody is safe. So it is extremely important that we take whatever measures are necessary to stop Iran from developing nuclear weapons.

Now, today we are taking a great first step. I hope when this goes to conference committee we come out with something that is so strong it really will have an impact on what Iran does. But if it doesn't, it is important that everybody in the world realize that we have to stop Iran from developing nuclear weapons because it is a threat to every single person on this planet in one way or another. We have got to stop nuclear proliferation, but the first thing we have to do is stop Iran, a terrorist state, from getting nuclear weapons.

I thank the gentlelady for yielding.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 3 minutes to a distinguished member of the Foreign Affairs Committee, the gentlelady from Texas (Ms. SHEILA JACKSON LEE).

(Ms. JACKSON LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. I thank the chairman very much both for his leadership and for this opportunity, with the ranking member, to really discuss and reinforce some of the principles that many of us support in a bipartisan manner. But I rise today to simply encourage the conference on this legislation and to be able to simply chronicle efforts that I think were not wasteful, but constructive.

I do believe the administration's effort at engagement was constructive and not wasteful. It is always important—for those of who us are lawyers—to create the record, the building blocks for the final decision of the court of law. In this instance, the court of law is the combination of the American people, this Congress, and this administration, and it is, likewise, the world community, the United Nations.

Also, the people of Iran are speaking and they are speaking loudly. No one can forget that fateful picture of a young lady lying in her own blood during the uprising of the people of Iran, not provoked by any world standards or provocation, but for the people of Iran simply saying enough of the despotism of this administration, of their country; enough is enough. They were willing to die in the streets. They took to the buildings to make loud noises at night, and they continue to pounce over and over again.

Iran is a challenge, and it is a terror around the world. Having just come back from Yemen, Bahrain, Qatar, and Pakistan, everywhere you went individuals, leaders in government were willing to indicate what a threat Iran was. Just yesterday, in a hearing on Syria, questions are now rising as to Iran's participation in funding Hezbollah to go into Lebanon. Of course some of those particular points are being denied, but frankly I think if there is any reason to move forward on a conference, it is the concept of the disruption of Iran in the region.

There are those who are in the Mid East who want peace. From Jordan, to Israel, to other places around, they want peace. If we begin to look at Yemen, that is in a distant location, a place where I visited, we know that it is an al Qaeda cesspool. We know that there are young men there that are susceptible to recruitment. All of this provides for a disruptive arena, and we here in this country must provide the moral standing of peace and democracy for those who desire so.

So I rise to support the people of Iran, those who are willing to sacrifice their lives and go into the streets. And it is well known that whatever we have tried to do, the engagement of the Cold War, the standoff, Iran continues to seemingly put forward its nuclear efforts.

I ask for support of this legislation, and I ask my colleagues to vote for this motion to instruct.

Mr. Speaker, I rise in support of H.R. 2194, the Iran Refined Petroleum Sanctions Act of 2009. This legislation provides another tool for the President to prevent Iran from developing nuclear weapons by allowing the administration to sanction foreign firms who attempt to supply refined gasoline to Iran or provide them with the materials to enhance their oil refineries. These sanctions would further restrict the government of Iran's ability to procure refined petroleum. Currently, the availability of petroleum products is stagnant in Iran. Private firms have decided that the government of Iran's refusal to cooperate with the multilateral community on nuclear proliferation generates a significant risk to doing business with Iran.

I would like to thank Chairman BERMAN for incorporating 1 my concerns about the human rights situation in Iran into the findings of this legislation. It is important that we acknowledge that, throughout 2009, the government of Iran has persistently violated the rights of its citizens. The government of Iran's most overt display of disregard for human rights happened in the presidential elections on June 12, 2009. As I said on June 19, 2009, "We must condemn Iran for the absence of fair and free Presidential elections and urge Iran to provide its people with the opportunity to engage in a Democratic election process." The repression and murder, arbitrary arrests, and show trials of peaceful dissidents in the wake of the elections were a sad reminder of the government of Iran's long history of human rights violations. The latest violations were the most recent iteration of the government of Iran's wanton suppression of the freedom of expression.

It is important that we are clear that our concerns are with the government of Iran and not its people. The State Department's Human Rights Report on Iran provides a bleak picture of life in Iran. The government of Iran, through its denial of the democratic process and repression of dissent has prevented the people from determining their own future. Moreover, it is the government of Iran that persecutes its ethnic minorities and denies the free expression of religion. As we proceed with consideration of this legislation, we should all remember that the sole target of these sanctions is the Iranian government.

Mr. Speaker, the government of Iran has repeatedly shown its disdain for the international community by disregarding international nonproliferation agreements. Iran's flagrant violation of nonproliferation agreements was evidenced most recently in the discovery of the secret enrichment facility at Qom. The government of Iran's continued threats against Israel, opposition to the Middle East peace process, and support of international terrorist organizations further demonstrate the necessity for action.

Iran's recent actions towards the international community reflect a very small measure of progress. Iran's decision to allow International Atomic Energy Agency, IAEA, inspectors to visit this facility was a positive sign, but not a sufficient indication of their willingness to comply with international agreements. The recent announcement that Iran will accept a nuclear fuel deal is also indicative of their willingness to engage in dialogue, though it remains to be seen what amendments they will seek to the deal. While these actions indicate a small degree of improvement in Iran's position, the legislation before us today demonstrates that only continued dialogue and positive actions will soften the international community's stance towards Iran.

I would also like to emphasize that the legislation before us provides only one tool for achieving Iran's compliance with international nonproliferation agreements. I continue to support the administration's policy of engagement with Iran and use of diplomatic talks. I believe that diplomacy and multilateralism are the most valuable tools we have to create change in Iran. After those tools fail, I believe that the sanctions are an appropriate recourse.

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from California (Mr. ROYCE), the ranking member on the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. ROYCE. I thank the gentlelady for yielding time.

As ranking member of the Subcommittee on Terrorism, Nonproliferation, and Trade, I strongly support this motion to instruct.

I think it is important for all of us to realize that right now Iran is at its weakest point in terms of its capacity to manufacture enough refined petroleum. It has to, at this point for its gasoline, import that into the nation. Already the impact, the effect of this legislation even coming up on the floor has been effective in backing companies away from doing business with Iran. Imagine what the effect will be if we pass this legislation. Imagine the impact it will have and the pressure that it will bring to bear because the threat of this legislation has already produced a situation in Iran that is very, very difficult for civil society and is making people understand the cost and the consequences for Iran to continue down this road.

Now, this morning the GAO will release a report that shows that foreign commercial activity in Iran's energy sector is going to begin to increase, and that will provide cash for Iran's nuclear program. That is why this bill is so important. A similar report 3 years ago showed half as many companies involved in this sector; now it is on the increase. The usual way of doing business of not standing up to the Russians and the Chinese and to others cannot continue; we have to take action.

Time is not on our side. Enrichment capability, the key aspect of a nuclear weapons program, is being mastered by that government. Not so long ago, I remember talking here on the floor about Iran's 164 centrifuges, and now the progress is measured in thousands and thousands of centrifuges. It is working on a weapon design, my colleagues, and may have a missile to carry that warhead to the United States within 5 years' time.

Today, the world's top terrorist state has its tentacles throughout the region.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank the chairman for his leadership on this issue.

As the chairman knows, I have some reservations about the effectiveness of a sanctions regime, but there is no question in my mind but that the worst thing that could happen is military confrontation because that would in fact unite the Iranian people against America and on the wrong side of history.

Now, it is too easy to think of Iran as a monolithic people. The reality is that Iran is the successor to the great Persian civilization, and it is a very diverse civilization. I share the chairman's concern about the current Government of Iran, which I don't think is consistent with Persia's history; and in fact their actions have been inexplicable and inexcusable. And the chairman is right, obviously, to respond. But the reality is that a very substantial portion of the Iranian population, perhaps a majority, in fact embraces American values of democracy and human rights and individual freedoms of expression, collective gathering, and freedom of worship; but they are not able to do that today.

I appreciate the fact that the chairman is determined to allow the technology that would enable the population to communicate their ideas, in fact to mobilize for the best interests of their nation and their future. We ought also to limit the availability of technology that the regime is using for precisely the opposite purposes: to censor and to perform surveillance against those people who would like to empower the Iranian people to take control of their own future.

This bill will be supported, it should be supported, and, again, I appreciate the chairman's leadership.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield an additional 1 minute to the gentleman from California (Mr. ROYCE), the ranking member of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. ROYCE. I thank the gentlelady.

For those of us who have engaged in this region and have watched neighboring countries to Iran, watched their propensity to react as Iran has sped up its development, each of those countries is now looking at going nuclear. I would ask my colleagues to think about those neighbors of Iran that would create a heavily nuclearized Middle East should Iran succeed in this and what the impact would be. We can only imagine the turmoil and the tensions that will come to the Middle East should we not succeed in this effort to prevent Iran from developing these nuclear weapons.

Tomorrow's nuclear Iran would thus have a compounding effect with severe consequences for regional security and, as I pointed out earlier, for U.S. security. So the time for action has long passed. This bill will greatly help because it targets Iran's Achilles' heel at perhaps the only time that we can effectively do that.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the author of Florida legislation with respect to disinvestment from Iran's energy sector, our newest Member, the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, the motion before us today is based on the simple fact that a nuclear-armed Iran is an unacceptable threat to our national security, poses an existential threat to our vital ally, Israel, and will ignite a destabilizing arms race throughout the Middle East.

We must take whatever action is necessary to prevent Iran from acquiring nuclear weapons. Iran is the world's leading sponsor of terror; its President denies the Holocaust, and he has openly declared his intention to wipe Israel off the map.

To be included among the powerful sanctions in this legislation is the removal of barriers that State pension boards raise which prevent the divestment of holdings in companies that help to fund Iran's nuclear weapons program.

In 2007, the Florida legislature passed critical legislation that mandated that workers' pension funds could not be used to support Iranian nuclear weapons. In Florida alone, we removed more than $1 billion from companies that put their profits ahead of this Nation's national security. That is one State. This legislation will permit every State to divest from Iran just as Florida and 20 other States have already done. The divestment effort will become a full-fledged movement.

The threat from Iran is real. This threat is unacceptable, and it demands this aggressive effort on the part of the United States and our allies.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Texas, Judge POE, a member of the Committee on Foreign Affairs, because that's just the way it is.

Mr. POE of Texas. I thank the gentlelady for yielding.

Mr. Speaker, Iran is the world threat. They along with North Korea are working together to plot and build nuclear weapons to threaten the rest of the world.

Ahmadinejad, the little fellow from the desert, has already said that when he gets nuclear weapons, his first target is Tel Aviv in Israel. He has made it clear to the world that he wants to destroy Israel and he wants nuclear weapons; he wants missiles from North Korea to do that. But his threat is not just to the Israelis. It is to the entire region, and even to the United States. He continues to rant about how he wants the destruction of the West.

He helps Hezbollah in the north and he helps Hamas in the south both to engage and cause terror in Israel. Our answer has been, Well, let's talk to them; let's tell the Iranians that they're not playing nice, that they are going to cause problems in the world. Mr. Speaker, we cannot adopt the Neville Chamberlain philosophy and fool ourselves that the Iranians will honestly negotiate with the world. They lie to the world and the United States so they can buy time to build their nuclear weapons. More talking will not bring peace in our time. It will only allow them to build nuclear weapons.

□ 1100

So this sanction must work. It must be enforced. Prevent companies from dealing with our enemy government, the Iranian Government, and do not allow Iran to receive refined gasoline. We must mean it and we must enforce this.

The long-term solution with Iran is that there is a regime change. We hope the good people of Iran change their rogue government, a government that doesn't even represent the people, a government that had fraudulent elections last year and that took over control again.

Our government, our country, our people must be vocal about our support of this resistance movement. Iranians will, hopefully, remove their government by themselves and will peaceably set up a government that represents to the world that it will bring peace to the world.

That is the great hope for Iran. That is the great hope for the world—a peaceable regime change in Iran.

Right now, we need sanctions, and we need to let them know we mean it because we are not going to continue to talk forever and to hope that they will negotiate and play nice.

And that's just the way it is.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. I thank my California colleague for yielding to me, and I commend him for his leadership on this issue.

Mr. Speaker, in the course of my service on virtually all of the security-related committees in this House, I have visited some of the most dangerous and austere places on the planet—rugged, remote areas that provide sanctuary to the most ruthless and cunning terrorists. As a result, I am often asked to name those countries which I think pose the greatest threat to the security of our country and to the world. Iraq? Pakistan? Afghanistan? Yemen?

My answer every time is: Iran, Iran, Iran.

Given the zeal with which it promotes and supports instability in the Middle East, given its myopic obsession with the destruction of Israel, its arming of and financial assistance to Hezbollah and Hamas, and its implacable, duplicitous march towards a nuclear weapons capability, in my view, no other country comes close.

The question that confronts us is how to cause Iran's government to abandon interest in a nuclear weapons program.

Most agree—certainly, I do—that a multilateral approach is most likely to succeed. Our efforts with the EU, led by the indomitable Stuart Levey, have been effective, but they haven't yet changed Iran's course.

Our country must continue its leadership role. Our efforts at diplomacy and at unilateral sanctions must drive stronger multilateral diplomacy and sanctions. That is why Congress must move to conference on Iran sanctions legislation and why it must enact by an overwhelming bipartisan vote the strongest package. That package should include divestments, and it should expand sanctions on individuals, institutions, as well as on nongovernmental entities, and it must cripple Iran's ability to import refined petroleum products.

Let me be clear, Mr. Speaker. Our problem is not with the Iranian people but with its government's reckless policies. Iran with nuclear weapons not only poses an existential threat to Israel; it poses an existential threat to us and to countries everywhere which espouse Democratic values.

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored to yield 2 minutes to the gentleman from Illinois (Mr. KIRK), an esteemed member of the Committee on Appropriations.

Mr. KIRK. Mr. Speaker, as the Iranians accelerate their nuclear program, indications are that America may be losing its nerve. In its latest report to Congress, the CIA said that Iran has continued to expand its nuclear weapon infrastructure and that it has continued uranium enrichment. This follows reports by the U.N.'s IAEA that Iran has mastered the art of making low-enriched uranium and that it is halfway to its goal of making bomb-grade fissile material.

So what are our options?

We know that Iran's greatest weakness is its dependence on foreign gasoline. The mullahs have so mishandled Iran's economy since 1979 that this leading OPEC, oil-producing nation is dependent on gasoline for 40 percent of its needs.

I wrote the first gasoline sanctions resolution with my colleague ROB ANDREWS in 2005. Over time, my colleagues and I have built a bipartisan coalition with Congressman SHERMAN behind a policy of ending Iran's gasoline sales.

I want to thank Chairman BERMAN and Ranking Member ROS-LEHTINEN for their success in bringing this bill to the floor. In these partisan times now, when have 514 Senators and Congressmen agreed on anything? But they agree on cutting off Iran's gasoline.

Now, without decisive bipartisan action soon, the security of our children and of our allies may depend on the good behavior of a terrorist nation now armed with the most dangerous weapon. So, as Congress has been sleeping, I think we should wake up. We should finally sign this bipartisan bill.

To Congress: Pass this legislation. To the President: Sign it and then seal off Iran's gasoline.

Without unilateral action to cut off Iran's gasoline, no other sanctions policy is serious. With it, we have a chance to remove a great danger to the security of American and Israeli children.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), the chair of the Foreign Operations Subcommittee on Appropriations.

Mrs. LOWEY. I want to thank the chair for his leadership on this very important issue.

Mr. Speaker, I want to express my strong support for H.R. 2194, the Iran Refined Petroleum Sanctions Act, which mandates tighter sanctions against the Iranian regime. With its continued defiance of the international community and with the clock ticking on their nuclear capabilities, now is the time for action.

This week, Iran announced its testing of various missiles and weapons capabilities. U.S. officials have said Iran could develop a ballistic missile capable of striking the U.S. by 2015, and they have said that Iran's continued existential threat to our strongest ally in the Middle East, Israel, presents dire global security implications.

I urge the conferees to act with haste to address these urgent challenges with tough crippling sanctions. Let the speed with which Congress finalizes this legislation to sanction Iran be a message to the international community that time is of the essence if we are to contain Iran's threat to security, stability and prosperity worldwide.

Again, I thank the gentleman from California and the gentlewoman from Florida for their efforts. I urge my colleagues to vote in support of this motion to instruct.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the motion to instruct.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. ROSKAM), a member of the Committee on Ways and Means.

Mr. ROSKAM. I thank the gentlewoman for yielding.

Mr. Speaker, not long ago, I was briefed by an official on Iran's provocative action, and he gave a challenge in that briefing.

He said, Print out on your computer a red line. Print a big, thick, red bar on a white sheet of paper, and look at it from a distance. You'll think it's a solid red line, but if you'll look at it up close, what you will see is that it is actually a series of tiny, little pink lines all pushed together, but they're individual little lines. He said, What Iran has figured out is a way to break through one tiny, little line at a time, just one at a time, one at a time, one at a time.

That is why we are here today, because we in the West, we in the United States, are on to what the Iranian leadership is doing. They are being incredibly provocative. There is no legitimate nuclear ambition for Iran. This is a regime that has said that Israel, our greatest ally in the Middle East, has no right to exist. They've said one provocative thing after another.

History is filled, Mr. Speaker, with examples of weakness and ambiguity in foreign affairs. What is the result? Largely, the result is calamity.

Now we have a chance to be united, to all come together to say we are not going to stand for this. We have come up with a remedy, and it is time for the conferees to move forward and to create this very tough and solid sanction against the petroleum products going into Iran. I urge the conferees to move quickly.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I support the Obama administration's historic efforts at nuclear weapon nonproliferation and nuclear security. It is a recognition that our security depends on dialogue and negotiation between nations. It was reflected in a proposal that was made last year to freeze Iran's nuclear programs at existing levels.

Now, in December of last year, I led the effort to oppose H.R. 2194, the Iran Refined Petroleum Sanctions Act. I stand here today, almost 5 months later, to reaffirm my objections to the underlying bill, and 5 months later, we have not come any closer to a diplomatic resolution to our objections to Iran's nuclear proliferation program nor have we attempted to amend the language of the Iran sanctions bill to ensure that it does not come at the cost of the well-being of the Iranian people we claim to support.

Iran imports 40 percent of its gasoline. Leaders of Iran aren't going to lack for gasoline, but the people of Iran already suffer. We have to ask ourselves:

Will this cause them to turn against their government or will it cause them to turn against the United States in our efforts to bring about a cessation of Iran's nuclear program? If we cared about the Iranian people, we would not be back on the House floor, considering Iran sanctions.

Congress can better demonstrate its commitment to the Iranian people and to their brave demonstrations for democracy by focusing on efforts to address the egregious human rights, civil liberties and civil rights abuses that they endure. The legislation under consideration will only play into the hands of the Iranian regime by diverting attention away from the significant social and economic problems that must be addressed.

I fear that this legislation will actually strengthen the hard-liners in Iran, and I am sure that is not what we want to happen. This legislation will undermine any future efforts by the administration to engage diplomatically with Iran by limiting the tools the administration can use. Reports suggest that Iranians have delayed any agreements with the United States for a fuel swap due to internal divisions.

We must stand in support of the courageous battle for human rights and democracy that the Iranian people are engaged in, many at the cost of their lives.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FRANKS), a member of the Armed Services and Judiciary Committees.

Mr. FRANKS of Arizona. I thank the gentlewoman.

Mr. Speaker, the ominous intersection of Jihadist terrorism and nuclear proliferation has been inexorably and relentlessly rolling toward America and the free world for decades.

We now find ourselves living in a time when the terrorist state of Iran is on the brink of developing nuclear weapons. If that occurs, all other issues will be wiped from the table because whatever challenges we have in dealing with Iran today will pale in comparison to dealing with an Iran that has nuclear weapons.

Yet, Mr. Speaker, the Obama administration seems to remain asleep at the wheel. We see repeated signals that the Obama administration may already be adopting a policy of containment. It is beyond my ability to express the danger of such a policy. I am afraid that the last window we will ever have to stop Iran from gaining nuclear weapons is rapidly closing.

While it is unlikely that the bill before us will be enough to prevent Iran from gaining nuclear weapons by itself, it is a step in the right direction, and I applaud its sponsors. I only pray that the Obama administration will wake up in time to prevent Iran from becoming a nuclear armed nation, from threatening the peace of the human family, and from bringing nuclear terrorism to this and to future generations.

Mr. BERMAN. Mr. Speaker, may I get the time remaining on both sides?

The SPEAKER pro tempore. The gentleman from California has 13½ minutes remaining. The gentlewoman from Florida has 6½ minutes remaining.

Mr. BERMAN. I yield myself 1 minute.

Mr. Speaker, my friend from Ohio (Mr. KUCINICH) articulated his reasons for opposing this legislation. We are now, of course, voting on a motion to instruct on the legislation, but I want to just take issue with several of his points.

Firstly, the reason there has not been a diplomatic resolution of the problem is that the regime in Iran has refused to engage in any meaningful and serious way in a resolution which would require them to change their behavior to end their ambition to obtain

a nuclear weapons capability, and that is where the blame lies. It is not because diplomatic alternatives have been ignored. It is because they have been undertaken and rebuffed by the regime in Iran.

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

Mr. BERMAN. I yield myself 1 additional minute.

Secondly, I disagree very much with the gentleman's contention that our effort to seek to change Iranian behavior and to reverse Iran's decision to pursue nuclear weapons through the imposition of strong, robust, meaningful economic sanctions, both through this legislation and, even more importantly, through tough international sanctions by the community of nations, is going to cause the Iranian people to turn against us on behalf of their regime.

□ 1115

These are people who have risked their lives, their freedom, their liberty. They have been subject to execution, murder, imprisonment, all kinds of repression, efforts to suppress their speech and their political liberties by that regime and have taken great risks, notwithstanding the way that regime has reacted. I would suggest that those people will know more than anyone that the consequences that are befalling the people of Iran are a result of the regime's behavior, not the international community and America's efforts to change Iran's behavior.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so honored to yield 5 minutes to the gentleman from Virginia (Mr. CANTOR), our esteemed Republican whip and a member of the Committee on Ways and Means.

Mr. CANTOR. I thank the gentlewoman for yielding. I want to salute, first of all, the gentlewoman's leadership on this issue as well as that of the gentleman from California in bringing this to the floor. I would also like to thank the majority leader for bringing this to the floor as well.

Mr. Speaker, last year the new administration came to power insisting it had a new approach that would head off the looming threat of a nuclear Iran. By talking to and engaging with the regime in Tehran, the administration said we could convince the world's most active state sponsor of terrorism to abandon its nuclear weapons program. And if that didn't work, America ostensibly would gain the ''moral authority'' to galvanize China, Russia, and the rest of the world to go along with a regime of crippling sanctions against Tehran.

Fifteen months and countless missed deadlines later, the administration's strategy has failed. Our lack of resolve has only enabled Iran to accelerate its illegal activities.

Let us take this opportunity to remember how high the stakes are. The danger of a nuclear Iran is not hypothetical; it is real. It is a direct and serious threat to America. It is a game changer that would set off a nuclear arms race throughout the Middle East, permanently destabilizing the world's most dangerous region.

Top U.S. military officials recently warned Congress that within 1 year Iran will have the fissile material it needs to make a nuclear weapon. Once Iran gets the bomb, the concept of deterrence that underpins U.S. national security is no longer valid.

The resounding voice of history reminds us that we ignore the threats of dangerous men and dangerous regimes at our own peril. That's why Congress must rise to the occasion and send the message to the world that the United States will not tolerate a nuclear Iran. It is time for a concerted effort to impose sanctions with real teeth, and that begins here today with the Iran Refined Petroleum Sanctions Act.

We must block the shipment of all refined petroleum to Iran, and we must cut off all international companies who do business with Iran's Revolutionary Guard from the U.S. financial system. Iran's trading partners must understand that they will no longer conduct business with the regime in Tehran with impunity.

Mr. Speaker, these are times of sharp partisan divide in our Nation's capital, but today we have the chance to come together to take a major step forward in the interests of world peace. The time for decisive action to head off the regime in Iran's nuclear program is now.

Mr. BERMAN. Mr. Speaker, before I yield to the majority leader, I yield myself 30 seconds.

One year and 3 months ago, America was pretty isolated in its goal of trying to stop Iran from getting a nuclear weapon. We absolutely need to move quickly because Iran is moving quickly. But there can be no doubt that the result of the events of the past 15 months have changed the dynamic fundamentally where the international community now recognizes the threat Iran's nuclear weapons pose and it is Iran who is isolated, not America. That is a direct result of the fundamental change of policy.

Mr. Speaker, I am now pleased to yield 1 minute to a great advocate of this legislation and of achieving this goal, the majority leader.

Mr. HOYER. I thank my friend of some 45 years, the chairman of the committee, for yielding. And I want to, before I start my remarks, say that I agree with him with respect to his observations regarding the Obama administration's efforts that are bearing positive fruit with respect to our allies around the world. We are not where we need to be and they are not all allies, but they certainly are partners in responding to this threat to the international community.

We know what a grave danger a nuclear Iran would pose to America's security, to our ally Israel's security, and, indeed, to the security of the international community. That is why Mr. BERMAN and Ms. ROS-LEHTINEN reported out a bill. That is why we passed a bill. That's why the Senate has passed a bill. And now it's time to go to conference. It's time to resolve the differences that exist and send a clear and unmistakable message.

The dangerous consequences of inaction range from a fierce regional arms race to a nuclear umbrella for terrorism, to the unthinkable. With American and international security at stake, Iran's nuclearization is a grave proximate threat and cannot stand. That is why the United States must do everything in its power, Mr. Speaker, to stop Iran's nuclear pursuit.

Through years of diplomatic silence, Iran's nuclear program grew. President Obama took a course of patient engagement. And while Iran's unwillingness to negotiate in good faith has been exposed to the world, it has grown even closer to its goal. Today, the International Atomic Energy Agency feels that Iran has enough low-enriched uranium for two nuclear bombs.

So time is of the essence. By proceeding with this motion, Congress moves closer to the imposition of sanctions that will hit the Iranian economy at its weakest points: its banking system, the Revolutionary Guard Corps, and the refined petroleum Iran depends upon.

I support, strongly, this motion, knowing full well that sanctions are never a perfectly precise instrument and that they may mean hardship for ordinary Iranians who already suffer under the repressive regime in Iran. But I support sanctions nonetheless because they can work when the international community recognizes that an outlaw nation poses a common threat to us all, a case that President Obama and Secretary Clinton are making persuasively, as was the point of the chairman of the committee, to our fellow Security Council members and a case that the administration continued to make at this month's nuclear security summit. An extraordinary summit, I might add, of historical precedence, where 47 nations from around the world came here to Washington to meet together, including the President of China, to say that nuclear proliferation poses a danger to all, not just to a single nation, not just to a regional group of nations, but to all.

I support sanctions because Tehran can choose, at any time, to negotiate in good faith and set aside its aggressive nuclear pursuit. And I support sanctions because when properly designed, they can be a source of powerful pressure on the Iranian regime, pressure both external and internal.

As Britain's Telegraph newspaper reported on Monday, ''there is now increasing resentment that Iran's once popular nuclear program could be distracting from more urgent needs in the face of economic mismanagement and sanctions. Far from resenting the U.S.-designed sanctions, Iranians blame the slowdown on their own government.

''Nuclear energy is something that I supported, but why go about it in this way?' asked an Iranian citizen Zori Baghi, a pensioner and father of two.'' He went on to ask, ''If it is legitimate, then why are we suffering for it in this way? If it's not legitimate, then do it in the right way or give it up. We're paying too heavy a price,'' so said an Iranian citizen about that country's nuclear ambitions.

It is my belief, my colleagues, that if smart sanctions take effect, more and more Iranians will come to the same conclusion and so, hopefully, will the Iranian regime. Sanctions will show the regime that its embrace of nuclear proliferation carries a cost that is far too high. We cannot expect a change of heart from Tehran, but we can demand a change of behavior.

My colleagues, this action is timely and perhaps past time, but it is always timely to do the right thing, to speak up, to act, and to encourage our allies as well and our partners and our fellow citizens in this globe to act in a way that will protect them and protect our international community.

So I rise in strong support of this motion to go to conference and the motion to instruct, and I thank my chairman for his leadership on this issue. He is working both to have effective action taken by the Congress and to assist the administration in reaching the objective in as positive a way as is possible.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER of New York. I thank the gentleman for yielding.

Mr. Speaker, we all know that the prospect of an Iranian state armed with nuclear weapons is simply intolerable for the world. It poses an existential threat to our ally Israel. It would pose the threat of terrorism all over the Middle East under a nuclear umbrella, so we wouldn't be able to oppose what Iran was doing. It poses a threat of a nuclear arms race in the Middle East. It poses the threat that we cannot rule out that this regime would give a nuclear weapon to a terrorist group like al Qaeda to use we can only guess where.

Finally, some people say, you know, we coexisted with a nuclear Soviet Union for 40 years, 50 years. We deterred them, deterrence works. Deterrence cannot work when you have a government that is religious in nature, many of whose elements are millenarian; that is, they believe that the final destruction of Israel even if it causes a nuclear war would bring on the return of the Hidden Imam more quickly. You cannot reason with a suicide bomber. You cannot deter a suicide bomber, which is in essence what parts of the Iranian Government are.

So we must prevent Iran from getting nuclear weapons. We also must avoid the Hobson's choice of having a situation where the advisers come in to the President and say, Mr. President, here are your two choices: One, do nothing in Iran, who will have nuclear weapons in a couple of weeks; two, militarily attack Iran. We don't want that Hobson's choice. We have to avoid a choice of military action or a nuclear Iran.

The Bush administration was here for 8 years. They pursued a policy of talk tough and carry a toothpick. They talked tough but stopped nothing, and for 8 years the centrifuges increased and increased in number and went round and round and came closer and closer to a nuclear Iran.

Now we have an administration that comes in with a policy of big sticks and big carrots and says first we will engage the Iranians. We will show them the advantages of avoiding a nuclear status, and we will by so doing establish the foundation for unified, not unilateral, sanctions action against Iran if necessary.

□ 1130

Now we've reached the stage where we have to start engaging in real sanctions, and we have allies, and we will get those sanctions, and we must take tough sanctions to avoid that Hobson's choice.

And this resolution before us is part of that, to impose tough sanctions on the Iranians to make them reconsider, or to make it impossible for them to develop nuclear weapons.

So we must establish this now. We must pass this resolution because we do not want a Hobson's choice of military action or a nuclear Iran, the latter of which is intolerable, and the first of which is something we should not ever want.

So I urge my colleagues to pass this resolution, and I thank the gentleman from California (Mr. BERMAN) and the gentlelady from Florida (Ms. ROS-LEHTINEN) for bringing it to the floor.

Ms. ROS-LEHTINEN. I continue to reserve, Mr. Speaker.

Mr. BERMAN. Mr. Speaker I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS), one of the original creators of the concept of refined petroleum sanctions as a sanction.

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

Mr. ANDREWS. Mr. Speaker, there is a justifiable and broad consensus in our country and in this Congress that the regime in Iran cannot have a nuclear weapon. The issue is how to achieve that objective and why to achieve that objective.

We cannot act in isolation to achieve the objective. We must act to isolate Iran. This has been the fruit of the persistent diplomacy engaged in by the administration, assisted very nobly by Chairman BERMAN and our ranking member that has brought us to a point where the world is now isolating Iran. Iran stands essentially alone in support of the proposition that its behavior has been justifiable.

The sanctions that are proposed by the underlying bill will be effective because they will force the Iranian leadership to choose between the prospect of prosperity if they drop their nuclear chicanery and the certainty of economic stress if they persist in retaining it.

The best evidence that these sanctions are effective is the crash program the Iranians themselves have embarked on to switch from gasoline to natural gas as a means of propelling vehicles.

More important than how to do this, though, is why to do this. In the early 1930s, there were ugly statements and vicious images coming out of Europe. People insisted that people who worried about that were exaggerating the threat. So much of the world, including, sadly, the United States turned away as those ugly signals were sent. The result was a tragedy of unspeakable proportions: 6 million innocent people killed in the Holocaust.

Today, there are ugly signals and words coming out of Tehran.

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

Mr. BERMAN. I am pleased to yield 30 additional seconds to the gentleman.

Mr. ANDREWS. There are ugly signals saying that one Holocaust is not enough, that the Jewish state should be wiped off the face of the Earth.

We ignore these ugly signals at our own peril. We should learn the terrible history of the thirties and not repeat it. We should act swiftly, decisively and united with the rest of the world to impose meaningful sanctions on the Iranian Government that will prevent the day of an Iranian nuclear weapon from ever occurring.

I thank the chairman for his leadership on this issue, urge a ''yes'' vote and the swift adoption of the underlying legislation.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve.

Mr. BERMAN. Mr. Speaker, I have one additional speaker requesting time. I am pleased to yield 3 minutes to the gentleman from New York (Mr. ENGEL), chairman of the Western Hemisphere Subcommittee, a hemisphere which has already seen Iranian efforts to penetrate.

Mr. ENGEL. Mr. Speaker, I thank the chairman for yielding to me. I thank the gentlewoman from Florida (Ms. ROS-LEHTINEN) for her strong voice.

And, boy, if there was ever anything that's bipartisan, it's this resolution. The one good thing that Iran has done is brought us all together because we realize that the Iranian threat to the world is the world's biggest threat.

Iran remains the leading sponsor of terrorism around the world; and, as was mentioned before, the President of Iran, Ahmadinejad, has threatened to wipe Israel from the face of the Earth.

But the threat is not to Israel alone. It's to Europe, it's to the United States, it's to the entire world; and the entire world must speak with one voice.

I'm a proud cosponsor of H.R. 2194, the Iran Refined Petroleum Sanctions Act, and I want to commend Chairman BERMAN for this initiative, and Congresswoman ILEANA ROS-LEHTINEN as well.

Only a few short months ago, the world learned of the secret Iranian nuclear enrichment facility near the city of Qom. If there was ever any doubt that Iran was trying to build nuclear weapons, this revelation dispelled any shred of that doubt. The facility was kept secret from the IAEA, the International Atomic Energy Agency. It was built deep in a mountain on a protected military base. This is precisely how a country conceals a nuclear weapons program and defies U.N. Security Council resolutions, not how it develops peaceful energy technologies.

However, although Iran is a leading producer of crude oil, it has limited refining capacity. And this bill will increase leverage against Iran by penalizing companies that export refined petroleum products to Iran or finance Iran's domestic refueling capabilities. It's my hope that the administration will apply these additional sanctions to make absolutely clear to the Iranian regime that the world will not accept its nuclear ambitions.

As chairman of the Subcommittee on the Western Hemisphere of the House Foreign Affairs Committee, I'd also like to raise one additional concern which arose at my October hearing on Iran's role in the Western Hemisphere. Venezuelan leader Hugo Chavez recently agreed to provide 20,000 barrels per day of refined gasoline to Iran. It's anyone's guess as to whether this will be implemented, but the deal may be covered by the bill we are considering today. While some question whether Venezuela has the ability to provide gasoline to Iran since it imports some gasoline to meet its own demand, Chavez is clearly approaching a perilous area. I hope Chavez reconsiders this unwise step. And we must consider and keep focusing on Iran in the Western Hemisphere as well.

The U.S., our allies and the U.N. Security Council have recognized that a nuclear-armed Iran would be a danger to our ally, Israel, the Middle East, the nuclear proliferation regime and to the entire world. The Iranian regime is brutal to its own population, murders its own citizens, represses people who want to demonstrate against its stolen election, and it's time for us to stand up.

So I'm glad, in a bipartisan voice this morning, we say ''no'' to Iran; ''no'' to nuclear weapons for Iran; ''yes'' to support the underlying bill.

Ms. ROS-LEHTINEN. Mr. Speaker, we are ready to close if the gentleman is ready to.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself my remaining time.

Mr. Speaker, for several years we have watched Iran move ever closer to acquiring a nuclear weapons capability. No rational person can question that that is Iran's goal. And yet, even though Iran has violated its international treaty obligations, defied repeated U.N. Security Council resolutions, had one secret nuclear site after another revealed to the world, and rejected every offer to negotiate, the world has let it happen.

We, in this Chamber, have been elected to defend and promote the interests and security of our country. We must do everything we can to force Iran's leaders to change course and abandon their pursuit of nuclear weapons because the American people and our allies are their intended targets. We know this because they have repeatedly told us.

We cannot rely on hope for deliverance because that will only guarantee our destruction. So we must act quickly, and we must act decisively.

The bill that the House passed overwhelmingly last December, the Iran Refined Petroleum Sanctions Act, represents the best opportunity we have to do precisely that. If we, and our colleagues in the Senate, can craft a strong measure that can then be sent to the President, we will have met our responsibility to the American people.

I am confident, Mr. Speaker, that we can defeat the menace that is posed by Iran before it has a chance to strike us, but our time is running out.

Let us support this motion. Let us send a strong bill to the President's desk.

Mr. VAN HOLLEN. Mr. Speaker, we meet today to consider a motion to appoint conferees to reconcile the differences between the House and Senate versions of the Iran Sanctions Act. Though both versions would impose sanctions against companies that support Iran's petroleum sector, especially in the area of gasoline and other refined petroleum products, the Senate version includes additional provisions that would direct the president to freeze the assets of Iranian officials and prohibit the U.S. Government from providing contracts to companies that supply Iran with communications monitoring technology. These provisions must be reconciled before the final version can be presented to the President.

Stopping Iran's illegal nuclear enrichment program is an urgent matter, requiring a comprehensive strategy that targets Iran's important energy sector, and its access to the global financial system. These bills can help to achieve these goals.

Last year, Iran admitted the existence of a secret enrichment facility in the holy city of Qom that set in motion a renewed international effort to pursue more aggressive penalties against Iran for its nuclear activities. Using a variety of measures, including the United States led sanctions efforts in the United Nations, penalties currently under consideration by the European Union and the sustained campaign by the U.S. Treasury Department and others to persuade banks and other businesses to curtail their activities with Iranian businesses, we must significantly increase pressure on Iran to persuade it to end its nuclear program. The United States and the international community must send a very clear signal that Iran faces a stark choice—Iran must end its illegal nuclear enrichment program or it will face increasingly severe consequences. All options for ending that program should remain on the table.

Mr. PAUL. Mr. Speaker I rise in opposition to this motion to instruct House conferees on H.R. 2194, the Comprehensive Iran Sanctions, Accountability and Divestment Act, and I rise in strong opposition again to the underlying bill and to its Senate version as well. I object to this entire push for war on Iran, however it is disguised. Listening to the debate on the floor on this motion and the underlying bill it feels as if we are back in 2002 all over again: the same falsehoods and distortions used to push the United States into a disastrous and unnecessary one trillion dollar war on Iraq are being trotted out again to lead us to what will likely be an even more disastrous and costly war on Iran. The parallels are astonishing.

We hear war advocates today on the Floor scare-mongering about reports that in one year Iran will have missiles that can hit the United States. Where have we heard this bombast before? Anyone remember the claims that Iraqi drones were going to fly over the United States and attack us? These "drones" ended up being pure propaganda—the UN chief weapons inspector concluded in 2004 that there was no evidence that Saddam Hussein had ever developed unpiloted drones for use on enemy targets. Of course by then the propagandists had gotten their war so the truth did not matter much.

We hear war advocates on the floor today arguing that we cannot afford to sit around and wait for Iran to detonate a nuclear weapon. Where have we heard this before? Anyone remember then-Secretary of State Condoleeza Rice's oft-repeated quip about Iraq: that we cannot wait for the smoking gun to appear as a mushroom cloud.

We need to see all this for what it is: Propaganda to speed us to war against Iran for the benefit of special interests.

Let us remember a few important things. Iran, a signatory of the Nuclear Non-Proliferation Treaty, has never been found in violation of that treaty. Iran is not capable of enriching uranium to the necessary level to manufacture nuclear weapons. According to the entire U.S. Intelligence Community, Iran is not currently working on a nuclear weapons program. These are facts, and to point them out does not make one a supporter or fan of the Iranian regime. Those pushing war on Iran will ignore or distort these facts to serve their agenda, though, so it is important and necessary to point them out.

Some of my well-intentioned colleagues may be tempted to vote for sanctions on Iran because they view this as a way to avoid war on Iran. I will ask them whether the sanctions on Iraq satisfied those pushing for war at that time. Or whether the application of ever-stronger sanctions in fact helped war advocates make their case for war on Iraq: as each round of new sanctions failed to "work"—to change the regime—war became the only remaining regime-change option.

This legislation, whether the House or Senate version, will lead us to war on Iran. The

sanctions in this bill, and the blockade of Iran necessary to fully enforce them, are in themselves acts of war according to international law. A vote for sanctions on Iran is a vote for war against Iran. I urge my colleagues in the strongest terms to turn back from this unnecessary and counterproductive march to war.

Mr. KLEIN of Florida. Mr. Speaker, I rise today to support the motion to go to conference on the Iran sanctions legislation.

I am grateful to Chairman BERMAN and Ranking Member ROS-LEHTINEN for working with me on a provision included in the House version of this legislation to require companies applying for contracts with the U.S. government to affirmatively certify that they do not conduct business with Iran.

This legislation gives companies a simple choice: do business with the United States, or do business with Iran. We cannot allow the U.S. taxpayer to be last crutch of Iran's dangerous nuclear program. Not on our watch and not on our dime.

The time to act is now, and we must move with fierce urgency.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1287

Whereas, the Committee on Standards of Official Conduct initiated an investigation into allegations related to earmarks and campaign contributions in the Spring of 2009.

Whereas, on December 2, 2009, reports and findings in seven separate matters involving the alleged connection between earmarks and campaign contributions were forwarded by the Office of Congressional Ethics to the Standards Committee.

Whereas, on February 26, 2010, the Standards Committee made public its report on the matter wherein the Committee found, though a widespread perception exists among corporations and lobbyists that campaign contributions provide a greater chance of obtaining earmarks, there was no evidence that Members or their staff considered contributions when requesting earmarks.

Whereas, the Committee indicated that, with respect to the matters forwarded by the Office of Congressional Ethics, neither the evidence cited in the OCE's findings nor the evidence in the record before the Standards Committee provided a substantial reason to believe that violations of applicable standards of conduct occurred.

Whereas, the Office of Congressional Ethics is prohibited from reviewing activities taking place prior to March of 2008 and lacks the authority to subpoena witnesses and documents.

Whereas, for example, the Office of Congressional Ethics noted that in some instances documents were redacted or specific information was not provided and that, in at least one instance, they had reason to believe a witness withheld information requested and did not identify what was being withheld.

Whereas, the Office of Congressional Ethics also noted that they were able to interview only six former employees of the PMA Group, with many former employees refusing to consent to interviews and the OCE unable to obtain evidence within PMA's possession.

Whereas, Roll Call noted that ''the committee report was five pages long and included no documentation of any evidence collected or any interviews conducted by the committee, beyond a statement that the investigation 'included extensive document reviews and interviews with numerous witnesses.'" (Roll Call, March 8, 2010)

Whereas, it is unclear whether the Standards Committee included in their investigation any activities that occurred prior to 2008.

Whereas, it is unclear whether the Standards Committee interviewed any Members in the course of their investigation.

Whereas, it is unclear whether the Standards Committee, in the course of their investigation, initiated their own subpoenas or followed the Office of Congressional Ethics recommendations to issue subpoenas. Therefore be it:

Resolved, That not later than seven days after the adoption of this resolution, the Committee on Standards of Official Conduct shall report to the House of Representatives, with respect to the activities addressed in its report of February 26, 2010, (1) how many witnesses were interviewed, (2) how many, if any, subpoenas were issued in the course of their investigation, and (3) what documents were reviewed and their availability for public review.

□ 1145

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO REFER THE RESOLUTION

Mr. HASTINGS of Florida. Mr. Speaker, I move the resolution be referred to the Committee on Standards of Official Conduct.

Mr. FLAKE. I move the previous question on the resolution itself.

The SPEAKER pro tempore. The motion for the previous question is preferential.

The question is on ordering the previous question on the resolution.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 187, nays 218, answered ''present'' 16, not voting 9, as follows:

[Roll No. 217]

YEAS—187

Aderholt
Adler (NJ)
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
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
Cooper
Crenshaw
Culberson
Davis (KY)
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Halvorson
Heller
Hensarling
Herger
Himes
Hodes
Hoekstra
Hunter
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kosmas
Lamborn
Lance
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Loebsack
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Markey (CO)
McCarthy (CA)
McClintock
McCotter
McHenry
McKeon
McMahon
McMorris Rodgers
McNerney
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Neugebauer
Nunes
Olson
Owens
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Quigley
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walz
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NAYS—218

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
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
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
Kissell
Klein (FL)
Kratovil
Kucinich

Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lowey
Luján
Lynch
Maffei
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
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
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wilson (OH)
Woolsey
Wu
Yarmuth

ANSWERED ''PRESENT''—16

Bonner
Butterfield
Buyer
Castor (FL)
Chandler
Conaway
Dent
Diaz-Balart, L.
Harper
Hastings (WA)
Latham
Lofgren, Zoe
McCaul
Myrick
Walden
Welch

NOT VOTING—9

Barrett (SC)
Conyers
Davis (AL)
Gohmert
Inglis
Maloney
Polis (CO)
Ruppersberger
Rush

□ 1215

Ms. ESHOO, Messrs. NEAL, HARE, HINOJOSA, ALTMIRE, DICKS, MILLER of North Carolina, CARNEY, GEORGE MILLER of California, MARSHALL, TOWNS, GORDON of Tennessee, CLAY, BISHOP of Georgia, GRAYSON, HILL of Indiana, SPRATT, THOMPSON of Mississippi, HOLDEN, KANJORSKI, HOYER, BOUCHER, WATT, ELLISON, Ms. HIRONO, Messrs. LEVIN, STARK, GUTIERREZ, BERMAN, GENE GREEN of Texas, WU, TONKO, DAVIS of Illinois, SCHRADER, PALLONE, Ms. BERKLEY, Messrs. SERRANO, EDWARDS of Texas, LUJÁN, and GONZALEZ changed their vote from ''yea'' to ''nay.''

Messrs. COLE, PUTNAM, WAMP, CALVERT, AKIN, RYAN of Wisconsin, ROONEY, LAMBORN, YOUNG of Florida, BOEHNER, BACHUS, GARRETT of New Jersey, SENSENBRENNER, BARTLETT, HENSARLING, Mrs. McMORRIS RODGERS, Messrs. GOODLATTE, WESTMORELAND, Mrs. HALVORSON, and Mr. ADLER of New Jersey changed their vote from ''nay'' to ''yea.''

Messrs. HASTINGS of Washington, LATHAM, and McCAUL changed their vote from ''yea'' to ''present.''

Mr. WELCH changed his vote from ''nay'' to ''present.''

So the previous question was not ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS of Florida. Mr. Speaker, this is a matter that belongs before the Committee on Standards of Official Conduct.

I yield back the balance of my time, and I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to refer.

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

Mr. HASTINGS of Florida. 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 the motion to refer will be followed by 5-minute votes on the motion to instruct conferees on H.R. 2194 and the motion to suspend the rules on House Resolution 1270.

The vote was taken by electronic device, and there were—yeas 402, nays 0, answered ''present'' 17, not voting 11, as follows:

[Roll No. 218]

YEAS—402

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Boehner
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
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chaffetz
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
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
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)
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
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
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—17

Blackburn
Bonner
Butterfield
Castor (FL)
Chandler
Conaway
Dent
Diaz-Balart, L.
Harper
Hastings (WA)
Latham
Lofgren, Zoe
McCaul
Myrick
Simpson
Walden
Welch

NOT VOTING—11

Barrett (SC)
Berman
Burgess
Conyers
Davis (AL)
Gingrey (GA)
Gohmert
Maloney
Polis (CO)
Ruppersberger
Rush

□ 1232

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 2194, IRAN PETROLEUM SANCTIONS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to instruct on H.R. 2194 offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 11, answered ''present'' 3, not voting 13, as follows:

[Roll No. 219]

YEAS—403

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
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)
Gonzalez
Goodlatte
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
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
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
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
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)
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)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
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
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—11

Baird
Baldwin
Blumenauer
Duncan
Flake
Jones
Kucinich
McDermott
Moore (WI)
Paul
Waters

ANSWERED ''PRESENT''—3

Ellison
Lee (CA)
Stark

NOT VOTING—13

Barrett (SC)
Conyers
Davis (AL)
Gohmert
Gordon (TN)
Higgins
Maloney
Markey (MA)
Polis (CO)
Ruppersberger
Rush
Sutton
Tierney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1240

Ms. MOORE of Wisconsin changed her vote from ''yea'' to ''nay.''

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MARKEY of Massachusetts. Mr. Speaker, on April 22, 2010, I missed rollcall Vote No. 219. Had I been present, I would have voted "yea."

MATHEMATICS AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1270, 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 the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 1270.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 2, not voting 21, as follows:

[Roll No. 220]

YEAS—407

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
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill

Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Kagen
Kanjorski
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
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
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
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)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
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
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Westmoreland
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—2

Paul
Young (AK)

NOT VOTING—21

Ackerman
Aderholt
Barrett (SC)
Cleaver
Conyers
Davis (AL)
Dent
Dicks
Gohmert
Grijalva
Jordan (OH)
Kaptur
LaTourette
Maloney
McIntyre
Polis (CO)
Quigley
Ruppersberger
Rush
Welch
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1250

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.

APPOINTMENT OF CONFEREES ON H.R. 2194, IRAN REFINED PETROLEUM SANCTIONS ACT OF 2009

The SPEAKER pro tempore (Ms. TITUS). Without objection, the Chair appoints the following conferees on H.R. 2194:

From the Committee on Foreign Affairs, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. BERMAN, ACKERMAN, SHERMAN, CROWLEY, SCOTT of Georgia, COSTA, KLEIN of Florida, Ms. ROS-LEHTINEN, Messrs. BURTON of Indiana, ROYCE, and PENCE.

From the Committee on Financial Services, for consideration of sections 3 and 4 of the House bill, and sections 101–103, 106, 203, and 401 of the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, MEEKS of New York, and GARRETT of New Jersey.

From the Committee on Ways and Means, for consideration of sections 3 and 4 of the House bill, and sections 101–103 and 401 of the Senate amendment, and modifications committed to conference: Messrs. LEVIN, TANNER, and CAMP.

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 1914

Mr. BROUN of Georgia. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 1914, a bill originally introduced by Representative Deal of Georgia, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 4336

Mr. GINGREY of Georgia. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 4336, a bill originally introduced by Representative Deal of Georgia, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4717

Ms. NORTON. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 4717.

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

There was no objection.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the Republican whip for yielding.

Madam Speaker, on Monday, the House will meet at 12:30 p.m. for morning-hour debate and at 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Tuesday, the House will meet at 10:30 a.m. for morning-hour debate and at 12 p.m. for legislative business. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, no votes are expected in the House.

We will consider several bills under suspension of the rules, including the very important H.R. 3393, Improper Payments Elimination and Recovery Act of 2009, introduced by Representative PATRICK MURPHY of Pennsylvania. The complete list of suspension bills will be announced by the close of business tomorrow.

In addition, we will consider H.R. 5013, Implementing Management for Performance and Related Reforms to Obtain Value in Every Acquisition Act of 2010, and H.R. 2499, the Puerto Rico Democracy Act of 2009.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, the House will be in session for five more weeks prior to the Memorial Day district work period. I would like to inquire of the gentleman what legislation he expects the House to consider prior to that district work period in addition to the items he just mentioned for next week.

I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding.

As the gentleman knows, our number one priority has been and continues to be the progress on the creation of jobs. Last month's report was a positive report. We gained 162,000 jobs, and the economy is showing signs of very substantial improvement as a result of the Recovery Act and of other actions that we've taken to get Americans back to work. So that will continue to be our focus.

Having said that, we also have passed already the HIRE Act, which we think

will have a very substantial, positive effect, which includes payroll tax forgiveness for the hiring of new employees who have been unemployed for some period of time. If they are kept on for 52 weeks, there will be a $1,000 additional payment, which we hope will encourage employers to hire new people. Additionally in that bill, we gave an extension of the Highway Trust Fund to allow for continued and increased investment in infrastructure and the Build America Bonds legislation, as well as giving a boost to small business growth in terms of expensing.

In addition, the House passed the Small Business and Infrastructure Jobs Act, which is pending in the Senate. We hope that it is coming back to us this work period. We would like to build on our record of job-creating legislation with additional relief to small businesses.

The President has proposed, as the gentleman knows, the Small Business Lending Fund that would take $30 billion of TARP funds, which was obviously designed to try to get our economy moving again, and provide capital infusion to local banks, and provide assets of $10 billion or less to incentivize small business lending.

Also, we hope to complete action with the Senate on a long-term extension of unemployment insurance, COBRA benefits and tax extenders for businesses, large and small. Obviously, those pieces of legislation have passed the House.

I expect the House will also take action this work period on the COMPETES Act, which is relatively noncontroversial, but invests in growing our economy, particularly in technology innovations, math, and science.

Other items on our agenda for this work period are budget resolution, defense acquisition reform, which I announced we would do next week, defense authorization, the Afghanistan/Pakistan supplemental, the Haiti supplemental, and of course the Iran sanctions conference report, which I hope to have done. As to the resolution that you and I just voted for, the motion to instruct, I urge that that be reported back by the Memorial Day break.

Mr. CANTOR. I thank the gentleman.

I would say to the gentleman that I am heartened to hear about his continued insistence that this body continue to focus on the number one priority of the American people, which is getting this economy going again and getting Americans back to work.

Madam Speaker, I would say that most Americans agree that what we ought to be doing is containing and limiting government spending. Many of the programs that the gentleman just pointed out indicate that we, perhaps, are going to keep heading down the same road that we have been in order to try and create an environment for jobs.

I would say to the gentleman, although there was some job growth last month, he, himself, I think, would admit that that is just not enough. In fact, if we were to look back at the times of very high employment in prior years, there is probably a need for over 400,000 jobs to be created each month for us, over a period of several years, in order to accommodate for the growth in population as well as to return us to that kind of low unemployment.

□ 1300

We have got a lot of work to do, in other words, Madam Speaker, and I know the gentleman knows that. And I think it is fair to say that, in fact, we need to create 434,000 jobs per month for 2 years to make up for the job losses that we have experienced. That is going to take some significant commitment on the part of this Congress to stop the government spending and, frankly, to lower taxes on small business.

As the gentleman knows, his constituents just like mine, everyone I talk to knows someone out of work, and it is high time for us to focus on small business, and that is to provide the tax relief for small business and to stop the government programs of spending. And I would hope that the gentleman can commit to trying to change the route that we have taken to finally begin to grow this economy again.

With that, Madam Speaker, I would ask the gentleman when——

Mr. HOYER. Before the gentleman asks another question, would you yield so I might comment on the comments that the gentleman made?

Mr. CANTOR. I yield.

Mr. HOYER. The gentleman indicates that we want to stop spending. Every economist from his side of the aisle to our side of the aisle said that if we did not spend money last year that we wouldn't have grown the economy. In fact, Ben Bernanke, the Republican-appointed Chairman of the Federal Reserve by President Bush; and Secretary Paulson all said you had better invest or you are going to go into a depression, not a recession.

The gentleman talks about job creation, and it is very interesting because, generally speaking, he wants to return to the policies of the Bush administration. And the Bush administration, of course, was the worst job-performing administration since Herbert Hoover. I know the gentleman knows that because those statistics are pretty clear. It created 19,400 jobs per month. You talk about 400 and some odd thousand jobs. I agree with the gentleman. We need to create that level if we are going to get the jobs that your economic program lost, 19,400 jobs, and you need 100,000 to stay even. That was average over 96 months of the policies that were pursued during the Bush administration that my friend supported.

Very frankly, if you will remember, during the Clinton administration, in an economic program that your party didn't support to a person—everyone voted against it—we created 216,000 jobs per month. Now, there's no secret as to where those jobs were lost. If you create 10 percent of the number of jobs you need to stay even, you're going to go behind and we have a real deficit.

The CBO says that the program that was adopted that, of course, your party opposed, created 2 million new jobs or retained jobs in our economy. Over the last 5 months, we have had a net positive growth in jobs. We grew 162,000 jobs last month. The gentleman is absolutely correct, not nearly enough, but much better than the 779,000 jobs that were lost in the last month of the Bush administration or the average 726,000 jobs that were lost in the last 3 months of the Bush administration.

We are now in the pluses. We are starting to grow. We need to do much, much more. And that's why I responded to the gentleman, when he asked me what we were going to do, we're going to continue to focus on bringing jobs back to America and to our people.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, I would say this: Always the gentleman likes to talk about the prior administration, and I would just like to point out that during the prior administration, the last 2 years of that, his party was in control of Congress and, certainly, if we look at the numbers, did contribute to some of the problem that we have got today. And I would say there's plenty of blame to go around. But what we are trying to do is to learn from perhaps mistakes having taken place and go forward in a constructive manner.

It is my sense, Madam Speaker, that this Nation is at a crossroads. We have serious challenges facing this country. Last Thursday was Congress's deadline for passing a budget, and it is my strong belief that we must act, and the gentleman indicates that we are going to act, but because of the critical nature of the challenges that we face, Madam Speaker, I believe that we have got three reasons to act swiftly and properly in passing a budget because it is at the heart of the lack of confidence of what the American people feel towards this body, and if we can rebuild that confidence somehow, we can see a return to growth in this economy so people can get back to work.

First, Madam Speaker, since the 1974 Budget Act passed, the House has never failed to pass a budget resolution. American families and small businesses are not given the luxury of avoiding a budget somehow because maybe it's too difficult, and neither should we. And the gentleman in his own words has said before that it is difficult to pass budgets in election years because the budgets reflect what the fiscal status is. And again, Madam Speaker, I point out never since the passage of the Budget Act in 1974 has this House failed to pass a budget resolution.

Secondly, Madam Speaker, as to the urgency for this body to act in this critical time, CBO Director Doug Elmendorf recently remarked that the

Nation's fiscal path is unsustainable and without a more aggressive approach to spending than the President took in his budget proposal, the debt will rise from currently 53 percent of GDP to 90 percent of GDP at the end of the decade. We all know, Madam Speaker, that is unacceptable.

Finally, I would say to the gentleman, Madam Speaker, the President in his remarks consistently refers to pending tax increases as the expiration of the Bush tax cut. And, Madam Speaker, I would say the American people believe that erasing a tax cut is a tax increase. This Congress has a responsibility to the people that we represent to inform them, the families, the small businesses, of its intention on whether we are going to increase taxes on the small business people and working families of this country.

So I would ask the gentleman if he could give us some sense of when we could expect this body to act on a budget.

I yield.

Mr. HOYER. Well, I hope that we act on a budget certainly before the end of this work period. I think it's important to pass a budget. I have said that. I am working towards that end.

Mr. CANTOR. I thank the gentleman for that and for his commitment to ensure that we right the ship, so to speak, and stop the spending.

Mr. HOYER. Will the gentleman yield on that?

Mr. CANTOR. I yield.

Mr. HOYER. The gentleman would like to pretend that the Bush administration didn't exist. He doesn't like to look back. He doesn't like history. He doesn't like to learn from our mistakes. I notice he doesn't outline the mistakes that the Bush administration made and that he made in supporting the Bush economic policies, but presumably he believes they existed, which led to such a disastrous performance of our economy. The turning of a $5.6 trillion surplus that the Bush administration inherited, which allowed it to do some of the things that it did without paying for them because they inherited surpluses, unfortunately, they left a $5 trillion deficit to this administration. They left a deep, deep, deep hole that we have been trying to dig out, without much help, frankly, from your side of the aisle, I will tell my friend. And we are getting out of that hole. Almost every indicator indicates that, including a growth in jobs. Not nearly to where people are feeling it. So we need to make sure that we continue to create jobs and create an economy that is working much better than it worked during the Bush administration.

The gentleman mentions that we were in charge of Congress in 2007. Yes, in 2006 the American public said we don't like the policies that the Bush administration and the Republicans in Congress are pursuing; we want a change. We did change. But the gentleman well knows that no veto of President Bush was overridden to change the economic policies you were pursuing, period. We couldn't do that. We couldn't do it until such time as January of 2009 occurred. When it occurred, unfortunately and tragically for the American people and the millions, 8 million-plus, to be exact, lost their jobs, a financial system that was suffering from egregious regulatory neglect and had, as a result, put many, many taxpayers, millions of taxpayers, to the responsibility of trying to stabilize the ship of state. And we have done that.

The good news is that money is being paid back. And the good news is that in terms of the bill that you and I both supported but two-thirds of your party did not, we did stabilize, at the request of the Bush administration, the financial community.

So when the gentleman says that we need to grow jobs, we do. But very frankly, if the gentleman is proposing the same policies that were pursued for 8 years under the Bush administration, then that won't get it and didn't get it. And that's why it is important to learn, not to place blame, but to learn, as I said the other day, from those failures and not repeat them, to invest in the growth of our economy.

Mr. CANTOR. I thank the gentleman.

Madam Speaker, I would say back if he is so intent on comparing the budgets and the outlook under the Bush administration to this one, I would say this: If we compare the 2011 budgets of President Bush and President Obama, President Bush's outlook and budget for this year was $2.9 trillion. The 2011 budget of this President is $3.6 trillion. We could simply cut the deficit by 50 percent if we just lived within President Bush's 2011 budget.

Madam Speaker, I would say to the gentleman if you cut out all of the emergency spending caused by the recession and just look at discretionary spending, since Congress votes on that every year, President Obama will increase discretionary spending by $319 billion over President Bush's budget for 2011.

So, Madam Speaker, I would say, again, we have got to do better. The American people are waiting for this body to step up in a responsible way to stop the spending, which brings on the need for yet even more debt, which ultimately will lead to higher taxes, despite what the gentleman says, that there's been enough tax relief, and get back to a fiscal path that makes sense so we can see small business grow again.

I yield.

Mr. HOYER. First of all, the gentleman does this often. I never said there has been enough tax relief. What you just said I said, I never said that. Nobody heard me say that.

Mr. CANTOR. I thought that the gentleman, Madam Speaker, had said that there has been so much tax relief under the current administration that it seems that all we need to do is keep spending.

Mr. HOYER. If I can, I think you anticipated what the facts are as you know. I didn't say that but you anticipated I might say it.

Mr. CANTOR. I will apologize——

Mr. HOYER. Ninety-five percent of the American public, 95 percent of the American working people, got a tax cut, as you recall, in the legislation that you voted against, $280 billion in tax relief. That went into the pockets of Americans, helped them get through some very, very tough times which we inherited, did not create, which we inherited, and moving forward.

Now, with respect to the tax increases that you referred to earlier, they are going into effect because of a policy that I voted against but I think you voted for. You were here in 2001 and 2003. And why did you do that? You talk about budgeting. You did it because you couldn't conform to your budget requirements. So what you simply did was you did the artifice, with all due respect, to saying, well, they will expire in 2010. So what is projected to happen in 2010 is a direct result of the budget and the policies that you promoted and voted for, I tell my friend.

Mr. CANTOR. I will say to the gentleman again if he is so intent on comparing the two, let's go back to the Bush budget, which would allow us to cut the deficit by 50 percent, if he is so intent on saying how bad things were. Let's stop the spending.

But I would say to the gentleman as far as tax relief is concerned, that tax relief to 95 percent of the public, 25 percent of the tax relief went to entities and individuals that don't even pay taxes. Now, in the minds of most Americans, that is not a tax cut; that's a handout. And that is why we have got to start getting back to basics, Madam Speaker, and insist that the kinds of things that we do here are actually constructive to job creation because that is what we need to be about.

Now, we can go through the litany of things in this President's budget and what the majority has done over its term in office this session to demonstrate taxes have gone up significantly over this period.

It is time to stop taxing, stop spending, and stop borrowing.

So, Madam Speaker, I thank the gentleman for——

Mr. HOYER. Will the gentleman yield on that?

Mr. CANTOR. I yield.

Mr. HOYER. When you say taxes have gone up in this period, what period are you referring to?

□ 1315

Mr. CANTOR. Well, I can say this year, this year, Madam Speaker, taxes have increased $670 billion, $316 billion of which comes at the expense of the middle class, breaking the President's promise.

Mr. HOYER. And what were those taxes?

Mr. CANTOR. Madam Speaker, I would say, if you look at the health care bill that was just passed——

Mr. HOYER. The health care bill has not gone into effect. You're saying this year taxes have been increased.

Mr. CANTOR. The health care bill that has just passed, as long as this economy and the players in this economy understand that actions are being taken now to facilitate adopting to a very high tax environment.

Now, if the gentleman wants to join us, if he wants to join us in sending the signal to the public that we're not going to continue business as usual, then let's step up, send the signal we're not going to allow taxes to increase any further, and that starts with differing from the President's budget, which calls for $2 trillion of tax hikes over the next 10 years.

So I'll say to the gentleman, you can say all day long that you have sat here and provided enough middle class tax relief. It's just not true. The public doesn't understand that. The public sees Washington spending money in unprecedented ways and having to borrow to pay for that. And, ultimately, people understand that it is about raising their taxes, reducing their take-home pay in order to pay for that.

Mr. HOYER. Will the gentleman yield?

Mr. CANTOR. I yield.

Mr. HOYER. The gentleman perhaps believes if he says it enough that I said there's been enough tax relief maybe people will believe it. I have never said that on this floor or any other place. So I wish the gentleman would stop mischaracterizing what I say.

Now, very frankly, what I have said is the policies we pursued were not working demonstrably when we took over the Presidency of the United States, and could change policy, which we did. We changed policy consistent with, frankly, what Senator MCCAIN said ought to be done during the course of the election, not the same way, but that we had to invest in our economy. Mark Zandi, Senator MCCAIN's economic adviser, along with others, said we needed to do what we did.

Now, the gentleman voted against it. But it has, I tell you, worked demonstrably, 2 million new jobs according to the CBO—not new jobs, retained or created. In fact, over 2 million jobs; 162,000 jobs created last month. Not enough. He is correct.

But to ignore the fact that we are making some progress, I don't know whether you saw Larry Kudlow, he said, you know, stop talking down the economy, stop saying that things aren't getting better because the psychology of the economy is very important. And, in fact, whether it's the stock market indication going up, they have confidence, whether it's the growth in our economy from a 6.4 percent decline in the economy that we took over from the Bush administration, to now, a 5.6 percent growth, that figure doesn't mean anything to anybody unless they get jobs. I understand that. We need to get jobs.

What it does mean, however, with the economy growing, that jobs will follow. And that's important.

So please don't put words in my mouth. We need to cut taxes for the American public. In fact, as you know—I want to remark on something that you said. Ronald Reagan was a supporter of the earned income tax credit. Why was he a supporter of the earned income tax credit? Because he thought making sure people had enough money to get by on, buy some food for their family, buy some clothes for their kids to go to school and pay their mortgage payment, was an important thing to happen.

That's the difference, frankly, between our two parties. We don't believe that was a handout. It was a hand up in a very difficult economy. We said—and they don't pay taxes. Why don't they pay taxes, I ask my friend rhetorically. The reason they don't pay taxes is they're not making enough money to pay taxes.

Under your tax program, I would suggest to you, you did that, we supported it. They didn't pay taxes. But what we said is, they've got to live, their kids have to eat, they have to get by. And to the extent that they have some assistance in doing so and spend that money, as every economist will tell you, and you know this to be the case, it will help the economy grow. Yes, we help those people as well.

Maybe you think that was simply a handout and that we shouldn't have done it. But we did it, and it is the difference between our parties in many instances.

I yield back.

Mr. CANTOR. Madam Speaker, I reclaim my time. Madam Speaker, now, see, this is when the politics of attack kick in. For anyone to sit here and say that Republicans don't care about people, that's just not true, and he knows it. It's a definitional question.

If the gentleman differs with my characterization it's not a handout, it's a hand up, okay. But what we're talking about was tax relief. It was not a tax cut. If you don't pay taxes, you can't get a tax cut.

But what I'd say to the gentleman is this: times are different right now, Madam Speaker. The American public understands the crossroads this country is at, that we are on a path to fiscal ruin.

And the gentleman likes to continue to defend the stimulus bill as having been a success. Well, I would say to the Speaker, I'd say, Madam Speaker, to the gentleman, no one, not very many people in America think the stimulus bill was a success at generating jobs, and that's just almost a unanimous fact among most Americans. So if we know that, why would we continue to advocate the same policies?

And instead, Madam Speaker, I would say again I hope the gentleman would join us in advocating tax cuts for small businesses so that we can grow jobs in this economy.

The gentleman did ask what tax cuts, or what tax hikes, occurred over the last, over this session. And during the gentleman's party's majority rule, we know that there was a $65 billion tax increase on tobacco products. There was an almost $7 billion tax increase under the stimulus law repealing guidance allowing certain payers to claim losses of an acquired corporation. There was another almost $23 billion of surtaxes extended for the Federal unemployment program. And there was also, Madam Speaker, as the gentleman knows, a delay of rules reducing double taxation of American foreign nationals to the tune of almost $6 billion. Those are the tax hikes that have occurred, in addition to the overwhelming billions and billions of dollars inside the health care bill.

So, Madam Speaker, it is not accurate for the gentleman to represent that, number one, this Congress has not raised taxes on the middle class. We know differently. And, number two, to sit here and hide behind the notion that there aren't going to be tax increases at the end of this year, and the fact that that realization is not impacting job growth or the lack thereof, that's not being completely accurate, Madam Speaker.

And I would say to the gentleman, times are different now. It is time for us to own up to the obligations that we face as a country and work together to try and put this country back onto a growth path.

So with that, Madam Speaker——

Mr. HOYER. Will my friend yield one more time?

Mr. CANTOR. I yield.

Mr. HOYER. It is a new time. We're paying our bills. Now, we had to borrow a lot of money because we were in a very deep hole. And everybody said if you didn't, all economists, Marty Feldstein, conservative adviser to Ronald Reagan, said you need to put more money back into the economy.

We didn't have any money. You had a $5.6 trillion surplus that you inherited. We inherited a $5 trillion deficit. So we had no money. Your administration spent it all.

But you didn't pay for things you bought. You didn't pay for your tax cuts. Very nice to give tax cuts, but if you don't pay for them and they create deficits, then who's going to pay for them? Our children. And that's what happened.

We went to war. One was absolutely essential. We went to another war that some say was of choice, that is, in Iraq. We somewhat abandoned Afghanistan when we went to Iraq, and we didn't succeed in Afghanistan; but we didn't pay for either one of those wars.

Who are we expecting to pay for those wars? Our children.

You adopted a drug prescription program which, very frankly, we made better in the health care bill. We made seniors more secure in getting their prescription drugs. But you didn't pay for it.

Your economy that you left us, very frankly, is responsible for 38 percent of that deficit to which you referred; 90 percent-plus of the deficit that confronts this country are direct results of the policies pursued in the last administration. Just as when Roosevelt inherited from the Hoover administration a very substantial downturn, it took him time to turn that economy around.

So I say to my friend, we are prepared to work together, but we're not prepared to pretend that—when you say times are different, they are different. They are very different. The difference between a $5.6 trillion surplus and a $5 trillion deficit, the Bush administration inheritance and our inheritance. And that has made it tough. It's made it tough on us, tough on the American people. And we're trying to get out of this. I think we are.

And again I repeat to my friend, Larry Kudlow gave you some good advice, very conservative guy, on television. You know him; I know him. We appear on his program. And he urged those of you on the conservative side of the ledger, don't deny the facts. That's what Larry Kudlow said. Don't deny the progress that has been made because if you deny it and people believe that denial, they won't think things are getting better and they won't act accordingly. And that's not going to be good for our economy. It won't be good for our country.

So I caution my friend to, when things are positive, have the ability to say, yes, we've made some positive progress from where we were before this administration came into office.

I yield back.

Mr. CANTOR. I thank the gentleman. And in trying to close this colloquy, Madam Speaker, I would say the gentleman knows good and well that when we had a positive job growth report last month, I was the first one to speak out and acknowledge the fact that, yes, growing jobs is a good thing. We've got a long way to go.

The gentleman admits that we are at a different time now, and he points to the deficits; and I point to the fact that the old administration, he alleges, didn't pay its bills, and that perhaps we, in the majority, spent too much. Okay. Fine.

But it doesn't give this majority and this Congress and this administration any better or more license to go and bankrupt this country by continuing on the spending path, and that is my point.

We are at a crossroads, Madam Speaker. I would tell to the gentleman, we have tremendous challenges before us; and as the American people know, if we don't stop the reckless policies of this town, it may very well lead to the fact that our kids and their kids will not enjoy the same freedoms and opportunities that we do.

So I continue to tell the gentleman we stand ready to work with him to try and address this extremely critical time in our Nation.

I yield back.

Mr. HOYER. If the gentleman will yield, I'll simply say, I agree with the gentleman. And I agree with the gentleman, and certainly want to join together in this effort. And the gentleman will observe, that's why we have adopted, readopted statutory PAYGO. We think that will constrain spending. That's why we've created a commission to look at spending and make recommendations to get a handle on the spending in this country and bring our deficit in line as it was in the nineties.

And that is why the President has submitted a budget that freezes discretionary spending at last year's levels. So we agree with you that we need to move in that direction and, in fact, we are.

I thank the gentleman.

Mr. CANTOR. And I'd say, final closing, Madam Speaker. I'd say that in order to get a handle on spending, just stop. And that is why we shouldn't allow for discussion of hiking taxes. It allows this body, this Federal Government, to have yet even more of the taxpayer dollars to decide how to spend.

It's time for us to stop and practice fiscal discipline and get this economy back on track.

I yield back.

□ 1330

ADJOURNMENT TO MONDAY, APRIL 26, 2010

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

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

There was no objection.

INVESTIGATE GOLDMAN SACHS

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

Ms. KAPTUR. Madam Speaker, this week the Securities and Exchange Commission alleges, in a rather unusually constructed civil case, Goldman Sachs committed fraud. But there is growing concern that evidence presented in this case could be excluded from any subsequent criminal case that might be filed by the U.S. Department of Justice.

Thus, I invite my colleagues to join me and several dozen Members in signing onto a letter to Attorney General Holder asking him to investigate Goldman Sachs and other related cases to ferret out and fight fraud in our financial system. Legal maneuvering to thwart justice should not be allowed through those who harmed our Republic so maliciously.

In addition, I urge my colleagues to sign onto H.R. 3995, which enhances the FBI's, SEC's, and Department of Justice's capabilities to investigate and prosecute fraud and other financial crimes. Our citizens demand justice. Those who committed financial crimes must be brought to justice. Our letter and H.R. 3995 lead exactly in that direction.

RECOGNIZING AUTISM AWARENESS MONTH

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

Ms. ROS-LEHTINEN. Madam Speaker, I rise today to recognize April as Autism Awareness Month and call for increased research into and treatment for this leading developmental disorder. Autism impacts more of our children every day, and it is becoming exceptionally prevalent in our American society.

The number of American families who must learn to cope with autism is growing every day. An estimated one in 110 children born in the United States are now diagnosed with autism. We must invest in the research that will allow us to better understand and treat this serious disorder.

For individuals already living with autism and those children who will be diagnosed this year, we must make this our priority. Autism's hold on our families, our children, and our country must be broken.

I look forward to the day when children diagnosed with this developmental disorder can live full and healthy lives.

CONGRATULATING ANGEL RAY GUERRERO

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

Mr. SABLAN. Madam Speaker, Angel Ray Tudela Guerrero is a teenager in the Northern Mariana Islands who, despite facing health problems in his own life, has found ways to improve the lives of other young people.

At age 12, Angel Ray was diagnosed with a malignant brain tumor. But Angel Ray did not let his disease control his life. Instead, he used his experience to empower himself to help others.

During his year-and-a-half long stay in a Hawaii hospital battling cancer, Angel Ray found that time passed more comfortably because of the playroom there. But Angel Ray knew that kids back home in the Commonwealth Health Center in the Northern Mariana Islands had no playroom. So Angel Ray partnered with Hawaii Representative Glenn Wakai and with Reach Out Pacific, a nonprofit organization. Together, they organized donations of toys and books to create a playroom at the Marianas Hospital.

Angel Ray Guerrero is an inspiration to us all, an individual who took the

adversity of his own life and turned it into a benefit for others.

SUPPORT THE ECONOMIC FREEDOM ACT

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

Mr. ROONEY. Madam Speaker, Florida's unemployment just reached a record 12.3 percent, and in some areas of my district it's as high as 15 percent. My constituents continue to ask me, ''Where are the jobs?'' Many claim that the layoffs are driving up the unemployment rate. But the real culprit is the lack of jobs being created in the private sector.

Americans who have been jobless for over a year will continue down that road if new jobs simply do not exist. And I am not talking about temporary government jobs. Congress must work to stop spending and create a favorable environment for businesses to save money and invest by cutting taxes and incentivize banks to start lending again.

Increasing the Federal Government's control over the free market and spending money we do not have is not the answer. Americans have made that clear. That is why today I cosponsored the Economic Freedom Act. This bill will lower job-killing taxes on businesses and rein in excessive government spending. This is the type of solution Americans deserve.

CELEBRATING THE 90TH ANNIVERSARY OF RUSSO'S BAR & GRILL

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

Mr. TONKO. Mr. Speaker, I rise today to celebrate the 90th anniversary of Russo's Bar & Grill in Amsterdam, New York, a city I have proudly called home my entire life.

John Russo opened Russo's in 1920 as the Mohawk Grocery Store. After the repeal of Prohibition in 1933, John turned the grocery store into a tavern and pool hall. He then passed it to his children, Pat, Angelo, Vince, and Lou. Other than Lou's sad passing, the others are still alive and well today. The restaurant eventually was passed along to its current owners, Mike and Barbara Russo.

However, Russo's is much more than a run-of-the-mill restaurant. Russo's is about family, a gathering place, old American ideals, an immigrant's dream, and a successful small business. Perhaps that is why even then-candidate Hillary Clinton recognized the importance of Russo's, making a campaign stop there during her successful 2000 run for a United States Senate seat.

Nearly a century ago, John Russo planted his dream seed, which germinated and grew over generations to what we see today, a continuing tradition and legacy of fine food, family gathering, a sense of place, and a gathering post after local community meetings and events. Russo's has the recipe for success, tasty success, for 90 years. Congratulations, Russo's.

NATIONAL MEDIA SHOW DOUBLE STANDARD ON GOLDMAN SACHS COVERAGE

(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, during President George W. Bush's first term, the national media gave extensive coverage to the Bush administration's relationship with Enron. The New York Times wrote, ''Their ties are broad and deep and go back many years.'' Time Magazine reported on ''Bush's Enron Problem.'' A Chicago Tribune headline read, ''Bush urged to be open about Enron.''

Eight years later, by comparison, national coverage of the Obama administration's connection to Goldman Sachs is scarce. The SEC has filed suit against Goldman Sachs, charging it intentionally misled investors who participated in a mortgage securities deal that was designed to fail. Goldman Sachs employees gave President Obama over $1 million in campaign contributions, nearly seven times as much as President Bush received from Enron workers, according to numbers on OpenSecrets.org and as reported by the Washington Examiner. The Examiner also reported that several current and former members of the Obama administration have close ties to Goldman Sachs.

The national media should give Americans the facts, not practice double standards.

DO NOT LAY OFF TEACHERS

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

Ms. JACKSON LEE of Texas. I agree with my friends on the other side of the aisle, we must create jobs. And we are working intensely to do that. My recollection is that during the Clinton administration, we created some 22 million-plus jobs. In the Obama administration we are increasing our hold on not losing jobs and increasing jobs.

I hope my colleagues will join me in arguing two points: one, we must invest in the private sector, but our banking industry must invest in small businesses to allow them to hire individuals; and two, we must not lose America's teachers. That is the public sector. But who can afford to lose 300,000 teachers? We must call that an emergency and begin to work on the idea of saving the Nation's teachers.

To the Nation's teachers, stand up for your job because you are standing up for the education of our children. Who can afford to lose the best and the brightest? We lose that when we begin to lay off teachers. We should end any thought about laying off America's teachers.

UNCERTAINTY IMPACTING SMALL BUSINESSES

(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, I've spent a number of weeks back in my district, the 19th Congressional District of Texas, talking to small businesses all throughout the district about the economy and about jobs, which is on the minds of the American people, and particularly the people in the 19th Congressional District.

Many of them said, Congressman, we would be spending money, we would be expanding our business, but Congress is creating such an uncertainty that we don't know what to do. They're still trying to figure out how this health care bill is going to impact them. They're still trying to figure out if this Congress is going to pass a cap-and-trade bill that will increase the cost of energy. They hear Congress talking about all kinds of taxes, VAT taxes, gasoline taxes.

And now they see Congress is spending and borrowing money it doesn't have, running up these record deficits. And they said, Congressman, we're just uncertain about what the future is in this country.

In fact, when I go around to clubs and meetings, I ask people in the audience to raise their hand if they are living out a better life than their parents. Everybody's hand raises. But when I ask them how many people think, based upon the course we are on today, that their children and grandchildren will live a better day, the hands are brought down.

Mr. Speaker, we need to get back to the basics here, cut spending, cut taxes, and get the American people back to work.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. HIMES). 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.

HONORING MILLARD VAUGHN OAKLEY

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

Mr. DAVIS of Tennessee. Mr. Speaker, the Upper Cumberland region of Tennessee is known throughout the country for its unparalleled natural beauty. Its rivers and streams, rolling

hills, farms, fields, and forests all come together to create the rich tapestry of the region. But just as the beauty of the land contributes to the character of the place I am proud to call home, so does the remarkable beauty of the people. The teachers and statesmen, the war heroes and artists of the region are the vehicles that have carried our most cherished traditions throughout the ages.

Out of these great men and women, there is one in particular that I am proud to call my friend. Never one to shrink from a challenge, but he has always been ready and willing to dedicate his time and resources to the service of others.

Mr. Speaker, I rise today to honor Millard Vaughn Oakley, an accomplished Tennessean who has tirelessly dedicated his life to public and community service. Whether through his law practice, his service in the General Assembly, or his fight to improve education, Millard has always been a staunch advocate for the interests of Tennesseeans. Although it would be impossible to qualify and quantify the total impact that Millard's work has had on our communities, countless lives have been enriched because of his faith and his friendship.

A lifelong resident of Overton County in the foothills of the Cumberland Plateau, Millard graduated from Livingston Academy in 1947, attending Tennessee Technological University, and graduated from Cumberland Law School in 1951. Almost immediately after earning his law degree, Millard began his general law practice in Livingston, Tennessee, which he continued until 1971.

During that time, he was elected to four terms in the General Assembly and served one term in the State's constitutional convention. He has had numerous positions in Tennessee government, including county attorney, and served as our State Insurance Commissioner.

Millard has always fought to improve education throughout Tennessee. He serves on the Tennessee Board of Regents, and through his financial support helped create the Science, Technology, Engineering and Math Center at Tennessee Technological University to bring a world-class research center into the heart of Tennessee.

□ 1345

In his hometown of Livingston, he was instrumental in coordinating local officials and private investors to construct the public library that now bears his name. He also established the Oakley First National Bank Foundation which provides scholarships for financially challenged high school seniors in Overton County.

Through his philanthropy, Millard helped build a campus for Volunteer State Community College in Overton County, which now serves students across the Upper Cumberland.

I am proud to be counted as one of Millard's friends, and I join them in wishing Millard success in all his future endeavors.

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

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

AND THE BORDER VIOLENCE CONTINUES

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

Mr. POE of Texas. Mr. Speaker, there are rules and procedures for coming into the United States legally. You have to sign the guest book at the point of entry so we know who you are. We have a right to know why someone wants to visit our country—and we have the right to tell them when it's time for them to go home.

But right now, America's hard-working taxpayers foot the bill for anyone who sneaks across our borders unabated. American taxpayers are expected to pay for the world's problems. We have enough problems of our own right here.

Let me mention some of our border issues and some of those issues that we have on the Texas-Mexico border.

Criminal aliens are a part of that problem. There is a crime wave taking place in our border regions. There are 14 Texas counties that border Mexico. And recently, I called the 14 county sheriffs and asked them this question, ''How many people do you have in your county jail that are foreign nationals charged with crimes other than immigration violations like misdemeanors and felony offenses?'' And they told me that 37 percent of the people in the border county jails in Texas are foreign nationals charged with those crimes.

These are not rich counties. These are poor counties. And yet they're expected to take the brunt of the crime problem on the border. They don't have the money to prosecute or even house these individuals. You see, Mexico's problems have become our problems.

Further, the violence in Mexico has escalated. Just yesterday, a Holiday Inn in Monterrey, Mexico, was attacked by narcoterrorists. The assault was done by 50 gunmen who seized cars to block streets to slow down police response. At least three people were kidnapped in the attack by the drug cartels.

Violence at our southern border with Mexico has escalated as well, and it not only affects Mexican nationals on the northern part of Mexico, but Americans on the southern border as well. Murders, kidnappings, Old West shootouts, Mexican military helicopter intrusions into the United States, and reports of criminal cartels cloning border patrol vehicles to smuggle drugs have all occurred.

An Arizona rancher was murdered at the border recently on his ranch. A California border agent was assassinated just a few months ago. In El Paso, Texas, our border patrol agents are reportedly being targeted by the Azteca hit men. These outlaws work and protect drug shipments for the Juarez drug cartel.

Arizona has just passed a new law giving local law enforcement the ability to check immigration status and detain those in the United States illegally. The bill also puts an end to sanctuary cities in Arizona. It requires law enforcement agents to make reasonable efforts to determine a person's legal status if there is a reasonable expectation they're in the United States illegally. Arizona and other States are desperate so they are trying to do the job that Washington will not do.

This bill is waiting for the Governor's signature in Arizona, and most Arizona citizens support this law. Border States have been asking for help for securing the border against the escalating violence for years. States have to protect their citizens because the Federal Government refuses to act to adequately secure the border. It is the primary purpose of the Federal Government to keep American citizens safe. When the Federal Government refuses to act, the border States are left to deal with the problem on their own.

Governor Rick Perry in Texas has been asking for National Guard troops for over a year, but the Department of Homeland Security has ignored these requests.

There seems to be blissful silence in D.C. about the border war. Why do we wait for more tragedy before more boots are put on the ground? Our law enforcement agents need help. Doesn't Washington know the border has become a war zone?

National Guard troops should be deployed to the border immediately to protect us from the narcoterrorists. Border patrol and local sheriffs in Texas and other States are outmanned, outgunned, and outfinanced.

The United States guards the borders of other nations, but yet we refuse to guard our own border. Why do we do that? Mr. Speaker, we fail to act at our own peril.

And that's just the way it is.

AIDS FOUNDATION OF CHICAGO

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

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to mark the 25th anniversary of an extraordinary organization—the AIDS Foundation of Chicago. The AIDS Foundation is not just an Illinois treasure. It is recognized across the Nation as a leader in HIV/AIDS policy and service.

The AIDS Foundation was founded in 1985 at the height of the HIV/AIDS epidemic when an AIDS diagnosis was a

death sentence. HIV had been identified 2 years earlier, but effective treatment was still not available. Many of us watched helplessly as friends and loved ones passed away.

AFC was founded by friends of mine, Dr. Renslow Sherer, Dr. Ron Sable, Judy Carter, and William Young. Its mission: to lead the fight against HIV/AIDS and improve the lives of people affected by the epidemic.

Thanks to AFC's role as a force for change, lives have been saved and lives have been changed. AFC helped turned the tide of this epidemic in Illinois and across the country by working with community organizations to develop and improve HIV/AIDS services, funding and coordinating prevention, care, and advocacy, and acting as a champion for effective, compassionate HIV/AIDS policy.

In its position as the hub of HIV/AIDS services in Chicago, AFC has worked with its partner agencies to connect people living with or affected by HIV/AIDS with the care, housing, and prevention services that keep HIV infection from being the death sentence it once was.

Through its advocacy efforts, AFC has given a voice to those who would otherwise go unheard, empowering those living with the disease to be their own advocates, holding those of us in power accountable, and keeping the human face of the epidemic fresh in our eyes and close to our hearts.

Many of the life-saving programs established by this body have been implemented on the ground by AFC and its community partners. Again and again, AFC has proven itself to be a dedicated steward of public and private resources. Its innovative approaches to coordinating HIV/AIDS prevention and care services such as case management and support of housing programs have been repeatedly recognized as national models.

From the west side of Chicago to West Africa, AFC has partnered with community organizations to support vital prevention, education, and care programs that would otherwise go unfunded. These activities reflect the true scope of the HIV/AIDS epidemic running the gamut from the local and State level to the national and international stage.

Because of the richness of these links, AFC is uniquely positioned to build coalitions and grassroots advocacy networks to effect change. Its leadership in countless campaigns for more and better HIV/AIDS prevention, care and housing services has empowered those communities impacted by the epidemic to directly engage their elected officials and demand the life-saving services that they need.

As a Member of Congress, I rely on AFC to provide me with policy advice and, as important, to describe the on-the-ground needs and concerns that must be addressed.

And so I would like to congratulate AFC President and CEO Mark Ishaug, Board Chair Aaron Baker, and their staff and volunteers for their leadership and dedication in the fight against HIV/AIDS. Thanks to your hard work over the last 25 years, we now know that this is a fight in which one day we will be victorious.

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

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

WHY A ''NO'' VOTE IS THE RIGHT VOTE ON SANCTIONS FOR IRAN

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

Mr. PAUL. Today, the motion to instruct on the comprehensive Iranian sanction bill was passed overwhelmingly, 400–11. Eleven individuals said that this was not a good idea. I was one of those 11, and I would like to explain why I think the sanction bill against the Iranians is very, very dangerous and not well thought out.

Sanctions are very serious. Sanctions are literally an act of war. When you prevent certain goods and services going into a country, it's like a blockade. There is no advantage to us to do this. The sanction bill literally says that any country that trades or sends oil into Iran, we will no longer trade with them. So if Russia sends in oil or gasoline or refined products or China does, we are theoretically, under this bill, not to trade with them. Can you think of anything more chaotic than having a trade war with China at this particular time?

So often well-intentioned foreign policy procedures backfire. They have unintended consequences and there is too often blowback. Today, unbelievably, we are engaged in so many places in the world and we can't afford it. Our foreign policy costs us a trillion dollars a year to operate. We're in 135 countries. We have over 700 bases throughout the world. We are engaged in military confrontation in Iraq, Afghanistan, in Pakistan. We're bombing in Yemen, as well as having surrogates fighting in Somalia.

We're flat-out broke. The policy is driving our enemies into the hands of the Chinese, and here we are looking for another war. It makes no sense whatsoever.

The conversation today was nothing more than war propaganda on why we have to get ready to bomb the Iranians. There is no proof, according to our CIA, that they're actually working on a nuclear weapon. I'm sure they would like to. Why not. Everybody around them has it so it would be logical that if they're surrounded and threatened and intimidated with all of the people around them, why wouldn't they want one? Well, of course they do. But others have it.

They have never been found in violation of the nonproliferation treaty. Never. And yet Pakistan, India, and Israel, they don't even belong, and they're our friends and we give them money. Pakistan, they have gotten support from us. They have nuclear weapons and they have been known to send nuclear technology to North Korea.

So the whole process makes so little sense.

The language today was used that, well, we have to go in because of the weapons of mass destruction, they're going to have missiles and they're going to attack us. It's identical to the propaganda promoting in 2002 and 2001 before we attacked Iraq. So this same process is occurring trying to generate all of this excitement about the need to use hostilities.

Now, a lot of individuals vote for sanctions that are basically anti-war and they don't like the military option, and they think this is an alternative. I think that is deeply flawed thinking, because sanctions lead to hostilities. And if you commit to the sanctions, you're really committing to the next step. The sanctions of the 1990s and the year 2000, the sanctions on Iraq, eventually led to the hostilities and the war and the invasion.

So what did that invasion of Iraq do? Did we find any al Qaeda there? No. We found out that Saddam Hussein wouldn't allow the al Qaeda there. No weapons of mass destruction. We've turned the country upside down. Hundreds of thousands of people injured and killed. We have suffered devastating problems from this. And what has happened? We turned the Government of Iraq over to the Shiites, who are allies of the Iranians. So that whole policy has actually backfired.

So now what we're doing to the Iranians is driving them into the pockets of the Chinese. The Chinese are pretty good capitalists these days. They work hard, they produce, they sell us certain goods and services. We pay them, they save their money, and they're starting to invest. So they're investing around the world in natural resources. And what are we doing? All we're doing is trying to take over the world with natural resources so we have control of oil.

This is a mercantilistic idea, it's ancient, and it takes you back to almost colonial times.

□ 1400

So this, I think, shows that our policies are deeply flawed. I sure would have wished this vote would have come out differently. And I warn, this was a very dangerous vote.

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

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

VOTING RIGHTS FOR THE DISTRICT OF COLUMBIA

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

Ms. NORTON. Mr. Speaker, this week a historic vote to give the 600,000 residents of the District of Columbia here in the Nation's capital voting representation in the House was due on the floor and had to be pulled down but only for now. I come to thank the majority of Members of Congress, of this House, who have voted for the right of the people of the District to have a vote on this floor, especially the 22 Republicans and the 219 Democrats, who gave the D.C. House Voting Rights Act a straight-up vote in 2007 when it passed 241–177.

I thank Speaker PELOSI and Majority Leader HOYER for their invaluable and unfailing support until the very end. I thank Majority Leader HARRY REID for bringing a historic first-time vote for the bill where it passed the Senate. I thank Chairman JOHN CONYERS for his unyielding support of D.C. voting rights. I thank former Representative TOM DAVIS whose idea it was to pair Democratic D.C. with Republican Utah, the most perfect example of a bipartisan bill ever to hit this floor where each side benefits equally. I thank Ilir Zherka of D.C. Vote and the coalition he put together and Wade Henderson of the Leadership Conference on Human and Civil Rights, who were steadfast and creative throughout this process.

The Senate for the first time, in fact, enacted the bill, but it had a gun amendment that took down the District's gun safety laws, yet the District's gun safety laws have been held to be constitutional now by the courts. When the bill came here to the House, I sought a clean vote and almost got it. I thank the House for being willing to put the D.C. House voting rights bill on a must-pass bill. The Senate did not agree, so I spent months trying to negotiate a compromise that would have left at least some of D.C.'s gun laws intact.

Finally, and reluctantly, I agreed to the same amendment that passed the Senate to, in fact, alter the District's gun laws, but I had a set of strategies for returning the District's public safety laws.

However, we were hit with a new over the top revised gun amendment that gun forces sprung on us that was worse than anything we could have imagined. Ultimately, people would have been allowed to carry guns in the Nation's capital. The city could not prohibit guns in its own publicly owned buildings. Owners of residential and commercial property could not ban guns in their own property to those who rent or lease.

We expect the gun forces to return. We are ready for them. For the sake of post-9/11 Washington and hometown D.C., they must not succeed in overturning the public safety gun laws of the Nation's capital. I promise you this, we will redouble our efforts to finally give the American citizens who pay taxes at a rate of second per capita in the United States, the citizens who live in our own capital, the vote in Congress they have sought for two centuries and that every American who believes in the founding principles of the Framers and our country know must have. Let's do it, and let's do it this year.

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

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

CONGRATULATING JOETEN ENTERPRISES ON ITS 60TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Northern Mariana Islands (Mr. SABLAN) is recognized for 5 minutes.

Mr. SABLAN. Mr. Speaker, I rise to congratulate the shareholders, management, and employees of a very special family-owned business in the Northern Mariana Islands as they celebrate their company's 60th anniversary. Joeten Enterprises, Inc., or simply Joeten as it is known to local residents, began with Jose Camacho Tenorio and his wife Soledad Duenas Takai selling beer and soft drinks to soldiers and sailors from Saipan right after World War II. Joeten and Daidai, as everyone called the Tenorios, gradually grew their quintessential mom and pop operation into a diversified, multimillion-dollar corporation. Today Joeten Enterprises encompasses not only retail shopping outlets but also wholesale, shipping and stevedoring, car dealership and auto service, hotel, real estate, construction and material supply, hardware, insurance, bakery and deli businesses. They have hundreds of employees, including many that have been a part of the company for decades.

It is difficult to imagine our principal island of Saipan 60 years ago. The war had destroyed virtually all of the physical and commercial infrastructure. Residents found some work with the U.S. military or lived on government handouts. So for newlyweds Joeten and Daidai to take the great entrepreneurial leap of faith and open a corner grocery store in the village of Chalan Kanoa was a significant step not only in their own lives but in the reconstruction of the island economy.

Joeten and Daidai sacrificed much and worked long hours to build their small business. Joeten was lucky enough to have a government job, but he was constantly networking, planning, and then carefully executing a variety of adaptations and expansions to grow the business. Daidai supervised the store during the day, balancing the books, while caring for and feeding the couple's growing family. The four daughters and two sons of Joeten and Daidai—Annie, Clarence, Norman, Patricia, Frances, and Priscilla—began their own education in business at an early age right there in the store. Their parents' example and tough but caring attitude taught the children to work hard to get what they wanted from life. They learned that personal discipline was key to success. And as each of the children grew, they took on their own increasingly important roles in the burgeoning Joeten Enterprises.

Joeten passed on in 1993, Daidai in 2008. But their six children continue to run the many businesses their parents began. The children of Joeten and Daidai share their parents' values with their own children, so the lessons Joeten and Daidai imparted continue to be practiced by a third generation of entrepreneurs.

As retold by the Tenorio children and grandchildren, one of the most important of these lessons was that to a large degree the company's success is the result of the teamwork of the company's loyal and dedicated managers and employees.

In that spirit, we salute them all—owners, managers, employees. Hand in hand, may they continue to prosper in the next decade, guided by the vision and spirit of the company's founding couple, Joeten and Daidai.

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

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

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

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

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

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

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

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

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

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

FURTHER MESSAGE FROM THE SENATE

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

S. 3244. An act to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

HEALTH CARE

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

Mr. BURGESS. I thank the minority leader for allowing me to speak this afternoon during the leadership hour. It is always a significant event to be asked to speak during the leadership hour, and I certainly appreciate the confidence shown in me by the leadership.

This afternoon I thought we'd talk a little bit more about the health care bill that was passed by this House last month because it is an important subject and one that continues to cause problems across the country. Almost anyplace you go, people want to ask you questions about, Why did you do this bill, and what does it mean for me, and what can I expect going forward?

Mr. Speaker, I know I need to confine my comments to the Chair, and I will do so. But if I were to be able to speak to people directly, I would encourage them to look at a health care policy Web site that my office maintains. It's called the Congressional Health Care Caucus, healthcaucus.org. This Web site chronicles many of the debates and discussions that occurred over the last 14 or 15 months, encapsulating the genesis of this health care bill that was passed last month. And really with the passage of the bill, the health care issue does not go away. We simply move into the second part of what is going to be the health care discussion because after all, even as we speak, just down the hill at the Department of Health and Human Services, they are busily working and hiring people, people who are going to be writing rules, writing regulations, and really dictating the policies that will direct health care in this country not just through election day, not just through election day 2012, but literally through the lives of the next three generations of Americans.

So this is an important concept, and people do need to pay attention. As the rules are written over at the Department of Health and Human Services, there will be periods open for comment on that public rulemaking process, and people need to visit Web sites such as healthcaucus.org or the Health and Human Services Web site to familiarize themselves with the rules as they are being written. If you get the mental picture of some central planner moving data points around on a big map or graph, that's probably the right mental image to have right now with where we are with this health care bill.

Let's talk just a little bit about how we got to where we did with the passage of the bill. The recognition after the presidential election of 2008 that health care was going to be a big part of the legislative agenda for the President's first term. There was no question about that. And as we worked our way through the year last year, concepts such as cost and coverage started creeping into almost every story that was written about health care. Because it was after Senator Kennedy's committee over in the Senate, that Health, Education, Labor, and Pensions Committee, released a Congressional Budget Office score on the bill that they were working on which showed a cost significantly north of $1 trillion over 10 years and coverage numbers of about 13 million additional people being covered, that people said, Oh, my goodness, this costs a lot, and we don't get nearly the coverage that we thought we did. So almost every other health care proposal that came forward after that was subject to that same Congressional Budget Office scrutiny and scoring. And as a consequence, it kind of got an idea of the parameters that were being set. Those parameters were that the bill had to be scored and costing under $1 trillion, and the bill had to score as covering an additional 30 million people. Those were the points on the graph that had to be satisfied at the end of the discussion.

So if it were a question of covering everyone who makes under 150 percent of the Federal poverty level under Medicaid, as was the directive from the bill that was passed in the House, if that made the final number too high, then you do what they did in the Senate and say, Well, we're only going to cover people up to 133 percent of the Federal poverty level with Medicaid, and that money that's not spent on covering people with Medicaid at higher income levels, we'll use that for something else. And there was all sorts of jockeying for position that occurred over the months during the debate last year.

We passed a bill out of committee on July 31 last summer. The bill was actually supposed to be passed out of committee much earlier and was supposed to come to the floor, and we were supposed to pass the bill on the floor of the House before we went home for the August recess. But because the Speaker of the House decided to take up the climate change bill in June and force the passage of that bill right at the end of June before we went home for the Fourth of July recess, thereby causing many Members to feel some anxiety from their constituents back home over what they had done with this large energy tax that the House just passed, many Members of Congress were reluctant to move with rapidity on the health care bill because they were feeling the push-back from the energy bill that they wondered if maybe we didn't pass this a little too quickly and maybe we should have read the bill and studied and understood what the bill did before we voted on it.

So the month of July was kind of a give-and-take. Really most of the discussion was on the Democratic side of the aisle. It did not involve Republicans. But it was moderate Democrats who were concerned about the passage of this bill too quickly.

□ 1415

Ultimately, the bill did pass in committee. All of the moderate Democrats on my committee voted in favor of it and ultimately it passed, but it didn't pass until the House had already adjourned for the August recess on July 31. As a consequence, the bill did not come back to the House floor until after the August recess.

Most of us know what happened during August. There was a significant amount of anxiety exhibited across the country where people would show up at their Member of Congress or their Senator's town hall meeting during the summer and voice either their support or their rejection of the concept of the health care bills that were being discussed in the House and the Senate, and the feeling was almost uniformly negative against what was being passed at least on the floor of the House.

The situation that occurred after the end of the summer town halls, I thought we would come back and, perhaps with a renewed spirit of bipartisanship, realize that we could not do something this large when it was against the will of the American people. I thought we would come back and hit the pause button or the reset button or maybe even the rewind button and go back to committee and rework this bill; but that was not to be.

The President of course came and spoke to a joint session of Congress here in the middle of September, speaking right from the podium right there behind me, and talked about how they were going to go forward with their vision of health care reform, and it didn't really matter what people said over August. Americans must have been in some sort of fugue state because they didn't really mean what

they were saying when they said they did not like this bill that we, Congress, were going to give them, we, the President, was going to give them.

So as a consequence, in December, after the House passed—the House did come back and pass a bill early in November. The bill had grown from 1,000 pages at the end of July to 2,000 pages by early November. It was interesting that the bill had grown in the number of pages because all of the amendments that were made in order during the committee process were all mysteriously stripped from the bill before it came back to the floor; but the bill was much larger.

The bill came to the floor and passed by a very narrow vote. And again, the polling done the day of that vote showed that only about one-quarter of Americans actually supported the work we were doing, about another 30 to 40 percent felt that we were doing the wrong thing, and another small but significant percentage said you shouldn't even be doing this right now because your focus should be on creating jobs in the American economy. But we passed the bill.

What happened next was really something the likes of which I have never seen before in my short tenure here in Congress. Between Thanksgiving and Christmas, the Senate wrote and produced and passed a health care bill. Now, both Senate committees, the Senate Health, Education, Labor, and Pensions Committee and the Senate Finance Committee, had worked on different bills through the course of the year; but then they worked on an entirely different bill between Thanksgiving and Christmas Eve and the ultimate passage of the bill. The bill, interestingly enough, had a House number, it was H.R. 3590. It had a House number because it was a bill the House of Representatives had passed earlier in the year. It wasn't a health care bill when we passed it, but we did pass it on the floor of this House. It was a housing bill, not a health care bill; but that bill was picked up over in the Senate, amended so that all of the housing language was removed and the health care language was inserted.

But it wasn't a question of let's get the best possible health care policy and put it in this bill. It was more a question of what will it take to get your vote and we will put that in the bill. That process was so unseemly. The last part of December people were engaged even though they were concerned about the goings-on in their lives for the holidays and the end of the year activities, but they were also concerned about the appearance of votes being bought and sold and people actually coming to a conclusion to vote ''yes'' for the bill because they had gotten some special deal contained within the bill. That process was so flawed that even though the Senate achieved that 60-vote margin on Christmas Eve, the ill will exhibited by the American people continued for weeks after that.

Now the bill did pass on Christmas Eve; it was passed early in the day to get Senators out of town ahead of a snowstorm. As a consequence, the bill itself was not ready for prime time. No one, I really believe this, no one in the Senate ever thought that would be the final product. This was, again, simply a placeholder to get the Senators out of town before Christmas and be able to say that they had passed a health care reform bill before the end of the year. Everyone thought we will come back to a conference committee or we will come back to some type of arrangement where we meld the House and Senate products together; maybe it won't be a formal conference committee because we really don't want to include Republicans, but we will still work on trying to get some of the rough edges of this thing knocked off and include some of the House-passed principles as well.

Unfortunately for America that never happened because what did happen is the second Tuesday of November an election held way, way up in the State of Massachusetts, where a Republican was elected Senator in a seat that had been held by a Democrat for literally generations, and that happened because the appearance of passing this bill before Christmas Eve appeared so awkward, appeared so unseemly that it looked as if people were buying votes for the bill. The American people pushed back, and even in Massachusetts that was too much to take and Senator SCOTT BROWN was elected.

As a consequence of that, it was apparently felt by leadership in the House and the Senate that a conference committee was not a good idea and there would not be the support for this bill on either the floor of the House or the Senate if they were to bring it back requiring the 60-vote margin in the Senate and of course a simple majority in the House.

The Speaker of the House at one point was asked could they just pick up and pass the Senate bill in the House and get it down to the President for his signature. The statement then, right after the Massachusetts election, was that the Speaker did not believe she had 100 votes on the floor of the House for the Senate bill.

It was significant that the Senate bill had a House bill number. It was significant that the Senate bill, although now it was a health care bill, had passed the House previously because under the rules of Congress if that bill would come back to the House of Representatives with the question asked, Will the House now agree to the amendment made in the Senate on H.R. 3590, and if that answer was ''yes'' by a simple majority, then the bill is passed and it goes down to the White House for signature. Well, ultimately that is exactly what happened.

During the remainder of the month of January, all of the month of February, and much of the month of March, the same process occurred over here where Members of Congress on the Democratic side of the aisle were encouraged, cajoled, threatened—whatever—to change their vote or to change their mind and vote for this health care bill.

Well, it passed. It passed and was signed into law. It required a significantly sized fix-it bill to be passed within a week because the bill was so flawed it really could not stand on its own. Indeed, there have been multiple things that have been brought to people's attention since that time about problems that existed with the bill, and I rather suspect we are going to continue to find those problems occurring over and over and over again in the next several months.

My opinion: this bill should be repealed, and we should actually go back and do what the American people really were asking us to do when they showed up at those town halls in large numbers in the month of August. They did not want us to turn the entire system on its head in order to help the people that legitimately needed to be helped. Yes, we needed to provide some assistance to people with preexisting conditions. Yes, some tort reform would be nice. Is there anything you can do about the cost of health care in this country? But don't take away what is working for 60 to 65 to 68 percent of the American people. That was a message delivered loud and clear in the month of August and has been delivered loud and clear in every poll that has been taken on the subject since that time.

The system needed reform; the system did not need to be changed from top to bottom. And yet over the next 8 years that is exactly what we will see, a system that none of us will recognize by the end of 2010, 2014, 2016, 2018—pick your point on the timeline.

Currently in my State, the State of Texas, Attorney General Greg Abbott is pursuing a court case—and joined with several other States to do so—to argue before the Supreme Court that the bill we passed is unconstitutional. Proponents of the bill, people who think the bill was proper and is constitutional, argue that under the commerce clause of the Constitution this bill will be held to be constitutional by the Supreme Court even though the concept of universal health care is discussed nowhere in the Constitution.

The problem with the commerce clause is that we are now, for the first time, requiring a citizen of the United States, merely as a condition of being a citizen of the United States, to buy a good, service or product that they may not want, need, or feel they are able to afford. This is the first time the commerce clause has been invoked to protect the commerce that was essentially coerced by the Congress. So the attorneys general of several States are now pushing that case and are going to argue that before the Supreme Court.

One of the shortcomings of the Senate bill, one of the things that wasn't

properly thought through, was the provision of what is called a severability clause in the bill. We actually had a severability clause in the House bill that was passed in November, but no such severability clause was included in the Senate bill. Perhaps in their haste, just to get something done before that snowstorm on Christmas Eve, they simply forgot about it.

What a severability clause would do is, Congress recognizes that from time to time we will overstep our bounds in the eyes of the courts and the court might strike down a provision in the bill, but the severability clause allows the rest of the bill to stay and be enforced. Without a severability clause, this is now up to the discretion of the court. The court could, if it agreed that the commerce clause could not be invoked to pass this bill, strike down the entire bill, or they might use the discretion of the court to only strike down a portion of the bill that they deemed unconstitutional. That drama has yet to play out, and likely it will during the summer months or fall and we will have to see what occurs with that. But I do support Attorney General Greg Abbott in Texas and many of the other attorneys general across the country who are actively pursuing this course against this bill.

What would repeal look like? Could Congress in fact repeal a bill that had passed and been signed into law by the President? The answer is yes, and there is actually precedent for that. In 1989, some people will remember the name Dan Rostenkowski. He was the chairman of the Ways and Means Committee—a Democratic chairman from the State of Illinois, coincidentally—and passed the Catastrophic Health Care Act. This was the Catastrophic Health Care Act for senior citizens. The bill was actually passed in a bipartisan fashion in both the House and the Senate. It was thought that people wanted this, but in fact it's one of the problems that you have when you get out in front of the American people and give them things that they don't necessarily want that actually cost them money.

What happened with the Catastrophic Care Act was the pushback was so intense and so immediate that when Congress came back into session, they quickly decided that perhaps the world could live without the Catastrophic Care Act and they repealed it. Now, this bill was passed in the final months of the Ronald Reagan administration; it was signed by President Reagan. The repeal was signed by President George Herbert Walker Bush. But the concept of repeal of a bad health care entitlement law is one that certainly has been exercised within the lifetimes of many of us who are serving in this body today.

Since the passage of this bill in March, support across the country has diminished, opposition has increased; and, again, that is likely to continue as the bill will become more and more unpopular as people dig into it and look into the provisions of the bill.

One of the other things that is working against the concept of this bill was the absolutely poisonous process that led to its passage and its signing. Back in May or June of last year, six stakeholders met down at the White House to talk about health care reform. Now, there is nothing wrong with that. That is perfectly proper that perhaps the people who represent the doctors, the hospitals, the drug manufacturers, the device manufacturers, America's health insurance, and representatives from the Service Employees International Union met down at the White House to talk about health care reform.

In a very well publicized photo op that occurred after those meetings, the President came out before the cameras and said that he had agreement from the six parties that were in those meetings that they would save $2 trillion over the next 10 years in the delivery of health care. Well, I simply asked for the notes of those meetings, the agreements that were agreed to in those meetings so that we, as the legislative body, could evaluate that as we were working on the legislation, the actual law or the bill that would become law here in the House of Representatives.

I sent letters to the White House in September. I was rebuffed without any sort of information. Ultimately, in December, I filed what's called a resolution of inquiry with my committee, the Committee on Energy and Commerce. This resolution of inquiry was brought up before the committee on, interestingly, the same day that the President delivered the State of the Union Address in January.

□ 1430

The resolution of inquiry was not going to pass because, obviously, on a party line, the Democrats are in charge, and they can strike down almost anything they want. Yet the chairman of my committee consented to allow me to request of the White House six of the 11 things that we had asked for in the resolution. He said some of the information is right and proper and should go to the gentleman from Texas should he request that information. So we re-requested the information.

Essentially, all we have received from the White House are copies of press releases and copies of Web pages that were reproduced for us, but there has been nothing regarding anything that was written down, nothing regarding any arrangements that were made or any deals that were made; there has been nothing regarding any email exchanges that occurred resulting in the savings of $2 trillion.

Now, I will admit to sometimes being relatively naive, but it seems to me that, if you're going to agree to a $2 trillion deal, someone, at least on the back of an envelope somewhere, is going to kind of keep a tally of what those numbers are—someone is going to write something down—but the White House would have us believe that, no, there has been nothing written down.

Is it significant? I submit that it is. There were several points that came up during the debate of the bill, both in the House and in the Senate, where an amendment would be offered and where the discussion then would suddenly end with, Well, that wasn't part of the deal.

In December, Senator MCCAIN had an amendment over in the Senate about drug reimportation. I don't agree with drug reimportation. I actually think that is a bad idea, but I do think Senator MCCAIN should have had the ability to submit his amendment, to debate his amendment and to have it pass or fail on the merits of the amendment. In no way should he have not been allowed to offer that amendment because of a secret deal that was made down at the White House with the drug manufacturers, but that is exactly what happened. He was stopped from offering the amendment by his committee chairman, who said, That's not part of the deal that we have.

Another area is where the hospitals were going to be taxed as part of the pay-for within the bill. They said, Wait. That wasn't part of our deal.

Well, the deal may be fine, the deal may be proper, but we as legislators should at least be privy to those decisions that were made down at the White House. We should at least have the information about what was agreed to and on whose behalf those agreements were made. We never got that information, and to this day, I still await some response from the White House.

Significantly, during the Presidential campaign, when he was a candidate, President Obama said, and I'm quoting here: ''And that's what I'll do, bringing all parties together, not negotiating behind closed doors but bringing all parties together and broadcasting those negotiations on C–SPAN so that the American people can see what the choices are, because part of what we have to do is enlist the American people in this process.''

I couldn't agree more. Yes, you've got to enlist the American people when you're doing something this broad and this sweeping, but they never bothered to do that. Yes, you do need to open those meetings up. C–SPAN can sometimes be a trifle boring when you watch us for too long at a time, but it's important. It's a window to the world that people have on the legislative process.

So, when the President made that pledge no less than eight times during the campaign, it struck a chord with people; it resonated with people. If my Representative is involved in those meetings, I'd like to see where he stands. The President would make this point: Does the Representative stand on the side of the drug companies or does he stand on the side of the people?

Does the Senator stand with the insurance companies or does he stand with America's patients?

They are important concepts to know. Unfortunately, we have not yet had the ability to know what those deals were.

I've got to believe that this is such an important point that people got this when it was offered to them: Look, we'll make it an open and transparent process. You can watch it on television if you don't get too bored, but it will be your choice. You can watch it on television. I think people picked up on that notion. Honestly, this is one of those where, yeah, people can say things during a campaign that they actually can't deliver on after the election is over. That happens all the time. I understand that. But this is a ''read my lips'' moment. This is a ''read my lips: no new taxes'' moment. The President promised that all of these negotiations would be up for purview, covered on C–SPAN, that you would be able to watch, and that you would be able to make the decision as to whether this process was a good one or a bad one. Again, unfortunately, to date, that has not happened. I do hope that the White House does at some point get us that information.

Now, one of the things that I heard over and over again during the summer, during the town halls, is that, really and truly, if you're going to hold prices down in the delivery of medical care, you're going to have to do something in the realm of liability reform.

I understand this because, in my home State of Texas, we, in fact, passed significant liability reform back in 2003, and that has made Texas now one of the more favored places to practice medicine. There have been doctors who have fled other parts of the country and who have moved to Texas. In fact, one of the bigger criticisms in Texas right now is that it takes the Texas State Board of Medical Examiners too long to process an application because their backlog is so significant, but it is a far cry from where we were in 2002 when we were, in fact, labeled as one of the States in crisis in the medical liability crisis.

Now, during the 8 years since that bill passed as a State bill, Texas has licensed over 15,000 new physicians. It is important. Texas is a big State, and there are lots of open areas in Texas. Since the passage of that law back in 2003, 125 Texas counties have added at least one high-risk specialist. That's like half of the counties in Texas, and there are 224 counties in Texas. That's over half of the counties in Texas that have added one high-risk specialist. My home county of Denton County is one of those. Tarrant County, another county I represent, also is one of those.

We heard stories in 2002–2003, all over the State, of people who were closing their medical practices—radiologists, perinatologists, doctors who take care of the sickest of the sick pregnant moms with the sickest of the sick newborn babies. They simply could not get liability insurance because their risk was too great. Their risk was too high. They were leaving the State. The State paid for their education in State-supported schools, the State supported them during their residency training, but the State could not offer them a place to practice because they could not afford liability premiums in the State. So, since that bill has passed, 125 Texas counties have added at least one high-risk specialist.

Again, Texas is a big State. It's not hard to believe, especially in some of the less populated areas out in West Texas, that a person might live many, many miles from a physician, but since the passage of this law, now 99.7 percent of Texans live within 20 miles of a physician. That is a staggering success story with the number of doctors who have moved into the State and who are practicing. Yes, some are practicing in urban areas, but many are practicing in rural areas, in rural areas that previously did not have emergency room doctors and that previously did not have obstetricians but that now do, and that is critical for access to care in the State of Texas.

We've talked about this health care bill, and we've talked about access to insurance, but really, when you need health care, you're not so much interested in an insurance policy; you're more interested in do you have a doctor there to see you when you're sick.

There are 82 Texas counties that have seen a net gain in emergency medicine physicians, including 43 medically underserved counties and 29 counties that are partially medically underserved. There are 33 rural counties that have seen a net gain in ER doctors, including 26 counties that previously had none. There are 26 counties that previously did not have emergency room doctors which now have emergency room doctors in the State of Texas. Such has been the effect of medical liability reform.

In my field of obstetrics, Texas saw a net loss of 14 obstetricians in the 2 years preceding reform. And you might say, Texas is a big State, and 14 is not that many; so, hey, you can deal with that sort of loss. But since the State passed the law, they've experienced a net gain of 192 obstetricians, and 26 rural counties have added OB docs, including in 10 counties that previously had none. I mean that's a big deal. When you have a family member in labor who is looking for a place to have her baby, it is important to have the care there when you need it.

There are 12 rural Texas counties that have added an orthopedic surgeon, including in seven counties that previously had none. Again, that's a significant fact, particularly in areas of rural Texas where the drive might be quite long if you're dealing with an injured loved one and are trying to find orthopedic care.

Charity care rendered by Texas hospitals has increased by 24 percent, resulting in almost $600 million in free care to Texas patients since the passage of that liability reform law in 2003. Texas physicians have saved almost $600 million in liability insurance premiums, which is a significant savings that has allowed more doctors to stay in practice.

The Texas law has been so successful that I introduced legislation into Congress that was modeled after the Texas law. It is H.R. 1468, the Medical Justice Act. I offered this in the form of an amendment when we marked up our health care bill in the House Energy and Commerce Committee last summer. It was rejected first on a technicality and then along a party-line vote.

If we're going to ask our doctors to be our partners in this brave new world of health care we've constructed, the very least we can do is give them some stability in their practices. That stability would be in the form of some relief from the problems that they face with medical liability.

Another problem that is faced by our Nation's doctors, which is one of the reasons we are very likely to face a significant doctor shortage—and again, in spite of the fact that we passed a health insurance bill, if we do not have doctors to see those patients, then it is not going to do much good that we passed that bill. When passing this sweeping health care reform bill, it would have been the ideal time to talk about things like physician workforce and how we train doctors and how we pay for that training, but we chose to omit most of that thinking from this bill.

Another problem that we face on almost a recurring basis here in Congress is the fact that Medicare, by formula, ratchets down reimbursements to physicians year over year over year. In fact, this year, the number was to go down over 20 percent. Last week, we passed a very small bill that extended that deadline to the end of May, so doctors got a little bit of a reprieve, and patients got a little bit of continued access to their physicians.

I will have to tell you, as a practicing physician, that is a significant event when a major payor like Medicare comes in and says, We're going to be paying you 20 percent less next month for the work that you do for us. It is a difficult problem to fix, it is an expensive problem to fix, but it is one that just simply must be done, not just because it's the right thing for doctors, but because, if we do not have doctors who commit to staying in practice and taking care of our Medicare patients, then patient access is going to be a critical problem. We will all stand up here and talk about how we want our patients, our Medicare patients, to have only the best and quality care, but it's very, very difficult to guarantee them quality care when we can't even assure them of a doctor at the other end of the phone line when they need one.

Now, in the health care bill that we passed, primary care physicians do get

a little bit of a boost in payments for Medicaid, but that is short-lived, and there are still going to be significant disparities between payments of primary care and specialty care. Medicare and Medicaid rates for primary care services will increase for primary care but only for a very short period of time. We are very famous in Congress for doing this. We'll say, We're going to take care of you. We're going to actually pay you what you think you're worth for the next 18, 20 or 24 months. These things are called funding cliffs. Sure enough, there is a big funding cliff in the health care bill that was passed, and doctors will face falling off that funding cliff now in a little less than 2 years' time.

Fixing the Medicare payment formula, fixing the so-called SGR formula, is going to be a tough lift. The House did pass a bill last fall. Unfortunately, it was a bill that had already been rejected by the Senate, so I'm not quite sure why we brought it up and voted on it on the House side, but we did. It was a bad bill. It didn't really fix the problem, but it was the only opportunity to pass a Medicare fix, or an SGR fix, or a doc fix, during the calendar year 2009. So I voted in favor of it even though the bill, itself, was a dreadful product. Surely, we can do a much better job.

Now, I have an SGR reform bill, H.R. 3693, Ensuring the Future Physician Workforce Act, and I would encourage Members of Congress to look at that. This is going to come back again and again and again. We passed a short-term extension. We now have solidified physician payment through the month of May, but beginning June 1 or 6 or some date early in June, that 20 percent funding cliff will still be out there, and we are going to have to take care of that.

I rather suspect, this being an election year, we're not going to do anything large to fix this problem. We should, but I do rather suspect that we will do something that punts it down the road until after the next election. It's a shame. It's a shame, because when we're doing something as big as this fundamental health care reform that we did, it seems like this is exactly the type of problem that you would like to take care of.

Again, what do we hear from our folks when we go home and talk to them about health care?

Well, I'll tell you what, Congressman. One of my biggest problems is trying to find a doctor who will take Medicare.

If seniors change locations, if they move from one town to the next, if they leave their towns when they retire and move to be closer to their grandchildren, they are very likely going to experience difficulty and delays in finding doctors who are taking new Medicare patients.

□ 1445

Because of what we in the United States Congress do to physicians year in and year out, it has become so cumbersome to find physicians who will take new Medicare patients that it has become a critical access issue for our seniors.

Let me just talk briefly, because it is important, one of the mistakes that was made in the bill, one of the problems that emerged after the bill was passed and signed, and most people in the country are not going to shed too many tears about this, but Members of Congress actually lost their health insurance after the passage of this bill. Or actually the way it's written, Members of Congress will now be required to buy their insurance through the insurance exchange just as every other American will be required to do beginning in the year 2014. The exchanges are not going to be set up until 2014, but Members of Congress, as of the signing of this bill, are required to buy their health insurance through the exchange.

So we are now asked to buy insurance in a nonexistent exchange, and that is going to make it difficult. Our staff do fall into the same category; so I am getting many questions from staff saying, Well, they're still taking a health insurance premium out of my paycheck, but am I really insured or not? And there is some confusion and it needs to be cleaned up. Again, most Americans are not going to shed too many tears about Members of Congress being confused about their health insurance coverage. They're going to say, Welcome to my world. But interestingly enough, the people who wrote this bill, and that would be committee staff, administration, staff from the White House, leadership staff, the people who actually wrote this bill—and make no mistake about it. Certainly no Republican was involved in writing this bill. Most Democrats were not involved in writing this bill. In fact, I will submit to you House Democrats especially were excluded from this process. So who writes a bill like this? Well, it is tenured and long-term committee staff, leadership staff. Yes, the White House was out here big time while the bill was being hammered out during the latter part of December and the first part of January. All of those people who actually wrote the bill are exempt from that.

So there is one little simple fix-it bill, H.R. 4951, that would also require committee staff, leadership staff, members of the administration, political appointees at the Federal agencies to also be covered under the exchange the same as Members of Congress. Now, again, the problem is that we're required to be covered under the exchange. The exchange is not up and running until 2014; so it remains to be seen how that will work out. But the irony of Congress voting itself out of health insurance because they didn't understand the bill that came over from the Senate on Christmas Eve is just simply too important to ignore.

One of the last things that I do want to cover this afternoon is yesterday my committee, the Committee on Energy and Commerce's Subcommittee on Oversight and Investigations, was going to have a hearing on America's business that had released information that they were going to change their earnings projections because of issues that occurred after the passage of the health care bill.

So you see here, and this actually should be a minus sign in front of all these numbers, a company like AT&T was going to have to write down a billion dollars in charges because of changes to their accounting that was now going to occur as a result of our passing the health care bill. Well, when these companies released the press releases that they were restating projected earnings because of what the health care bill had done, John Deere was going to have write down $150 million; 3M Company had to write down, again, that should be a negative $90 million.

When that occurred, the chairman of my committee, Mr. WAXMAN, said, This is not right. These companies are simply doing this to embarrass the Congress and embarrass the President. They need to come before our committee and be held accountable for why they would release this type of information on a day that was otherwise a day of great national joy when the President was signing the health care bill.

Well, the companies responded that they were simply performing under requirements like the Securities and Exchange Commission. Their earnings were going to be affected by the passage of this bill, and they were required to restate earnings based upon that information. And maybe they didn't need to release it on that particular day, but certainly that information needed to be made public. And, indeed, many of these same companies had contacted members of the committee staff and let them know this in advance of actually releasing the information.

Now, interestingly enough, when it came to light that the heads of these companies stated, Well, we're just simply doing what you told us we had to do under the rules provided us by the Securities and Exchange Commission, the committee decided to postpone indefinitely that hearing.

But it was troubling. It was troubling because here we have a rather significant subcommittee in the United States House of Representatives, a rather significant subcommittee that can issue subpoenas if it wants. It does take testimony under oath. This is generally not an exercise that a company CEO will look forward with great relish to come before our committee and have to answer questions. And some of us saw that as actually an intimidation tactic: Don't you dare complain about what we have done with this health care bill or we can make your life miserable if you do.

Health care costs are going to take a toll on United States profits, corporate

profits, according to estimates by a benefits consulting firm, Towers Watson. Medtronic, a medical device maker, warned that new taxes on its products could result in about a thousand workers being laid off. Their accounting also estimated that there will be thousands of layoffs and consumer-related costs.

If you came out against this bill, if you dared to speak out against this bill, the message was loud and clear to corporate America: We're going to call you in. We're going to question you under oath. We are likely to embarrass you in a public forum. So don't you dare complain.

But one of the things that I have heard over and over from both large and small business back home is this health care bill is going to have a profound, a significant, and a deleterious effect on just simply conducting a business. More than one small business in my community has come back to me and said, As I run the numbers, as I look at what happens to me through the year 2014 and the requirements that will be upon me, it is very likely that my bottom line will go negative and stay negative as far as I can see unless I don't expand or I don't hire. In fact, the succinct message that the United States Congress has sent to small and medium-sized business across the country in every State of the Union is don't hire right now. Don't hire right now until you know what is going to be required of you, Mr. or Mrs. Employer. We are likely going to change the way your business works, again, in a very profound and significant way.

Now, I also sit on the Joint Economic Committee, which is a House and Senate committee. The first Friday morning of every month, whether we're voting on the floor of the House or not, we need to be in town to receive a report from the Department of Labor. And that report is the employment report for the preceding month. It comes out the first Friday of every month. Usually those numbers are released at about 8:30 in the morning, and our committee convenes at 9:00 or 9:30 to hear from the head of the Department of Labor as to what the employment statistics look like.

I joined that committee in January of 2009. We have never had, never had in the 15 months that I have been in the committee, a good news report. In fact, one of my constituents back home said I'm bringing such bad luck to the committee, maybe I ought to consider some other assignment. But the fact remains if we keep doing things in Congress, in the House and the Senate, in the legislative branch, if we keep doing things that send a loud and clear message to small business, medium-sized business don't hire right now, we're not going to see the type of employment recovery that we all feel that the economy is capable of.

Look, whether you believe in bailouts or stimulus or not, everyone knows that the United States economy is too vibrant not to recover. There is almost no way that the United States Congress or the White House, regardless of who occupies these chairs or who is down at the other end of Pennsylvania Avenue—there is almost no way that the Congress or the White House can keep the American economy indefinitely suppressed. But we can really lengthen the pain, and that is one of the things that we're doing right now.

The uncertainty we have created with health care costs, the uncertainty we have created with energy costs, the uncertainty that we are creating with this financial services bill that is now being argued over in the Senate, small business, medium-sized business is looking at what is going on in Washington right now and saying, I may need help but I don't think so. I will either pay a little overtime or just rachet back some of the expansion I was doing. Yet every person who runs for office, and you can take this to the bank, is at some point going to stand up on a stump or a chair and give a speech to a chamber or rotary club back home and say small business is the engine that drives our economy. And that's exactly true.

If I have one small business at home that might be looking at picking up one or two additional people but says, Right now is not the time and I am not going to do that, okay, that's only one or two jobs. Could that have a profound effect on the larger economy? You bet. You bet. When you take that one or two job growth that's not occurring in that business and extrapolate it across the broader economy for businesses of that size, that has a significant, a significant deleterious effect on the growth of jobs and the economy. And yet it is the unemployment numbers that are really the depressive part of what is happening in the economy right now. Yes, Wall Street might look a great deal better than it did last year. Maybe some other numbers, the gross domestic output, may look better than it did last year. But the numbers of unemployed, the numbers of long-term unemployed, the numbers of young people unemployed, the numbers of minorities unemployed, those numbers are what people are having to deal with every day. That's either them or their friends and neighbors, and that's what they see every day. And until we address the problems with employment, no one in this country is going to believe that we really have the appropriate handle on the economy or the economic direction of the country.

Again, I believe the economy will recover in spite of the United States Congress, in spite of the White House. It almost always does. But we can certainly make that recovery much more difficult and much more painful and perhaps suppress it longer than it would be otherwise suppressed by our activities here in the House of Representatives.

Suffice it to say, as we wrap this up, I believe this health care bill to be a fiscal disaster. It is going to increase the deficit. I don't care what anyone else says. It's $582 billion over the first 10 years, and likely as not, over the second 10 years those numbers even become more startling. You look at how the bill is constructed. You've got 10 years of taxes paying for 6 years of benefits. Is it any great surprise that the next decade, which is 10 years of taxes and 10 years of benefits, that that deficit is not likely to increase?

We also have a problem that the bill double counts Social Security payroll tax revenues, a budgetary gimmick that made the bottom-line number look great. Again, remember the parameters that we were working with? You have got to have the top number less than $1 trillion. You have got to have the coverage number over 30 million people. Move those points around on a chessboard however you want, but those are the parameters with which you have to work. So if you double count income from Social Security payroll taxes, if you double count the money from the Medicare cuts, of course your bottom line is going to look better.

We also did something in this bill that's called the CLASS Act. Most people are not aware of it. It's thought of as a long-term care supplemental insurance, but the reality is it's a Three-card Monte. For a $50-a-month cost, a beneficiary may receive $50 a day in additional long-term care costs for a long-term care hospital. Well, most of us know that $50 a day is not going to cover your stay in a long-term care hospital. Most of us know that the numbers on that equation really don't work out. But what happens is since you have so many people just joining the program at the front end, during the first years you actually run a surplus, but then you get to the outyears and you run a significant deficit.

The CLASS Act was literally a financial manipulation that was introduced at the last minute, not to provide people long-term care insurance. If we really wanted to do something with long-term care insurance, we'd make it tax deductible. We'd make it a tax credit. We would make it so you could pay for it out of your health savings account. If we really wanted to help people get long-term care insurance, there are ways to do it. The CLASS Act wasn't it. What the CLASS Act was, was some fancy bookkeeping, some manipulation of the books. Collect a lot of premiums up front. You don't start paying benefits for several years. So that will score as a savings, score as a revenue raiser during the first 10 years of this budgetary cycle, but in the outyears it does nothing but explode the budget.

Again, in my home State of Texas, it's estimated that this bill is going to cost the State of Texas almost $25 billion in additional funding for Medicaid, and additionally there are going to be

cuts to the safety net hospitals, so-called disproportionate share cuts.

□ 1500

Other dates of significance in 2011, the drug makers face an annual fee of $2.5 billion. Now, many people say, wait a minute, the drug companies make too much money anyway so, yeah, hit them with a $2.5 billion charge beginning in 2011. Maybe they should be paying a little bit more.

But think about it for a minute. That $2.5 billion, where is that going to come from in the pharmaceutical manufacturing world? Is it going to come from the CEOs' salary? Is it going to come from the lobbyists' salary? I think you know the answer to that. Those dollars are going to come from increased costs to the end user, the patient, you and me.

In 2011 medical device manufacturers are going to be charged an additional fee. It goes up to $2 billion per year. Again, that's not going to be paid by the CEO of one of these Boston companies that is a medical device manufacturer. That money is going to be paid by the patient who receives that defibrillator or that artificial hip, that vein filter for preventing blood clots. Those are the people who are going to actually be paying that fee, not the companies themselves.

There's a health insurance provider fee, $2 billion in 2011, and it goes up from then. Again, that money is not going to be taken from the CEOs' salary, from the private insurance companies in this country. Whether they are for profit or not for profit, that money is not coming out of the CEOs' salary or the lobbyist money. That money is coming out of the ratepayers' hide.

There's going to be a tax on wages that will increase to 2.35 percent. In 2013 there will be a new tax on unearned income on dividends and interest, almost 4 percent.

In 2013 the excise tax of 2.9 percent is imposed on the sale of medical devices. Now, these are class two and class three medical devices in your doctor's office or hospital. So class one devices like Band-Aids, tongue depressors, those won't be taxed. But class two devices, and what are some examples of class two devices, syringe and needle, those are going to be taxed in your doctor's office.

Now, in your doctor's office they can't charge you that 2.9 percent tax that they have to pay on the tax on that syringe because that's a contractual amount between the insurance company, the patient, and the doctor. That's very difficult for a doctor's office to pass that charge along, so actually doctors are going to bear the brunt of that. Hospitals too are likely to bear the brunt of that. Since their arrangements are contractual with insurance companies, they're unlikely to be able to pass that cost along.

Other types of medical devices, type two devices—interestingly enough, I'd like to say everything from lasers to leeches will be taxed in your doctor's office.

Employers with more than 50 employees must pay a fine of up to $3,000 if employees receive tax credits to purchase insurance. So that's where a lot of the small and medium-sized business is really concerned and the arbitrary placement of those numbers, why is it 50 employees, why not 55? Why not 45? Simply because they had to pick a number and start somewhere.

So if there's a small business back home that has 48 employees, but they've got so much work, as the economy recovers, that maybe they'd be fixing to add five jobs, they're not going to do it. Let's stay under 50 employees. Our life will be a lot easier under this health care bill. At least let's wait. At least let's wait until we see what's going to happen.

What's up next? Well, let me say it again: I favor repeal of this bill. Rip it out, root and branch, and get it gone, and then come back and fix the things that people told us they wanted fix.

But what we are going to see next is just down the street at the Department of Health and Human Services; another Federal agency called the Office of Personnel Management, OPM; the Internal Revenue Service. They're writing the rules and regulations that are going to dictate how this legislation, how it now turns into the rules and regulations that govern what happens in your doctor's office or hospital and essentially dictates what happens in your life when you intersect with the American health care system.

This will take some time. This is not something that is going to occur overnight. Right now the hiring is in process, so, yeah, maybe the administration can say we're adding a bunch of new jobs over at the Department of Health and Human Services and IRS. But most of us would just as soon that those IRS agents weren't hired because they generally are not there to make our lives go smoother and easier.

Office of Personnel Management, that's an interesting phenomenon. Many people will recall that when the Senate passed their health care bill, Senator LIEBERMAN said, I won't vote for a health care bill that has a public option within it. And yet we have a bill that, in fact, does have a public option. And it's not called a public option straight up, but it is a public option, sure enough.

States are required to set up State exchanges. People will be required to buy their insurance in the exchange. Some people will have those costs subsidized; some will not.

Well, what if a State does not set up an exchange? Can the Federal Government force it to set up an exchange? And the answer is no. The Federal Government will set up a national exchange for those States where no State exchange exists. Within that national exchange, under the law, it is required that there be one insurance company that is a for-profit company and one that is a not-for-profit. These insurance companies, if no company signs up to do this duty, that exercise is then taken over by the Office of Personnel Management.

So a nonprofit insurance company administered by the Office of Personnel Management begins to look a lot like what was discussed last July and August as the public option. It, in fact, will be a de facto public option within a very short period of time. So those who opposed the bill and said I couldn't support a bill that had a public option, but now that the public option is out of it, I'm okay, I can support the bill, guess what? They got a public option.

Let me just conclude by saying this was not a bipartisan bill. The opposition to this bill was bipartisan. You had almost 40 Democrats and every Republican who said, we don't want this bill.

Interestingly enough, part of the story that is yet to be told is the effect of this bill on what happens early in November, later this year. In USA Today, the little newspaper that comes out nationally, earlier this week there was an article about the number of physicians who have filed and are running races for Congress. It will be unprecedented numbers. I think the actual number of doctors, Republican doctors who have filed for congressional races, is just a little over 30, 32. There are many more waiting in the wings. Some States have much later primaries. That number will likely go higher.

Not every doctor will win their primary, unfortunately. Not every doctor will win their congressional race. But I think it's safe to say that the next Congress, the 112th Congress, when it convenes next January, is likely to have more physicians within that Congress than anytime in the previous hundred years.

This bill has had a profound effect on how Americans think about their health care and how they think about their relationship with their government. Is a government that is bigger better for the individual or worse?

Many people are now having that internal discussion or that discussion around the dinner table that never would have thought about that in years past. But now it has become an important issue.

This next November will be a seminal time in American politics and American governance going forward. It will dictate whether this bill continues to exist and exert control over the people's lives, continues to take money out of the lives of productive citizens, or whether this bill is turned back, and then the Congress gets down to the serious work of correcting the problems that people told us they wanted us to correct and we ignored them consistently through the fall and through the winter.

I think it says something that the opinion of Congress right now are in the low double digits. Any doctor who's

willing to run for Congress, and I can tell you this from some personal experience, doctors actually enjoy a fairly high approval rating. It's in the high seventies. You come to Congress, it goes into the low teens.

It is a significant step to run for Congress for physicians. And yet doctors across the country are willing to give up their peace of mind and their livelihood to come to the aid of their country in its hour of need.

BIG GOVERNMENT AND THE WILL OF THE AMERICAN PEOPLE

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

Mr. KING of Iowa. Mr. Speaker, I appreciate being recognized to address you here on the floor of the House. And I remind you, Mr. Speaker, that these deliberations here represent the most deliberative body in the world. And that's the argument that we've made for years. And even though it's not as deliberative as it was before Speaker PELOSI took the gavel, we still have some discussion time down here. We still have Special Orders. We still have 60 minutes and alternating hours between Democrats and Republicans when both sides do show up for those alternating hours.

But tonight that's not the case. This is the wrap-up and the finish of the week, Mr. Speaker. And many have gone to the airport and caught a plane and gone home to their district or wherever they might go.

But I don't think enough has been said yet this week. It's been a relatively short week, and not a particularly trying or testing week with anything that stands out here as significant accomplishment.

But I'm watching still as policy moves in America. And the policy that has been shoehorned through this House of Representatives and become the law of the land has caused the American people to fill up my town hall meetings.

We were not here on Monday. We didn't gavel in until, well, we gaveled in on Tuesday, and the first votes were sometime about 6:30 on Tuesday evening, so the work week is Tuesday evening for two or three votes. We call it naming post offices. That was the level of the significant suspension calendar. And then we had some debate on Wednesday and some committee activity. And today is Thursday. It's been low key. Last votes took place maybe 2 hours ago, something like that. So our work week is all day Wednesday, finishing the night on Tuesday and the early part of the day on Thursday and then going, a lot of people going home, Mr. Speaker.

That's okay with me because I don't support the agenda that's being driven here out of the Speaker's Office. I don't support the process that has been developed.

I do support the Constitution, liberty, freedom, fiscal responsibility, limited government, and I support the people that have been coming here to petition the government for redress of grievances. That's a constitutional right that we all have. And I've seen tens of thousands come here to say, don't take away my freedom, don't take away my liberty. Let me have the right to manage the health care of my own body, for example.

And the people across this country that have said over and over again that the fiscal irresponsibility with the profligate spending that's been going on for the last 3 years-plus in this Congress is more than they can abide.

And my town hall meetings on Tuesday, or excuse me, on Monday of this week, one in Council Bluffs and one in Sioux City, we're not jam-packed to the walls with people standing outside looking in the doorway, as they were during August of last year, when people believed that they had a chance to put the brakes on what we now know and the President refers himself to as ObamaCare. That packed our town hall meetings in my district, all over my district, all over the State of Iowa, all over the United States of America, hundreds and hundreds of town hall meetings with hundreds of thousands of Americans that came in to express that they did not want the government to take over the management of our health care.

And I have never seen an issue that brought this much intensity and this many people out. And still the leadership in this Congress was determined to shoehorn a bill through here. And that happened maybe 3 weeks ago or a little more, early in the wee hours of a Monday morning, just a little after midnight, as I recall. The final vote was on a Sunday night.

The Speaker could not have allowed the Members of Congress to go home, let alone for an Easter break period of time, because she knew that if the Democrats in this Congress went home to listen to their constituents, that their congressional offices would be jammed full of people that said they were there to petition their Members of Congress for redress of the grievance of a government takeover of health care. And they would have filled the streets by the tens and hundreds of thousands. They would have demonstrated at congressional offices. They would have filled any town hall meetings. There would have been an outpouring of rejection of that policy like this country has never seen.

And so the Speaker kept her own Democrat Members here on the Hill and insulated from their own constituents, even to the extent that, as the phone lines either jammed or they were shut down, I don't know which, but the last 3 days I couldn't call my own office. And I know that there weren't that many people calling my office. They were busy calling the offices of Democrats who were determined to vote for ObamaCare.

But I couldn't get through because the switchboard was jammed, at least the last 3 days here in the House. While you had Members that couldn't even be heard, their constituents could not call them. They couldn't get through to send them a fax. Yes, they could send an email, presumably. And we don't know whether those emails went on an automatic dump or whether there was an answer. Only their constituents can know that.

We know that there was a difficulty verifying if the Senate, during their period of time that this was an important issue, up till Christmas Eve, if in the Senate actually Members were answering their telephones.

□ 1515

But here they couldn't get through to call my office. I couldn't call my own office from my cell phone. And my own staff that I had to communicate with around the Hill, we had to call on our own cell lines to each other's cell phones.

That's not such a particularly great handicap, but on top of that, Mr. Speaker, the cell phones were jammed. The signal was so jammed with so many calls that we couldn't connect either by cell phone sometimes for hours.

Now, that's an awful lot of rejection focusing itself on an issue here that America had had the opportunity to debate since last July all the way into nearly—well, nearly into April. That's what's happened with ObamaCare.

And now, after the bill has passed—and I would remind you, Mr. Speaker, that if we would have had the bill go to the Senate for a vote and then to the House for a vote in order to qualify it to go to the President's desk for signature that turns it into the law of the land, ObamaCare could not have passed this Congress on the day that it was messaged to the President because the votes didn't exist in the United States Senate to support the bill. That was voted by other people.

And the ones that the folks voted to represent themselves, Massachusetts in particular, SCOTT BROWN was elected by generally the liberal people in Massachusetts to block ObamaCare. And there he was following through on his word to do that, except it was circumvented. And they used a rescissions policy that had never been used in a piece of policy like this before to enable that to happen. And on top of that, a promise from the President of the United States that he would sign an executive order that he would have liked to have had the pro-life people in America believe that the President of the United States can sign an executive order that would amend a bill that the Congress had just passed. That's the executive order that deals with the Stupak amendment, which was designed to shut off Federal funding for abortion that might be enabled by ObamaCare.

Now, think about what this means. Here we have a Constitution that sets

up the structure. Article I, section 1 says all legislative powers will be vested in a Congress of the United States comprised of a House of Representatives and a United States Senate. It even prescribes that all spending will start in the House, not in the Senate. But this is an authorization bill, not an appropriations bill. So ObamaCare could have started in the Senate or in the House.

Well, we got a Senate version that was taken up by the House. But the Constitution establishes that all legislative powers are vested here in the House or in the Senate, but House and Senate collectively. We are the legislative branch of government. And the President of the United States, who wrote the book ''The Audacity of Hope'' had the audacity to offer to BART STUPAK that he would sign an executive order that would effectively amend BART STUPAK's pro-life language into the legislation that was here on the floor of the House at the time messaged from the Senate.

Now imagine, a man that taught constitutional law as an adjunct professor at the University of Chicago would believe as President of the United States that his executive order can effectively amend legislation that is presumably the majority opinion of the elected Members of the United States Congress.

If the President can amend legislation by executive order, then can't the President also just write the legislation by executive order and do what he will without having to consult Congress? That would be a two branches of government instead of a three branches of government. Maybe the President would argue that there is something that Congress can do that he can't, like appropriate money, for example. Well, that would be a very narrow role, and that would be turning his back on the constitutional responsibility that is vested in the United States Congress. And we should always reject the idea that a President can sign an executive order that has an effect on changing the legislation that the Congress has passed.

In fact, I may be the number one most authoritative voice in the United States Congress on this subject matter because, I would point out, Mr. Speaker, that on a State level when I was in the State legislature as a State senator, we had then our Governor, Tom Vilsack, filed an executive order. He was a fresh governor of maybe a little bit fresher than the President has been during this period of time. I think it was in the first couple, 3 months of his office, Governor Vilsack signed an executive order known as executive order number seven. I looked at it and concluded that he had violated the separation of powers and legislated by executive order. And when I raised an objection, of course it was refused and denied. The executive office didn't want to respond to a legislative office.

And so I went to court, and we filed the case of King v. Vilsack. Now, this is now our Secretary of Agriculture, Tom Vilsack, whom we had a good exchange in the Ag Committee. I think it was just yesterday. But in this issue we disagreed. He believed that he could amend the code of Iowa by executive order and sought to do so with that executive order. I believed that the legislative powers are vested within the legislative branch of government. And most of our State Constitutions, including Iowa's, are modeled off of our United States Constitution.

And so our State legislators across the land will take an oath to uphold the Constitution of the United States and the Constitution of the State of, fill-in-the-blank. For me it's Iowa. That oath is an oath that you can only take to uphold the Constitution as it reads, as you understand it, as it was understood to mean at the time of the ratification of the Constitution itself, or the subsequent amendments. There isn't any other alternative.

None of us can take an oath to uphold a Constitution as it might be amended by, what, the President's executive order? Or even a decision of the United States Supreme Court? Now, I put that list at 10 now, as the 10 last people that should be allowed to amend the Constitution of the United States. That should be the nine Supreme Court Justices and the President of the United States. Those 10 are the last people on the planet that should be engaged in seeking to amend the Constitution.

The Constitution sets up a framework for us to amend it when we don't like the results. We are required to adhere to it and live by it. And for a President of the United States to sign an executive order that's got companies that deal, that supposedly buys a dozen votes to support ObamaCare here and the President would exchange an executive order that was designed to assure those Stupak dozen that there wouldn't be Federal funding of abortion because his executive order would alter the language and the meaning of the bill. The smallest and tiniest of fig leafs was offered to Congressman STUPAK. That executive order no one takes seriously today. It was simply a tool of utility to put the votes together to force this ObamaCare off the floor of the House and send it to the President for his signature, which he did. And now ObamaCare is the law of the land.

I was, I believe, Mr. Speaker, the last Member of Congress to leave the House of Representatives and leave the Capitol that night. It took me perhaps an hour to wind myself down and come to a point where I thought I could leave this place where such a cataclysmic offense to our Constitution, our budget, our freedom, and our liberty had taken place in such a shameful fashion. The shameful fashion includes the antics in the United States Senate, where they cut deal after deal after deal, including the Cornhusker kickback. Yes, and I know there was a successful effort made to peel the Cornhusker kickback out of there. It leaves in the Louisiana purchase, it leaves in the Florida gator aid, it leaves in seven or eight other special deals that were cooked up in the Senate so that they could produce enough votes temporarily to push that bill through on Christmas Eve. And then of course we had the Massachusetts election, which changed the dynamics over there.

Here deal after deal was made. And one day I hope to hold hearings in the United States Congress to find out what actually went on behind those closed doors. And I believe the American people have a right to learn what went on behind those closed doors. I want to hold hearings and investigations and bring people under oath and stand them up and let them take that oath and then testify before a congressional hearing, What were you offered by Rahm Emanuel? What were you offered by the President of the United States?

If you're AARP and your job is to represent the senior citizens that are your members, I want those representatives of AARP to come in and tell us, was the offer that you can sell insurance to the AARP members so good and so high that you decided to sell out your own members? What was it that the SEIU got? What was it that Big Pharma got? What happened to the $165 million that they promised that they would commit in an ad campaign in order to sell ObamaCare to America so that Big Pharma could have a larger market that was mandated by the Federal Government? What were the deals that were made? We need to know that.

If we can drag CEOs of private American corporations before the United States Congress, and if HENRY WAXMAN can threaten to—actually, yesterday was the day he was going to do that and he cancelled it. I think he thought better of it. But if HENRY WAXMAN, the chair of Energy and Commerce, can bring CEOs before the United States Congress and allege that they're making too much money, or he wants to see into their books and their records, or if ED MARKEY, the subcommittee chairman, can hand a letter to David Sokol that is an intimidating letter because the president of Mid-American Energy, who testified against cap-and-tax, can be intimidated with the threat of the chairman of an important Energy and Commerce subcommittee at the request of that chairman to investigate the company that he represents. Witness intimidation, plain and simple, straight up front. It's documented. It's in public documents now. Along with the other activities that have to do with the President of the United States now nearly a year ago firing the CEO of General Motors.

Just simply summarily fired the CEO of General Motors. Didn't try to take his fingerprints off. Didn't imply that it was a decision that came about some other way. Didn't try to hide it. He proudly accepted, some will call it credit, I will call it blame for reaching

across the line between the public and the private sector and firing the CEO of General Motors and deciding who would be the new CEO of General Motors. He sent his car czar to make some of those deals. The President of the United States replaced and named all but two of the board members of General Motors. And he wasn't quite as engaged in Chrysler, but those same activities took place.

And the White House, and when it's the White House it's the President of the United States, Mr. Speaker, dictated to the bankruptcy court exactly the terms that emerged from the bankruptcy court, General Motors and Chrysler. That situation is appalling and breathtaking when you think of the nationalization that has taken place.

And Mr. Speaker, when you look at the beginning of this is at the end of the Bush administration, Henry Paulson, Secretary of the Treasury, came here to the Capitol, September 19, 2008, and asked for $700 billion in bailout money that he would deal out the way he saw fit in an attempt to stop what he believed was a potential or maybe even an impending meltdown of the world's credit. He thought it could have all come crashing down. He couldn't guarantee there would be a fix, but he said if you try to give me any new ideas they won't be as good as his own.

So he ended up with $350 billion in the beginning of this, in about October of 2008, and then another $350 billion that was approved by a Congress that was elected later and by a President who was elected later. And that was President Barack Obama, who supported and approved all of the TARP funding, all of the nationalization beginnings. And he followed through on the balance of that and the takeovers of three large investment banks: AIG, the large insurance company to the tune of around $180 billion, Fannie Mae, Freddie Mac, culminated by executive order right before Christmas of last year that hardly made the news.

You know, if we just went in and looked what happened on late Friday night after the news cycle and the press goes off to their golf game or home to their family, we would find all kinds of, I mentioned earlier, cataclysmic things that have happened in the United States on late Friday night.

I would like to go back and just amend something here to the power in Congress. Give me the right to veto and put back in place anything that happened after, say, 2 o'clock on a Friday before the press comes to work at around 9 o'clock on a Monday morning. Let me go back and fix those things that happened. We would have a lot better country today that wouldn't have reverted. But Friday night, this is when the President pulls those moves because that is when there is the lowest news cycle. So that's what happens.

Three large investment banks taken over by the Federal Government with the approval or the active involvement of President Barack Obama. AIG the insurance company taken over and bailed out, $180 billion. President Obama approved or enacted that. The takeover of Fannie Mae and Freddie Mac that the chairman of the Financial Services Committee pledged he would never vote to support or bail out. And I remember the date that I heard that the first time and the most clearly was October 26, 2005, right over there from that microphone, when BARNEY FRANK said, ''I won't vote to bail out Fannie Mae and Freddie Mac. And if you think so and you're investing in them, don't count on me doing that.''

Well, we might not have had the starkest and clearest and cleanest of votes, but we have had a persistent and a relentless defense of Fannie Mae and Freddie Mac's irresponsible financial practices going through many years prior to 2005. But I stood here on this floor and engaged in that process. And the amendments that came to put capital requirements and regulatory requirements on Fannie Mae and Freddie Mac were shot down and voted down and fought against. The most aggressive opposition came directly from the Democrats, who were in the minority at the time. But Fannie and Freddie had worked the lobby and had a broader bipartisan support than they might have otherwise had.

So three large investment banks nationalized, AIG nationalized, Fannie Mae, Freddie Mac nationalized. And now, Mr. Speaker, I say you and the American people share the liability of $5.5 trillion in contingent liability of Fannie and Freddie. And before I go to the car companies' nationalization, I would remind you and all who may be overhearing this dialogue that of all of the financial reform that has Wall Street under the focus and under the spotlight and under the magnifying glass, of all of the tactics that have been used, and the President going back up to Wall Street to give his speech today, of all of that, the President didn't mention Fannie Mae or Freddie Mac. There is nothing in the financial reform bill that reforms Fannie Mae or Freddie Mac.

□ 1530

What's in the financial reform bill is a $50 billion slush fund to let the administration decide which businesses are too big to be allowed to fail and to go in and implement a government takeover of the private sector. And what are the criteria? The judgment of the executive branch. Yes, there are some guidelines, but not many constraints. And it gives the Federal Government the power and the authority to look over every credit transaction in America. Every credit transaction in America.

And so presumably that means that if you're in a small, little rural area, it used to work this way: you go in and maybe pick up some grocery items or buy some gas, they'd put it on your tab. You'd come around and pay the bill at a later date. They'd want to look that one over.

If you go in—and someone mentioned this, and I thought it was a pretty descriptive way. If you go into a furniture store and they have a special on mattresses and so you can buy the mattress and come pay for it 30 days later, nothing down, that's a credit transaction the Federal Government would look in on and have to approve.

It would give them the ability to look in on your credit card, Mr. Speaker. Not necessarily take it out of your pocket, but electronically look in on those credit records. And that would give the Federal Government the authority to examine everybody's transactions. All of your credit card transactions, all of your debit card transactions. Presumably, if you have credit involved with your bank accounts, to look at those loans in the bank accounts. Maybe technically not your checking account because that's not a credit account.

But a Federal Government going that far and that deep and having that kind of authority, let alone looking into all of the Wall Street transactions that take place—the investment banking transactions, the derivatives, the credit default swaps—all of the components that come along that have to do with higher finance, the mortgage transactions that take place and to track them all the way through. And some of this is good. Looking at high finance and being able to track that and being able to identify is primarily a good thing as long as that oppressive thumb of the Federal Government doesn't go in the middle of our back down to individuals in this fashion, and as long as we don't leave it to the discretionary judgment of the Federal Government on which businesses are too big to be allowed to fail.

If the Federal Government can come in and take over three large investment banks and AIG and Fannie Mae and Freddie Mac, and if we have a President of the United States who seems to be following through on the playbook that is on the Web site of the Democratic Socialists of America—DSAUSA.org, Mr. Speaker. I hope everybody is paying attention to it, or you can Google ''Democratic Socialists of America'' and hit the button and there will be a Web site. And that Web site changes a little bit each time that I speak about the DSAUSA.org.

But on the Web site—I saved all of those pages so you can run but you can't hide. Things never die in cyberspace, Mr. Speaker. But on their Web site is now or has been the language that starts out with this. It says, We are socialists. We are not communists—which doesn't give me a lot of comfort. There's a marginal difference, and they tell you what the difference is.

Communists want to nationalize everything. They want to own all real

property. They want to take over everybody's house, all real estate, and they want to tell everybody where they have to work, what they will pay for goods, and what they'll be paid for the work that they are told to do. That is more the pure form of communism. From each according to his ability, to each according to his need.

Well, that also seems to fit the socialists, doesn't it, because they want to do the wealth transfer. They want to share the wealth. That's what the President told Joe the Plumber. Funny. That's what is also the mission statement of ACORN: Share the wealth. The exact language comes right out of the mission statement of ACORN. And the SEIU linked in so closely to ACORN that it's just the funding streams are a little bit different but they are commingled, and often they are trading shirts with each other. Whether it's a purple SEIU shirt or a red ACORN shirt, there are a few more wearing the purple SEIU shirts today than there are ACORN.

By the way, at the risk of digressing, Mr. Speaker, I would point out that even though ACORN announced that on April Fools' Day they would be shutting down ACORN National, I carry this acorn around in my pocket every day to remind me that they have not gone away. It actually may have been an April Fools joke on us that ACORN was going to shut down ACORN National. They could have done that.

But now it's the same people, the same faces, the same boards of directors, a little mixing and matching, changing the names, changing the titles. Funding streams have been shrunk significantly, thanks to Hannah and James and the work that went on behind that. But the same structure is in place. It's the same people, the same problems.

In fact, it reminds me of what happened after the wall went down on November 9 of 1989, and it appeared to be the end of the cold war. The Soviet Union thereafter imploded. A little more than a year after that, the Soviet Union was wound down, and there were those who got together to celebrate the end of the cold war. It was worthy of celebration. A 45-year cold war had looked like it had come to an end, but it didn't convince the communists that they had lost it philosophically.

They didn't believe that our free enterprise capitalism and the vigor that comes from being an American was what had defeated them. They thought they just maybe needed better managers that were more pure in their ideology. And so even though they had to scatter from the light, they went back and reformed new alliances and new allegiances, and they come back at us again and again and again, even more insidious and even harder to find and harder to identify. But philosophical enemies of the liberty and freedom of the United States and western civilization, they remained.

ACORN remains an entity out there that has spent millions of dollars undermining the integrity of the legitimate ballot system here in the United States of America. They produced and admitted to over 400,000 false or fraudulent voter registration forms, and they argue that it didn't result in a single fraudulent vote—which is completely, I think, a specious argument. Why would you spend millions to produce false or fraudulent voter registrations if you didn't think that was going to result in some kind of favorable result for you in the ballot box?

And I would point out, Mr. Speaker, that even though there were major problems with ACORN in Ohio, if that election would have been closer and we would have scrutinized it more closely, we would have found out more about what could have been happening in the ballot box in places like Ohio and Minnesota. When we go to court, who wins in the end in the close elections?

And what if all of those false or fraudulent voter registrations had been kicked out at the beginning and no one had walked in? And that doesn't mean that the ones that were discovered were all of those that actually happened. I have to believe that the voter registration list was significantly corrupted in all of the States where ACORN was carrying out this practice and has significantly corrupted voter registration lists, and opens things up for more and more corruption.

And this United States of America, built upon the foundation of our Constitution itself, that Constitution, one might think, is the framework for law, and it's what we have to preserve if we're going to be a healthy and a viable country. And I agree.

But the very foundation underneath the Constitution itself is legitimate elections. And when elections are delegitimized by organizations like ACORN, and if the American people lose the confidence that we have legitimate elections, there the Constitution falls because the foundation for the Constitution itself is legitimate elections and the people's confidence in those legitimate elections as well.

So ACORN went right at the very component of America that is essential. And that is not that we just have clean, legitimate elections. We must do that if we're going to uphold our Constitution; but we also have to have the American people that believe that we've conducted ourselves in a legitimate fashion, that their vote was not undermined by an illegitimate vote.

That's the ACORN side of this.

ACORN, by the way, another place that I want to do investigations—the other side of the great election divide—and hold hearings in this Congress and subpoena witnesses and go in and drill down and investigate them completely. And I believe that many of those investigative lines, when we follow the money, will lead to the White House itself, Mr. Speaker.

So we have financial reform that's up in front of us. We have ACORN that has dispersed itself to some degree but are reforming under the same managers, same faces, and some of the same funding streams.

I have raised the issue of how ObamaCare was pushed through this Congress and how it takes over another chunk of our private sector. I will summarize and add up: The three large investment banks that were taken over by the Federal Government; AIG, the insurance company, taken over by the Federal Government; Fannie Mae and Freddie Mac, taken over by the Federal Government; and now we have General Motors and Chrysler taken over by the Federal Government; $700 billion in TARP spending at the beginning of that; $787 billion in the stimulus package at the tail end of that. And we have all of 6 percent of the American population that believes that the stimulus package actually worked and stimulated jobs.

Well, the data shows the exact opposite. Unemployment went up, not down, while that was going on. The promise was we wouldn't see unemployment go over 8 percent under the stimulus package, but what really happened is unemployment went to 10 percent. And it's hanging in that zone, 9.7 percent in unemployment.

The vision of borrowing money from the Chinese and the Saudis and pouring it in to projects here in America, extending jobs for the public sector, creating government jobs—and calling creation of government jobs economic development, I don't think we've ever had a President that believed that in the history of America until we get to here, this point in our history.

I don't even believe Franklin Delano Roosevelt, the great Keynesian economist that he was, and he embraced John Maynard Keynes' philosophy—not quite to the extent that Keynes would have liked to have had him do, but in a substantial way—didn't believe that government jobs were a replacement for private sector jobs even though he created a lot of them. And we did a lot of make-work projects across the country, and the evidence of that is still out there.

But our President has said to us a little more than a year ago that he believed that Franklin Delano Roosevelt lost his nerve and that he should have spent a lot more money in the thirties, and if he had done so, that would have brought about a recovery instead of waiting for World War II to come along to become and I quote—well, I better not quote that—but the general language is that World War II came along; it was the greatest economic stimulus plan ever. That's close to a quote. I know I've got the philosophy exactly right. And I don't actually disagree with that statement about the stimulus plan with what the Second World War happened to be.

But I would argue that we didn't recover from the Great Depression in the Second World War even. When the stock market crashed in October of 1929, and as it spiraled downwards and

it hiccuped its way up and down and we went through that vast spending era of the Great Depression, and we saw unemployment go up and then come back down and go up again, and when we got to World War II, December 7, 1941, we were still in the Depression. And unemployment was a number that was approaching 20 percent for part of that time, and we had 25 percent unemployment, I think, at the peak.

And we got into the Second World War and we began to manufacture everything as fast as we could. A lot of the women that had not worked before went to work. Rosy the Riveters. And my mother among them who tied parachute knots in Omaha is what she did every day. Tied knots in parachutes. That was part of her war efforts. And, God bless her, she turned 90 years old yesterday. And I honor my mother with all of the love that I have. She did her part of the war effort, as my father did his 2½ years in the South Pacific.

But the economy didn't recover in the Second World War back to where it was. It wasn't the Second World War that was the complete recovery package that one would think the President, according to his words, would be the recovery.

I would just look at what are the indexes. Some of the indexes would be what did the stock market look like and when did it get back to where it was in October of 1929. One might think that Franklin Delano Roosevelt's New Deal and his Keynesian spending was what brought us out of that. That's what my history people taught me. My teachers taught me that.

□ 1545

I went back and looked at the records and found out that wasn't the case. We still had high unemployment, and we still had low and stagnant growth and some reduction of growth in the thirties.

What we saw during World War II was that unemployment rates went way down because we needed everybody to do the work. We saw unemployment rates go to the lowest they've been in history, 1.2 percent. Now that's almost unheard of today, but unemployment was 1.2 percent. It was 25 percent as a high ratcheted down to 15, 10, on down to 1.2 percent near the end of World War II. Still, still we did not recover from the Great Depression from the 1929 stock market crash. It wasn't World War II. It wasn't even the Korean War. In fact, Franklin Delano Roosevelt had been dead for 9 years before the stock market, the Dow Jones Industrial Average, came back to where it was in October of 1929. That happened in 1954, Mr. Speaker.

So one can't, I don't think, legitimately argue that the World War II stimulus plan even brought us out of it. We increased our production and stabilized our economy and put people to work. The unemployment component of this got a lot better, but the growth and equities that had to do at least at a minimum with the Dow Jones Industrial Average didn't get back to where it was until 1954, from October of 1929. Franklin Delano Roosevelt had been dead for 9 years before the stock market got back to where it was when it crashed in 1929. This was a long, long, long painful recovery that America went through, and we went through not just the Great Depression of the thirties looking for a recovery, but we went through the Second World War looking for a recovery, we went through the Korean War looking for a recovery, and finally limped our way back.

I will submit, Mr. Speaker, that a big reason for that is, when you over leverage a country or a company, you have to pay and service the debt. That means that you have to pay the interest on the borrowed money. And by the way, that borrowed money came from Americans back then instead of the Chinese and the Saudis now. But you have to service the interest on the debt. The war bonds had to be paid off as well. So that has to come out of the tax revenue that's coming in. The tax revenue that comes in comes from—not government—it comes from the private sector. The private sector has to be viable. It has to be vigorous. There has to be profitability there in order to attract more capital investment. Capital investment necessarily increases—wise capital investment necessarily increases our productivity. Increased productivity increases our gross domestic product, which allows us to buy sell, trade, make, gain, produce more goods, sell more goods, cash in at the cash register more, whether it's the factory or the retail. And when that happens, this private sector economic growth then pays its share of taxes. And in the end, it's the people in America that pay the taxes, not the corporations, not the businesses, and it certainly isn't the government.

So what we have going on here now is, the government is swallowed up with those eight huge entities that I talked about. Three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors and Chrysler, those eight entities that are swallowed up by the Federal Government represent, according to an economics professor at the University of Arizona as far back as last August, one-third of the private sector activity in the United States swallowed up by those eight huge entities nationalized and taken over by the Federal Government. And behind that came what? ObamaCare swallowing up another 18 percent of our economy.

Now if you want to add 18 percent to—one-third is 33 percent, correct, Mr. Speaker? Yes, I know. You're nodding, and I appreciate your math is correct—that's 51 percent. So 33 percent and 18 percent adds up to 51 percent of our private sector economy. This now taken over and managed or dictated the terms of its business contracts, every bit of health care in America will be, according to this term of ObamaCare, signed into law a couple weeks ago or three, will be directed by the Federal Government.

And some people—let me say some people without the largest of minds—are arguing that because we still have a surviving private sector health insurance industry, that the health care in America hasn't been nationalized. I would challenge them, Mr. Speaker, point to me—point for me to a sector or a component or an activity within health care in America that is not slated to be changed, altered or directed by ObamaCare. There isn't a single health insurance policy in America that the President can tell anyone, You get to keep that policy, that it isn't going to increase the premiums dramatically or perhaps reduce them marginally. That's going to happen. The premiums change for everybody in America unless there's somebody who happens to sit exactly on the dividing line. Young people will pay a lot more in premiums because they're a lower risk. We went from a 7–1 community rating that's out there now, which means that the most extreme cases—the lowest premium compared to the highest premium—are 7–1, which means that if we have a young healthy person paying $100 a month on a similar policy, an older person that may not be completely healthy could be paying $700 a month on a similar policy or even an identical policy. Now this has been pulled back to a 3–1 community rating which means that now that—just say we've got two people. They're both insured. The youth at $100 a month. The older person, say my age, who is a greater risk, at $700 a month. That's $800 between the two of us. Now when you go to a 3–1 community rating, that means that there can't be that much disparity. So you dial that thing back down. And you charge the young person then $200 a month and the older person $600 a month. Now we're dealing with $800 again. But the $800 comes $200 from the young person at doubling their premium and a reduction in the older person at $700 down to $600. Now you've got the $800 that comes together for that monthly premium of the two insured. That's how that works.

So health insurance premiums change because they changed the rules for everybody, and they'll have to be approved by the Health Choices Administration czar or whomever that happens to be who has that title, and what was the Senate version of the bill. That part I didn't commit to memory, Mr. Speaker. Everybody's health insurance changes in America, and this government effectively cancels every policy subject to the approval of the new rules that will be written that aren't written yet. Nobody knows where they are. The health insurance underwriters are pulling their hair out, trying to figure out what happens and how do they do business. The Federal Government's dictating completely every health insurance policy in America. Can we find a health care provider that doesn't have

their way of doing business altered by this bill? Certainly the funding stream that comes in is altered. There's $500 billion cut in Medicare for our senior citizens, $523.5 billion—over $500 billion cut out of Medicare reimbursement rates.

I represent the most senior congressional district in America. Iowa has the highest percentage of its population over the age of 85 of any of the States. We're the oldest two or three over the age of 65. There is good longevity there, I like that, and healthy practices, presumably. But the district I represent, out of the 99 counties in Iowa, 10 of the 12 most senior counties in Iowa. And I hear the President say there's waste, fraud and abuse in Medicare so we're going to slash $500 billion out of there to pay for ObamaCare. And has the President pointed his finger to a single bit of waste, fraud and abuse that is in Medicare that he would fix? The promise is that's what he will do. But if he can't identify it or won't identify it, or if he's holding the access to that information hostage to the passage of his ObamaCare bill—he's got the bill. He signed it. It's now the law of the land.

Now it's time for the President of the United States to turn over all of those magic cards to show us, where is the waste, fraud and abuse in Medicare? I don't say it doesn't happen. I hear those cases, too. But what's the solution to fix it? And do we really have to pass a bill in order to have legitimate clean government? If there's corruption, let's go find it. Let's go root it out, root and branch, pull it out, and let's legitimize all of Medicare in the country. But we don't need to be going in there and arguing that—if there's $500 billion worth of waste, fraud and abuse, how do you arrive at that number if you haven't found the waste, fraud and abuse yet?

So now I'm going to tell you, seniors will be penalized or they won't keep their word, and we'll be borrowing more from the Chinese to fund ObamaCare because—I'm going on record here in the CONGRESSIONAL RECORD on this day, April 22, 2010, to say that we will not see $500 billion in cuts in Medicare. They were never sincere about that. That's only a number that they needed to reach so they could argue that ObamaCare doesn't cost over $1 trillion over 10 years. Remember the argument now became, CBO scored this at $132 billion in savings over 10 years. That's $13.2 billion per year, the 10-year budget window that we're talking about. That is not loose change to American taxpayers. But to the overall budget, it's very marginal as to whether it's a savings or whether it's an increase in spending. But that includes and is predicated upon the cut to the spending which is a punishment to our seniors of $523.5 billion. It's also predicated upon a tax increase of $569.2 billion, and it was predicated upon the avoidance of the doctors' fix which is in the change of $360 billion. All of that distorts this to the tune of about $1.4 trillion that with an honest accounting would get added back into this ObamaCare bill.

So you take $1.4 trillion in costs that are distorted, and you would subtract $132 billion from that, and you're down in the neighborhood of—let me get that number here right—subtract $132 billion from the $1.4 trillion. Now you are down about $1.27 trillion in increased costs. Now remember what the President said. I have to refresh you, Mr. Speaker, because I'm wondering if any Democrats would actually be able to pass this test.

A couple little questions about history: Why did we go into ObamaCare in the first place? What was the argument from the beginning? What happened during the campaign that presumably gave the President of the United States a mandate to impose ObamaCare on America? And I remember this discussion, but I suspect that Madam Speaker PELOSI does not choose to remember this. Barack Obama—then Senator and candidate Obama said, We are spending too much money on health care. We've got to solve the problem of spending too much money on health care. And so he argued that the solution for that apparently is to spend a lot more on health care.

Now that doesn't pass the first little bit of third grade logic test. I could go to my little granddaughter, who is now 5, had her first little loose tooth here over the weekend, and say to her, If we're spending too much money, does it solve the problem if we spend more money? And she would give me that quizzical look like, How could you say something so irrational, Grampa? It's not rational to argue that spending too much money is solved by spending more money. But that's the argument that came. It's a matter of fact in public record. We're spending too much money. We have to solve that problem. And lo and behold, ObamaCare spends a lot more money, and somehow they still argue that they're solving the problem of spending too much money.

The second thing is that we have not enough competition in the insurance companies, not enough choices. We have 1,300 health insurance companies in America—or we did until a month ago when ObamaCare was signed into the law of the land. We have 1,300 health insurance companies, 100,000 possible policy varieties, and the President wants another one to compete with. Now he didn't get that. But he got the exchange, and the exchange will decide who are the winners and who are the losers, and they will write the mandates for every single policy in America. And let's just say, if you don't cover contraception, then there is going to be a requirement to cover contraception; if you don't cover Viagra, there's going to be a requirement to cover Viagra; if your policy doesn't cover mental health, there will be requirements to cover mental health.

Mandate after mandate after mandate, when we only have a couple—three of those in law prior to ObamaCare—will come raining down out of the Federal Government. And whenever there is a mandate, it makes an argument for four or five or six more health care mandates, and every mandate increases the costs over the premium and takes away our liberty and takes away our freedom.

□ 1600

All of these things that I have talked about pale in comparison to the part that knots up my innards more than any other, and that is this: since 1973, the people generally on the left side of the aisle in America have made the argument with regard to Roe v. Wade, Doe v. Bolton, and abortion in America, the people on the other side of the aisle have argued long and hard that the Federal Government has no business telling a person what they can or can't do with their body. That's the argument. So they argue that the Federal Government can't regulate nor diminish nor make it more restrictive for a woman who seeks an abortion to get that abortion because it's not our business what a woman does with her body. That is their argument. Men and women made that argument.

Over here on this side of the aisle, over and over and over again they made that argument. Now the same people, Mr. Speaker, are making the argument—and have made the argument and the President has signed it into the law of the land—that the Federal Government has no business telling a woman what she can or can't do with her body, but instead, now the same people are arguing that the Federal Government has every right to tell everybody in America what they can or can't do with their body.

The President of the United States, with the iron fist of the leadership within the House and the Senate and the complicity of a bare majority of the Members of the House, has imposed and nationalized our very bodies. The most sovereign thing that we have is our own personal self, our skin and what is inside our skin; the management of same has been taken over by the Federal Government. Now they tell all of us, you shall buy a health insurance policy; and if you can't afford it, we're going to tax somebody else and send you a refundable tax credit and you, by golly, are going to pay for that policy.

And if you are working and making enough money and you don't have a policy, if you happen to be working for a business that has less than 50 employees, then we are going to fine you a percentage of your income. The IRS is going to come in and do the audits, first electronically and then personally, to impose that health insurance policy on you. And it won't be the one that you could buy last month. It will be the one that you can buy next year or the year after, after they write the

new rules. The Federal Government's nationalization of our bodies.

So they have nationalized eight huge entities, a third of the private sector activity, and another 18 percent of our economy, health care, and nationalized and taken over the most sovereign thing we have, our skin and what is inside our skin, and taken away our ability, as individual free people that exercise the rights that come from God, clearly identified by the Founding Fathers and delineated in the Declaration of Independence, which is the foundation for the Constitution, the sovereignty of man, the right to life, liberty, and the pursuit of happiness.

By the way, Mr. Speaker, I would point out that you and everyone in this Congress and those who aspire to come to this Congress should know that the Founding Fathers understood that those rights are prioritized rights—life, liberty, the pursuit of happiness—not just a grab bag of rights that they pulled out of the sky or randomly put into a package, but set there in an order of priority, a priority that the thing most paramount is our lives, the management of our lives as well; and that liberty, as a secondary right, is subordinate to the right to life.

The pursuit of happiness was not the pursuit of happiness as it is envisioned in the minds of a lot of people today. Pursuit of happiness, by the way, is subordinated to liberty and to life so that no one in their pursuit of happiness—and by the way, pursuit of happiness meant to our Founding Fathers more the Greek understanding, the word ''eudaimonia,'' which means pursuit of truth, pursuit of knowledge, pursuit of perfection in both body and mind. That is what pursuit of happiness was understood to mean when the Declaration of Independence was signed and they pledged their lives, their fortune, and their sacred honor.

The pursuit of happiness was the pursuit of truth and purity. That pursuit of happiness, though, is still subordinate and cannot—in anyone's pursuit of happiness can they infringe upon the liberty of another because our liberties are established in the Bill of Rights, for example, now—we understand them more clearly.

And they are also enshrined in title VII of the Civil Rights Act: You shall not discriminate against people based upon race, creed, color, ethnicity, now and a lot of times it's age and disability. Those are real rights. They are the rights that are protected. And the rights to freedom of speech, religion, the press, the right to keep and bear arms, the rights to property that come in the Fifth Amendment, the right to be protected against double jeopardy, to be judged by a jury of our peers, all of them, those are all rights. These rights are our liberties.

Our liberties that are guaranteed to us cannot be taken over by someone else in their pursuit of their happiness. They have to honor and respect that as our liberties are always subordinated to the right to life being the most paramount right. These things are all taken away by ObamaCare: right to life itself, because it puts people in line to take the health care that the Federal Government prescribes and it's unconstitutional in a lot of ways, at least four ways.

First, there is nothing there in the enumerated powers that grants this Congress or the President of the United States to join together and impose a product on us that is neither produced nor approved by the Federal Government. Never in the history of this country has that ever happened. That is a constitutional violation. There is nothing in the commerce clause that allows such a broad definition that people that would not engage in commerce whatsoever would have to buy a product produced or approved by the Federal Government. It is a violation of the equal protection clause for the reasons that I have said, the Louisiana Purchase, Florida Gator Aid, and the list goes on.

Some Americans are treated different than others in the bill. It is a violation of the Ninth and 10th Amendments, the States' rights component of this as well. I encourage the 20 States attorneys general to go forward with their lawsuits. I am working for a repeal of 100 percent of ObamaCare. Pull it out root and branch; I don't want one DNA vestige left behind. Let's get it out. Let's pull it out all the way, Mr. Speaker, so there is none of it left. And then we can start putting components in place as individual stand-alone bills so the American people can clearly see that their voice is being heard in this United States Congress. And we can do it, we must do it, and we can do it in a reasonable time frame. We can put a discharge petition down here on the floor now for signatures of these Members of Congress.

The second thing we can do is seek to get that vote on the floor. The Senate is doing the same thing. And when we have the other side of the election, we can shut off funding for the implementation of ObamaCare. We can do that. In 2011 and 2012 we can elect a new President who will sign the repeal on his first order of business January 20, 2013. And then we start the reform process.

That is where we need to go, Mr. Speaker. And for those who think that it can't be done, it can't be accomplished, I have a survey on my Web site that asks the question: Do you believe that it's more likely that ObamaCare will be repealed than the Cubs will win the World Series this year? And the last number I saw, 58 percent believed it is more likely we will repeal ObamaCare and 42 percent thought it was more likely the Cubs would win the World Series. They went to spring training; they're playing ball. We are going to play ball all the way to 2013 and beyond. We are going to get this job done, Mr. Speaker. One hundred percent repeal of ObamaCare it must be to preserve the liberty that Americans had last month that they deserve every month in the lives of our children and grandchildren.

So with that, Mr. Speaker, I would express my gratitude for your indulgence and your attention, and especially that little nod of the head, and I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MCCOLLUM (at the request of Mr. HOYER) for today until noon on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Mr. DAVIS of Tennessee, for 5 minutes, today.

Ms. SCHAKOWSKY, for 5 minutes, today.

Mr. ALTMIRE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SABLAN, for 5 minutes, today.

Ms. NORTON, 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. MORAN of Kansas, for 5 minutes, April 29.

Mr. POE of Texas, for 5 minutes, April 29.

Mr. JONES, for 5 minutes, April 29.

Mr. PAUL, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, April 26, 27, 28, and 29.

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. 3244. An act to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011; to the Committee on House Administration; 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.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, April 26, 2010, at 12:30 p.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

7142. A letter from the Assistant Secretary of the Army, Acquisition, Logistics and Technology, Department of the Army, transmitting report of intent to enter into a contract for technical engineering, logistical services and supplies, and component/airframe materials in support of depot maintenance programs; to the Committee on Armed Services.

7143. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's determination and certification under Section 490(b)(1)(A) of the Foreign Assistance Act of 1961 relating to the top five exporting and importing countries of pseudoephedrine and ephedrine; to the Committee on Foreign Affairs.

7144. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Authority's fiscal year 2009 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7145. A letter from the Secretary to the Board, Railroad Retirement Board, transmitting the Board's annual report for FY 2009 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7146. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on the Paul Coverdell National Forensic Science Improvement Grants Program, managed by the Office of Justice Programs' National Institute of Justice, pursuant to Public Law 90-351, section 2806(b); to the Committee on the Judiciary.

7147. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Georgetown, TX [Docket No.: FAA-2009-0934; Airspace Docket No. 09-ASW-29] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7148. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Jet Routes and VOR Federal Airways in the Vicinity of Gage, OK [Docket No.: FAA-2010-0004; Airspace Docket No. 09-ASW-32] (RIN: 2120-AA66) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7149. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airway V-422 in the Vicinity of Wolf Lake, IN [Docket No.: FAA-2010-0006; Airspace Docket No. 09-AGL-30] (RIN: 2120-AA66) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7150. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Koyukuk, AK [Docket No.: FAA-2009-0692; Airspace Docket No. 09-AAL-13] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7151. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Shaktoolik, AK [Docket No.: FAA-2009-0142; Airspace Docket No. 09-AAL-2] received, March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7152. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Scammon Bay, AK [Docket No.: FAA-2009-1038; Airspace Docket No. 09-AAL-19] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7153. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Dillingham, AK [Docket No.: FAA-2009-1055; Airspace Docket No. 09-AAL-16] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7154. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30714; Amdt. No. 3364] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7155. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No.: FAA-2009-0452; Directorate Identifier 2007-NM-326-AD; Amendment 39-16223; AD 2010-05-13] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7156. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines (IAE) V2500-A1, V2522-A5, V2524-A5, V2525-D5, V2527-A5, V2527E-A5, V2527M-A5, V2528-D5, V2530-A5, and V2533-A5 Turbofan Engines [Docket No.: FAA-2007-29060; Directorate Identifier 2007-NE-34-AD; Amendment 39-16243; AD 2010-06-18] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7157. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30715; Amdt. No. 3365] received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7158. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 767 Airplanes [Docket No.: FAA-2009-0642; Directorate Identifier 2009-NM-001-AD; Amendment 39-16241; AD 2010-06-16] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7159. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. Model MD-900 Helicopters [Docket No.: FAA-2009-0953; Directorate Identifier 2009-SW-45-AD; Amendment 39-16230; AD 2010-06-06] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7160. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-02-99 and TAE 125-01 Reciprocating Engines [Docket No.: FAA-2009-0948; Directorate Identifier 2009-NE-30-AD; Amendment 39-16236; AD 2010-06-12] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7161. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS355E, AS355F, AS355F1, AS355F2, and AS355N Helicopters [Docket No.: FAA-2009-1090; Directorate Identifier 2009-SW-31-AD; Amendment 39-16227; AD 2010-06-03] (RIN: 2120-AA64) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7162. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Amendment of Using Agency for restricted Areas R-3005A, R-3305B, R-3005C, R-3005D and R-3005E; Fort Stewart, GA [Docket No.: FAA-2010-0201; Airspace Docket No. 10-ASO-19] (RIN: 2120-AA66) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7163. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Extended Operations (ETOPS) of Multi-Engine Airplanes; Technical Amendment [Docket No.: FAA-2002-6717; Amendment No. 121-348] (RIN: 2120-AI03) received March 25, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7164. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Issuance of Opinion and Advisory Letters and Opening of the EGTRRA Determination Letter Program for Pre-Approved Defined Benefit Plans (Announcement 2010-20) received March 30, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7165. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Distressed Asset Trust (DAT) Tax Shelters (LMSB4-0210-008) (UIL: 9300.50-00) received April 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7166. A letter from the Chief, Publications and Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Taxation of fringe benefits (Rev. Rul. 2010-10) received April 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7167. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Industry Director Directive #3 Tier II Issue Enhanced Oil Recovery Credit Status Changed to Monitoring [LMSB-04-0210-007] received April 5, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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 Ms. WOOLSEY (for herself, Mr. ANDREWS, and Mr. GEORGE MILLER of California):

H.R. 5107. A bill to amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes; to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOTTER:

H.R. 5108. A bill to require certain Internet websites that contain personal information of individuals to remove such information at the request of such individuals; to the Committee on Energy and Commerce.

By Mr. KIRK (for himself, Mr. SESSIONS, Mr. LEE of New York, Mr. GERLACH, Mr. DENT, Mr. SHIMKUS, Mr. SENSENBRENNER, and Mr. BARTON of Texas):

H.R. 5109. A bill to establish a tax, regulatory, and legal structure in the United States that encourages small businesses to expand and innovate, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Small Business, Financial Services, Rules, Education and Labor, Energy and Commerce, the Judiciary, Oversight and Government Reform, and Appropriations, 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. KIRKPATRICK of Arizona:

H.R. 5110. A bill to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. PITTS (for himself, Mr. ADERHOLT, Mr. AKIN, Mr. BACHUS, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mr. BILIRAKIS, Mrs. BLACKBURN, Mr. BOEHNER, Mr. BOOZMAN, Mr. BROWN of South Carolina, Mr. CANTOR, Mr. CHAFFETZ, Mr. CONAWAY, Mr. DAVIS of Tennessee, Mr. FLEMING, Mr. FORTENBERRY, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GRIFFITH, Mr. HENSARLING, Mr. HOEKSTRA, Mr. HOLDEN, Mr. INGLIS, Mr. ISSA, Mr. JORDAN of Ohio, Mr. LAMBORN, Mr. LATTA, Mr. LIPINSKI, Mr. MANZULLO, Mr. MARCHANT, Mr. MCHENRY, Mr. MCINTYRE, Mr. NEUGEBAUER, Mr. PENCE, Mr. ROE of Tennessee, Mr. RYAN of Wisconsin, Mr. SMITH of New Jersey, Mr. SCALISE, Mrs. SCHMIDT, Mr. TAYLOR, Mr. TIAHRT, Mr. WILSON of South Carolina, Mr. BRADY of Texas, Mr. DANIEL E. LUNGREN of California, Mr. CHILDERS, Mr. MARSHALL, and Mr. SESSIONS):

H.R. 5111. A bill to amend the Patient Protection and Affordable Care Act to modify special rules relating to coverage of abortion services under such Act; to the Committee on Energy and Commerce.

By Mr. CARNAHAN (for himself, Mrs. BIGGERT, and Ms. NORTON):

H.R. 5112. A bill to provide for the training of Federal building personnel, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. DAHLKEMPER:

H.R. 5113. A bill to amend the Child Nutrition Act of 1966 to establish the Healthy Habits School Challenge Program to reduce childhood obesity by recognizing schools that are creating healthier school environments for children by promoting good nutrition and physical activity, and for other purposes; to the Committee on Education and Labor.

By Ms. WATERS (for herself, Mr. FRANK of Massachusetts, Mr. KANJORSKI, Mr. COSTELLO, Ms. MATSUI, Mr. THOMPSON of Mississippi, Mr. PATRICK J. MURPHY of Pennsylvania, Mrs. CAPPS, Mr. CARDOZA, Mr. HARE, Mr. AL GREEN of Texas, and Ms. LINDA T. SÁNCHEZ of California):

H.R. 5114. A bill to extend the authorization for the national flood insurance program, to identify priorities essential to reform and ongoing stable functioning of the program, and for other purposes; to the Committee on Financial Services.

By Mr. SCHAUER (for himself and Mr. RUSH):

H.R. 5115. A bill to recognize the key contributions of flight support specialists to our Nation's aviation safety by restoring the retirement treatment of flight support specialists whose functions were outsourced by the Federal Government in 2005; to the Committee on Oversight and Government Reform.

By Mr. GORDON of Tennessee:

H.R. 5116. A bill to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes; to the Committee on Science and Technology, and in addition to the Committee on Education and Labor, 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. LOWEY (for herself, Mr. REICHERT, Mr. SMITH of Washington, Ms. LEE of California, and Mr. OLVER):

H.R. 5117. A bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MORAN of Kansas:

H.R. 5118. A bill to amend the Clean Air Act to require the exclusion of data of an exceedance or violation of a national ambient air quality standard caused by a prescribed fire in the Flint Hills Region, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LUJÁN (for himself, Ms. BORDALLO, Mr. GRIJALVA, Mr. HEINRICH, Mrs. KIRKPATRICK of Arizona, Mr. MATHESON, Mrs. NAPOLITANO, Mr. SALAZAR, and Mr. TEAGUE):

H.R. 5119. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, 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. SMITH of Washington (for himself, Mr. NYE, and Mr. TEAGUE):

H.R. 5120. A bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Education and Labor, Small Business, Energy and Commerce, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE (for herself, Ms. WOOLSEY, Mr. ELLISON, Mrs. MALONEY, Mr. STARK, Ms. CHU, Mrs. DAVIS of California, Ms. WATSON, Mr. GRIJALVA, Ms. KILPATRICK of Michigan, Ms. BALDWIN, Mrs. CAPPS, Mr. MOORE of Kansas, Ms. SCHAKOWSKY, Mr. COHEN, Mr. MEEK of Florida, Ms. LEE of California, and Ms. SLAUGHTER):

H.R. 5121. A bill to promote the sexual and reproductive health of individuals and couples in developing countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HINOJOSA (for himself, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. PASTOR of Arizona, Mr. CLAY, Mr. ELLISON, Mr. LUJÁN, Mr. WILSON of Ohio, and Mr. THOMPSON of Mississippi):

H.R. 5122. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Financial Services.

By Mr. DAVIS of Illinois:

H.R. 5123. A bill to suspend temporarily the duty on certain high-intensity sweetener; to the Committee on Ways and Means.

By Mr. ELLISON:

H.R. 5124. A bill to prohibit the use, production, sale, importation, or exportation of any pesticide containing atrazine; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO (for herself and Ms. SPEIER):

H.R. 5125. A bill to amend the Emergency Economic Stabilization Act of 2008 to establish a fund to be used to make local governments whole for losses incurred from the Lehman Brothers Holding, Inc., bankruptcy; to the Committee on Financial Services.

By Mr. FLEMING:

H.R. 5126. A bill to repeal provisions of the Patient Protection and Affordable Care Act relating to health savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GIFFORDS (for herself and Mr. BILBRAY):

H.R. 5127. A bill to amend title 31, United States Code, to establish a reporting requirement for any stored value device carried out of, into, or through the United States, to establish registration requirements for stored value programs, and for other purposes; to the Committee on Financial Services.

By Mr. HEINRICH (for himself, Mr. LUJÁN, Mr. TEAGUE, Mr. GRIJALVA, Ms. GIFFORDS, Mrs. KIRKPATRICK of Arizona, Mr. MITCHELL, and Mr. PASTOR of Arizona):

H.R. 5128. A bill to designate the Department of the Interior Building in Washington, District of Columbia, as the ''Stewart Lee Udall Department of the Interior Building''; to the Committee on Transportation and Infrastructure.

By Mr. HODES (for himself and Mr. CARNAHAN):

H.R. 5129. A bill to amend the Internal Revenue Code of 1986 to treat carsharing and ridesharing reimbursement arrangements as

qualified transportation fringe benefits; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself and Mr. COURTNEY):

H.R. 5130. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Beaver, Chipuxet, Queen, Wood, and Pawcatuck Rivers in the States of Connecticut and Rhode Island for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mr. LARSON of Connecticut:

H.R. 5131. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Natural Resources.

By Mr. MATHESON:

H.R. 5132. A bill to require the Director of the National Institute of Standards and Technology to establish a research initiative to support the development of technical standards and conformance architecture to improve emergency communication and tracking technologies for use in locating trapped individuals in confined spaces and other shielded environments where conventional radio communication is limited, and for other purposes; to the Committee on Science and Technology.

By Mr. ROTHMAN of New Jersey (for himself, Mr. ANDREWS, Mr. LOBIONDO, Mr. SIRES, Mr. PALLONE, Mr. SMITH of New Jersey, Mr. LANCE, Mr. ADLER of New Jersey, Mr. FRELINGHUYSEN, Mr. GARRETT of New Jersey, Mr. HOLT, Mr. PASCRELL, and Mr. PAYNE):

H.R. 5133. A bill to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the ''Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building''; to the Committee on Oversight and Government Reform.

By Ms. TSONGAS (for herself, Mr. PAYNE, Ms. NORTON, Mr. SIRES, Mr. ELLISON, Mr. CAO, Ms. MOORE of Wisconsin, Mrs. LOWEY, and Mr. BLUMENAUER):

H.R. 5134. A bill to authorize the Secretary of the Interior, in consultation with the Groundwork USA national office, to provide grants to certain nonprofit organizations; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN:

H.R. 5135. A bill to provide for congressional approval of national monuments in Oregon, restrictions on the use of national monuments, and for other purposes; to the Committee on Natural Resources.

By Mr. FLAKE:

H. Res. 1287. A resolution raising a question of the privileges of the House; to the Committee on Standards of Official Conduct.

By Mr. DENT (for himself, Mr. CANTOR, Mr. MCCAUL, Mr. AUSTRIA, Mr. ROE of Tennessee, Mr. COFFMAN of Colorado, Mr. FRANKS of Arizona, Mr. POSEY, Mr. GERLACH, Mr. ROONEY, Mr. UPTON, Mr. BARTLETT, Mrs. MILLER of Michigan, Mr. BROUN of Georgia, Mr. BILIRAKIS, Mr. OLSON, and Mr. PITTS):

H. Res. 1288. A resolution urging the issuance of a certificate of loss of nationality for Anwar al-Awlaki; to the Committee on the Judiciary.

By Mr. GOODLATTE (for himself, Mr. BOEHNER, Mr. CANTOR, Mr. MCCARTHY of California, Mr. PENCE, Mr. MCCOTTER, Mrs. MCMORRIS RODGERS, Mr. AKIN, Mr. ALEXANDER, Mr. AUSTRIA, Mrs. BACHMANN, Mr. BACHUS, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mr. BARTON of Texas, Mrs. BIGGERT, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BLUNT, Mr. BONNER, Mrs. BONO MACK, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. BROUN of Georgia, Ms. GINNY BROWN-WAITE of Florida, Mr. BUCHANAN, Mr. BURGESS, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mr. CAMPBELL, Mrs. CAPITO, Mr. CARTER, Mr. CASSIDY, Mr. CASTLE, Mr. CHAFFETZ, Mr. COBLE, Mr. COFFMAN of Colorado, Mr. CONAWAY, Mr. CRENSHAW, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DENT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. DREIER, Mr. DUNCAN, Mr. EHLERS, Mrs. EMERSON, Ms. FALLIN, Mr. FLAKE, Mr. FLEMING, Mr. FORBES, Mr. FORTENBERRY, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. GARRETT of New Jersey, Mr. GERLACH, Mr. GINGREY of Georgia, Mr. GOHMERT, Ms. GRANGER, Mr. GRAVES, Mr. GRIFFITH, Mr. GUTHRIE, Mr. HALL of Texas, Mr. HARPER, Mr. HASTINGS of Washington, Mr. HELLER, Mr. HENSARLING, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. INGLIS, Mr. ISSA, Ms. JENKINS, Mr. JOHNSON of Illinois, Mr. SAM JOHNSON of Texas, Mr. JONES, Mr. JORDAN of Ohio, Mr. KING of Iowa, Mr. KINGSTON, Mr. KIRK, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LANCE, Mr. LATOURETTE, Mr. LATTA, Mr. LEE of New York, Mr. LEWIS of California, Mr. LINDER, Mr. LOBIONDO, Mr. LUCAS, Mr. LUETKEMEYER, Mrs. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mr. MACK, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCHENRY, Mr. MCKEON, Mr. MICA, Mr. GARY G. MILLER of California, Mr. MILLER of Florida, Mrs. MILLER of Michigan, Mr. MORAN of Kansas, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NUNES, Mr. OLSON, Mr. PETRI, Mr. PITTS, Mr. PLATTS, Mr. POE of Texas, Mr. POSEY, Mr. PRICE of Georgia, Mr. PUTNAM, Mr. RADANOVICH, Mr. REHBERG, Mr. ROE of Tennessee, Mr. ROGERS of Alabama, Mr. ROGERS of Kentucky, Mr. ROGERS of Michigan, Mr. ROHRABACHER, Mr. ROONEY, Mr. ROSKAM, Ms. ROS-LEHTINEN, Mr. ROYCE, Mr. RYAN of Wisconsin, Mr. SCALISE, Mrs. SCHMIDT, Mr. SCHOCK, Mr. SENSENBRENNER, Mr. SESSIONS, Mr. SHADEGG, Mr. SHIMKUS, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUDER, Mr. STEARNS, Mr. SULLIVAN, Mr. TERRY, Mr. THOMPSON of Pennsylvania, Mr. THORNBERRY, Mr. TIAHRT, Mr. TIBERI, Mr. TURNER, Mr. UPTON, Mr. WALDEN, Mr. WAMP, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. WOLF, Mr. ADERHOLT, and Mr. SIMPSON):

H. Res. 1289. A resolution expressing the sense of the House that Democratic Members of the House should join Republican Members of the House in a total ban on earmarks for one year, that total discretionary spending should be reduced by the amount saved by earmark moratoriums, and that a bipartisan, bicameral committee should be created to review and overhaul the budgetary, spending, and earmark processes; to the Committee on the Budget, and in addition to the Committee on Rules, 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. MURPHY of Connecticut (for himself, Mr. CASTLE, Ms. SLAUGHTER, Mrs. BIGGERT, Ms. DEGETTE, and Mr. WAXMAN):

H. Res. 1290. A resolution supporting the goals and ideals of a National Day to Prevent Teen Pregnancy; to the Committee on Energy and Commerce.

By Mr. ARCURI:

H. Res. 1291. A resolution expressing support for designation of the week beginning May 9, 2010, as National Nursing Home Week; to the Committee on Energy and Commerce.

By Mr. MORAN of Kansas:

H. Res. 1292. A resolution congratulating the Emporia State University Lady Hornets women's basketball team for winning the 2010 NCAA Division II National Championship; to the Committee on Education and Labor.

By Mrs. BIGGERT (for herself and Mr. WALDEN):

H. Res. 1293. A resolution expressing support for the goals and ideals of National Child Abuse Prevention Month; to the Committee on Education and Labor.

By Ms. GINNY BROWN-WAITE of Florida (for herself and Mr. BOREN):

H. Res. 1294. A resolution expressing support for designation of the first Saturday in May as National Explosive Ordnance Disposal Day to honor those who are serving and have served in the noble and self-sacrificing profession of Explosive Ordnance Disposal in the United States Armed Forces; to the Committee on Oversight and Government Reform.

By Mr. FORTENBERRY:

H. Res. 1295. A resolution celebrating the role of mothers in the United States and supporting the goals and ideals of Mother's Day; to the Committee on Oversight and Government Reform.

By Mr. LANGEVIN (for himself and Mr. BILBRAY):

H. Res. 1296. A resolution congratulating the American Society for Cell Biology on its 50 years of service to the basic biomedical research community in the United States and around the world, as well as the public; to the Committee on Energy and Commerce.

By Ms. MARKEY of Colorado (for herself, Mr. DEFAZIO, Mr. REHBERG, Mr. CARNAHAN, Mr. POLIS, Mr. WU, Mr. BLUMENAUER, and Mr. LANCE):

H. Res. 1297. A resolution supporting the goals and ideals of American Craft Beer Week; to the Committee on Oversight and Government Reform.

By Mr. MORAN of Virginia (for himself, Mr. MCGOVERN, Mr. FARR, Mr. RYAN of Ohio, Mr. HONDA, Ms. ROYBAL-ALLARD, Mr. ANDREWS, Mr. BERMAN, Mr. NADLER of New York, Ms. WOOLSEY, Ms. EDWARDS of Maryland, Mr. CONNOLLY of Virginia, Ms. CASTOR of Florida, Mr. BOYD, Mrs. CAPPS, Ms. HARMAN, Mrs. DAVIS of California, Mr. WAXMAN, Ms. DEGETTE, Mr. BLUMENAUER, Mr. SCHAUER, Ms. WATSON, Ms. SCHAKOWSKY, Ms. MATSUI, Mr. HINCHEY, and Mr. GARAMENDI):

H. Res. 1298. A resolution encouraging efforts to reduce the use of paper and plastic bags; to the Committee on Energy and Commerce.

MEMORIALS

Under clause 4 of Rule XXII, memorials were presented and referred as follows:

262. The SPEAKER presented a memorial of the House of Representatives of the State

of New Mexico, relative to House Memorial 39 urging the Republic of Turkey to hold and safeguard religious and human rights without compromise; to the Committee on Foreign Affairs.

263. Also, a memorial of the House of Representatives of the State of New Mexico, relative to House Memorial 34 urging the Congress of the United States to expedite the passage of legislation to enact the necessary amendments to the Surface Mining Control and Reclamation Act of 1977; to the Committee on Natural Resources.

264. Also, a memorial of the House of Representatives of the State of New Mexico, relative to House Memorial 54 urging the Congress of the United States to consider legislation that promotes clean energy development and use; jointly to the Committees on Energy and Commerce, Foreign Affairs, Financial Services, Education and Labor, Science and Technology, Transportation and Infrastructure, Natural Resources, Agriculture, and Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 24: Mr. MURPHY of New York, Ms. HIRONO, Ms. SLAUGHTER, Mr. DONNELLY of Indiana, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 208: Ms. GINNY BROWN-WAITE of Florida, Mr. MILLER of Florida, and Mr. CARTER.

H.R. 213: Mr. CONNOLLY of Virginia.

H.R. 219: Mr. AUSTRIA.

H.R. 413: Mr. QUIGLEY, Mr. LARSEN of Washington, Mr. GARAMENDI, Mr. LUJÁN, and Mr. OLVER.

H.R. 483: Mr. WALDEN.

H.R. 678: Mr. PITTS, Mrs. NAPOLITANO, and Mr. SPACE.

H.R. 734: Mr. KUCINICH, Mr. JOHNSON of Illinois, and Mr. LARSEN of Washington.

H.R. 761: Mr. REHBERG.

H.R. 775: Mr. QUIGLEY, Mr. HALL of Texas, Mr. MURPHY of New York, and Mr. MAFFEI.

H.R. 836: Mr. PALLONE.

H.R. 847: Mr. GARAMENDI and Mr. BACA.

H.R. 878: Mr. GOODLATTE.

H.R. 932: Mr. BISHOP of New York.

H.R. 949: Mr. KUCINICH.

H.R. 950: Ms. CORRINE BROWN of Florida.

H.R. 1024: Ms. CASTOR of Florida.

H.R. 1074: Mr. TEAGUE, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. ADERHOLT.

H.R. 1077: Ms. PINGREE of Maine.

H.R. 1079: Mr. KUCINICH.

H.R. 1083: Mr. POE of Texas.

H.R. 1087: Mr. RYAN of Ohio.

H.R. 1165: Ms. ZOE LOFGREN of California.

H.R. 1169: Mr. FORBES.

H.R. 1177: Mr. BRADY of Texas, Mr. GINGREY of Georgia, Mr. HERGER, Mr. KIRK, Mr. NEUGEBAUER, and Mr. SMITH of New Jersey.

H.R. 1205: Mr. MARKEY of Massachusetts, Mr. SHIMKUS, Mrs. BACHMANN, and Mr. MCGOVERN.

H.R. 1283: Mr. DEUTCH.

H.R. 1308: Mr. CUMMINGS and Ms. KILROY.

H.R. 1361: Mr. YARMUTH, Ms. CHU, and Ms. PINGREE of Maine.

H.R. 1408: Ms. RICHARDSON and Ms. NORTON.

H.R. 1430: Mr. DOYLE and Mr. SIRES.

H.R. 1458: Mrs. NAPOLITANO and Ms. ZOE LOFGREN of California.

H.R. 1526: Mr. PRICE of North Carolina.

H.R. 1529: Mr. JOHNSON of Georgia.

H.R. 1558: Mr. GERLACH.

H.R. 1616: Mr. HALL of New York.

H.R. 1625: Mrs. MCMORRIS RODGERS, Mr. HEINRICH, Mr. GARAMENDI, Mr. MARKEY of Massachusetts, Mr. MCINTYRE, Mr. MELANCON, Ms. CASTOR of Florida, Mr. ARCURI, Mr. WELCH, and Mrs. MCCARTHY of New York.

H.R. 1670: Ms. ESHOO.

H.R. 1826: Mr. BOSWELL, Mr. THOMPSON of California, and Mr. MEEK of Florida.

H.R. 1844: Mr. KAGEN.

H.R. 1855: Ms. SUTTON.

H.R. 1874: Mr. RYAN of Ohio and Mr. SHULER.

H.R. 1964: Mr. CAO.

H.R. 2000: Mr. KINGSTON, Ms. JENKINS, and Ms. CASTOR of Florida.

H.R. 2054: Ms. ZOE LOFGREN of California.

H.R. 2057: Ms. SPEIER.

H.R. 2142: Ms. HARMAN.

H.R. 2220: Ms. SCHWARTZ.

H.R. 2275: Mr. MELANCON, Mr. THOMPSON of Pennsylvania, Ms. MCCOLLUM, and Mr. BACHUS.

H.R. 2328: Mr. LARSON of Connecticut.

H.R. 2408: Mr. LATOURETTE.

H.R. 2478: Mr. LIPINSKI and Mr. GALLEGLY.

H.R. 2542: Mr. KLEIN of Florida.

H.R. 2547: Mr. BROUN of Georgia.

H.R. 2625: Mr. GUTIERREZ, Mr. HALL of New York, and Ms. WOOLSEY.

H.R. 2639: Mr. DICKS.

H.R. 2999: Mr. MARKEY of Massachusetts.

H.R. 3017: Mr. DEUTCH, Mr. SCHAUER, and Ms. LORETTA SANCHEZ of California.

H.R. 3024: Mr. BECERRA.

H.R. 3039: Mr. BOUSTANY and Mr. PITTS.

H.R. 3048: Mr. BRADY of Pennsylvania.

H.R. 3077: Mr. HINCHEY.

H.R. 3108: Ms. NORTON.

H.R. 3181: Ms. RICHARDSON and Ms. CHU.

H.R. 3286: Ms. LORETTA SANCHEZ of California and Ms. KOSMAS.

H.R. 3310: Mr. FRELINGHUYSEN and Mr. OLSON.

H.R. 3335: Mr. WATT and Ms. MOORE of Wisconsin.

H.R. 3393: Ms. HARMAN and Mr. MITCHELL.

H.R. 3402: Mr. WALDEN.

H.R. 3408: Mr. BLUMENAUER, Mr. SHERMAN, Mr. BRADY of Pennsylvania, Mr. SCOTT of Virginia, Ms. ROYBAL-ALLARD, Mr. LANGEVIN, Mr. LEWIS of Georgia, Mr. HASTINGS of Florida, Mr. CUMMINGS, Mr. BECERRA, Mr. CARNAHAN, Mr. WEINER, Ms. EDWARDS of Maryland, Mr. SERRANO, and Ms. FUDGE.

H.R. 3418: Mr. KISSELL.

H.R. 3421: Mrs. MALONEY and Mr. MEEKS of New York.

H.R. 3560: Mr. BLUMENAUER.

H.R. 3564: Ms. TITUS and Mr. SHERMAN.

H.R. 3567: Mr. CUMMINGS.

H.R. 3652: Mr. TERRY, Ms. MOORE of Wisconsin, Mr. THOMPSON of Mississippi, Mr. LEWIS of Georgia, and Mr. DOYLE.

H.R. 3666: Mr. SOUDER.

H.R. 3668: Mr. CONAWAY, Mr. HODES, Mrs. LOWEY, Mr. LEE of New York, Ms. KAPTUR, Mr. SARBANES, Mr. HOLT, Mr. COURTNEY, Mr. BROWN of South Carolina, Mr. KLEIN of Florida, Mr. MCNERNEY, and Mr. CLAY.

H.R. 3764: Ms. MOORE of Wisconsin, Mr. PALLONE, Mr. MEEKS of New York, and Mr. SIRES.

H.R. 3781: Mr. CARNEY.

H.R. 3790: Mr. PERLMUTTER, Mr. PETRI, and Mr. HARE.

H.R. 3799: Mr. CLAY.

H.R. 3924: Mr. PITTS, Mr. RADANOVICH, Mr. BLUNT, Mr. SULLIVAN, and Mrs. BONO MACK.

H.R. 3936: Mr. MITCHELL, Ms. FUDGE, and Mr. CARNEY.

H.R. 3995: Mr. CAPUANO.

H.R. 4109: Mr. CUMMINGS.

H.R. 4115: Mr. WEINER.

H.R. 4128: Mr. DAVIS of Tennessee, Mr. OLVER, and Mr. RANGEL.

H.R. 4148: Mr. CLAY.

H.R. 4163: Mrs. CAPPS and Mr. BRADY of Pennsylvania.

H.R. 4175: Mr. ISSA.

H.R. 4195: Mr. CONNOLLY of Virginia and Mr. CALVERT.

H.R. 4278: Mr. COFFMAN of Colorado and Mr. TIERNEY.

H.R. 4296: Mr. CHANDLER and Mr. MCGOVERN.

H.R. 4333: Mr. DRIEHAUS.

H.R. 4343: Mr. AL GREEN of Texas.

H.R. 4427: Mr. FRANK of Massachusetts and Mr. MACK.

H.R. 4443: Mr. BISHOP of New York.

H.R. 4489: Mr. MORAN of Virginia, Mr. VISCLOSKY, and Mr. FILNER.

H.R. 4502: Mr. HODES.

H.R. 4525: Ms. MARKEY of Colorado.

H.R. 4530: Mr. BRALEY of Iowa.

H.R. 4533: Ms. RICHARDSON and Ms. SUTTON.

H.R. 4544: Mr. MELANCON and Mr. PLATTS.

H.R. 4568: Mr. LOBIONDO.

H.R. 4572: Mr. ROSS.

H.R. 4594: Mr. PETERS, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. ENGEL, Mr. HODES, Ms. LORETTA SANCHEZ of California, Mr. TIERNEY, Mr. CROWLEY, Mr. CONNOLLY of Virginia, Ms. WASSERMAN SCHULTZ, and Mr. TIM MURPHY of Pennsylvania.

H.R. 4599: Ms. GIFFORDS.

H.R. 4645: Mr. LOEBSACK and Mr. JOHNSON of Georgia.

H.R. 4647: Mr. COSTA, Mr. RUSH, Mr. CROWLEY, and Mr. CONNOLLY of Virginia.

H.R. 4649: Mr. HIMES, Mr. TIAHRT, Mr. CALVERT, and Mr. FRANKS of Arizona.

H.R. 4684: Ms. CHU.

H.R. 4689: Mr. QUIGLEY, Ms. LORETTA SANCHEZ of California, Mrs. CAPITO, and Mr. PETRI.

H.R. 4745: Ms. WASSERMAN SCHULTZ.

H.R. 4759: Mr. ALTMIRE and Mr. SPACE.

H.R. 4785: Mr. WALZ, Mr. BISHOP of Georgia, and Ms. GIFFORDS.

H.R. 4796: Mr. LEE of New York and Ms. GIFFORDS.

H.R. 4803: Mr. PITTS.

H.R. 4812: Ms. DEGETTE.

H.R. 4850: Ms. KILROY.

H.R. 4859: Mr. REHBERG.

H.R. 4869: Mr. QUIGLEY, Ms. WATSON, and Mr. PAYNE.

H.R. 4879: Mr. NADLER of New York, Mr. BLUMENAUER, Ms. ESHOO, Ms. MOORE of Wisconsin, and Ms. KILROY.

H.R. 4886: Mr. FRANKS of Arizona and Mrs. BLACKBURN.

H.R. 4888: Mr. THOMPSON of California, Mr. PAULSEN, Mr. HUNTER, Mr. WALDEN, and Ms. GIFFORDS.

H.R. 4889: Mr. MCCOTTER.

H.R. 4903: Mr. SHADEGG, Mr. BROWN of South Carolina, and Mr. NEUGEBAUER.

H.R. 4904: Mr. AUSTRIA.

H.R. 4918: Mr. SCHIFF, Mr. MELANCON, Mr. DAVIS of Tennessee, and Ms. GIFFORDS.

H.R. 4919: Mr. RADANOVICH.

H.R. 4923: Mr. PERLMUTTER, Mr. MATHESON, Mr. SIRES, Mr. HARE, Ms. TITUS, Ms. BERKLEY, Mrs. HALVORSON, Mr. LOEBSACK, Mr. WALZ, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. SCHWARTZ, Mr. POMEROY, Mr. TONKO, Ms. EDWARDS of Maryland, Ms. BALDWIN, Mr. MORAN of Virginia, Mr. NYE, Mr. LARSON of Connecticut, Mr. BRALEY of Iowa, Mr. SMITH of Washington, Mr. PALLONE, Mr. BECERRA, Mr. SERRANO, Ms. ESHOO, Mr. BROUN of Georgia, Mr. HODES, and Mrs. CAPPS.

H.R. 4927: Mr. COHEN.

H.R. 4929: Mr. THOMPSON of Mississippi, Ms. RICHARDSON, and Ms. FUDGE.

H.R. 4933: Ms. WOOLSEY, Mr. GRIJALVA, and Mr. CONYERS.

H.R. 4940: Ms. JENKINS, Mr. BISHOP of Georgia, and Mr. MANZULLO.

H.R. 4943: Mr. MCCOTTER.

H.R. 4951: Mr. HASTINGS of Washington, Mr. TERRY, Mr. HOEKSTRA, and Ms. GIFFORDS.

H.R. 4959: Mr. NADLER of New York and Mr. PAYNE.

H.R. 4960: Mr. FRELINGHUYSEN.

H.R. 4971: Mrs. BONO MACK and Mr. NUNES.

H.R. 4972: Mrs. BLACKBURN.
H.R. 4993: Mr. WELCH, Mr. HODES, and Mr. COFFMAN of Colorado.
H.R. 4995: Mr. SOUDER.
H.R. 4999: Mr. HOEKSTRA and Mr. GOHMERT.
H.R. 5000: Mr. BAIRD.
H.R. 5008: Mr. ARCURI, Mr. CARDOZA, and Mr. CUELLAR.
H.R. 5015: Mr. FRANK of Massachusetts, Mr. HOLT, and Mr. VISCLOSKY.
H.R. 5017: Mr. HOLDEN and Mr. MOORE of Kansas.
H.R. 5019: Mr. HALL of New York, Mr. INSLEE, Mr. PIERLUISI, Mr. LANGEVIN, Mr. MCGOVERN, Mrs. CAPPS, Mr. GRIJALVA, Mr. VAN HOLLEN, Mr. MURPHY of New York, Ms. BERKLEY, Mr. SARBANES, Ms. SUTTON, Mr. CARNAHAN, Mr. LOEBSACK, Ms. PINGREE of Maine, Mr. WEINER, Mr. HOLT, Mr. COURTNEY, Mr. HONDA, Mr. HASTINGS of Florida, and Mr. RYAN of Ohio.
H.R. 5034: Mr. BRALEY of Iowa, Mr. HARE, Mr. POE of Texas, Mr. HOLT, Mr. SCHAUER, and Mr. TOWNS.
H.R. 5038: Mr. LAMBORN.
H.R. 5042: Mr. CLAY.
H.R. 5044: Mr. POE of Texas and Mr. MEEK of Florida.
H.R. 5049: Mr. WALZ.
H.R. 5059: Mr. ROONEY.
H.R. 5064: Mr. WALZ.
H.R. 5065: Mr. MORAN of Kansas, Mr. POE of Texas, Mrs. MCMORRIS RODGERS, Mr. GALLEGLY, and Mr. COBLE.
H.R. 5081: Mr. BOSWELL and Mr. KRATOVIL.
H.R. 5082: Mr. TONKO.
H.R. 5083: Mr. ELLISON.
H.R. 5091: Mr. RUSH.
H.R. 5092: Ms. BERKLEY, Mr. AUSTRIA, Mr. GRIJALVA, and Mr. LANCE.
H.R. 5095: Mr. SOUDER.
H.R. 5102: Mr. VAN HOLLEN.
H.J. Res. 59: Mr. RYAN of Ohio.
H.J. Res. 78: Mr. ALTMIRE.
H. Con. Res. 226: Mr. PERLMUTTER, Mr. CAO, and Mr. RYAN of Ohio.
H. Con. Res. 260: Ms. KOSMAS, Mr. BROWN of South Carolina, Mrs. BONO MACK, Mr. HERGER, Mr. COLE, Mr. COBLE, Mr. REICHERT, Mr. GINGREY of Georgia, Mr. MAFFEI, Mr. RYAN of Wisconsin, Mr. GRAYSON, Mr. MCMAHON, Mr. CAO, Mr. PUTNAM, Mr. BARTLETT, Mr. LINDER, Mr. DEUTCH, Mr. SOUDER, Mr. ROONEY, Mr. CAMPBELL, Mr. STEARNS, Mr. HOLDEN, Mr. NEUGEBAUER, Mr. LEE of New York, and Mr. NEAL of Massachusetts.
H. Con. Res. 262: Ms. MOORE of Wisconsin, Mrs. CHRISTENSEN, Mr. BISHOP of Georgia, Mr. CLEAVER, Ms. LEE of California, Ms. CORRINE BROWN of Florida, Mr. CARSON of Indiana, Mr. WATT, Ms. FUDGE, Ms. EDWARDS of Maryland, Mr. CONYERS, Mr. CLAY, and Mr. LEWIS of Georgia.
H. Con. Res. 265: Mr. SOUDER and Mr. POSEY.
H. Res. 173: Mrs. MALONEY, Mr. CUMMINGS, Mr. POMEROY, Mr. SCHRADER, Mrs. LOWEY, and Mr. BISHOP of New York.
H. Res. 191: Mr. MCCOTTER.
H. Res. 252: Mr. SCOTT of Virginia.
H. Res. 278: Mr. CROWLEY, Mr. DELAHUNT, Ms. JACKSON LEE of Texas, Ms. LEE of California, Mr. MEEKS of New York, Ms. WATSON, Mr. SMITH of New Jersey, and Mr. PAYNE
H. Res. 375: Ms. HIRONO, Ms. SHEA-PORTER, Ms. TITUS, and Mr. ARCURI.
H. Res. 397: Mr. CALVERT.
H. Res. 407: Mr. COURTNEY, Mr. CLEAVER, Ms. FUDGE, and Mr. EHLERS.
H. Res. 857: Mr. TERRY.
H. Res. 873: Mr. WALZ and Mr. GALLEGLY.
H. Res. 929: Mr. KUCINICH.
H. Res. 1033: Mrs. CAPITO, Mrs. MILLER of Michigan, Mr. SMITH of Washington, Mr. JOHNSON of Illinois, Mr. CAMP, Ms. JENKINS, Mr. LAMBORN, and Mr. WHITFIELD.
H. Res. 1056: Ms. NORTON.
H. Res. 1110: Mr. BARTLETT, Mr. CONAWAY, Mr. BISHOP of Utah, Mr. KING of Iowa, Mr. BRADY of Texas, Mr. PITTS, Mr. AKIN, Mr. LATTA, Mr. BILBRAY, Mr. GINGREY of Georgia, Mrs. LUMMIS, Mr. MARCHANT, Mr. ROONEY, Mr. JOHNSON of Illinois, Mr. CHAFFETZ, and Mr. MILLER of Florida.
H. Res. 1161: Mrs. MALONEY, Ms. CLARKE, Ms. WATERS, Ms. CORRINE BROWN of Florida, Ms. FUDGE, Ms. WATSON, Ms. EDWARDS of Maryland, Mr. SCOTT of Virginia, Ms. JACKSON LEE of Texas, Mr. ELLISON, Mr. PAUL, Mr. KENNEDY, Ms. SCHAKOWSKY, Mrs. CAPPS, Mr. MOORE of Kansas, Mrs. LUMMIS, Ms. LEE of California, Mrs. HALVORSON, Ms. TITUS, Ms. WOOLSEY, Mr. BOEHNER, Mr. BARTLETT, and Mr. MCGOVERN.
H. Res. 1196: Mr. EDWARDS of Texas.
H. Res. 1207: Mr. BRADY of Pennsylvania, Ms. FALLIN, Mr. HENSARLING, Mr. ROONEY, Mrs. LUMMIS, Mr. AKIN, Mr. PITTS, Mr. BARTLETT, Mr. DINGELL, and Mr. FRANKS of Arizona.
H. Res. 1209: Mr. LATOURETTE and Mr. LAMBORN.
H. Res. 1226: Mr. ORTIZ and Mr. TERRY.
H. Res. 1229: Mrs. MYRICK and Mr. CALVERT.
H. Res. 1240: Mr. DAVIS of Illinois, Mr. HARE, Mr. THOMPSON of California, Mr. VAN HOLLEN, and Mr. MORAN of Virginia.
H. Res. 1245: Mr. KINGSTON and Mr. GRIFFITH.
H. Res. 1247: Ms. MCCOLLUM, Mr. CUMMINGS, Mr. HODES, Ms. WATSON, Mrs. MALONEY, Mr. PIERLUISI, Ms. SPEIER, Mr. SARBANES, Mr. REYES, Mr. KUCINICH, Mr. HOYER, Mr. CLAY, and Ms. NORTON.
H. Res. 1250: Mr. CONYERS.
H. Res. 1251: Ms. JENKINS, Mr. BRADY of Pennsylvania, Mr. CHAFFETZ, Mr. WOLF, Mr. GOHMERT, Mr. COBLE, Mr. PERRIELLO, and Mr. BARTLETT.
H. Res. 1254: Mr. MCKEON, Mr. WALDEN, Mr. LAMBORN, Mr. REHBERG, Mr. FLAKE, Mr. HELLER, and Mr. YOUNG of Alaska.
H. Res. 1259: Mr. BRADY of Pennsylvania and Mr. MCGOVERN.
H. Res. 1261: Mrs. HALVORSON, Mr. KAGEN, Mr. EDWARDS of Texas, Mr. SKELTON, and Mr. SMITH of New Jersey.
H. Res. 1273: Mr. GOHMERT, Mr. GOODLATTE, Mr. WOLF, Mr. GARY G. MILLER of California, Mr. SMITH of Nebraska, Mr. GINGREY of Georgia, Mr. MANZULLO, Mr. NEUGEBAUER, Mr. KING of Iowa, Mrs. BACHMANN, Mr. GARRETT of New Jersey, Mr. PITTS, Mr. MCCOTTER, Mr. MCINTYRE, Mr. POE of Texas, Mr. THOMPSON of Pennsylvania, Ms. JENKINS, Mr. PRICE of Georgia, Mr. BILIRAKIS, Mr. ROONEY, Mr. FORTENBERRY, Mr. BURGESS, Mr. AKIN, Mr. CARTER, Mr. CONAWAY, Ms. FOXX, Mr. TIAHRT, Mr. ROE of Tennessee, Mrs. MCMORRIS RODGERS, Mr. LIPINSKI, Mr. HOEKSTRA, Mr. COBLE, Mr. SHIMKUS, Mr. BROUN of Georgia, Mr. BONNER, Mr. FRELINGHUYSEN, Mr. ROGERS of Alabama, Mr. BRADY of Texas, Mr. OLSON, Mr. LATTA, Mr. SOUDER, Mr. FLEMING, Mr. DUNCAN, Ms. GINNY BROWN-WAITE of Florida, Mr. BARTON of Texas, Mr. UPTON, Mr. AUSTRIA, and Mr. LATHAM.
H. Res. 1277: Mr. GINGREY of Georgia, Mr. LAMBORN, Mr. SOUDER, Mrs. LOWEY, Mr. TOWNS, and Mr. BROUN of Georgia.
H. Res. 1279: Mr. MORAN of Kansas and Mr. BRADY of Texas.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 4717: Ms. NORTON.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petition:

Petition 10 by Mr. JONES on H.R. 775: Tim Murphy, Lincoln Diaz-Balart, Gus M. Bilirakis, Cliff Stearns, Ileana Ros-Lehtinen, Dan Burton.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, THURSDAY, APRIL 22, 2010 No. 58

Senate

The Senate met at 9:33 a.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada.

PRAYER

The PRESIDING OFFICER. This morning's prayer will be given by guest Chaplain Rev. Sharron Dinnie, rector of St. Peter and St. Paul Anglican Church, Spring, South Africa.

The guest Chaplain offered the following prayer:

Let us pray.

Holy and gracious God, we rejoice in the life You have given us in this new day. As these Senators look to You in seeking to carry out that to which You have called them, we ask that You would guide and strengthen them. Keep them mindful of this country's heritage and help them strive to preserve its integrity. Lead them as they seek to discern that which has outlived its usefulness and appropriateness within the changes of society and give them boldness to work toward changes that will lead to life and growth.

Grant this Senate grace so to align its will with Yours, that through this body, Your vision and purpose for this Nation and for the world may be accomplished. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID 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 bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. GILLIBRAND). The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business for an hour, with Senators permitted to speak for up to 10 minutes each during that period of time. The Republicans will control the first 30 minutes and the majority will control the final 30 minutes. Following morning business, the Senate will turn to executive session to debate the nomination of Denny Chin to be U.S. circuit judge for the Second Circuit. There will be an hour for debate prior to a vote on confirmation of the nomination.

EARTH DAY

Mr. REID. Madam President, today is the 40th anniversary of Earth Day. It is an annual reminder of what we have the power and responsibility to do in our daily lives. It is a call to recommit ourselves to finding the right balance that preserves our larger environment even as we live in it and use it. Earth Day is also an opportunity for us to appreciate the great outdoors, spaces that are nowhere more beautiful than in Nevada.

But today, of course, is not the only day to do this. That is why I am happy to have supported a number of environmental initiatives over the past years to benefit my State and our country: protecting more than 3 million acres of key wildlife habitat as wilderness in the State of Nevada; introducing legislation that created the Great Basin National Park; providing more resources and better management for popular areas such as Red Rock Canyon and Black Rock Desert; enhancing the Carson River corridor and improving management of the Sierra Foothills, and expanding open space opportunities for the people of Carson City.

Right now, I am working with the Nevada congressional delegation to protect the Tahoe Basin from invasive species and devastating wildfires and to restore Lake Tahoe's water clarity and protect threatened species and wildlands. The act will also help protect the area's economy and its 23,000 tourism-related jobs.

Every Nevadan and all Americans should be happy today and use it as a reminder to commit themselves to saving money and reducing pollution by using energy more efficiently.

A Senator from Wisconsin named Gaylord Nelson created Earth Day 40 years ago. He did it after having visited, in his official capacity, a devastating oil spill off the coast of California near Santa Barbara. He came back and said to his staff: We need to do more to protect the environment. Give me some ideas.

The idea started out originally to be a day where they would march, and someone came up with the idea, though, that rather than ''birthday,'' ''Earth Day'' had a ring to it. That is how Earth Day was born. It came at a time when we didn't have the Internet. It was done mostly by word of mouth.

Just before the first Earth Day, Gaylord Nelson came to the Senate floor and warned:

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

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America has bought environmental disaster on the installment plan: Buy affluence now and let future generations pay the price.

Four decades later, we must do more to get ourselves off that plan. We must do more to cultivate a society where fulfilling our responsibilities to nature becomes second nature.

I didn't know Gaylord Nelson, but I certainly feel I knew him because of the great work he has done. I have many of these Earth Days in Nevada. It is really a day of celebration.

That is something we have to do. We have to do everything we can to protect our environment.

Would the Chair announce morning business now.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the Republicans controlling the first 30 minutes and the majority controlling the final 30 minutes.

Mr. REID. I suggest the absence of a quorum and ask that the time be used against both the Democrats and the Republicans.

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

Mr. REID. Madam President, the first 30 minutes is under the control of the Republicans.

The PRESIDING OFFICER. That is correct.

Mr. REID. If I asked that the time be counted equally, then the Democrats who are waiting to come after a half hour expires will not be able to get their full half hour. So I suggest the absence of a quorum, and because it is the Republicans' time, the time should be used as to their time, preserving the 30 minutes we have because we have speakers who want to come here.

Madam President, I don't know if you granted my previous request. If you did, I ask that the present request be the order of the day.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TESTER. 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. TESTER. Madam President, I assume we are in morning business and we can proceed.

The PRESIDING OFFICER. The time is currently controlled by the minority.

Mr. TESTER. I ask unanimous consent that I would be allowed to speak and that the time be charged to the majority.

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

FINANCIAL REGULATORY REFORM

Mr. TESTER. Madam President, I rise to talk a little bit about the Wall Street reform bill that the Senate Banking Committee has been working on for the last 6 months. It is my hope we can get this bill through this body and off the floor very soon.

In the past 48 hours, I have been very encouraged by what I have heard as far as the progress of negotiations between Chairman DODD and Senator SHELBY. I urge my colleagues to keep up the good work but remind them that actions speak louder than words and that now is the time for action.

So my message is clear. Let's get this done. I hope we are now at a point beyond creating rhetoric, where we can get down to resolving outstanding issues in a constructive way. We need to end the era of too big to fail once and for all and end taxpayer-funded bailouts that came with that too big to fail.

I voted against both bailouts of Wall Street and the U.S. auto industry because I thought taxpayers were getting a raw deal. I do not believe in bailouts. But I do believe in making sure there are referees on Wall Street to make sure the big banks and the investment firms play by the rules to make sure taxpayers and Main Street small businesses do not pay the price of the sins of Wall Street.

The strong resolution authority and prefunding mechanism included in this bill will strengthen taxpayer protections. Requiring big Wall Street companies to pay into this fund and forcing failing firms into bankruptcy is not going to lead to more bailouts; it, in fact, will have the opposite effect.

But if my Republican colleagues have other ideas about how to provide strong resolution authority to protect taxpayers, I look forward to working with them. So let's stop the rhetoric and get down to the business our constituents sent us to do. We need to address the worst financial calamity since the Great Depression.

Let me also say how much I appreciate the work of my colleagues who have been willing to talk in a thoughtful way about these issues. I wish to say thank you to Senator CORKER for speaking the truth, for rightly noting that some of the concerns that have been raised in this bill could have been resolved in 5 minutes.

After listening to some of my colleagues on the floor yesterday, I think our concerns may be more alike than unalike. I am hopeful we can work together to address common concerns.

Everyone knows we have a pretty good bill. My good friend, Senator SHELBY, says he agrees with 80 to 90 percent of what is in this bill. I am heartened by the newspapers yesterday that we may be close to an agreement. I hope that means we now have the political will to address substantive concerns and move forward with this bill.

When I was elected to the Senate, I vowed to make Washington look a little bit more like Montana. I hope we can show the people of Montana we have the can-do attitude they expect in addressing problems of this magnitude and in moving America out of this financial crisis.

The American people are watching. Montanans are still steaming mad about the $700 billion bailout. I, similar to them, have a hard time understanding why we have not set the rules yet, rules to prevent the risky behavior that got us into this mess nearly 2 years ago.

Let me say to all my friends in this Chamber: We have waited long enough. We simply cannot afford to wait any longer to reform Wall Street. Doing nothing is not an option. Passing a watered-down version of this bill is also not an option. To do either of those would leave us in a vulnerable position, vulnerable to another collapse.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. Madam President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Ms. LANDRIEU. Madam President, I am so pleased to come to the floor this morning to acknowledge that in the Capitol today there are 17 young women from Louisiana, Florida, New York, and Washington who are my special guests for Take Our Daughters and Sons to Work Day, which is today. I will submit their names for the RECORD to show that these young men and women have spent the day working with me in the Senate.

I also wish to acknowledge the Ms. Foundation that created such an exciting, popular, very effective, and useful day for our country to celebrate, almost 17 years ago to this day, this effort where thousands of young people, perhaps even millions, are today with their parents at places of work, exploring opportunities for themselves and their future, understanding a little bit better how our economy works, how our country works.

I know there are several Senators, including Senator DODD, who are participating with me in this event. There are literally hundreds of young people throughout the Capitol today enjoying

this special day with their parents or special friends.

I would like to read into the RECORD names of these young men and women who are with me:

From A.M. Barbe High School, Mariah Celestine, Lake Charles, LA; from Country Day School, Isabel Coleman, New Orleans, LA; from St. Peters School, Dominique Cravins, Washington, DC; from Amite West Side Middle School, Sarah Ellen Edwards, Amite, LA; from Georgetown Day School, Caroline Gottlieb, Washington, DC; from A.E. Phillips Lab School, Devin Herbert, Ruston, LA; from Georgetown Day School, Sydney Kamen, Washington, DC; from Alexandria Country Day School, Larkin Massie, Alexandria, VA; Emma May, Lafayette, LA; from Mount Carmel Academy, Ebony Marie Morris, New Orleans, LA; from Miami Country Day School, Isabela Osorio, Miami Beach, FL; from Miami Country Day School, her sister, Megan Osorio, Miami Beach, FL; from Episcopal High School, Natalie Ross, Plaquemine, LA; from Rye High School, Heather Schindler, Rye, NY; from Georgetown Day School, my own daughter, Mary Shannon Snellings, Washington, DC; from Ernest Gallet Elementary, Cathy Tran, Lafeyette, LA; and from Acadiana Christian School, Savannah Trumps, Lafayette, LA.

I thank them for joining me today in the Senate. I encourage all Senators and staff to think about this day as an opportunity for young people to come to the Capitol and learn about what we do, have a fuller appreciation for the way our government works. I particularly thank majority leader HARRY REID, who has been very supportive of this day, allowing a tour of the Senate floor earlier this morning, having special events throughout the complex. I thank him for his special interest in this occasion.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CANTWELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

FINANCIAL REGULATORY REFORM

Ms. CANTWELL. Madam President, this speech is not meant to target or malign anyone. It is simply to talk about the responsibilities we have as Members of Congress to our constituents.

Our country has been rocked by a financial crisis of epic proportions, one that will have Americans paying for generations to come. It has shaken the public's faith not only in Wall Street but in this institution, the Congress.

Whether it is Enron or Amaranth or Bernie Madoff or the Wall Street bailout, the American people are asking themselves a fundamental question: Can I even trust those guys in Washington to look out for me when it comes to the special interests creating rules of the game that tilt the board in their favor?

Some people listening today may be smiling and thinking: Senator, that is one of the oldest questions and most frequently asked in Washington, DC: Whose side are you on? But never has this question of ''whose side are you on'' had such dramatic consequences for the economic lives of millions of Americans. Over 2 million people have lost their homes, many going into bankruptcy, 7.3 million jobs have been lost, and our government has put something like $24 trillion on the line to help Wall Street in this meltdown—something taxpayers will be paying for decades, to say nothing of the kids who will not go to college because college tuition went up 32 percent or workers whose 401s have been wiped out, making it almost impossible to retire.

The American people have been let down by those involved in government oversight who have feigned: Oh, this stuff is too complex for us to understand. We better listen to those outside interests. They understand this better than I do.

It takes a mighty man, who was in control of our financial markets for nearly two decades, like Fed Chairman Alan Greenspan to admit his philosophy was wrong. But it took even more dogged oversight by the likes of HENRY WAXMAN to take a subject that some people think is too complex to understand and boil it down to a simple yes-or-no question.

Congressman WAXMAN to Mr. Greenspan:

Mr. Greenspan, the premise that you could trust markets to regulate themselves, were you wrong?

Mr. Greenspan, in response:

Yes.

Mr. WAXMAN to Mr. Greenspan:

Mr. Greenspan, you found that your view . . . your ideology was not right.

Mr. Greenspan, in response:

Precisely.

This debate we are about to have on financial reform, in my mind, is really about the backbone of Congress. The central issue before us today is whether Congress is going to continue to trust Wall Street and those who represent them because there is too much complexity for Congress to understand. Really? Is it any more complicated than national security or the Medicare GPCI reimbursement formulas or our Tax Code in general? Really? Is it too complicated?

P.J. O'Rourke, at a recent dinner honoring journalists, said:

It's a fundamental principle of the rule of law, a fundamental principle of economics, and a fundamental principle of politics. . . . that beyond a certain point, complexity is fraud.

I agree with him. How is it that average Americans know that a back-alley craps game with fixed dice is a no-win situation, yet a dark market with fixed financial instruments is allowed to carry on for more than a decade under the mischaracterized title of ''free market''?

The issue is, we were told over the last 10 years by the Bush economic working group—and, for that matter, the Clinton economic working group and now even some members of the Obama economic working group—that these issues are too complex to understand. Really? Is that what happened when Bernie Madoff literally made off with millions of investors' life savings in a Ponzi scheme? It was not complex. And regulators were either afraid, lazy, or paid off when they failed to ask a simple question: Let me see your books. When we deregulated energy markets and Enron had at least one manipulation scheme for every day of the week—Death Star, Get Shorty, Ricochet, Fat Boy, just to name a few—these issues were not complex; it was simply shorting supply to drive up the price.

No, the issue is not complexity. It is about the central issue of markets. They have to have transparency and oversight to operate effectively. Never more have the American people been counting on their Members of Congress to act like David against the big Goliath, Wall Street interests.

We have been repeatedly warned about derivatives. The Long-Term Capital Management crisis almost took down the world economy in 1998 because it started using complex mathematical formulas to do derivatives.

Then-Chairman Brooksley Born of the Commodity Futures Trading Commission proposed regulating derivatives. That was her agency's primary role. Not only was she told by the President's working group she could not, they helped mastermind a strategy with Congress to stop her. So instead of regulating derivatives, Congress passed a law making sure the oversight agency could not regulate them. And just for extra measure, we also prohibited State attorneys general from regulating them as well.

Well, why, if you were on Wall Street, would you ever worry about what exotic financial tools you were cooking up if you knew there was no oversight? Let me say that there are people on Wall Street who operate ethically, without fraud, without manipulation, and provide an essential tool to our economy and functioning markets. But when you take away the accountability of Wall Street, something happens to the accounting on Wall Street.

We have had many votes here in the last 10 years to regulate and have oversight of the derivatives market and bring them out of the dark, and those efforts have primarily failed because the so-called smartest guys in the room stopped us. Did it really take another near 1933 Depression to remind us of our fundamental role? I ask my colleagues to check their previous votes on derivatives and tell me whether they still want to vote the same way.

My constituents have been so disgusted by our lack of holding Wall Street accountable, they have said: If

you can't beat them, then at least break them up. So I will be offering an amendment to return us to Glass-Steagall, the law of the land previous to 2000, to help protect consumers for decades. And I will be offering an amendment to strengthen our antimanipulation laws to make sure that if manipulation happens in the future, there will be a price to be paid.

I will also say that my constituents want us to get this right and get capital flowing to small business. While Treasury turned the keys over to Wall Street to bail them out, small business is still being strangled by the lack of access to capital.

As one quote says:

This then is more than the tale of one company's fall from grace. It is at its base the story of a wrenching period of economic and political tumult as revealed through a single corporate scandal. It is a portrait of America in upheaval at the turn of the century, torn between the worship of fast money and its zeal for truth, between greed and high mindedness, between Wall Street and Main Street. Ultimately it is a story of untold damage wreaked by a nation's folly—a folly that in time we are all but certain to see again.

I wish that quote was about our current crisis that started in 2008, but it is not. That quote is from a book called ''Conspiracy of Fools'' by Kurt Eichenwald that was written in 2005. He warned us that what was happening was just a tremor leading up to a massive earthquake that was about to happen. We did not listen. Are we listening now?

I am going to be working with my colleagues to offer several amendments on the floor to strengthen this legislation, to make it the strongest legislation possible, to be accountable to my constituents, and to make sure we are putting derivatives back into the clear light of day.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

IMPROPER PRACTICES ON WALL STREET

Mr. SPECTER. Madam President, I thank the Chair. I have sought recognition to comment briefly on a hearing which will be held by the Criminal Law Subcommittee of the Committee on the Judiciary on May 4 concerning allegations of improper practices on Wall Street.

In light of the allegations of misconduct on Wall Street in recent years and the consequential damages to the economy of the United States and worldwide, serious consideration should be given to whether civil liability and fines are sufficient or whether jail sentences are required to deal with such conduct and as a deterrence to others. With civil liability or a fine, the companies or individuals calculate it as part of the cost of doing business, but a jail sentence is enormously different.

The charges brought by the Securities and Exchange Commission accusing Goldman Sachs of securities fraud in a civil lawsuit has brought intense public concern to conduct on Wall Street which has long been questioned. According to the SEC complaint, Goldman permitted a client who was betting against the mortgage market to heavily influence which mortgage securities to include in the portfolio. Goldman then sold the investments to pension funds, insurance companies, and banks. The client was betting the securities would decline in value based on his knowledge of the underlying value. Similar practices have been defended by investment bankers on the ground that the investors are sophisticated and have a duty to protect themselves without relying on the investment counsel. There is a contention that the only issue is whether the investments are suitable, with the denial that there is a fiduciary duty. That defense further contends that there is no conflict of interest.

Some of the issues to be considered at the hearing to be held by the Criminal Law Subcommittee of the Judiciary Committee on May 4 are the following:

First: Precisely what are the structures of the complex commercial transactions involving securitizing mortgages, selling short hedge funds, derivatives, et cetera?

Second: Under what circumstances, if any, do the investment bankers have a fiduciary duty to the investors?

Third: Where, if at all, do conflicts of interest arise in such transactions?

Fourth: Is there a legitimate distinction between the investment council's duty to provide only a ''suitable'' investment without a fiduciary duty involved?

Fifth: When the investment banker recommends or offers an investment, is there an implicit representation that it is a good investment?

In my judgment, Congress should examine these complicated transactions with a microscope and make a public policy determination as to whether such conduct crosses the criminal line. Congress should investigate and hold hearings to find the facts. Congress should then define what is a fiduciary relationship, what is a conflict of interest, and what conduct is sufficiently antisocial to warrant criminal liability and a jail sentence.

As a starting point, it should be emphasized that the SEC complaint contains allegations which have yet to be proved. The numerous newspaper stories and other media reports are hearsay, so the task remains to find the facts. These inquiries on Wall Street practices are being made in the context that they triggered or at least contributed to a global financial crisis.

Larry Summers, on March 13, 2009, said:

On a global basis, $50 trillion in global wealth has been erased over the last 18 months. That includes $7 trillion in the U.S. stock market wealth which has vanished, $6 trillion in housing wealth which has been destroyed, 4.4 million jobs which have already been lost, and the unemployment rate now exceeds 8 percent.

In the intervening year, a total of 6.5 million jobs are now the total lost, and the unemployment rate stands at 9.7 percent.

I have long been concerned about the acceptance of fines instead of jail sentences in egregious cases. There are many illustrative cases, but three will suffice to make the point. In each of these cases, I registered my complaint with the Department of Justice.

First: On September 2, 2009, Pfizer agreed to pay $2.3 billion to resolve criminal and civil liability for committing health care fraud for selling Bextra, for off-label uses the FDA declined to approve because they were unsafe. For a company with revenues in excess of $48 billion and an income in excess of $8 billion in fiscal year 2008, it was chalked off as the cost of doing business.

The second case: On December 15, 2008, Siemens AG entered guilty pleas to violations of the Foreign Corrupt Practices Act and agreed to pay $1.6 billion in fines, penalties, and disgorgements with no jail sentences. Again, that amounts to a calculation as part of the cost of doing business for a company which had revenues of $104 billion and a net income of $2.5 billion in fiscal year 2008, after the penalty.

The third case, briefly: On May 8, 2007, Purdue Pharma agreed to pay $19.5 million to 26 States to settle complaints that Purdue encouraged physicians which prescribed excessive doses of OxyContin in violation of an FDA ruling which resulted in numerous deaths. Company officials paid fines, nobody went to jail; again, part of the cost of doing business.

From my days as district attorney of Philadelphia, where my office convicted the chairman of the Housing Authority, the Stadium Coordinator, the deputy commissioner of Licenses and Inspections, and others, my experience has convinced me that criminal prosecutions are an effective deterrent.

The deterrent effect of prison was succinctly stated by Mr. William Mercer, chairman of the Sentencing Guideline Subcommittee of the Attorney General's Advisory Committee, on behalf of the Department of Justice, in a 2003 publication. He said:

[W]e believe that the certainty of real and significant punishment best serves the purpose of deterring fraud offenders and particularly white collar criminals. [O]ffenders usually decide to commit fraud and other forms of white collar crimes not with passion, but only after evaluating the cost and benefits of their actions. If the criminally inclined think the risk of prison is minimal, they will view fines, probation, home arrest, and community confinement merely as a cost of doing business. We aim to remove the price tag from a prison term. We believe that if it is unmistakable that the automatic consequence for one who commits a fraud offense is prison, many will be deterred, and at least those who do the crime will indeed do the time.

These are some of the considerations which will be taken up at the subcommittee hearing.

I thank the Chair and I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DENNY CHIN TO BE UNITED STATES CIRCUIT JUDGE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit.

The PRESIDING OFFICER. There is 60 minutes, equally divided, on this nomination.

The Senator from Vermont.

Mr. LEAHY. Madam President, yesterday the Senate was forced to devote the entire day to so-called ''debate'' on two nominations that Republican objections had stalled for months. The good news is, the majority leader's filing of cloture motions to end the filibusters on these nominations succeeded. The votes took place. Each was confirmed with more than 70 votes, a bipartisan majority of the Senate. The debate amounted to statements by Senators in support of the nominations. Let me emphasize that. The only people who spoke, spoke in support of the nominations. During the entire day, not a single Republican Senator came to the floor to oppose the nominations, nor did a single Senator come to the floor to explain why there have been months of delay that left a key office of the Justice Department without a head for the last year. None came to explain why their objections left a longstanding vacancy in the U.S. Court of Appeals for the Third Circuit.

Instead, there was silence. There is no explanation for what continues to be a practice by Senate Republicans of secret holds and a Senate Republican leadership strategy of delay and obstruction of President Obama's nominations. That is wrong.

Throughout the week, a number of Senators have come before the Senate to discuss this untenable situation. They have asked for consent to proceed to scores of nominations that are totally noncontroversial. Yet Republicans objected because, after all, these nominees had committed the horrible sin of being nominated by a Democratic President. It makes no sense. I am in my 36th year in the Senate. I have never seen anybody treat any President, Republican or Democratic, in this way.

Pursuant to our Senate rules which were enacted after bipartisan efforts, those Republican Senators who are objecting have an obligation to come forward and justify those objections. I am going to be interested to see which Senators are objecting to proceeding on 18 judicial nominees. Eighteen nominees who were reported unanimously—every Democrat, every Republican in support of them from the Judiciary Committee—and then they are held by these secret holds. I will be interested in knowing what basis there is for not proceeding on those 18 nominees. In fact, I would like to know why we can't proceed to the 11 Justice Department nominees who were reported without objection—U.S. attorneys, U.S. marshals, and Directors of important institutes and bureaus within the Justice Department. Most of these people are involved with critical law enforcement matters. These stalled nominations extend back into last year, even though they had unanimous support from the committee, Republicans and Democrats alike. Even though most of them are in key law enforcement positions, they have been stopped, they have been held up, they have been stalled. This is wrong, and it should end.

Today, the Senate has another opportunity to make progress by completing action on the long-stalled nomination of Judge Denny Chin of New York to the U.S. Court of Appeals for the Second Circuit, which is the circuit of the distinguished Presiding Officer and of this Senator. The vacancy he has been nominated to fill, which has been delayed by some anonymous Republican objection, has been classified as a judicial emergency by the nonpartisan Administrative Office of the U.S. Courts. It is not unusual. There are 40 other judicial emergency vacancies and judges being held up. It is one of the four current vacancies in the Second Circuit's panel of 13 judges. All are judicial emergencies. Almost one-quarter of the court is being held vacant. That is wrong.

It reminds me of the years during the Clinton administration when similar Republican practices led to Chief Judge Winter, himself a Republican, having to declare the entire circuit an emergency in order to continue to operate with panels containing only a single Second Circuit judge. That is wrong. During that era, we had 61 pocket filibusters of a Democratic President's judges. That is wrong.

Yesterday, Republicans insisted on 3 hours of ''debate'' before a vote on Judge Vanaskie and another 3 hours of ''debate'' for a vote on Professor Schroeder, but none of them came down to debate. Then they were both confirmed by overwhelming margins. We should be thankful that today they have insisted on only 1 hour before this long overdue vote. I will be interested to see whether a single Republican Senator comes to speak in opposition of Judge Chin's nomination or to explain why they have delayed this vote for 19 weeks.

The Judiciary Committee unanimously voted to report Judge Chin's nomination last December—all Republicans and all Democrats. None of the Republican Senators serving on the committee opposed it—not Senators SESSIONS, HATCH, GRASSLEY, KYL, GRAHAM, CORNYN, or Senator COBURN. Not one. He is an outstanding district court judge. He has the strong support of both of his State's Senators and a number of conservative leaders. Yet his nomination has been stuck on the calendar since December. He has been waiting 133 days for the Senate to act. Contrast this with the practice Democrats followed during the first 2 years of the Bush administration when we proceeded to vote on his circuit court nominations, on average, within 7 days of their being reported by the Judiciary Committee. Now we wait 133 days and more.

This dramatic departure from the Senate's traditional practice of prompt and routine consideration on noncontroversial nominations has led to a backlog of nominations and a historically low rate of judicial confirmations, and it damages the integrity of our courts. Our Federal system of judges has been the envy of most other countries because we keep them out of politics. Here we are sinking them into politics.

In fact, by this date in President Bush's Presidency, the Senate had confirmed 45 Federal circuit and district court judges. As of today, only 19 Federal circuit and district court confirmations have been allowed by the Republicans. This is despite the fact that President Obama began sending judicial nominations to the Senate 2 months earlier than President Bush did, so the Senate is way behind the pace we set during the Bush administration.

In the second half of 2001 and through 2002 the Senate confirmed 100 of President Bush's judicial nominees. Given Republican delay and obstruction this Senate will not likely achieve half that. Last year the Senate was allowed to confirmed only 12 Federal circuit and district court judges all year. That was the lowest total in more than 50 years. Meanwhile, judicial vacancies have skyrocketed to more than 100.

Judge Chin is a well-respected jurist who is widely celebrated for one of his most newsworthy decisions in which he sentenced Ponzi scheme operator Bernard Madoff to 150 years in prison. He previously served for 4 years as a Federal prosecutor, and he spent a decade as a lawyer in private practice. You would think they would be saying: Why don't we move forward with the man who sentenced Bernie Madoff? It is almost as if we are punishing him for going after Bernie Madoff.

In fact, Judge Chin's impressive track record garnered the respect of former judge and former Attorney General Michael Mukasey who wrote to the

Judiciary Committee: ''I believe him to be an intelligent and highly qualified nominee, who brings to the job not only experience but also demonstrated good judgment and skill. He . . . [has] a temperament that has shown him to be both firm and fair.''

James Comey, a former Deputy Attorney General and the former U.S. Attorney in the Southern District of New York, echoed this praise. ''In a district with many fine trial judges, he was a star—smart, fair, honest, careful, firm, apolitical, and a brilliant writer. . . . [W]hile always in control of the proceedings, he never lost the sense of humility that allowed him to listen to an argument with an ear toward being convinced and to give all a fair hearing,'' wrote Mr. Comey.

Judge John S. Martin, appointed by President George H.W. Bush, wrote to emphasize that Judge Chin ''is an exceptionally able lawyer'' and a ''decent and thoughtful individual . . . who has earned the respect of those who have appeared before him.''

When Judge Chin is confirmed today, he will become the only active Asian Pacific American judge to serve on a Federal appellate court. He was also the first Asian Pacific American appointed as a U.S. district court judge outside the Ninth Circuit.

I cannot understand the stall of this nomination. It is time that we get to work. Let's move the people who should be moved forward. Let's get on with our job. After all, the American public pays us well to do this job. They pay us to vote yes or no. They don't pay us to vote maybe. With all of these stalls, we are saying we want to vote maybe. Come on, let's have the guts to vote yes or no.

Today I look forward to congratulating Judge Chin and his family on this historic achievement. I commend both Senator SCHUMER and Senator GILLIBRAND for their persistence in supporting this important nomination and bringing this matter to fruition. His confirmation is long overdue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Madam President, I ask unanimous consent that the time during the quorum call be charged equally to both sides, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. Madam President, I ask unanimous consent that the vote on the confirmation of the nomination of Denny Chin to be a U.S. circuit judge for the Second Circuit occur at 12 noon today, and that the time until then be divided as previously ordered; further, that the other provisions of the previous order remain in effect, and that upon confirmation, the Senate then return to legislative session and proceed to a period of morning business with Senators permitted to speak therein for up to 15 minutes each.

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

Mrs. BOXER. Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

FINANCIAL REGULATORY REFORM

Mr. MCCONNELL. Madam President, in the fall of 2008, I reluctantly voted for a bill that sent taxpayer money to Wall Street banks that should have paid for their own mistakes. We were told it was needed in order to avert a global calamity. So I did it. Then I went back to my constituents and vowed: Never again. Never again should taxpayers be on the hook for recklessness on Wall Street, and no financial institution should be considered too big to fail.

So when the financial regulatory bill the majority was about to bring to the floor last week still contained a number of loopholes allowing future bailouts, I raised the alarm. I wasn't about to take Democratic assurances that this bill protected taxpayers. I wanted them to prove it. That is what this debate is all about. It is about proving to my constituents and to the rest of the country that we actually do what we say we are going to do around here because if you haven't noticed, there is a serious trust deficit out there. Public confidence in government is at one of the lowest points in half a century. Nearly 8 in 10 Americans now say they do not trust the government and have little faith it can solve America's ills. And it is no wonder.

Over the past year, the American people have been told again and again that government was doing one thing when it was doing another. Just think about some of the things Americans have been told.

As a Senator, the current President rallied against deficits and debt. He said America has a debt problem and that it was a failure of leadership not to address it. Yet last year, his administration released a budget that doubles the debt in 5 years and triples it in 10. The debt has increased over $2 trillion since he took office. In February, the Federal Government ran the largest monthly deficit in the history of the United States.

How about the bailouts? The President said he didn't come into office so he could take over companies. But whether or not that is the case, Americans can't help but notice that some people did better than others. When it came to bailing out the car companies, the unions fared a lot better than anyone else.

What about jobs? Last year, the White House rushed a stimulus bill through Congress because it said we needed to create jobs. They said we needed to borrow the $1 trillion it cost the taxpayers to keep unemployment from rising above 8 percent. Well, more than a year later, unemployment is hovering around 10 percent. All told, we have lost nearly 4 million jobs since the President was sworn in.

Then there was health care. I will leave aside the substance for a moment and just talk about the process. Americans were told the process would be completely transparent, that all the negotiations would be broadcast live on C–SPAN. Instead, they got a partisan back-room deal that was rammed through Congress during a blizzard on Christmas Eve.

This is the context for the debate we are currently in. So it should come as no surprise to anyone that when we are talking about a giant regulatory reform bill, the American people aren't all that inclined to take our word for it when we say it doesn't allow for bailouts or that it will not kill jobs or that it won't enable the administration to pick winners or losers. They have heard all that before, and they have been burned. This time, they want us to prove it.

The first thing they want us to prove is that this bill ends bailouts. That was the one thing this bill was supposed to do, and if this bill didn't do anything else but that, a lot of people would be satisfied. The administration has said it wants to end bailouts. I say to them: Prove it.

Some of us have pointed out concerns that this bill would give the administration the authority to use taxpayer funds to support financial institutions at a time of crisis. Yes, the bill says taxpayers get the money back later, but that sounds awfully familiar. Isn't that exactly what we did with the first bailout fund—a bailout fund Americans were promised would be repaid but which Democrats are now trying to raid in order to pay for everything else under the Sun?

If a future administration thinks there is a crisis that requires using taxpayer funds, then they should have to get permission from the taxpayers first. It is not enough for someone in the administration to say it is so; they need to come to Congress before they write the check. If this bill isn't like the first bailout, prove it.

As I said, we have seen in other bailouts that some are treated better than others. This bill appears to enable the same thing by allowing the FDIC to treat creditors with equal claims differently. If the proponents of this bill think this bill does not allow the administration to pick winners and losers, they need to prove it.

This bill also contains a number of provisions that threaten the ability of small businesses to hire new workers. Other provisions would send jobs overseas. And just this morning, the Wall Street Journal pointed out a provision that would put new regulatory burdens on startup businesses that would make it harder for them to get off the ground. If this bill doesn't create new burdensome regulations that will make it harder for Americans to dig themselves out of this recession, then prove it. Prove it.

Every indication is that the chairman and the ranking member are making progress in their discussions and that this bill will have needed improvements. That is good. Some of the concerns I have just raised are among the topics being discussed. But in the end, Americans are not rooting for some deal. They have asked us for clarity. They are asking us, not for verbal assurances but for concrete proof, because at the end of the day I need to be able to look my constituents in the eye and prove to them that this bill does not allow for any bailouts. I need to prove to them that this bill doesn't treat some favored groups better than others. I need to prove to them that this strengthens the economy, that it doesn't make it worse.

People need to be convinced that we are doing what we are saying we are doing. This time they want proof and, frankly, I don't blame them.

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. DORGAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

STALLED NOMINATIONS

Mr. DORGAN. Madam President, I know we have a vote scheduled at 12 noon on a nomination. I know that is but 1 of 100 nominations that are on the calendar awaiting action by the Senate. It is probably not very surprising that people do not think much of this place when we cannot get nominations through, we cannot get business done. But people should understand the reason there are 100 nominations waiting on this calendar is because the minority has decided to say no to everything, just to dig in their heels and decide they are not going to cooperate on anything.

This afternoon I will again come to the floor and ask unanimous consent on the nomination of GEN Michael Walsh. I just wanted Senator VITTER from Louisiana to be aware that I intend to do that again.

Let me say I am going to be back this afternoon to talk about the START treaty and also to talk about financial reform and a couple of issues that are important to me, particularly the issue of too big to fail and the issue of, what I call just gambling on naked credit default swaps. I will talk about both of those this afternoon.

But when I come this afternoon, I am going to ask unanimous consent on the nomination or the promotion of General Walsh. Let me again describe why this is important.

General Walsh is a decorated American soldier, served 30 years in the U.S. Army. He now commands a division of the U.S. Army Corps of Engineers. He has served in wartime. He has served in Iraq. Six months ago, on a bipartisan vote, unanimous vote, the Armed Services Committee decided to promote this general to major general, give this one-star general a second star. And 6 months later, this general has not been promoted. This person with a distinguished Army career has not received his promotion. His promotion has been derailed by one Member of the Senate. That Member has the right to object, and so he has objected to the promotion for this general.

My point has been that the objection to promoting a general with a distinguished wartime record and a distinguished record for 30 years is an objection based on a demand from one Member of the Senate that the Corps of Engineers do something that the Corps of Engineers has already told the Senator it does not have legal authority or legal ability to do.

As I have indicated on two other occasions, I do not come to the floor to criticise another Member by name. I have never done that before by name. But I did tell Senator VITTER from Louisiana that I intended to do that. As a matter of courtesy, I wanted him to know. I think it is wrong. I think it is a horribly bad decision for him to decide that he is going to hold up the promotion of a general who served this country for 30 years because he is demanding certain things for New Orleans and Louisiana the Corps of Engineers says it cannot do and does not have the legal authority to do.

Let me say as the chairman of the subcommittee that funds all of the water issues, and there are plenty of water issues in Louisiana—I know because I have been involved in it—we have sent billions and billions and billions of dollars of the American taxpayers' money to New Orleans and Louisiana in the aftermath of Hurricane Katrina. I am pleased we have done that because they were hit with an unprecedented natural disaster called Hurricane Katrina.

So I was one of those who helped, who helped do some of the lifting to get the money to New Orleans and Louisiana. But our colleague indicated the other day that he is unhappy with the U.S. Government's response down in Louisiana.

Well, I would simply say to the folks in New Orleans and Louisiana: You know what life would be like were this money and were the Corps not down there with the billions of dollars that have now been spent. I think it is important to understand the value of that cooperation and the value of that partnership.

I understand there are some things about which people disagree. One of the issues raised by my colleague is an issue of the pumping stations down there. There is a disagreement about how they should proceed. He is demanding they proceed with a study in the manner that he determines it should proceed. My point is, the Appropriations Committee has already voted against that and said: We will not do it. No. 1, it costs more; and, No. 2, it provides less flood protection. So we are not going to do that.

To demand that be done, which the Corps does not have the authority to do at this point, and as leverage for that demand to hold up for 6 months the promotion of a distinguished soldier who has served in wartime, I think, is unbelievable.

So this afternoon I will come again and ask unanimous consent once again that this soldier get the promotion that he is owed and deserves. Senator JOHN MCCAIN, Senator CARL LEVIN, the ranking member and the chairman of the Armed Services Committee, both support this promotion. The entire Armed Services Committee voted for it unanimously, and yet 6 months later this soldier is not promoted.

I can understand people using a lot of leverage around here for various things. I have used some leverage myself on certain things. But I do not understand someone using the career of a soldier to make demands that cannot possibly be met. If he continues to do that for 6 or 16 months, the situation will be the same as it is now because the Corps of Engineers cannot do what the Senator from Louisiana is demanding they do.

It is simply, in my judgment, using this soldier's career as a pawn. That is terribly unfair to any uniformed soldier who serves this country, especially a soldier who has gone to war for this country. So this is fair notice that I will ask unanimous consent. I assume it will be somewhere in the 4 or 5 o'clock range today. My expectation is that the Senator from Louisiana will be on the Senate floor at that point. My hope is he would not object.

Finally, at long last, my hope is that he will allow the Senate to do the right thing and give this soldier's career and this soldier's promotion the due that it is owed by this Senate.

As I said, I am going to come back later today. I want to talk at some length about the START treaty, which I think is very important. I was in Moscow, Russia, within the last week and a half taking a look at global

threat reduction initiatives that we are working on with the Russians. It is very important that this START treaty be ratified by the Senate. I note that there are some of my colleagues saying: The only way we will ratify the START treaty, the only way we would support that and not block that would be if we get dramatic new monies for new nuclear weapons or something of the sort.

So I am going to talk about that today. I also am going to talk about the financial reform bill, which is now staring us in the face, and about, as I mentioned, the issue of something that sounds like a foreign language, but it is not: naked credit default swaps. That is not a foreign language; that is flatout gambling that has been done by the largest financial firms in the country that steered America right into the ditch. It is very important they be dealt with, and dealt with the right way in financial reform.

Also, I am going to talk about the issue of too big to fail. In my judgment, if you are determined to be too big to fail, then, in my judgment, you are too big. I believe divestiture is an important part of the solution to that. I will talk about that more this afternoon.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

EARTH DAY

Mrs. BOXER. I just want to say to my friend, I thank him for bringing the issue of the promotion of an Army Corps general to the floor today. I support his remarks. I support moving forward on that promotion.

Madam President, April 22 is Earth Day. It has been 40 years since then-Senator Gaylord Nelson first advocated setting aside a national day to focus on our environment. We have learned a lot in those 40 years. What we have learned is, it is very rewarding to protect and defend our environment. What we have learned is, when we do that, and we do it in the right way, we create millions of jobs and an economy that is very prosperous.

One very clear example of that is, take my California coastline. It is an economic driver. It is beautiful. It is an economic driver because people want to see it in all of its beauty. They want to enjoy its beauty. They spend a lot of dollars on tourism to come and visit my coast. They go to the restaurants. They go to the stores. That is why we have always argued against our colleagues who want to go and destroy—potentially destroy—that magnificent coastline, which is a gift from God, in my humble view.

It is interesting because the first Earth Day was inspired by a horrible oilspill that hit Santa Barbara, and the whole country saw the devastation, what happened to the wildlife, what happened to the ocean, what happened to the people there.

Ever since that time we have been taking a moment to take a deep breath. By the way, breathing clean air is also an important part of Earth Day to actually appreciate this incredible gift that we have been given and to rededicate ourselves to the preservation of our environment.

In 1969, the Cuyahoga River in Ohio caught fire. Swaths of the Great Lakes were lifeless dead zones. Air in our cities was very unhealthy. All that happened in that year that then-Senator Gaylord Nelson decided to act on Earth Day.

When Senator Nelson took a trip, a plane trip, and looked down at the devastation of the awful Santa Barbara spill, he realized we needed a day to celebrate the Earth and to dedicate ourselves to protecting these gifts we have been given. Twenty million Americans rallied to celebrate the first Earth Day the following year in April 1970.

I think it is important to note that protecting the environment has been a bipartisan thing here, at least up until recent times. The Environmental Protection Agency opened its doors in November of 1970. It was Richard Nixon who signed that law. The Clean Water Act became law in 1972, the Safe Drinking Water Act in 1974, the Toxic Controlled Substances Act in 1976.

We have seen dramatic improvements in the air we breathe, the water we drink, and, again, very good growth in our economy over this period. We saw the gross domestic product rise from $4.26 trillion in 2005 dollars, in 1970, to $12.9 trillion. That is a threefold increase in the GDP during the time we had these great environmental laws on the books.

So when the next politician stands up and says: You are going to devastate the economy, let's show him or her that is not so. If we take the lead—lead is a neurotoxin. When we keep it out of the area of our children, we know their IQs have gone up. It has been proven. We know what lies before us, clean energy. We know if we can get carbon pollution out of the air, it is going to unleash twice as many dollars from the private sector into finding new technologies, clean energy technologies. It will get us off of that addiction to foreign oil, $1 billion a day. We will make products in this country that the whole world wants.

The world is going green. Why should we step back and allow China to make all of the solar panels? Why should we step back and allow Germany to make all of the windmills? They have taken over the lead from the United States of America.

I want to see the words ''Made in America'' again. I want to see them on products, clean energy technology products. I hope we will recommit ourselves to protecting this environment.

Today, we have a tremendous opportunity before us in clean energy. When we move forward to address the challenge of climate change, we will create millions of jobs and protect our children from dangerous carbon pollution. Most importantly, clean energy will move us away from our dangerous dependence on foreign oil, which is costing us a billion dollars a day and making our country less secure.

America should be the leader in creating clean energy technologies that are made in America and work for America.

It will mean manufacturing jobs for people who build solar panels and wind turbines; it will mean jobs for salespeople who will have a world-wide market for these American made exports.

It will mean jobs for engineers, office workers, construction workers, and transportation workers too.

But today, other countries are moving quickly to take advantage of the enormous opportunities to manufacture and sell the solar, wind, geothermal and other clean energy technologies that will power the world in the coming decades.

Venture capitalists tell us that when we pass clean energy and climate legislation, it will unleash a wave of private investment that will dwarf the capital that poured into high tech and biotech combined. That means new businesses, new industries, and millions of new jobs for American workers.

Colleagues on both sides of the aisle are working on legislation to step up to the clean energy and climate challenge, building on the work we have done in the Environment and Public Works Committee. I look forward to working with them as this process moves forward.

This Earth Day, we have an unprecedented opportunity to reinvigorate our economy, create jobs, and put America on a new course to recovery and prosperity. Let's remember the lessons of the past and seize this opportunity.

I yield the floor.

Mr. SCHUMER. Madam President, I rise today to speak in support of the nomination of Judge Denny Chin to the United States Court of Appeals for the Second Circuit. Judge Chin is, first and foremost, a highly qualified and experienced nominee to one of the busiest courts in the country.

Judge Chin's life story speaks volumes about his own talent and determination, but also about the opportunities that this country offers—opportunities that made it possible for him to make the journey from Hong Kong, through Hell's Kitchen, to New York's best schools and now to the Second Circuit.

No one could be more qualified. No one could have a more impeccable record on the district court. And, he has the bonus of providing needed diversity to our appellate bench.

Nonethless, after passing him out of committee unanimously, my Republican colleagues required the majority leader to file cloture on his nomination. It took 4 months—4 months—to get an up or down vote on him. It is good for the court system and the country that we are finally doing it this morning.

He has been a sitting judge in the Southern District of New York for 15 years, during which time he has presided with exceptional skill over some of the most challenging and important cases in the country.

Judge Chin is a quintessential New Yorker: He graduated from our best schools—including Stuyvesant High School and Fordham University Law School—and practiced there his entire career. His family emigrated from Hong Kong to America when Judge Chin was just 2 years old. His father worked as a cook and his mother worked as a garment factory seamstress in Chinatown. He grew up in a cramped tenement in Hell's Kitchen with his four siblings. He later practiced in New York as both a private lawyer and a Federal prosecutor.

Throughout my time in the Senate, I have applied the following criteria to each nominee for the federal bench: Is he excellent? Is he moderate? And will he bring diversity to the bench?

On excellence: Besides his obvious academic and professional credentials, Judge Chin has earned a unanimous well qualified rating excellent by ABA.

But more important than this, in my book, are the views of his peers who come in contact with him every day. Few judges have earned the accolades that litigants have given Judge Chin, whether they have experienced his courtroom in victory or defeat.

For example, in the Almanac of the Federal Judiciary—which compiles evaluations of judges from practitioners—lawyers describe Judge Chin as ''a judge's judge,'' ''conscientious,'' ''extremely hard-working,'' ''very bright,'' and ''an excellent judge.''

In short, no one—no one—questions Judge Chin's excellence, his intellect, or his temperament.

On moderation: There is more than one way to evaluate Judge Chin's moderation.

First, he is a tough, but fair, sentencing judge. In an observation that is emblematic of Judge Chin's moderation, one attorney has even said of Judge Chin: ''[h]e is a decent human being but he doesn't let that influence his sentencing.''

Judge Chin is, in fact recently best known for sentencing Ponzi scheme operator Bernard Madoff. In a case that could have been a complete circus, that involved hundreds of victims who lost every penny they had, Judge Chin ran the proceedings with dignity and efficiency and sentenced Madoff to the highest possible sentence.

Judge Chin said:

> The message must be sent that Mr. Madoff's crimes were extraordinarily evil and that this kind of irresponsible manipulation of the system is not merely a bloodless financial crime that takes place just on paper, but that it is . . . one that takes a staggering human toll.

In addition, Judge Chin has said explicitly that he believes in a modest, moderate role for judges. In his 1994 questionnaire that he submitted during his confirmation to be a district court judge, he wrote:

> My view is that judges ought not to legislate; that is not their function. Judges interpret and apply the law, keeping in mind the purposes of the law.

Finally, Judge Chin has plenty of bipartisan support. His nomination garnered glowing letters from former Attorney General Michael Mukasey and Republican-appointed U.S. Attorney John Martin, who hired him 30 years ago and has practiced before Judge Chin. He had not a single vote against him, Democrat or Republican, in committee.

On the topic of diversity: It goes without saying that Judge Chin's confirmation would improve the diversity of the Federal appellate bench. He already has the distinction of being the only Asian American judge to serve on the Federal district court outside of the Ninth Circuit. With his confirmation, he will be the only currently active Asian American appellate judge on the Federal bench.

So, let us proceed to approve Judge Chin without further delay, and keep one of the busiest dockets in the Federal judiciary functioning smoothly. I am proud and pleased to have a role in this historic moment for our Federal courts.

Mrs. GILLIBRAND. Madam President, I am pleased to rise today in strong support of the nomination of fellow New Yorker, Judge Denny Chin, to be a judge on the U.S. Court of Appeals for the Second Circuit. Judge Chin has a distinguished legal career, having dedicated the majority of his life to public service and education. His experience in the court room spans more than a decade as a litigator, and over 15 years as a Federal judge.

When he was 2 years old, Judge Chin moved with his parents from Hong Kong to New York, where he later attended Stuyvesant High School. Through hard work, he was able to attend Princeton University, where he received the Athlete Award from the National Football Scholarship Foundation and graduated magna cum laude. After graduating from Princeton, Judge Chin attended Fordham School of Law, where he earned his juris doctorate and became managing editor of the Fordham Law Review.

As impressive as his educational background is, Judge Chin has enjoyed an equally notable legal career in public service and private practice, beginning with a job clerking for U.S. District Judge Henry Werker in the Southern District of New York for 2 years. He then spent another 2 years at Davis Polk & Wardwell before resuming his commitment to public service at the U.S. Attorney's Office for the Southern District of New York. As a Federal prosecutor, Judge Chin honed his litigation skills by arguing cases in the U.S. District Court and the U.S. Court of Appeals for the Second Circuit. Following his time at the U.S. Attorney's Office, Judge Chin went back into private practice, working as a litigator and a partner at several law firms in New York, and also as a solo practitioner, becoming a specialist in employment and commercial law.

In 1994, Judge Chin was the first Asian American appointed to Federal district court outside the Ninth Circuit, where he has served for 15 years. During his time on the bench, Judge Chin has presided over more than 4,700 civil and 650 criminal cases, issuing more than 1,500 opinions. He has served as designated judge on the Second Circuit Court of Appeals on 84 appellate cases, of which nine decisions are his written opinions. Notably, Judge Chin presided over the high profile trial of Bernard Madoff, whom Judge Chin ultimately sentenced to 150 years in prison for defrauding billions of dollars from New Yorkers and individuals from across the United States.

Judge Chin has demonstrated a strong commitment to education and the next generation of the legal profession as a professor of law for more than 23 years at his alma mater, Fordham University's School of Law. He has contributed to legal scholarship by publishing seven law review articles and is frequent speaker at bar associations, law schools, law firms, corporations, and non-profit organizations. In 2009, he received the Professor of the Year Award from the Fordham Law School Public Interest Resource Center, and previously was awarded the Fordham Law School Alumni Association's Medal of Achievement in 2006. He currently cochairs the Fordham Law School Minority Mentor Program.

Judge Chin's dedication to public service extends to community leadership, and he is actively involved in local community and in legal associations. He is a member of the Second Circuit's bar association, the Federal Bar Council, formerly serving as the President, and currently serving on the Public Service Committee. Prior to assuming the bench, he also served on numerous community boards, including the Brooklyn Center for Urban Environment, Care for the Homeless, Hartley House, and St. Margaret's House. Upon assuming the bench, Judge Chin remained involved in his local community by becoming a member of numerous cultural organizations in New York. The outstanding dedication he demonstrated throughout his career and years of community involvement has led to numerous awards and honors—such as the J. Edward Lumbard Award for Public Service from the United States Attorney's Office for the Southern District of New York, and the Lifetime Achievement Award from the New York State Division of Human Rights.

The American Bar Association gave Judge Chin its highest rating, as he is an exceptional and highly competent judge. He has always followed a thoughtful, reasoned approach to each case, strictly adhering to the application of facts and legal precedent.

There are currently 129 judicial nominees waiting to be confirmed by this Senate. It is unfortunate that when there are such highly qualified nominees as Judge Chin, they cannot be quickly voted on so that they may begin to handle the many critically important cases that are currently pending in our Federal courts.

In conclusion, Judge Denny Chin possesses the judicial temperament, breadth of legal knowledge, and commitment to justice, civil rights, and the rule of law necessary for this appointment. He is well qualified, and I am confident that he would make an outstanding judge on the U.S. Court of Appeals for the Second Circuit. I urge my colleagues in the Senate to support his confirmation.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Denny Chin, of New York, to be U.S. circuit judge for the Second Circuit?

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. KAUFMAN) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from South Carolina (Mr. DEMINT).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted ''yea.''

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 123 Ex.]

YEAS—98

Akaka	Ensign	Menendez
Alexander	Enzi	Merkley
Barrasso	Feingold	Mikulski
Baucus	Feinstein	Murkowski
Bayh	Franken	Murray
Begich	Gillibrand	Nelson (NE)
Bennet	Graham	Nelson (FL)
Bennett	Grassley	Pryor
Bingaman	Gregg	Reed
Bond	Hagan	Reid
Boxer	Harkin	Risch
Brown (MA)	Hatch	Roberts
Brown (OH)	Hutchison	Rockefeller
Brownback	Inhofe	Sanders
Bunning	Inouye	Schumer
Burr	Isakson	Sessions
Burris	Johanns	Shaheen
Byrd	Johnson	Shelby
Cantwell	Kerry	Snowe
Cardin	Klobuchar	Specter
Carper	Kohl	Stabenow
Casey	Kyl	Tester
Chambliss	Landrieu	Thune
Coburn	Lautenberg	Udall (CO)
Cochran	Leahy	Udall (NM)
Collins	LeMieux	Vitter
Conrad	Levin	Voinovich
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Crapo	Lugar	Whitehouse
Dodd	McCain	Wicker
Dorgan	McCaskill	Wyden
Durbin	McConnell	

NOT VOTING—2

DeMint	Kaufman

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President shall be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period of morning business, with Senators permitted to speak for up to 15 minutes each.

The Senator from Wisconsin.

PROHIBITING A COST OF LIVING ADJUSTMENT FOR MEMBERS OF CONGRESS IN 2011

Mr. FEINGOLD. Madam President, over the years, Members of Congress have had a lot of perks, but one of them stands out; that is, the ability to raise their own pay. Not many Americans have the power to give themselves a raise whenever they want, no matter how they are performing. To make it worse, Members do not even have to vote on this pay raise. Congress has set up a system whereby every year Members automatically get a pay raise. No one has to lift a finger.

I do not take these pay raises, and I have been fighting for years to pass my bill to end this cozy system. Thanks to the majority leader, we took an important step last year when the Senate passed legislation to end automatic annual pay raises for Members of Congress. Unfortunately, the leadership of the other body has, so far, refused to take up that bill.

Well, I am going to keep fighting to pass it, but there is another step we can take in the meantime; that is, to make sure we do not get a pay raise next year. We already enacted legislation to block a pay raise this year, and now we have to do the same thing for 2011. With so many Americans looking for jobs and trying to figure out how to pay their bills, now is no time to give ourselves a taxpayer-funded $1,600 pay increase.

I have a bill to block the scheduled 2011 pay raise.

Madam President, I ask unanimous consent that Senators BURR, VITTER, BENNET, LINCOLN, GRASSLEY, MCCASKILL, BEGICH, and MCCAIN all be added as cosponsors to the bill.

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

Mr. FEINGOLD. Madam President, I also ask unanimous consent that Senator WHITEHOUSE be added as a cosponsor to the bill.

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

Mr. FEINGOLD. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3244, a bill to prohibit a cost-of-living adjustment for Members of Congress in 2011; that the bill be read a third time and passed, and the motion to reconsider be laid upon the table; that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Mr. President, reserving the right to object, I ask the Senator to add me as a cosponsor.

Mr. FEINGOLD. Madam President, I ask unanimous consent that the Senator from Vermont, Mr. LEAHY, be added as a cosponsor to the bill.

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

Mr. FEINGOLD. Madam President, I renew my request.

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

The bill (S. 3244) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3244

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

SECTION 1. NO COST OF LIVING ADJUSTMENT IN PAY OF MEMBERS OF CONGRESS.

Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost of living adjustments for Members of Congress) during fiscal year 2011.

Mr. FEINGOLD. Madam President, I thank the Chair, and I will be urging the other body to pass this bill as soon as possible and send it to the President. I will keep fighting so that in the future the burden will be on those who want a pay raise—not on those who want to block one—to pass legislation.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Madam President, I believe the Senator from Vermont has a brief statement.

Mr. LEAHY. Madam President, I just wish to make a unanimous consent request.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I thank my dear friend, the senior Senator from Missouri.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LEAHY. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider en bloc the following nominations on the Executive Calendar: Nos. 780, 781, 795, 796, 797, 798, 816, 817, 818, 819, and all nominations on the Secretary's desk in the Coast Guard, Foreign Service, and NOAA; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table en bloc; any statements relating to the nominations be printed

in the RECORD; the President be immediately notified of the Senate's action; and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

William N. Nettles, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years.

Wifredo A. Ferrer, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

David A. Capp, of Indiana, to be United States Attorney for the Northern District of Indiana for the term of four years.

Anne M. Tompkins, of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

Kelly McDade Nesbit, of North Carolina, to be United States Marshal for the Western District of North Carolina for the term of four years.

Peter Christopher Munoz, of Michigan, to be United States Marshal for the Western District of Michigan for the term of four years.

Loretta E. Lynch, of New York, to be United States Attorney for the Eastern District of New York for the term of four years.

Noel Culver March, of Maine, to be United States Marshal for the District of Maine for the term of four years.

George White, of Mississippi, to be United States Marshal for the Southern District of Mississippi for the term of four years.

Brian Todd Underwood, of Idaho, to be United States Marshal for the District of Idaho for the term of four years.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE COAST GUARD

PN1489 COAST GUARD nominations (6) beginning JOANN F. BURDIAN, and ending DAWN N. PREBULA, which nominations were received by the Senate and appeared in the Congressional Record of February 24, 2010.

PN1556 COAST GUARD nominations (4) beginning Karen R. Anderson, and ending Steven M. Long, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2010.

IN THE FOREIGN SERVICE

PN1404 FOREIGN SERVICE nominations (8) beginning Karen L. Zens, and ending Richard Steffens, which nominations were received by the Senate and appeared in the Congressional Record of January 26, 2010.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

PN1457 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (12) beginning SCOTT J. PRICE, and ending SARAH K. MROZEK, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2010.

PN1458 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION nominations (9) beginning HEATHER L. MOE, and ending KURT S. KARPOV, which nominations were received by the Senate and appeared in the Congressional Record of February 22, 2010.

Mr. LEAHY. Madam President, I thank the Presiding Officer, and I thank the Senator from Missouri.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

The Senator from Missouri.

FINANCIAL REGULATORY REFORM

Mr. BOND. Madam President, after the actions of some bad apples on Wall Street wreaked havoc on Main Street, America, there is no doubt we need financial reform to prevent another credit crisis.

It is disappointing that bipartisan consensus on a financial reform package was not reached in committee and instead the majority chose a go-it-alone approach. I hope this is a process Democrats truly want to be bipartisan because my constituents have some good ideas about how to enact real reform that will not stifle economic growth and activities.

I have told my good friend Senator DODD and others that I want to work with them to ensure the concerns I have heard from Missourians—a thousand miles away from Wall Street—are addressed as the process moves forward. I have heard from Missourians who want to end too big to fail, and I have heard from Missourians who want to stop taxpayer-funded bailouts and Missourians who are fearful of empowering government bureaucrats with the power to pick winners and losers. I have also heard from folks in Missouri who are key to job creation. They have well-founded concerns about some of the bill's unintended consequences.

This is a bill that could alter significantly the way Americans do business with the financial services industry, whether it be in the form of a home or auto loan, financing for college, credit for family farms, or much needed financing for small business. In the heartland, where I am from, we understand Wall Street provides critical financing, but we want to make sure they do it the right way.

A bipartisan and responsible bill should ensure that the failures that led to our financial collapse are properly addressed and that taxpayers never again are left footing the bill for the egregious mistakes of a few bad actors. It is time to stop taking a piecemeal and ad hoc approach to addressing the financial crisis. Burying our collective heads in the sand to avoid what needs to be done and simply hoping things will get better by throwing more money at these failed institutions and just believing they will get better on their own is unrealistic.

Americans are rightfully angry and frustrated about the trillions of dollars the government has committed to rescuing the financial industry, when so many of them are still struggling to find jobs, pay bills, and get the loans they need for cars, home, college, or to farm. They believe—and rightly so—that it is fundamentally unfair for the bad actors who caused the financial crisis to get bailed out while many of them lost their jobs and their savings as a direct result of the irresponsibility of others.

We need a clear path to unwinding and ending these institutions that are too large and that pose systemic risk to the financial health of our market without doing so at the expense of the American taxpayer. No institution should ever again be considered too big to fail.

Today, I remind my colleagues that the government played a role in contributing to our financial and economic crisis. Government policies and actions to promote home ownership to buyers who could not afford to buy were irresponsible. That is why I am shocked that this bill does nothing to reform Fannie Mae and Freddie Mac, the government-sponsored enterprises that contributed to the financial meltdown by buying high-risk loans made to people who could not afford them. These irresponsible actions left the Federal Government with the risk and the American taxpayer with the bill to bail them out.

In addition to the cost to taxpayers, these irresponsible actions turned the American dream into the American nightmare for too many families who faced foreclosure and devastated entire neighborhoods and communities as property values diminished. Additionally, government failure to adequately regulate the financial system—specifically, the Securities and Exchange Commission and other regulators—allowed these institutions to take on too much risk, which was a major factor in the credit collapse. Collectively, these policies and actions have brought us to the economic crisis which has touched every American's life.

The current proposal ignores Fannie and Freddie, which were significant contributors to the crisis. That is a big mistake.

We need to be sure the proposals address the needs of Main Street America. Leaving them out would be another mistake.

Rather than focusing on the concerns of Wall Street, I have spent my time focusing on the concerns shared with me by my constituents back in Missouri. Missourians expect real reform but demand that Congress prevent an overreach of government that stifles businesses and kills jobs.

One specific area of concern is the creation of the so-called Consumer Financial Protection Bureau, the CFPB. This new, massive government bureaucracy has unprecedented authority and enforcement powers to impose duplicative and costly mandates on any entities that extend credit. We are not talking about just big Wall Street banks but also the community banker, the local dentist, farm lender, or auto dealer. As a result, there will be no choice but to pass these added costs on to consumers—the very people this bill was designed to protect.

The only way to ensure the CFPB does not unintentionally hurt well-performing institutions that issue credit

is to narrow the scope and authority with clear language outlining exactly whom this new regulator will regulate. Surely my colleagues would not want to vote for a bill that creates a new government bureaucracy without knowing exactly what the bureaucracy is empowered to do.

Instead of unlimited authority, this new regulator should focus on the shadow banking entities that operate outside of the regulatory framework and prey on vulnerable people. We have all heard horror stories from our constituents about the bad operators pushing no-money-down or no-doc home mortgages and the reverse mortgage scam artists who sell too-good-to-be-true financing.

There must be appropriate oversight of this regulator. The last thing we need is a new government bureaucracy that, under the guise of consumer protection, is really just pushing one party's political agenda. The current business climate is overwhelmed with uncertainty, and we need to ensure this bureau does not create additional uncertainty for any investor or business that operates in this country. The prudential regulators should have a final say on anything that would put the safety and soundness of institutions and the credit of borrowers at risk.

Next, Missourians refuse to be on the line for another bank bailout. I share their frustration over the concept of an institution being considered too big to fail. We must put an end to too big to fail. We need a mechanism in place that allows for immediate liquidation of failing financial firms.

In my recent conversation with Larry Summers, I expressed this concern, and he agreed that the administration wants euthanasia for failed companies, not resurrection. The government should not be in the business of creating zombies.

The era of bailouts must be over. Any mechanism of resolution must be fair and evenhanded. Missourians will not accept government bureaucrats picking winners and losers in creditor repayment.

In addition, the $592 trillion over-the-counter derivative market needs stronger rules of transparency. Some of the derivatives traded in this market played a significant role in the recent credit crisis through products such as credit default swaps. These and other transactions—which I call video game transactions, where there is no substance involved and they are making bets on the financial system—should have been cracked down on by the Securities and Exchange Commission.

However, there is an important distinction to be made here. Not all derivative contracts pose systemic risk. As a matter of fact, commercial contracts initiated, for example, by energy companies, utilities, and the agricultural industry are used to manage risks associated with daily operation, from cost fluctuations in materials and commodities to foreign currency used in international business. These end users, as they are called, do so in order to plan for future pricing so they can provide the least expensive good or service to their consumers as possible. Costly margin requirements for these end users will be directly passed on to families. This will increase the cost for Americans to turn on their lights and put food on their tables.

My hope is that the ultimate Senate bill, like the House-passed bill, will ultimately address this concern with a strong exemption for end users from the clearing and margin requirements. These end users are not major swap participants and should not be treated as such.

Finally, the Federal Reserve Bank's current structure for regulatory oversight ensures that responsibilities and power are shared across the country, not just in Washington and on Wall Street. Regional reserve banks give all regions in the country a voice in banking, credit policy, and monetary concerns, which gives a complete picture to the Board of Governors as they decide on Federal monetary policy. This system was established over 100 years ago and should be maintained in order to protect the concerns of small and medium-sized banks. Financial crises can and do occur within small but interconnected banks, which is why the Federal Reserve needs to continue to take the economic temperature of the entire country, not just of those on Wall Street.

As hard-working Americans and small businesses struggle to emerge from this meltdown and drive our economy through the recovery process, it is the responsibility of the Federal Government to ensure we have a robust regulatory system. It is critical that our regulatory system be modern, responsive, and empowered with appropriate authority, while allowing for business prosperity as we prevent future crises.

In Missouri, I have been working to build an agricultural biotech corridor. This has the potential to foster a whole new interest, providing great jobs in advanced agricultural research and biotech. It is the best stimulus to create high-paying, skilled jobs that rural Missouri and rural America need.

However, today I read in the Wall Street Journal a very disturbing report that this bill would possibly kill small business startups by delaying and limiting the availability of private investor seed capital. Small startups have been at the forefront, driving job creation. In this bill, new requirements by the SEC would insist that investors register with the Commission for a 4-month review, meanwhile tying up vital venture capital or seed capital dollars. This harmful delay for new businesses in need of immediate capital would be crippling.

According to the Wall Street Journal:

> No one believes angel investors pose a systemic risk, so it's hard to understand why these proposals are in the bill. The economy needs more private job creation.

Incidentally, it would triple the minimum wealth of the seed capital investors who could invest in these from $1 million to over $3 million. That cuts out three-quarters of the people who might invest in starting up these companies. This would be devastating to rural job creation in Missouri and across the country.

Our greatest potential for new jobs depends upon the innovative ideas, the entrepreneurship of people who are willing to use their own time and ideas but need seed capital to do it. These small companies could not wait 120 days, in many instances. They could not find the seed capital investors. In other words, in sum, moving from too big to fail, this new bill, if enacted with that provision in it, would say to these innovators, these entrepreneurs: You are too small to succeed.

This is not a measure that is going to protect people from Wall Street; this is an overreach by the Federal Government which would shut down the job creation Main Street needs.

Neither political party has a monopoly on good ideas. Reforming our financial system is too important to be done on a partisan basis. I urge my colleagues, and I hope they will consider the ideas I have heard from Missourians. We haven't just been listening to Wall Street; we have been listening to Main Street. I hope the Presiding Officer and all of the Members of this body will listen to what they are saying on Main Street about the need for the small companies, whether they be startup companies or small banks, to succeed. We need to make sure we don't kill the backbone of our American economy.

Madam President, I thank the Chair. I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MCCASKILL. 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.

EXECUTIVE CALENDAR

Mrs. MCCASKILL. Mr. President, I came to the floor on Tuesday of this week to do something I do not think had been done before under the rules. We had a new law that went into effect in the early part of 2007 that gave us a mechanism that was supposed to stop secret holds. We are all waiting to see if by moving all of the nominations by unanimous consent, in fact, the owners of the secret holds step forward.

While we wait to see if the rule that was designed and passed into law works, a bunch of us have been talking. The folks who have been talking about this are the newest Members of the

Senate in the Democratic Party. There are 21 of us who have arrived in the Senate sometime between now and January of 2007. It is a pretty big group of Senators.

In discussing the secret holds with my colleagues who have been here for a fairly short period of time, we decided: Why don't we just quit doing them? Let's quit worrying about whether you are identifying yourself in 6 days, whether you are going to play the switcheroo, pull your secret hold and put on another secret hold. Let's just stop it. No more secret holds.

We now have drafted a letter to Leader REID and Leader MCCONNELL, and we have said: First, we will not do secret holds. We are out of the business of secret holds. We are not going to do them. Second, we want the Senate to pass a rule that prohibits them entirely.

If a Senator wants to hold somebody, fine, but say who they are and why they are doing it. If a Senator wants to vote against somebody, that is their right. But this notion that they can, behind closed doors, do some kind of secret negotiation to get something they want from an agency—let's be honest about it; that is what a lot of this is. It is getting leverage, secretly getting leverage for something they want. Those are not appropriate secrets for the public business.

We have 80 secret holds right now. About 76 of those are Republican secret holds; 4 are Democratic secret holds. By the way, all 80 of the ones on which I made the unanimous consent request came out of committee unanimously. We even checked on the voice votes to make sure no one said no in committee. There were no ''no'' votes. These 80 nominees were completely unopposed out of committee.

They are everything from the Ambassador to Syria to U.S. marshals to U.S. attorneys. These are people who need to get to work. They are going to be confirmed. They are all going to be confirmed. We need to get this done. We need to stop secret holds. We need to get these people confirmed. We need to change the way we do business around here.

I, once again, give a shout-out to Senator WYDEN and Senator GRASSLEY who worked on this issue for a number of years. We are going to open this letter to all Members of the Senate and, hopefully, before we find out—we are all waiting to see what happens in the 6 days that are looming for all these secret holds, if people step up into the sunshine. If they do not, in the meantime we, hopefully, will get unanimous support from Senators that secret holds are now out of fashion and no longer going to be tolerated in the Senate.

Mr. President, I yield the floor for my colleague from Colorado, Senator BENNET.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BENNET. Mr. President, I thank the Senator from Missouri for kicking off this discussion. I rise in strong support of this effort by a group of reform-minded Senators to finally get rid of this ridiculous and insane practice of anonymous holds. The American people have little patience for this political game when they are going through what they are going through.

What people should understand is, at least in my view, this is less about partisanship. The Senator from Missouri talked about the fact that these are people who passed unanimously out of committee, with Republicans and Democrats supporting the nominees who somehow, between the committee process and the Senate floor, got stuck. They are getting stuck anonymously. I say it is not about partisanship. I say this is a perfect illustration of Washington, DC, being completely out of touch with what is going on in the country.

No one else in the country invents a set of rules to make sure they do not get their work done. But that is what we are doing in the Senate. That is why I think it is high time we got rid of these anonymous holds. I would go even further. I have legislation that gets rid of the anonymous holds and bans these secret holds. But it would do more. It would also require that a hold be bipartisan or else it expires after 2 legislative days. If a Senator wants to place a hold, that is within their rights, but we are going to make sure it is scrutinized. We are going to make sure they can get support from somebody on the other side of the aisle for holding up the country's business. All holds under my bill would expire after 30 days, whether they are bipartisan or not.

I also wish to highlight that the Senators who have taken this strong stance against secret holds are willing to put our money where our mouth is. While Washington bats around about this and other reforms, we have all pledged that we will stop the practice of secret holds ourselves. It was easy for me to do because I have never placed a secret hold on the Nation's business, and I never will.

This is a small but important illustration of what is not working well in the Senate, what is blocking progress for the American people. It is a small step but an important step to demonstrate that we can actually do our work differently, that we have been sent here to have an open and thoughtful debate about the issues that confront our great country. I am proud to be here today with my other colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mrs. SHAHEEN. Mr. President, it is unfortunate that we have to be on the Senate floor this afternoon to talk about so many of the nominees we need to do the work of this country who are being held up, and being held up by people who are not willing to identify themselves or say what their issue is with these nominees.

I am pleased to join my colleagues. I am glad we are mounting this effort. We need to get rid of the secret holds. But it is unfortunate that we are where we are.

I understand why people are frustrated with what is happening here. People want to see things get done. They understand we have significant challenges facing the country, and they want to see action on those challenges.

It is clear that one of the areas where there is a problem is with the 80 or so people who were nominated who have been held up, some of them for months and months, because somebody has an issue, not with the person who is being held up usually, but as my colleague from Missouri said because someone wants to get the attention of a department or agency within government or because somebody wants to keep the Obama administration from doing the work of the people.

I wish to point out some of the people who have been on hold. No one has identified themselves as to why they had these people on hold. Until just a few minutes ago, we had five U.S. attorneys and five marshals. We have the Deputy Director of National Drug Policy Control. They come from States all across this country—from New York, Indiana, North Carolina, South Carolina, Michigan, Maine, Idaho, and Florida. We have a lot of big States there, a lot of States where the people's business is not getting done because those nominees have not been put in place.

The sad thing is, the people who have these folks on hold are trying to get back at somebody in government, but the people who are suffering are the constituents in those States where the work is not getting done.

I have a very personal example that I have talked about before on the floor of the Senate. A woman from New Hampshire who has now been confirmed to lead the Office of Violence Against Women, Judge Susan Carbon. This is someone who was appointed first by Senator JUDD GREGG to be a judge, and I then made her a full-time judge. She got through the committee on a unanimous vote.

I think all of us would like to see the work of the Office of Violence Against Women done, just as we want to see the work of the U.S. attorneys done and the work of the marshals done. Yet she was held up for 2 months, until I came to the floor and started asking questions about who had that secret hold on her. We never did find out. We never did find out why she was on hold or what the concern was. That is the problem with all these different holds.

Senator BENNET said he hasn't put any secret holds on anyone. Well, neither have I. If I am going to put a hold on somebody, I want the world to know about it because it is somebody whom I have a serious issue with or someone we have concerns about the job they would do. That is not the case with any of these folks.

So I would urge all my colleagues to sign on to say that they will oppose secret holds and to release those holds on the nominees who are being held up and let's let the work of the people in this country get done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I also rise to express my appreciation to the Senator from Missouri, Mrs. MCCASKILL, for her leadership on this effort to reform the way the Senate advises and consents. Because I have great respect for the traditions of the Senate, I was curious as to why holds are a mechanism or a tool available to individual Senators. What I found out is basically speculative; that is, that in the past, there is a belief that Senators—because they could only get back to Washington by horse and buggy or by horse itself—needed time to study a potential nominee. It was a courtesy. It maybe made sense in those horse-and-buggy times, but these are modern times, and the secret hold now, in particular, is being used to accomplish, in many cases, political or perhaps even policy goals. I have great respect for the venerable traditions of the Senate, but this seems like one that should be set aside, frankly.

I was also curious to study some of the statistics that I will share with the entire Senate. Since President Obama took office—I think it is 16 months, give or take a few days—we have voted on 49 nominations. Of those 49 votes, 36 of them—which is about 75 percent of the nominations—have been delayed. On average, these nominations languish or sit on the Executive Calendar for over 105 days. That is on average. Some have waited many months more. Then, when we look at the vote totals of the nominations that finally come to the floor, 17 received more than 90 votes, 10 received more than 80 votes, and 6 received more than 70 votes. So out of the 36 nominees, there were 33 that I think you could characterize as being approved overwhelmingly by the Senate, after a very long and unfortunate wait.

Right now, on the Executive Calendar, there are 94 nominees awaiting the Senate's advice and consent action. At this time in George W. Bush's Presidency, there were 12 nominees. So we have 94 on the one hand and 12 on the other hand.

It is time for my colleagues on the other side of the aisle to stop abusing the Senate's responsibility to provide advice and consent for the President's well-qualified nominees.

Let me just end on this note. If a Senator wants to place a hold, that is all well and good, but it shouldn't be a secret hold. As the previous two speakers have said—and I think Senator MCCASKILL as well—I have never used a hold. If I wish to put a hold on a nominee, I will make it public. I will make the case and take a stand on the floor of the Senate. That is the way we want our debates to be in the Senate—the world's greatest deliberative body. We shouldn't be doing things such as this in secret.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I listened to the Senator from Colorado, and I was thinking about our two States. They both are beautiful States. OK, they have a few more mountains than we do, but we have 10,000 lakes. We both have open democracies—governments that work, governments that are open. There is no secrecy in our States. We have blue skies, open prairies, open lands. To me, it is no surprise that we would have Senators from these two States standing and saying this is ridiculous.

I thought Senator UDALL did a great job of going through all the numbers and the nominations that have been put on hold, but we all know what is at the root of this. It is a procedural game that allows this to happen—the secret hold.

When I came to the Senate in 2007, my first priority was ethics reform. I was so pleased, and I thought we had gotten rid of the secret hold. That is what we said we did. The rule we adopted then—as soon as unanimous consent was made regarding a specific nominee—said that a Senator placing a hold has to submit to the majority leader a written note of intent that includes the reason for their objection. So they have to put in writing why they are objecting. Then it says that no later than 6 days after the submission, the hold is to be printed in the CONGRESSIONAL RECORD for everyone to see.

So we thought this was a pretty good idea—sunshine being the best disinfectant. By making the hold public and forcing Senators to be accountable for their actions, we could have open debate. As I heard Senator SHAHEEN just say, we should be able to tell the world why we are putting on a hold. We may have a good idea.

But that is not what has been happening. Instead, what has been happening is, Senators are playing games with the rules. They are following the letter but not the spirit of the reform. It is unbelievable to me. They are actually rotating holds.

It is sort of like what we see in the Olympics, where they have a relay and they hand off the baton. This baton is going from one Senator to another so they can keep the hold going. One Senator has it for 6 days. Then it is passed off to another for 6 days. So I guess if delay was an Olympic sport, they would get the Gold Medal.

What we have is a group of Senators from the other side of the aisle, for the most part, who are gaming the system. We have been spending a lot of time in the last few days talking about other people who game the system—people on Wall Street—so I don't think it should be happening in this very Chamber.

I am very pleased Senator MCCASKILL, along with Senators GRASSLEY and WYDEN, have been working on this for so long and have taken a lead on it. I urge my colleagues to sign this letter to end the secret hold. There shouldn't be secrets from the public when it comes to nominations. This isn't a matter of top-secret national security or some strategy that we would use when we go to war. This is about nominations from the White House. This is about people who are going to be serving in public jobs. We should know who is holding them up, who doesn't want them to come up for a vote and why. Then we can make a decision and the public will have the knowledge of what is going on in this place. That is the only way we are going to be able to build trust again with this democracy.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

FINANCIAL SERVICES INDUSTRY REGULATION

Mr. BENNETT. Mr. President, I rise to discuss the issue that is before the body and before the country right now with respect to control and regulation of the financial services industry. The President of the United States has given a number of speeches on this one. I understand the latest one was today, in which he attacked Republicans for listening to the big banks of Wall Street in our concern about the details of the bill that has been offered out of the Banking Committee by Chairman DODD.

I am a member of the Banking Committee. I voted against the bill in the Banking Committee. It came out on a straight party-line vote. For that I am being castigated by the President and others for being a tool of Wall Street and the big banks.

I want to make it very clear that my opposition to parts of this bill have nothing whatsoever to do with Wall Street and the big banks. I have not been to Wall Street to discuss this with any executives of any of the big banks. I have been in Utah, and I have been discussing this with businesses in Utah, businesses that you normally would not think would have any interest whatsoever in regulation of financial services.

We think of financial services as insurance companies and brokerage houses and banks. What I have discovered, hearing from my constituents, is that the people who are the most worried about this are small business men and women who have nothing to do

with banking but who do have a program in their business to extend some degree of consumer credit.

I will give an example: a furniture store that sells furniture and advertises you buy the furniture now and payment is delayed for 90 days as a come-on to get people to come in. Mr. President, you have seen those ads in the paper in Washington. I have seen those ads. It is the kind of thing that goes on.

Businesses extend credit in one way or another. It is not the core of their business, it is just a way of trying to attract customers. Suddenly they discover, if this bill passes, they will be under the control of the Consumer Protection Agency that is being created for this, and Federal officers will have the right to show up on their premises and say: This is not a proper handling of this credit. We are going to treat you as if you were Citicorp or Goldman Sachs or whatever. We are going to come down with the heavy hand of the Federal Government to tell you how you can do your business and fine you or produce other kinds of barriers to your doing business.

The fellow says: Look, I just want to sell a sofa, and I just want to be able to sell it on credit to somebody who wants to buy it on credit. What is wrong with that?

No, under the terms of this bill, the Consumer Protection Agency of the Federal Government will be looking down your throat.

As I move around the State, I have one small business man or woman after another come up to me and say: What in the world are you people in Washington thinking about, the kinds of regulations you are going to put on me and my business? Some of them are saying they are afraid they are going to have to close their doors rather than deal with this significant challenge.

We are, in this bill, overreacting to the seriousness of the crisis that has put us in this recession. I have a friend who has been a Washington observer for many years, and he says whenever faced with a crisis, Congress always does one of two things: nothing or overreacts. This is a classic example of overreacting.

By creating a Consumer Protection Agency with the sole focus to protect the consumer, we run the risk of doing the kind of damage I have described to small business. I say to people, if safety is the only criterion by which you are going to judge an institution, the safest institution in which no one will lose any money is the one whose doors are closed, the one that offers no risk anywhere because all business is a risk. If you are going to say, no, you are going to protect the consumers absolutely, the way to protect the consumers absolutely so that they will never lose a dime is not allow them to make a purchase, not allow them to ever get a loan, not allow them to ever receive any credit.

If this bill passes in the form it came out of the House Banking Committee, that will be the impact of this bill. Across the board it will be to reduce credit, it will be to reduce opportunity, it will be to damage small businesses.

Again, I have not talked to the people on Wall Street. I have talked to the people on Center Street—I would say Main Street because every town in America has a Main Street, but in Utah, in addition to Main Street, we have Center Street in many of these small towns. That shows how close to the issue the people in Utah are.

There is another issue I feel strongly about, and that is the definition of ''too big to fail.'' This creates and solidifies the notion that some people, some institutions are too big to fail. I believe one of the lessons we have learned out of the crisis we went through starting in September of 2008 is that nobody should be deemed too big to fail; and, indeed, we should create a circumstance where the bankruptcy courts handle things and there is no Federal bailout in the fashion of saying: You are too big to fail and the government will protect you from failing.

I remember years ago when we had the first bailout with Chrysler at the time. Lee Iacocca made his reputation bringing Chrysler out of the bailout and repaying the government with interest. People point to that and say: The government kept Chrysler from going under. The money was repaid. It was just a loan guarantee. The government didn't lose any money.

I remember one observer, when asked about it, said: I am not worried about whether the bailout will save Chrysler. What I am worried about long term is that it will work.

There were people saying: What happens if it fails?

He said: I am not worried about it if it fails. I am worried about it if it works and the Federal Government gets the appetite to step in, in example after example, and always point to the Chrysler bailout and say: Well, we made money on that, so we can do it again.

By creating that kind of moral hazard of stating these institutions are too big to fail, we run the risk of seeing a repetition rather than avoidance of the crisis we had that created all of the difficulties in our economy today.

So, on the one hand, I speak for the small businessman and the small businesswoman who say this bill will be a disaster for them. On the other side, I say let's not create, in the name of protecting the customer, a circumstance where institutions are deemed as too big to fail and can be guaranteed, once again, a degree of government backing that the marketplace would not give them. I trust the marketplace. We have learned to do that as we go through the wreckage of what happened in the housing crisis.

I think we need to be very careful with this bill. Do we need financial reform? Yes, we do. Would I vote for a sensible bill? Yes, I would. Am I a supporter of the status quo? No, I am not. But I do not believe the bill that came out of the Banking Committee is an improvement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

EARTH DAY

Mr. CARDIN. Mr. President, I take this time to commemorate the 40th anniversary of Earth Day that we celebrate today, April 22.

I think we first need to acknowledge that we have made a lot of progress since the Cuyahoga River in Ohio caught fire in 1969. We have made a lot of progress since the uncontrolled air pollution that killed 20 people and sickened 7,000 people over just a few days. That happened in Donora, PA. We have came a long way since the exposé on the New York Love Canal, where toxic waste was dumped into neighborhood streams.

We have made a lot of progress. I think the most important symbol of that progress is that the environment is now in mainstream America. It is mainstream politics. It is a way of life for us, and that is really good news. It has given us the political strength to pass important environmental laws. We passed the Clean Air Act, the Clean Water Act, the Superfund law. I am particularly pleased about the Chesapeake Bay Program. I remember when we started that program almost 30 years ago. It was a difficult start, and people wondered whether we would have the power to stay with this issue so that we could try to reclaim the Chesapeake Bay. Well, we did. It is still an issue we are working on today. We created the Environmental Protection Agency, an agency in the Federal Government with the sole purpose to try to help us preserve the environment for future generations.

I think we can take pride in what we have been able to do. We have made great progress as a nation. We should celebrate our success in addressing the great environmental challenges of the past. But our work is not done. Our environment faces new challenges today that are less visible and more incremental but still pose great threats to our treasured natural resources and all the work we have done to protect and restore them. For example, we do not worry that our great water bodies such as the Chesapeake Bay will catch fire, but there are small amounts of pollutants running off millions of lawns that accumulate and make it very difficult for us to reclaim our national treasures.

The great wave of water infrastructure we built over 40 years ago is now past its useful life and must be replaced. Water main breaks, large and small waste water, destroy homes and businesses, and undermine the water quality benefits this infrastructure was meant to protect.

Let me just give you a couple of examples that have happened in the last

couple of years. In Bethesda, not very far from here, River Road, a major thoroughfare, became a river because of a water main break. In Dundalk, MD, right outside of downtown Baltimore, thousands of basements were flooded as a result of a water main break. In Baltimore County, just a few weeks ago, we had a water main break that denied residential homeowners water service for many days. This is happening all over. In the city of Baltimore, 95 percent of their water mains are over 65 years old and have not been inspected. We need to pay attention to these issues.

If I had to mention the single most important challenge we face, it is in our energy policies. We all understand that, the impact it has on our environment, but we should also acknowledge that doing the energy policy right will be good for our national security. We spend $1 billion a day on imported oil. That compromises our national security.

For the sake of our national security, we need to develop a self-sustained energy policy on renewable energy sources. For the sake of our economy, we need to do that. We developed the technology for solar power and wind power. Yet we are not capitalizing on the jobs here in America. Jobs are our most important goal. A sound energy policy will allow us to create more jobs here in America.

But today, on Earth Day, I want to talk about the environment. A sound energy policy means we can become a world leader and bring this world into some sense on what is happening on global climate change, on the indiscriminate release of greenhouse gas emissions by the burning of fossil fuels and nitrogen and carbon into the air. We know we can do better on that.

So on this Earth Day, let's rededicate ourselves to develop an energy policy that will be not only good for our security and our economy but good for our environment. Addressing the failing health of our world is not just in the hands of our political leaders alone. Each of us can make a difference by changing the way we live and move about the Earth. Our history shows us that bold and courageous actions by all of us to tackle our environmental challenges make us stronger, more vibrant, and a healthier nation. That should be our message on this Earth Day.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I had informed my colleague from Louisiana that I would come to the floor to once again ask unanimous consent on an issue he has been holding or blocking, and it is the issue of the promotion of General Walsh, a distinguished American soldier who has served his country for 30 years and served in wartime, who has been approved to have a promotion to the rank of major general by the Senate Armed Services Committee, and that committee approved that promotion unanimously, the committee headed by Senators CARL LEVIN and JOHN MCCAIN. Both strongly support the promotion of General Walsh. That support was given and the notice of promotion was voted on by the Armed Services Committee in September of last year.

This soldier's career has been put on hold by the hold of one Senator, the Senator from Louisiana. I informed him that I would speak on the floor on this, so I am not being impolite. I normally would not speak of another person solely on the floor of the Senate. Yet the Senator from Louisiana is the one who has exhibited the hold to prevent the promotion of this soldier.

I know this soldier. That is not why I am on the floor. I know General Walsh. He commands the Mississippi Valley Division of the Corps of Engineers and does a great job, in my judgment. But, again, his career has been stalled by the actions of one Senator.

That Senator indicates there are certain demands he has of the Corps of Engineers and unless they are met, he will not allow this soldier to be promoted. The point is, this solder executes; this solder is not making policy in the Corps of Engineers, and he cannot do what the Senator from Louisiana demands he do. The Corps of Engineers does not have the legal authority to do what the Senator from Louisiana demands he do.

I have put in the RECORD the two letters the Senator from Louisiana has given to the Corps of Engineers making certain demands. I have put in the RECORD the response from the Corps of Engineers.

I believe 2 days ago when we had this discussion that my colleague from Louisiana indicated the corps had missed 14 deadlines or deadlines on 14 reports and he was not happy with the Corps of Engineers. I went back and found out what that was about. Let me just say that 10 of those 14 reports dealt with the Louisiana coastal area. All of those reports were authorized in WRDA 2007. Prior to initiating the studies, the corps was required by other law that exists to execute a feasibility cost-sharing agreement with the State of Louisiana. To cost share the study would result in the feasibility report. At the State of Louisiana's request, the corps did not execute this agreement until June of 2009. I can describe the other four as well.

But to come to the floor and suggest that somehow the Corps of Engineers is slothful and indolent, or at least slothful, for missing a deadline on reports, 10 of which they missed because the State of Louisiana requested they be delayed—I don't know, it seems to me that this may not be on the level.

Let me make one final point. When a natural disaster hit Louisiana and New Orleans, I was one of those who cared a lot about reaching out to say: You are not alone. And it was not just me; it was all of my colleagues. But I chair the subcommittee that provides the majority of the funding for this. We provided all of the funding for the Corps of Engineers. The fact is, we have put—listen to this—$14 billion—$14 billion—into New Orleans and Louisiana. I am proud of having done it. It is what we ought to do as a country. But I must say that it wears out the welcome a bit for someone to come to the floor to disparage the Corps of Engineers and the efforts of the Corps of Engineers. That $14 billion—much of that runs through the Corps of Engineers, and I wonder where that city and that State would be without the Corps of Engineers to be engaged with them in these battles.

So let me say to my colleague from Louisiana that demands being made of the Corps of Engineers that the corps cannot possibly comply with because the law will not allow them to comply are demands that are never going to be met. To hold up the career of one distinguished soldier who has served in wartime because the corps cannot meet demands required by the Senator from Louisiana is unfair. It is always and will always be a disservice to uniformed soldiers anywhere to hold hostage promotions of soldiers in order to get demands that cannot possibly be satisfied.

So I am going to once again ask unanimous consent that the nomination that has existed on this calendar since September of last year to promote a distinguished soldier who has a distinguished record—I am going to ask once again that, at long last, perhaps my colleague will relent and allow the promotion to proceed and allow this soldier's career to continue.

I ask unanimous consent that the Senate proceed to Executive Calendar No. 526, the nomination of BG Michael J. Walsh; that the nomination be confirmed, the motion to reconsider be laid upon the table, any statements related to the nomination be printed in the RECORD, and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

The Senator from Louisiana.

Mr. VITTER. Mr. President, as my colleague knows, I object. Let my say why I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Mr. President, may I proceed?

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Let me explain why I object, as I have explained very openly, very clearly every step of the way. Michael Walsh is one of the top nine officers of the U.S. Army Corps of Engineers. He is part of the key leadership.

Senator DORGAN is a fierce, active, vocal defender of that bureaucracy, but before he continues and plunges into

that fierce and vocal defense, I suggest he step back for just a minute and truly think about and understand what he is defending. Before he accepts every suggestion, every argument of the Corps of Engineers' bureaucracy, I suggest he step back and look at the history of the corps and look at the source he is accepting as gospel truth.

Senator DORGAN mentioned Hurricane Katrina, called it a great natural disaster. It was a great natural disaster, a horrible natural disaster. It was also a horrible manmade disaster because if we want to talk about the greatest damage—not the only damage but the greatest damage—inflicted upon the country from Hurricane Katrina—the flooding of the city of New Orleans—that was manmade by the Corps of Engineers.

That was due directly to the design flaws of the outfall canals in New Orleans by the Corps of Engineers. The Corps of Engineers has admitted this, and we have laid that out in congressional testimony since Katrina. The problem is, no one in that bureaucracy has ever been held accountable for that. I don't want to focus on looking back. The even greater problem is looking forward because that bureaucracy has not fundamentally changed.

I challenge my distinguished colleague, Senator DORGAN, to spend half as much time working with others to change the truly broken bureaucracy of the Corps of Engineers, spend half as much time as he has spent as a fierce, active, and vocal defender of that broken bureaucracy.

I am fighting for that change. I will continue to fight for that change. I will use every tool available to me as a Senator to do so. For instance, in the last WRDA bill, I worked very hard to craft language to include in the bill the Louisiana Water Resources Council, an outside peer review body, to bring outside, independent expertise and analysis to work with the corps on key projects following Hurricane Katrina. That was included in the 2007 WRDA bill. It passed into law. Do my colleagues know what the corps did to implement that? Nothing. Do they know how they acted to move that forward, an absolute, clear, statutory authorization from Congress? They did nothing. They said they are not going to do it.

Finally, I got them to change their tune. Finally, they are committed to beginning to move forward 3 years later, but I had to get their attention through this scenario.

Unfortunately, that is not the only item on which they have ignored mandates from Congress and ignored pressing needs all around the country, including my part of the country. I tried to pinpoint specific items where they were not living up to their mandate or to Congress's direction. I could have listed dozens. Instead, I focused on nine specific items. I worked closely with the corps, had several meetings discussing those items in an abundance of trying to work with them toward resolution. After that, I focused on three of the nine, rather than all nine. I laid out why they did have the authority to move forward in some positive way on all that. I am going to continue to do so until we get real, positive change at the corps and real, positive progress on these important issues.

The Senator's main argument, apparently spoon-fed by the corps, is that the corps has no authority to do anything in these areas, no authorization language from Congress. That is flat wrong. Again, before the distinguished Senator simply accepts every little e-mail, every little memo the corps feeds him, perhaps he should consider the source of that information. If the corps was always right, New Orleans would have never flooded. If everything the corps said was good and true and gospel, we would never have had those billions of dollars of damage in terms of the catastrophic flooding of New Orleans caused solely by breaches in canals which were design flaws of the Corps of Engineers.

Let me go through a few specifics and explain—I have done this with the corps over and over—the authority they do have. One of my top concerns—

Mr. DORGAN. Will the Senator yield?

Mr. VITTER. I will yield when I am through. One of my top concerns is the critical outfall canals in New Orleans. It was the breaches in those canals that led to 80 percent of the catastrophic flooding of New Orleans. It was those breaches that were caused by design flaws of the U.S. Army Corps of Engineers. All I am asking under this category is that the corps do a risk/cost analysis of the different options they have identified in terms of fixing the outfall canals.

The reason I am concerned about the path they are moving down, which is their option 1, is that I truly believe it is much less safe and much less robust than their identified option 2. It is not only I who believes that. It is the corps who admits it. In the corps' report to Congress, which we mandated, the corps itself said: Option 2—that is the option they are rejecting—is generally more technically advantageous and may be more effective operationally over option 1 because it would have greater reliability and further reduces the risk of flooding.

In addition, Chris Accardo, the corps' chief of operations in New Orleans, said he is in favor of option 2 over option 1, absolutely.

In light of that, all I am asking, with the rest of the Louisiana delegation, with all the affected communities in southeast Louisiana, is that the corps perform a risk/cost analysis comparing these different options before they forge ahead building the option they themselves admit is less safe, less dependable.

It is also important to note that the corps clearly has authorization from Congress to do this study. General Van Antwerp, in my office, clearly said they do. They have authorization. They have authority. They can do the study. They are not going to do it. Why don't we compare these options, the relative risk and the relative cost, before the Corps of Engineers plunges ahead to build the option they themselves say is less secure and less safe?

The second key issue I have focused on in my letters to the corps is the mandated AGMAC project, including the buildup of protection banks in Vermilion Parish to give that parish greater protection from storm surge. They were devastated during Hurricane Rita, in particular, and also in significant events since then. Again, the corps has authority to do this project. This project is in the WRDA bill. The corps says: We have busted our spending limits. We have explained to them various ways they can solve that problem by using O&M funds, exactly as they have used O&M funds for bank buildup in the MRGO project. We have given them another route, to use the CWPPRA program in conjunction with the WRDA-mandated project. The corps' response has been pretty simple. Its response has been: No, we don't want to do it.

Third and finally, the other big concern I have highlighted and the most obvious case of the Corps of Engineers ignoring the mandate of Congress, not having authorization, actively ignoring the mandate of Congress, is the critical Morganza to the gulf flood protection project. That project was initiated in 1992, 18 years ago. Senator DORGAN, the distinguished Senator from North Dakota, wants to say that the corps has no authority in this area. This project was included in three different water resources bills, once, then twice, and then a third time. Every step of the way, the corps has come up with excuses why they cannot move forward. Under their present plan, they are restudying the project, and that restudy is due in December 2012. There is one little problem with that. That will be after the next water resources bill, which we hope to pass in 2011. All the people of LaFourche and Terrebone Parishes who are going without adequate protection, who are in danger every additional hurricane season, having missed three WRDA trains because of the foot-dragging of the corps, now under the corps' present plan, they will miss a fourth.

We wish to talk about authorization from Congress. Is specific, full construction authorization in three WRDA bills not good enough? If that is not good enough, I don't know how to meet the corps' criteria.

If those three particular concerns are not enough, we can expand the list. In an attempt to work with the corps, in an attempt to find resolution, I have narrowed the list. I have tried to compromise. I have offered to meet with them. I am offering to meet with them again, as I have done consistently throughout the process. But if narrowing the list is going to be held

against me, we can expand the list. How about the final report of the Louisiana Coastal Protection and Restoration effort, a comprehensive analysis mandated in Public Law, an emergency appropriations bill after Hurricane Katrina? It was due in December 2007. It is not finished. It is not delayed because of the State of Louisiana. It is delayed because of the corps.

I know Senator DORGAN is anxious for a promotion of the corps leadership. I have to say, I am anxious for this critical report that was due in December 2007. We haven't seen it.

Is that not good enough? How about the Louisiana Water Resources Council I talked about? That was mandated in the 2007 WRDA bill. The corps has not produced it yet. It wasn't just authorized; it was mandated. It is not up and running. Senator DORGAN is anxious for a promotion for the pristine corps leadership. I am anxious for that.

How about the establishment of a Coastal Louisiana Ecosystem Protection and Restoration Task Force? That was mandated in the 2007 WRDA. We haven't seen that yet. The integration team under that task force was a separate team mandated in the 2007 WRDA, 3 years ago. Nowhere to be seen. That is not being held up by the State. That is the corps. Clear authorization, clear mandate, nowhere to be seen.

How about a comprehensive plan for protecting and preserving the Louisiana coast? That was due in November 2008. That was mandated in the 2007 WRDA. It is not being held up by the State, but it is nowhere to be seen. Senator DORGAN is anxious for promotion for the pristine corps leadership. I am anxious for this important work to protect Louisiana citizens.

That is not the whole list. How about the Mississippi River Gulf Outlet Ecosystem Restoration Plan? That was due in May of 2008. We haven't seen it. It has not been submitted. It is a corps report, not a State of Louisiana report. Nowhere to be seen.

How about section 707 of the WRDA? That actually mandates that the State can get credit from one project and it can be transferred to another project. It is in clear language. The corps says they are not going to do it. You want clear authorization? We have it. The corps is ignoring it.

How about section 7006 in the same 2007 WRDA. That requires that five construction reports be submitted to Congress to move forward with key projects authorized in that WRDA, five critical projects. They are authorized in the WRDA bill. They can't move forward until those construction reports are submitted by the corps.

We have not seen the first thing of any of those five reports. The State is not holding them up. We are waiting on the corps. The distinguished Senator is anxious about a promotion for the pristine corps leadership. Well, great. I am anxious to see that mandated report.

We can go on and on. The point is——

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

Mr. VITTER. Mr. President, I ask unanimous consent for 2 additional minutes.

Mr. DORGAN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator's time has expired.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, my colleague from Louisiana describes me as anxious. I will tell you what I am anxious about. I am anxious to have a Member of this Senate stop using a U.S. soldier and the promotion of a soldier as a pawn to meet certain demands. I am anxious never to see that happen again.

We are talking about a soldier who has served in wartime, has served 30 years, who, 6 months ago, was supposed to have been promoted by a unanimous vote of the Armed Services Committee under the leadership of CARL LEVIN and JOHN MCCAIN. Six months later, that soldier's career is on hold because of one Senator.

I wish to say this. I think it was Will Rogers who said: It is not what he says that bothers me. It is what he says he knows for sure that just ain't so. I have just heard the most unbelievable amount of fiction on this floor. Let me describe some of it. My colleague has just gone through a tortured lesson in the most unbelievable interpretation of the authority and the law with respect to the Corps of Engineers.

I said when I started today that we have put $14 billion into New Orleans and Louisiana. I have been proud to be a part of that as chairman of the subcommittee on Appropriations that actually funds these issues—$14 billion. But I will say to my colleague, my colleague is fast wearing out his welcome with me and I expect the Corps of Engineers with this kind of behavior.

I do not normally do this personally, but I tell you what, when a soldier serves his country and then my colleague says to that soldier: I am not going to allow you to be promoted until the Corps of Engineers does what I demand, when, in fact, the Corps of Engineers cannot legally do what he demands, then I say that is using a soldier's promotion as a pawn, and I think that is unbelievably awful to do.

I wish to say this. My colleague described—in fact, he said I was using information the corps feeds me. He went into a whole series of pieces of language, suggesting we have all swallowed the minnow somehow.

Let me say this. On the first item my colleague raised, he forgot to make one important point. He said: I demand they do this. That is the first issue of his letter to the Corps of Engineers—the outfall canals and pump to the river. I demand they do this, he said. Well, they cannot do that, actually. What he is proposing, by the way, for his State and his city is to spend more money for less flood protection. That is what he is proposing.

The corps will not do it, and I will tell you why. He knows why, but he would not tell the rest of the folks here. But we actually had a vote on that in the Senate Appropriations Committee. Guess how that vote came out. The majority of the Democrats and the Republicans on the Appropriations Committee said: We do not intend to spend more money for less flood control protection. We do not intend to do that. We voted no. It is just one little piece of information my colleague left out on the floor of the Senate. Convenient perhaps, but, nonetheless, he left it out.

I am not going to go through this. We have the majority leader and the minority leader on the floor. But I offered, as a courtesy, to tell the Senator from Louisiana when I was coming to the floor today. He did not extend the same courtesy to me when I asked him to yield so I could make a point about the vote, so I will not be extending that courtesy in the future.

I am going to come to the floor again on a unanimous consent request saying: Let's have one person in this Senate stop using the promotion of a dedicated, decorated, American soldier as a pawn in order to meet demands that the Corps of Engineers cannot meet. My colleague seems to think somehow that the Corps of Engineers is something, an organization without merit. I will say this to him: There are plenty of things wrong with, I suppose, every government agency and every government organization.

But I will say this. If you know much about the Corps of Engineers, you are not going to want to be in a big flood fight without them as a partner. Oh, they have made mistakes, I tell you. But nobody has had more floods than we have had in North Dakota, I expect, over a long period of time, and I wish to see the corps as a partner in the flood fight because they are good. They know what they are doing.

Yes, they have made mistakes. But when my colleague comes to the floor of the Senate and says there are 14 reports, the Corps of Engineers blew it—14 reports—they cannot meet any deadlines, he does not tell the rest of the story. I went and checked on those 14 reports. Let me describe 10 of them. I will not describe the other four because it would take some time. But for 10 of the reports the deadline was not met on, it was because the reports required there be the execution of a feasibility cost-sharing agreement with the State of Louisiana, and at the request of the State of Louisiana, the corps did not execute the agreement until June of 2009.

So my colleague criticizes the Corps of Engineers, calls them a bunch of elitists. He says they miss all these deadlines. Well, at least on 10 of the deadlines the State of Louisiana asked them not to proceed with respect to that agreement until June of 2009. That is fundamentally unfair—fundamentally unfair.

With respect to Morganza to the gulf—and I could go through a whole

list of things to demonstrate that—as much as my colleague would like for the corps to have complete authority and funding to do everything he would like and then for them to say: Yes, absolutely, whatever you like, we are willing to do—as much as he would like that, he is flat out dead wrong when he says they have the authority to do these things.

I put the demands in the RECORD, two letters from my colleague. They are in the RECORD and I have read and will read—but I will not do it now because my colleagues are here and waiting to speak.

Mr. REID. Mr. President, will my friend yield for a unanimous consent request and then the Senator will maintain the floor?

Mr. DORGAN. Mr. President, I will be happy to yield without losing my right to the floor.

Mr. REID. I will say to my friend, we have 99 other holds, but this one, I will have to acknowledge, is a little egregious. One of our finest military people is being held up for this. There are ways we can move around this, and we will do it as quickly as we can with cloture.

I appreciate my friend yielding.

The PRESIDING OFFICER. Without objection, the majority leader is recognized.

Mr. VITTER. Mr. President, I ask unanimous consent for 30 additional seconds.

Mr. REID. Mr. President, we have to get this done. OK.

The PRESIDING OFFICER. The majority leader is recognized.

RESTORING AMERICAN FINANCIAL STABILITY ACT OF 2010—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent that at 3 p.m., Monday, April 26, the Senate proceed to the consideration of Calendar No. 349, S. 3217, a bill to promote the financial stability of the United States by improving accountability and transparency.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Reserving the right to object, and I will object, here we go again. The majority leader is once again moving to a bill, even while bipartisan discussions on the content of the bill are still underway.

Just about an hour ago, the majority leader said:

> I'm not going to waste any more time of the American people while they come up with some agreement.

Well, I do not think bipartisanship is a waste of time. I do not think a bill with the legitimacy of a bipartisan agreement is a waste of time.

Is it a waste of time to ensure that the taxpayers never again bail out Wall Street firms? Is it a waste of time to ensure that the bill before us does not drive jobs overseas or dry up lending to small businesses? Is it too much to ask, should an agreement be reached, that we take the time to make sure every Member of the Senate and our constituents can actually read the bill and understand the details?

This bill potentially affects every small bank and lending institution in our country. It has serious implications for jobs and the availability of credit to spur economic growth. It has important consequences for the taxpayers, if done incorrectly.

I think Americans expect more of us. I think they expect us to take the time to do it right. I would add, my impression was that serious discussions were going on. I think they should continue. Therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Thank you, Mr. President.

Here we go again. This is a bill that has been out here for a month—weeks. I think people even reading slowly would have a chance to work their way through that in a month. This Kabuki dance we have been involved in for months now—my friend, and he is my friend, the ranking member of that committee, the distinguished senior Senator from Alabama, worked with the chairman of the committee for weeks and weeks—weeks going into months—trying to come up with a deal we could move forward on. That was no longer possible. No negotiations went on. My friend from Alabama said that is enough.

Then we get the Senator from Tennessee coming in and spending weeks with my friend, the chairman of the Banking Committee, Senator DODD. That fell through.

We are moving to this bill because we need transparency, we need accountability, we need someone to respond to Wall Street because they have not responded to us.

This game is apparent to the American people. My friends on the other side of the aisle are betting on failure again, as they did with health care, as they have done on everything this year. They did not get—health care was not Obama's Waterloo. Maybe they want this to be his Waterloo, but it is not going to be. We are going to move forward on this piece of legislation because the American people demand it.

I have said publicly on many occasions, we need to get on this bill. Remember, we are not finalizing the bill. We are asking for the simple task we used to do easily: move to the bill. I am only asking permission to get on the bill—to get on the bill—and then start offering amendments. I am not asking everybody to approve the bill as it is written. All I am asking for is we move to the bill.

If there is an agreement reached between the ranking member and the chairman of the committee, it is easy to take care of that. There would be a substitute amendment. They would agree to it and probably it would be accepted pretty easily. So to think this is some way to bail out Wall Street firms is an absolute joke. Read the bill.

So in light of the objection, I now move to proceed. I am moving to proceed. It takes me 2 days. It takes the Senate 2 days for this to ripen. We are going to have a vote Monday. We should be on the bill today offering amendments, having opening statements on the bill. Those who think it is good, say something good about it. Those who think it needs to be improved, improve it. But, no, we are going to waste the next 4 days getting on the bill.

CLOTURE MOTION

So in light of the objection, I now move to proceed to Calendar No. 349, S. 3217, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

> CLOTURE MOTION
>
> We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 349, S. 3217, the Restoring American Financial Stability Act of 2010:
>
> Harry Reid, Christopher J. Dodd, Byron L. Dorgan, Mark Udall, Roland W. Burris, Daniel K. Inouye, Sherrod Brown, Robert P. Casey, Jr., Mark Begich, Patrick J. Leahy, Tom Udall, Patty Murray, Tom Harkin, Richard J. Durbin, Frank R. Lautenberg, Benjamin L. Cardin, Bill Nelson, Jack Reed.

Mr. REID. Mr. President, just so the American public knows this also, if there is an agreement reached between Senators DODD and SHELBY and anyone objected to that agreement, I would have to start all over with a bill because it would be a new bill and we would have the same games being played. So if they can come to an agreement, more power to them. They will work this out as an amendment to the bill or a substitute.

Mr. President, I ask unanimous consent that the vote on the motion to invoke cloture on the motion to proceed occur at 5 p.m., Monday—I will drag the vote; some people wanted it earlier, some wanted it later, and we will not close the vote until at least a quarter to 6—so that will be on Monday, April 26, at 5 p.m., and with the mandatory quorum being waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I would only add, briefly, that Senator DODD and Senator SHELBY are on the floor. I would encourage them to continue to do what they have been doing, which is to try to reach an agreement.

The only place where I would disagree with my good friend, the majority leader, is I think it does make a difference which bill we turn to. Hopefully, the bill we turn to will not be a bill that came out of the committee on a party-line vote but, rather, a bill negotiated on a bipartisan basis by those who know the most about the subject: Senator DODD, Senator SHELBY, and the members of their committee.

It is still my hope we will be able to go forward on a bipartisan basis, and I look forward to hearing from Chairman DODD and Ranking Member SHELBY about the progress they make.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota has the floor.

The Senator from North Dakota is recognized.

NOMINATION OF BRIGADIER GENERAL MICHAEL J. WALSH

Mr. DORGAN. Mr. President, I am tempted to ask the minority leader, while he is on the floor, whether he might help us proceed to overcome the objections of Senator VITTER and achieve the promotion that was offered 6 months ago but since has been blocked for a distinguished soldier. I guess I will withhold on that and wait for another moment.

But let me indicate quickly—and I will be happy to respond to a question then—the Outfall Canals/Pump to the river, which my colleague is so significantly criticizing the Corps of Engineers for—let me read specifically:

> The Corps will conduct a supplementary risk reduction analysis as part of the detailed engineering feasibility study, including the NEPA compliance documentation, for options 2 and 2a, if Congress appropriates funds for the study.

Congress has actually voted on these funds through the Appropriations Committee and said: No, we would not do that.

So my colleague knows that holding up the promotion of a soldier is not going to achieve his ends. The Appropriations Committee has already voted.

I am happy to yield to the Senator from Virginia for a question.

Mr. WARNER. Mr. President, I appreciate that. I have a question. I appreciate the comments of the Senator from North Dakota, and I agree with his comments. I have to say—and I know some of my colleagues were here earlier.

Before I came to this body, I spent a career as a CEO of a business and a CEO of a State. While I have great respect for this body and the rules and traditions of this body, something seems a little strange when 15 months into a new administration, this President can't get his nominees up for a straight up-or-down vote—put the management team in place. If there is a challenge or a problem with the qualifications of the gentleman the President proposes to be the head of the Corps of Engineers, we ought to debate that and vote him down, but he should not be held in this kind of gray secret hold or this area of abeyance. A number of my colleagues have spoken about this already. All of the freshman and sophomore Democratic Members—and I am sure we would welcome our Republican colleagues to do the same—are saying this process of putting people on hold, particularly seeking holds that have no relationship to their qualifications for the job, is wrong.

I don't know how to answer this when people around Virginia ask me: Why can't you get stuff done, and why can't these things be moved forward?

So a number of us—we may be new to the body, but just because of the very action that is being debated right now—are going to continue to press this issue. I commend the Senator from North Dakota.

Again, is the Senator from North Dakota aware of any substantive reasons this man who served our country for so long in our military should not be confirmed as the head of the Army Corps of Engineers?

Mr. DORGAN. Mr. President, I would say to the Senator from Virginia, there are no reasons with respect to this person's military service. I have not heard any reasons from the Senator from Louisiana. He is not holding up his promotion because he thinks the man is unfit or didn't earn the promotion; he is holding up the promotion because he says he is demanding other things from the Corps of Engineers.

Despite my irritation, let me say I don't dislike my colleague from Louisiana. I intensely dislike what he is doing, and I expect most informed soldiers in this country should dislike what he is doing because I believe it puts a soldier in the position of being a pawn as between the demands of a U.S. Senator and some agency.

I will go through at some point—the Senator, I know, is leaving this afternoon, and that is why I, as a matter of courtesy, told him when I would come to the floor. But at some point later when others aren't waiting, I will go through and describe the issues, responses to the issues, because the rest of the story is much more compelling than the half story given to us by the Senator from Louisiana.

The Ouachita River levees, the authorization for that Ouachita River and tributaries projects specifies that levee work is a nonfederal responsibility. Congress has not enacted a general provisional law that would supplant this nonfederal responsibility and allow the corps to correct levee damages not associated with flood events.

As much as a person—as someone here—doesn't like that answer, that is the answer. Again, my colleague is saying—if you strip away all the bark, my colleague is saying: I demand we spend more money on something that will give us less flood control. Well, look, the Senate Appropriations Committee has been confronted with that, and the Senate Appropriations Committee said: No way, we are not going to do it.

One final point, and then I will come back at some later point and the Senator from Louisiana will respond and I will respond to him and, hopefully, someday he will decide there are other ways for him to achieve the means to an end rather than use the promotion of this dedicated soldier as a pawn in this effort he is making.

This Congress has appropriated $14 billion to help the people of New Orleans and Louisiana. How do I know that? Because I chair the appropriations subcommittee that funds these things. I chair that subcommittee. I have been willing and anxious to help the people of Louisiana and New Orleans. I have been willing to do that because I saw what they were hit with: an unbelievable tragedy. I saw it. But I think it is pretty Byzantine to come to the floor and hear the relentless criticism of the Corps of Engineers that has stood with the people of Louisiana and New Orleans, and even today is helping rebuild with that $14 billion. I think there is a time when you wear out the welcome of certainly this Senator and others who have been so quick and so anxious to help, and you wear out the welcome of agencies such as the Corps of Engineers when you suggest somehow that they are a bunch of slothful bureaucrats who can't do anything right.

I have seen people wear out their welcome, and I tell my colleagues this: This exercise in using this soldier as a pawn in this little game, trying to misread the law and the authorities of the Corps of Engineers to demand that they do what they can't do in order to satisfy one Senator, it is the wrong way to do business in this Senate.

I have not convinced my colleague to release his hold and allow, after 6 months, this soldier's career to move forward. I know this is just one. There are 100 of them on the calendar. This is one, but it is one that is unusual. It is one that is unusual because one soldier's career that has been recommended for promotion by Republicans and Democrats alike is being held up by only one person. I have not heard one other person come to this Chamber and say: I think it is a good idea to use a soldier's promotion as a pawn to try to get what I want. There is not one other person who has done that, and I don't think there is another Senator who would do it. If there is, let's hear from them.

I will come back later. I know my colleague wishes to speak. Had he wanted me to yield, I certainly would have yielded, even though he would not yield to me. There are certain things we shouldn't do around here. Again, I don't dislike him, but I certainly dislike what he is doing because I think it is so fundamentally wrong and undermines the kinds of circumstances in which we have always evaluated the merit of promotions for soldiers who have served this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I am disappointed. I am disappointed. I am disappointed my distinguished colleague is continuing to simply blindly, in my opinion, be a fierce defender of a bureaucracy which is truly broken. Not a pawn in anything, a member of the leadership, one of the top nine officers of the leadership of this bureaucracy.

For my part, I will continue to fight to change, to fundamentally change that bureaucracy and, for starters, to have them follow the law, to have them follow their mandates, their authorizations in the WRDA bill and the other legislation I have outlined.

I have outlined the authorization clearly to the corps. I will outline it again. I have outlined these significant studies that are overdue, have never been produced, not because of the fault of anyone else, not because of the State of Louisiana. I will meet with them next week. I will continue to work on that. I invite the Senator to work on that sort of fundamental change, not just fiercely defending this, in my opinion, truly broken bureaucracy.

I will also note, as the majority leader noted, one Senator cannot kill this nomination. One Senator cannot stop this promotion. The Senate can move on it, so I invite the Senate and the majority leader to do that. It is completely within the majority leader's—his party's power to move on that and to proceed with this nomination, and certainly one Senator cannot stop that. But this one Senator will continue to fight to hold the corps' feet to the fire to make them live by their mandates, to move forward on these critical protection issues for Louisiana.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Let me just quickly say I intend to work with everybody in this Chamber who comes here to work in good faith to solve problems. But in my judgment, it is an unbelievable mistake to use the promotion of soldiers as a pawn in these circumstances.

I would say that as chairman of the subcommittee that funds all of these projects and all of these issues, I have been pleased to send all of that money—$14 billion—down to Louisiana. But as I said, my friend is fast wearing out his welcome. I think my friend might want to learn the words ''thank you,'' thank you to this Chamber, thanks to the rest of the American people who said to some people who were hit with an unbelievable tragedy: You are not alone. You are not alone. This country cares about you and is going to invest in your future. But I also think thank you to the Corps of Engineers. It is quite clear they have probably made some mistakes in all of our States. It is also clear that it would be a pretty difficult circumstance for a State or for people in any State to fight these battles without the experience and the knowledge and the capability of the Corps of Engineers.

I just think from time to time constructive criticism is in order. I think also from time to time a thank-you is in order. I also think in every case—in each and every case, the truth is in order. I will go through and in every single circumstance describe where the Senator from Louisiana has said the Corps of Engineers has the authority and has the funding, and I will show him that he is dead wrong, and I think he knows it.

But if this impasse continues, my colleague, Senator REID, the majority leader, does have the capability to take 2 days of the Senate's time to file a cloture motion, and my expectation would be that the vote would be 99 to 1 because I don't know of one other Member of the Senate who wants to hold up the promotion of soldiers in order to meet demands that a specific Federal agency cannot possibly meet.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, just to close, I have said thank you many times, certainly to the American people, to these bodies in Washington representing the American people. The Senator is certainly right about that generosity and about a lot of the work of the corps.

I do disagree with the Senator in sort of lightly tripping over as a minor mistake design flaws that caused 80 percent of the catastrophic flooding of the city of New Orleans. I wouldn't think that is a minor mistake to trip over. But I will continue to work with the corps to resolve these issues, and I will go through every one of those additional 11 items I outlined because we are waiting on that critical work and on those critical reports. That is not only authorized, but it is mandated in the 2007 WRDA bill and other bills, and we need that to move forward.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I note the presence of my colleague and friend from Alabama, the former chairman and now ranking member of the Banking Committee on the Senate floor, and I will be very brief. We have heard the proposal by the majority leader, the objection by the minority leader, and the announcement that there will be a filing of a cloture motion which will mature, I think, on Monday around 5 o'clock or so when a vote will occur.

Let me briefly express, first of all, my thanks to RICHARD SHELBY, my colleague from Alabama. For many months—going back more than a year, actually—we have been working together now on this. Over the last 38 or 39 months that I have been privileged to be chairman of the committee, we have sat next to each other. There have been some 42 proposals that have come out of the Banking Committee over the last 38 months, and I think 37 of them are now the law of the land.

There have been a wide range of issues, including things such as flood control, but also dealing with port securities, with risk insurance, with housing issues, with credit cards—all sorts of issues that our Banking Committee has wrestled with in the midst of the worst economic crisis since the Great Depression.

So before another word is said, before another amendment is filed or another motion made, let me say thank you to RICHARD SHELBY and my other members of the committee for their cooperation and the work we have done together on that committee. Very few votes that have occurred have been negative votes. We had a few of them that happened; that is understandable from time to time. But, by and large, we have worked together.

I want our colleagues to know, but also I think most of us want the American public to know, that despite political differences, the fact that we come from different parts of the country doesn't separate our common determination to see to it that we put ourselves on a much more solid footing than, obviously, we were at the time this crisis emerged. We want to never again see our Nation placed in economic peril as it was over the last several years, with as many jobs and homes lost and retirements evaporating, health care disappearing because of job loss. We have been dealing with all of the problems: small businesses collapsing, credit shutting down, capital not available for new starts and new ideas.

So we have put together a bill. Granted, it was not a bipartisan vote in committee, but as I am sure my colleague will recognize, much of what is in this bill today is different than the one I offered in November. I am not going to suggest that my friend from Alabama and others loved every dotted I and crossed t, but I believe he will acknowledge that there is a lot of cooperation represented in this bill, trying to come to some common territory so we can say to the American public: Never again will you be asked to spend a nickel of your money to bail out a financial institution. The presumption is failure and bankruptcy. We want to wind you down in a way that doesn't jeopardize other solvent companies and the rest of our economy in the country. We want to make sure consumers get protected, when they have a place to go—when a product they buy fails, there is a place they can go. We recently saw an automobile company where the accelerator jammed and people were put at risk. There was a recall on that product because it placed people at risk. Nothing exists today that allows for a recall of a financial product that puts you at risk. Our bill tries to do that. We try to complete an early-warning system so we can pick up economic problems before they metastasize into major issues. There are other pieces of it as well.

We are working to come to a common understanding of how best to achieve those goals and results. My hope is, because of the magnitude of the bill, we

can get to a debate and discussion. My experience over 30 years in this Chamber is that we never get to a resolution of issues until we have to. As long as there are sort of discussion groups going on in various rooms of the Capitol and meetings that we have—that is all helpful and can help us understand issues better, but the only way we get to a resolution of conflicting ideas, in the final analysis, is to be on the floor of this Chamber, where Members bring their ideas and we work on them together. We try to accept the good ones or modify them to make them fit into the structure. The bad ideas we try to reject when we can. But you have to be here.

Senator SHELBY and I, as hard as we work, we know we don't represent 98 other people in this Chamber. Other Members who are not members of our committee or who are members of our committee certainly have every right to be heard on this bill and to express their ideas as to how we can do a better job of achieving what we are trying to achieve. But we need to get there. If we don't even have the chance to start this process, you can't ask the two of us to resolve it for everybody. It is too much. We can try to come close and we can try to reflect the views of our respective caucuses and the American people, but don't expect us to sit there and write a complete bill to deal with an entire meltdown of the financial sector of our Nation. We can help get there. We have good ideas on how to achieve it. But we need this body to function. It cannot function as long as we are debating whether we can even get to the bill.

We have spent more than a year on this, and over a month ago we finished our work in the committee. It was voted out of committee. It wasn't a bipartisan vote, but we moved forward. Now we have a chance for this body to act on the product that came out of committee, which will be before us. Where we can get agreement and some changes, we will have a managers' amendment or a substitute or whatever procedural way necessary to try to accommodate those, reflecting the ideas of our colleagues. Others can bring their ideas to the debate. We need to have that. That cannot occur until we are actually here doing it.

I urge my colleagues, principally, I say, on the minority side but not exclusively—I think there are those on the majority side as well—everybody can play hold-up and say: If I don't get my way and if you don't do what I want, then I will object to getting to the bill. If that is the case, who wins on this matter? Certainly not the American people, who expect a little more out of this Chamber than whether each 100 of us insists upon our own agenda. It doesn't work that way, unfortunately. This is not an executive body. We are coequals here, even those in the leadership. We have a right to be heard.

My colleague from Arkansas, chairman of the Agriculture Committee—they marked up a bill dealing with derivatives and other matters, as they should. There is jurisdiction of that matter in their committee. We did the same. We have some jurisdiction over the subject matter. We need to harmonize the rulemaking on that subject matter.

I hope that on Monday afternoon, Senator SHELBY and I will continue working with each other, as will our staffs today, tomorrow, and over the weekend, to try to come to some understanding on some of these matters. I am not going to tell you to count on the two of us to solve all of our problems. We cannot.

I ask everybody, let's get to the debate. The American people cannot tolerate us doing nothing, waiting around to see if another crisis comes and whether we can respond to it. That is unacceptable.

About 5 on Monday, we need to have the votes to go forward. The two of us will sit in our respective chairs and present our ideas and talk and discuss how these ideas can emerge, and we will invite our colleagues to come to the floor to debate, discuss, and offer their ideas, and we will try to make this an even better bill. We think we have a good one, but we also know that anybody who suggests to you that they have written the perfect piece of legislation, be wary of them. I have never seen a perfect bill in 30 years—maybe a Mother's Day resolution or something, but aside from that, don't count on perfection to be offered here. It is anything but perfect. I hope we get to that moment.

We have had our discussions over the last week, and I will continue talking about the substance of our bill. We cannot turn into a petulant organization here that screams at each other. We need to get about the business the American people sent us here to achieve. With the relationship I have had with my friend from Alabama, I remain optimistic we will get the job done.

Legislative processes are not the most beautiful things to watch. It is what our Founders designed, what those who have come before us have been able to use to achieve some of the great successes of our Nation on many different matters.

We are now confronted with another great challenge as to whether we can step up and resolve the kinds of issues that would avoid the kind of catastrophe we almost witnessed in our Nation. That is our job. We are chosen by the citizens in our States to represent not only their interests but our fellow countrymen's interests as well.

I look forward to the vote on Monday. I hope we may not have to have it, that we can proceed to the bill and let Senator SHELBY and I and the committee members and others do the work and shape a good bill.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, first, I thank Senator DODD for his leadership on the Banking Committee. I worked with him, as he said, day-in and day-out, and this is the fourth year of his chairmanship. We have achieved a lot together in a bipartisan way.

Both sides of the aisle are working together for a common goal. We share a lot of these goals. What are some of the goals?

Ending bailouts. Senator DODD and I both believe that nothing should be too big to fail—financial institutions and, I believe, manufacturing and anything else. Nothing should be too big to fail. We are working toward that end.

Protecting consumers. We are very interested in a consumer agency. We want to balance that, while protecting the deposit insurance fund and so forth.

Regulating derivatives. Let's be honest, they played a big role—a lot of them in the closet, unknown, and so forth—in our financial debacle. Derivatives are used every day legitimately by so many of our businesses, not only in America but all over the world. So we need to regulate derivatives while protecting jobs and our economic growth. It is a common desire. Details matter here. The Presiding Officer understands that. Senator DODD understands it very well.

As we are moving down the road in the process, we are continuing to negotiate and to do it in good faith, trying to reach a common goal. Who knows what will happen between now and Monday or next Tuesday or Wednesday or Thursday. I hope it is a bipartisan bill and that we can gather a lot of people on both sides of the aisle to support it. I think that is one of our goals.

What is the main goal? To do it right. Don't just do it, but do it right. Will it be perfect? Nothing is perfect, as Senator DODD talks about. But if we work in good faith, as we are trying to while the process is going forward, I think we can make some real progress toward the common goal—to have a strong financial system that is well regulated, to have derivatives that are brought out of the closet to work, and to have a consumer agency that will work for all of us. There are many other things, but that is my goal, and I share that with Senator DODD.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

(The remarks of Mr. UDALL of Colorado pertaining to the introduction of S. 3247 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. UDALL of Colorado. Mr. President, I yield the floor.

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

Mr. BINGAMAN. I thank the Chair.

(The remarks of Mr. BINGAMAN pertaining to the introduction of S. 3248 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

EARTH DAY

Mr. BINGAMAN. Mr. President, I wish to speak for a moment about

Earth Day. This is the 40th anniversary of Earth Day—the 40th Earth Day, in fact, the 22nd of April. I am speaking now because of my great admiration for the work of Senator Gaylord Nelson in establishing this Earth Day. I was reminded of it in two respects in the last week. One was getting to visit with his widow, Carrie Lee Nelson, who is a great personage herself, who made a great contribution to his career in public service and continues today to advocate for the same issues he advocated for, particularly as they relate to the environment.

Also earlier this year, Don Ritchie, our Senate Historian who speaks to us on Tuesdays at the Democratic lunch each week when we get together, gave what I thought was a fitting tribute to Gaylord Nelson that I wanted to share with people. I asked permission to do that. Don Ritchie agreed that was something that was acceptable. I would like to read through this and take 2 or 3 minutes.

As the Senate Historian, he recounted the facts as follows:

This past weekend, the Mini Page, a syndicated children's supplement that appears in 500 newspapers across the country, paid special tribute to a former U.S. Senator, Gaylord Nelson, for launching the first Earth Day on April 22, 1970. Five years after his death, Senator Nelson remains an icon of the environmental movement.

Senator Nelson used to say he came to environmentalism by osmosis, having grown up in Clear Lake, WI. He promoted conservation as Governor of Wisconsin and, after he was elected to the Senate in 1962, he used his maiden speech to call for a comprehensive nationwide program to save the natural resources of America. He went on to compile an impressive list of legislative accomplishments, which included preserving the Appalachian Trail, banning DDT, and promoting clean air and clean water. But it was Earth Day that gave him international prominence and served as his lasting legacy.

Senator Nelson worried that the United States lacked a unity of purpose to respond to the increasing threats against the environment. The problem, in his words, was how to get a nation to wake up and pay attention to the most important challenge the human species faces on the planet. Then a number of incidents converged to help him frame a solution. In 1969, a major oilspill off the coast of Santa Barbara covered miles of beaches with tar. Senator Nelson toured the area in August and was outraged by the damage the oilspill had caused, but was also impressed with the many people who rallied to clean up the mess. Flying back from California, the Senator read a magazine article about the anti-Vietnam War teach-ins that were taking place on college campuses. This inspired him to apply the same model to the environment.

In September 1969, the Senator charged his staff with figuring out how to sponsor environmental teach-ins on college campuses nationwide, to be held on the same day the following spring. Rather than organize this effort from the top down, they believed that Earth Day would work better as a grassroots movement. They raised funds to set up an office staffed by college students, with a law student, Denis Hayes, serving as the national coordinate. They identified the week of April 19 to 25 as the ideal time for college schedules and the possibility of good spring weather. Calculating that more students were on campus on Wednesday made Wednesday, April 22, the first Earth Day. Critics of the movement pointed out that April 22 happened to be Vladimir Lenin's birthday, but Senator Nelson rebutted that it was also the birthday of the first environmentalist, Saint Francis of Assisi.

An astonishing success, the first Earth Day in 1970 was celebrated by some 20 million Americans on 2,000 college campuses, at 10,000 primary and secondary schools, and in hundreds of communities. Forty years later, its commemoration this week is expected to attract 500 million people in 175 countries.

I will at some later point talk about the environmental legacy of one of our own Senators from New Mexico, Senator Clinton Anderson, who was one of the prime sponsors and promoters of the Wilderness Act and worked with Gaylord Nelson on many of these same environmental issues and, of course, with President Kennedy, Stewart Udall, and with President Johnson.

There are many people who deserve great credit for the legacy in this country and the focus on environmental issues, and Earth Day is an appropriate time to acknowledge their contributions.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I commend the Senator from New Mexico for drawing our attention to Earth Day. It has certainly become a national, if not global, observance that calls to mind the relationship we have with this Earth that we live on and our responsibilities. We are now considering legislation involving carbon and the impact of carbon on the environment and on this planet. There are some differences of opinions on the floor of the Senate about whether this is a challenge and, if it is, how to address it.

Early next week, three of our colleagues are going to step forward with a proposal. Senator JOHN KERRY has spearheaded an effort, working with Senator BARBARA BOXER and Senator BINGAMAN, to come forward with an idea of clean energy. He will be joined by Senator JOSEPH LIEBERMAN and Senator LINDSEY GRAHAM. It is a bipartisan effort.

What they are seeking to do in this bill is certainly consistent with the goals of Earth Day and our national goals: First, to reduce our dependence on foreign oil, to encourage domestic energy sources that are renewable and sustainable so we can build on our future; second, to create jobs, which is our highest priority in this Congress with the recession we face. We understand the reality that countries such as China see a great potential for building solar panels and wind turbines and a variety of different forms of technology to promote energy efficiency and to promote the kind of clean energy approach that we should have as part of our future. Third, of course, is that we want to do something about pollution—carbon emissions, the impact they have on our lungs and on our atmosphere.

I think this is a noble agenda. It is an ambitious agenda because it engages the entire American economy. We want to be sure we do the right thing, the responsible thing, when it comes to clean energy and our future but not at the cost of economic growth and development. I happen to believe a case can be made that absent our effort, we are going to fall behind in the development of industries that have great potential.

There was a time that the two words, ''Silicon Valley,'' sent a message not only to America but to the world that we were leading in the information technology development arena. I cannot even guess at the number of jobs, businesses, and wealth that was created by that information technology leadership in the United States. Now we need to seize that leadership again.

It is frustrating, if not infuriating, to think that 50 years ago, Bell Labs in the United States developed solar panels. Now, of the 10 largest solar panel producers in the world, not one is in the United States. That has to change. It is something of a cliche, but I say it in my speeches and it resonates with people, that I would like to go into more stores in America and find ''Made in America'' stamped on those products.

When it comes to this type of technology—solar panels, wind turbines—there is no reason we can't build these in the United States so that we are achieving many goals at once: a clean energy alternative, reducing our dependence on foreign oil, creating good-paying jobs in industries with a future, and in the process doing the right thing for Mother Earth. Earth Day is a time to reflect on that.

I have often spent Earth Day back in Illinois, downstate with farmers, and I can't think of any class of people in America closer to Mother Nature every single day of their lives. Most of them are not all that comfortable with these so-called environmentalists. They think they are too theoretical and not grounded in the reality that farmers face in their lives. But I have tried to draw them together in conversation, and almost inevitably they come up with some common approaches.

Whether we are talking about soil and water conservation or reduction of the use of chemicals on the land, all of these things are consistent with both environmental goals and profitable farming. So I look at our stewards of the agricultural scene in America as part of our environmental community who can play a critical role in charting a course in making policies for the future.

Mr. President, I hope that soon we will be moving to financial regulatory reform. It is a Washington term known as Wall Street reform, or basically trying to clean up the mess that was created by this last recession. This is a bill that is controversial. It has been worked on by many committees in the Senate. Senator BLANCHE LINCOLN in the Agricultural Committee took on a

big part of it. Most people are surprised to think of Wall Street and the Ag Committee at the same time, but those of us from Chicago are not. We have a futures market which has been in place for almost a century, starting with the Chicago Board of Trade, and it deals in futures—derivatives, if you will—that are based on agricultural commodities and currency and interest rates and a certain index. That operation in Chicago is governed and regulated by the Commodity Futures Trading Commission. The jurisdiction of that, as it started with agricultural products, has been relegated to the Agriculture Committee.

Senator LINCOLN met this week and did an outstanding job of reporting a bill on that section of the bill related to derivatives and futures regulated by the Commodity Futures Trading Commission. She was successful in reporting the bill from her committee, with the support of Senator GRASSLEY of Iowa making it a bipartisan effort. Another Republican Senator expressed an interest in helping as well. So I give her high praise in this charged political atmosphere in which we work in this body. It says a lot for her that she can put together this type of bipartisan coalition.

At the same time, Senator DODD, in the Banking Committee, has been working on a bill as well, trying to bring the two together on the Senate floor and have a joint effort to deal with this issue.

Now, why are we doing this? Well, we are doing this for very obvious reasons. We know that leading into this recession, Wall Street and the big banks in America got away with murder. At the end of the day, the taxpayers of this country were called on to rescue these financial institutions from their own perfidy.

When we look at the things they did in the name of profit, it turned out to be senseless greed. At the end of the day, many people suffered. As a result of this recession, $17 trillion was extracted from the American economy—$17 trillion in losses. Mr. President, $17 trillion is more than the annual gross national product of the United States. So if we took the sum total value of all the goods and services produced in our country in 1 year, we lost that much value in this recession. It was the hardest hit the American economy has taken since the Great Depression in 1929.

Of course, a lot of it had to do with bad decisions. Some individual families and businesses made bad decisions. They borrowed money when they shouldn't have. They got in too deeply, bought homes that were too expensive. They might have been lured into it, but they made bad decisions. The government made some bad decisions. We thought, as a general principle, encouraging home ownership was great for our country; that the more people who own a home, the more likely they will make that home a good investment for themselves, and the more likely they will be engaged in their neighborhood and their churches and in their communities, and the stronger we will be as a nation. That was the starting point. So we opened up opportunities for home ownership, reaching down to levels that had not been tried before, and, unfortunately, that went too far.

The private sector was to blame. When we look at so many people who were lured into mortgages and borrowing far beyond their means, we see there was also a lot of deception going on. People were told they could get a mortgage and make an easy monthly payment and weren't told their mortgage would explode right in front of them, as the subprime mortgage, in a matter of months or years, would have a monthly payment far beyond their means. They weren't told there was a provision in that mortgage which had a prepayment penalty that stopped them from refinancing, and that they were stuck with high interest rates from which they couldn't escape. They weren't told that just making an oral representation about their income was not nearly enough; that they needed to produce documentation about their real net worth.

These so-called no-doc closings, which became rampant in some areas, led to terrible decisions, encouraged by greedy speculators in the financial industries. So the net result was that the bottom fell out of the real estate market and $17 trillion in value was lost in the American economy. Most of us felt it in our 401(k)s, in our savings accounts, and in our retirement plans. We saw it with businesses that lost their leases and lost their businesses and had to lay off their employees.

The President was faced with 800,000 unemployed Americans in his first month in office. That is an enormous number of people. The total today is about 8 million actively unemployed, with 6 million long-term unemployed. It is huge, and it affects every single State. In my State, there is over 11 percent unemployment. In Rockford, IL, it is close to 20, and Danville about the same. I have visited those communities, and I can see the pain and the sacrifices that are being made by people who have lost their jobs.

So the President came in and asked us to pass a stimulus bill, which we did. It was some $787 billion that was injected into the economy in an effort to get it moving again, providing tax breaks for 95 percent of working families and middle-income families across America. It was a safety net for those who had lost their jobs, not only in unemployment benefits but also COBRA or health insurance benefits, and finally an investment in projects such as highway construction, which would create good-paying American jobs right now and produce something that would have value for our economic growth in the years to come.

At the same time, though, as we go through this painful process of coming out of this recession, we have to make changes in Wall Street and the financial institutions to guarantee that we would not face this again. That means taking an honest look at some of the practices that are taking place today, and that are legal today. We got into this thinking—and I was part of it; most of us were—that if we had an expanding financial sector in the United States, it would expand jobs and opportunities and business growth and global competition.

Unfortunately, it went overboard. Many financial institutions, which are now being called on the carpet, took the authority given them by the Federal Government to an extreme. That is what we are trying to change. We want to make sure there is some accountability on Wall Street and with the big banks, so that we understand what they are doing and that their investments don't end up being a gamble where people can lose their life savings or investments.

We want to make sure as well that we empower consumers in the United States. This bill that is going to come before us has the strongest consumer financial protection ever enacted into law in the United States. We are going to create an agency which is going to protect and empower consumers—protect them from the tricks and traps and shadowy agreements and fine print stuck in mortgages and credit card statements, in student loans, in retirement plans, and all of the things that people engage in daily in their lives where one sentence stuck in a legal document can end up being someone's downfall.

We want to protect consumers from that and empower consumers to make the right decisions, so that there will be clarity in these legal documents that can bring a person's financial empire to ruin. That kind of clarity and plain English is going to be guaranteed by a Federal group that is going to keep an eye on the financial industries.

Some of these large banks are fighting us. They don't want to see this happen. They do not believe there should be this kind of consumer financial protection. But we are going to fight to make that happen so consumers across America have a fighting chance when they enter into agreements, so that they will have a legal document they can understand and one that they can work with, and then they will have an agency to back them up.

Currently, we have only had one Republican Senator vote for this kind of reform—Senator GRASSLEY of Iowa voted for it in the Agriculture Committee version that came out of Senator LINCOLN's committee. But on the Banking Committee, not a single Republican would vote for it. I hope they will have a change of heart.

I understand there are negotiations underway, but I hope the negotiations don't water down the basic agreement in this bill. We need a strong bill. We need a bill that meets the test of what

we have been through as a nation. After all of the suffering that has taken place—the businesses lost, the savings lost, the jobs lost—for goodness' sake, let's not come up with some halfhearted effort. Let's stand up to the Wall Street lobbyists who are going to try to water down this bill and tell them no. We are going to call for a vote on a bill that has some teeth in it, something worth voting for, something that will guarantee that we will never go through this kind of recession ever again in our economy.

I think we owe that to the American people, and I hope that next week, come Monday afternoon at 5 o'clock, when this Senate convenes for a vote, I hope we have a strong bipartisan vote to move forward on this whole idea of Wall Street reform. I believe that is in the best interests of our country. I commend Senator DODD and Senator LINCOLN. I urge them to come together, bring their two bills together, and to come up with an agreement that can lead us into this kind of happy day where we have this kind of legislation.

Mr. President, I thank you for allowing me to speak in morning business, and if there is no one seeking recognition, 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. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RHODE ISLAND FLOODING

Mr. REED. Mr. President, last month, my State was hit by the worst nonhurricane floods in the history of the State, at least in the last 200 years.

Our Governor has preliminarily assessed the damage in the hundreds of millions of dollars, which is a significant figure for the smallest State in the Union. This disaster came at the worst moment for my state. Rhode Island is struggling with an economic collapse that has left it with a 12.7-percent unemployment rate and decimated State and local financial resources.

Indeed, many of the homeowners and businesses who were hit hardest by the floods were among those already struggling to make ends meet. I toured the State, along with my colleague, Sheldon Whitehouse, and met with constituents from Cumberland to Westerly, from the north to the south, as they worked to clean their homes and businesses. We could see the turmoil, as well as their physical and emotional strain and stress. They are tired. They are frustrated, and they are asking for our help. I admire the spirit of people who are willing to pitch in and help their neighbors, and that was evident throughout the crisis. This significant blow came on top of the economic blows we have already suffered. A flood like this is difficult in good times and it is truly trying in bad times, as we have seen in Rhode Island.

I wish to commend FEMA and all the professionals in emergency management who have come to Rhode Island for their help in the recovery. They are doing a marvelous job. The speed of the response, including from Secretary Napolitano, has been tremendous. She was up there on Good Friday looking at the flood damage. The FEMA teams were on the ground. Deputy FEMA Administrator Rich Serino was there. He visited the damage with me. This is emblematic of the commitment of the FEMA task force. It is not only FEMA. It is also the Small Business Administration. The regional EPA director was there, the regional small business administrator was there. We had representatives from the Army Corps of Engineers and the district engineer.

The most emblematic story was told to me in Washington by a Rhode Islander who was visiting. She was a visiting nurse. She said her sister was at home on Easter. She had some flood damage. The doorbell rang, and it was FEMA. They said: We work 7 days a week. Here is the estimate of the damages, and we will be able to help you in this way.

Even with this dramatic and effective response, the damage was widespread. It covered every corner of the State. This was the first time we have seen, in my lifetime and going back a long time, not only surface water coming over the banks of rivers—there are some areas that perennially flood, similar to anywhere in the country—this was groundwater. We had been so saturated with rain for weeks and weeks. When the final deluge came, there was no place to hold the water. It came up through cellars, through sump pumps, through everything. There were very few parts of the State, very few homes unaffected by at least minor basement flooding; in some cases, very major water damage.

The story of the Pawtuxet River is an example of what transpired. Let me also say that in my course of traveling around, I was reeducated in the development of northern industrial communities. I am looking at the Senator from New Hampshire. The development started with a mill on a stream for water power. Then they built mill cottages around that. Those mills are still there. Those cottages are generally occupied today by relatively low- or moderate-income people. The mill owner, I recall now, put his house on the top of the hill, not around the mill. So that is Rhode Island. That is Massachusetts. That is Connecticut. That is New Hampshire. When these waters flood, you perennially get some communities that see damage from surface water. This is the first time we saw this incredible groundwater as well.

We are a community of rivers and mill villages. The Blackstone River is where the American Industrial Revolution began, the Pawtuxet River in Cranston, the Pawcatuck River, the Pocasset River in Johnston and Cranston—they all were above flood stage. The Pawtuxet River, in my hometown of Cranston, on March 15, crested at a record high of 15 feet. Remarkable. Neighborhoods along the banks flooded as homes and businesses were evacuated. I toured those neighborhoods later in the week and saw the damage. Again, along with Senator WHITEHOUSE, I worked to support a major disaster declaration which was promptly granted. The people of Rhode Island appreciate President Obama very quickly supporting a major disaster declaration, not only for individuals but also for public entities, the cities and towns. This is something he did with great speed and great efficiency. I thank him personally.

Actually, the initial flooding was around March 12 or 13. Then we got the second deluge. It was a two-stage event. As the rains were falling, one woman profiled on local television looked in exhaustion at the new furnace she just installed. In anticipation of the second flood, there was an attempt to move vehicles, furnaces, et cetera around, to shore up or raise equipment on factory floors. But the rapidity and extent of the rain was such that the flood was there before many people could react.

Let me try and give a sense of the damage. This horizontal axis runs south-north under the overpass. This is Route 95, the principal interstate running along the east coast. It was shut down for two days because of flooding. The road was completely inundated with water, completely covered. Then, in the next picture, this is the city of Warwick's wastewater plant, totally engulfed in water. In addition to that, the city of Warwick is also home to our airport. So for 2 days, when you got off a plane, you saw a sign that asked you to respectfully use restrooms someplace else or the Porta-John because the airport could not use their toilets. The whole city asked their citizens to suspend flushing for 2 days. So this impact is something we have never witnessed before. The next photograph is the Warwick Mall, one of the major shopping centers in the State of Rhode Island. It is totally engulfed in water and the inside is flooded. These are stores and retail establishments. They are still trying to reopen it. This facility employs about 1,000 people. They are still out of work. When you a have 12.7-unemployment rate and 1,000 people can't work because they have been flooded, that is adding excruciating pain to something that is already difficult. I must commend the owner of the mall, Aram Garabedian. Aram is indefatigable. Nothing is going to defeat him. Immediately, he was in here cleaning up. It is on the road to recovery and return, but this has been a blow economically to the State. As I said, in Rhode Island, because of our small size and community, there are five or six principal malls. Essentially, 20 percent of our mall sector is out of business.

The next photograph is typical of the property damage. This is in my hometown of Cranston. Notice the sign: ''Give this land back to the river.''

The river decided for a moment to reclaim it. This is the result of the surface flooding and the subsurface water coming up. This looks like the entire inside of the home has been destroyed and removed. Here is a hot water heater, a toilet. Although the house is standing, what is inside is basically a shell. This is a homeowner who now has to rebuild their house, essentially, and replace water heaters, toilets. One of the issues we have is that in some of these areas, because of the subsurface flooding, they are not a flood zone. Unless they have recently borrowed money on a mortgage, there is probably little requirement for them to have flood insurance. Typically, in these communities, the houses have been occupied for 20, 30, 40 years by one family. They have either paid off the mortgage or they don't require flood insurance. So many people, frankly, don't have flood insurance. Then, of course, there is going to be wrangling with the insurance companies because, in some cases, where it was just subsurface water, that does not fit their definition of a flood. So depending on your policy, or if you have coverage, there are thousands of homes in Rhode Island that are significantly damaged. The owner has no resources to rebuild unless he gets some assistance. Again, FEMA has been very good for temporary assistance, but we have to look more long term.

Finally, this is Hopkinton, RI, which is part of our rural area in the west. This photo shows the scope of the flooding there. This structure is totally surrounded by water. I was in other parts of this area, in another community, Charlestown. There was a bridge that was closed. As you walked across the bridge on the other side, because of the water moving under the ground, it looked as if someone had dropped a 500-pound bomb. It was a huge crater. Now the town has to rebuild the bridge. Of course, they don't have the money to do so.

All this is indicative of the situation in Rhode Island. A further point. This photograph was taken a week after the flooding. Notice it is sunny. This is a week after the flooding. These owners couldn't even get to their building after a week. This could have been worse in this particular locale because farther upstream there is a dam, the Alton dam. It was overtopped and the waters were going over it. There was so much concern that it was in danger of collapsing that there was an emergency evacuation order for the town of Westerly, which is a sizable community to the south on the coast. They were afraid the dam would give and a major metropolitan area, in Rhode Island terms, would be engulfed with water. Luckily the dam held, and the damage was significant but restricted to flooding along the Pawcatuck.

Within the context of jobs, too, several of our facilities and factories were knocked out. Bradford Printing and Finishing has already let go of its employees. They were underwater. They are still trying to literally get back to work. It has been closed for cleanup. Again, workers are on the street, not because they don't have demand for their product. It is because they can't get to the machines where they are flooded. Another company in northern Rhode Island, along the Blackstone River, Hope Global, an extraordinary CEO Cheryl Merchant, they were flooded in 20005. I was there. I had to take a boat into their factory. This time, in anticipation, they literally lifted the equipment. This is a major producer of OEM for the auto industry, webbing and belts, seatbelts, et cetera. They pushed up all that heavy equipment. The water came in, but it didn't reach the equipment. They are back in production, but the preparations and the cleanup are about $1 million. It is hard for the manager of the plant to explain to the board of directors why they are going to spend $1 million every 5 years just to keep the equipment dry.

We have to do something in terms of mitigation. Even in the best times, FEMA would have been necessary. But we are in a very difficult situation. The State is, as we speak, trying to fill a $220 million shortfall in this year's budget. Again, this is a State where $220 million is a significant part of the budget. It is not a rounding error. They are already anticipating a $400 million shortfall next year in the 2011 budget. The bond rating has been lowered once in the last several weeks. It may be lowered again, if this economic distress and this flood damage can't be, in some way, mitigated and supported in terms of cleanup or reconstruction.

Frankly, my constituents know—and we all have seen similar scenes of flooding from the Midwest, from the Southwest, from the Central part of America—every time, at least in my recollection, this Senate has stood and provided support for those communities.

I have supported emergency expenditures for flooding in communities elsewhere in the country, except really up in Rhode Island because we have never had an experience before of this nature, of this size, of this scope. They, frankly, do not begrudge the aid because, as I sense and as my colleagues and constituents sense, someday we might be in that position where we are going to have to ask for it. Well, we are in that position right now. So for everyone who has been here—and it is a significant number—and asked on behalf of their constituents for help because of a devastating flood, I am joining those ranks. We will have an opportunity, I hope, in the appropriations process through the supplementals to provide additional assistance to the State of Rhode Island, for my constituents to deal with this situation, both the economic distress and the physical damage from this flooding.

So, Madam President, I again thank you for the opportunity to talk about what happened, and I will be back again because, as we have responded to the needs of other parts of the country, we ask that we be given the same treatment.

I yield the floor.

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.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. SHAHEEN). Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that I be permitted to speak as in morning business.

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

REUTERS INVESTIGATION OF WELLPOINT

Mrs. FEINSTEIN. Madam President, earlier today my staff brought to my attention an article that had just come out on Reuters. I read it and felt an outrage and dismay and decided I was going to come to the floor and speak about it.

Today, an investigative story published by Reuters details how WellPoint, a medical insurance company—as a matter of fact, the Nation's largest health insurance company, with 33.7 million policyholders—used a special computer program to systematically identify women with breast cancer and target their health policies for termination—in other words, an effort to specifically target women with breast cancer and then drop their health insurance. I would like to ask every American to read this jaw-dropping story. Instead of providing the health care for which these seriously ill women have paid, WellPoint subjected these paying customers to investigations that ended with WellPoint's administrative bureaucrats canceling their insurance policies at their time of greatest need.

Under attack by both cancer and WellPoint, these women were left ailing, disabled, and broke. Let me give you a few examples.

Yenny Hsu, a woman from Los Angeles, was kicked off of her insurance policy after a breast cancer diagnosis because WellPoint said she failed to disclose that she had been exposed to hepatitis B as a child. Now, that has nothing to do with breast cancer, but it did not stop WellPoint from terminating her coverage.

In Texas, a woman named Robin Beaton was forced to delay lifesaving surgery because WellPoint decided to investigate whether she had failed to disclose a serious illness. The serious illness in question was a case of acne. WellPoint delayed her surgery for 5 months, causing the size of the cancerous mass in her breast to triple. By the time they finally dropped their investigation, she needed a radical double mastectomy.

Another loyal, paying WellPoint customer who faced this situation was Patricia Relling of Louisville, KY. Ms. Relling was an interior designer and art gallery owner who never missed a payment. But that did not stop WellPoint from canceling her insurance in the middle of her fight with breast cancer. WellPoint abandoned her at her weakest moment, forcing her to pay enormous medical bills on her own. This woman, who was once a highly successful business owner, is now subsisting on Social Security and food stamps.

Meanwhile, WellPoint made a profit of $128 million by stripping seriously ill Americans of their insurance coverage in this manner, according to the House Energy and Commerce Committee. This is likely a low estimate because WellPoint refuses to provide a total number for rescissions across the company's subsidiaries. WellPoint earned a $4.7 billion profit in 2009—a $4.7 billion profit in 1 year. Angela Braly, the CEO of WellPoint, received $13.1 million in total compensation in 2009. This was a 51-percent increase in her salary over the prior year.

WellPoint is not alone in doing this to people, but they are an egregious offender. According to the House Energy and Commerce Committee:

> WellPoint and two of the nation's other largest insurance companies—UnitedHealth Group Inc and Assurant Health, part of Assurant Inc—made at least $300 million by improperly rescinding more than 19,000 policyholders over one five-year period.

According to Health Care for America Now, these large companies—the big, for-profit American medical insurance companies—have seen their profits jump 428 percent from 2000 to 2007. All during this period, they have doubled premium costs. So they have made huge profits in 7 years, and they doubled premium costs.

Time and time again, our for-profit insurance corporations have demonstrated that their hunger for profit trumps any moral obligation to their customers. This latest story is just the latest example of the kind of outrageous behavior we have come to expect from certain medical health insurance companies.

The health insurance reform law passed by Congress and signed by President Obama will end the practice of unfair rescission and discrimination because of preexisting conditions. But we must clearly be vigilant in order to ensure that the law has teeth and is heavily enforced. We cannot turn our backs for 1 minute because left to their own devices, I truly believe these companies will look for ways to throw paying customers to the sharks for the sake of profit. These are strong words, and I am not known for these strong words. But the more I look into the large, for-profit medical insurance industry of the United States, the more I am embarrassed by it.

A situation unfolding in my own State now is further proof of this. On May 1—that is 9 days from now; it is 1 week from Saturday—more than 800,000 Californians who hold insurance policies issued by WellPoint's Anthem Blue Cross subsidiary will face rate hikes of up to 39 percent.

I have received deeply personal letters from literally hundreds, if not thousands, of Californians whose lives are going to be devastated by these rate increases. We have 12.7 percent unemployment. We have over 2.3 million people unemployed. We are very high in house foreclosures, people can't find jobs, and at the same time the insurance premiums are being jacked up. This is terrible because many of these people had a premium increase almost as large as the 39 percent that is going to happen on May 1, last year, and then they know they face it again the next year.

I cannot say that all of this is responsible for these premium increases, but in my State alone, 2 million people in the last 2 years have gone off of health insurance. That is 1 million people a year who find they can't afford health insurance. So they have gone off of it, more on Medicaid, and many have no coverage whatsoever. This is at a time when this same company is reaping billions of dollars of profit. So what do I conclude? There is no moral compass. There is no ethical conduct.

These are families with children. They are students or the elderly. One woman had been a client of Anthem for 30 years. She had never been sick, and she got sick. Cancer survivors, small business owners, they are about to be crushed.

WellPoint will tell us that these premium rate hikes cannot be avoided. They will tell us that others are to blame: hospital charges, prescription drug prices, the rising cost of medical care. They blame the government. They blame the economy. But the fact is, they are making money, and billions of dollars of money.

If there was any doubt about whether corporate greed has anything to do with WellPoint's plan to jack up rates on customers, I think today's story by Reuters answers the question definitively.

In order to prevent these kinds of unfair premium rate hikes on Americans, I have introduced a bill that would establish a health insurance rate authority. It would give the Secretary of Health the mandate to see that rates are reasonable. Two days ago, the HELP Committee held a hearing on this bill. The chairman of the committee, Senator HARKIN, made some very strong statements in favor of it, as did other Democrats. The Republicans who spoke, of course, opposed it because they are in a mode where they oppose virtually everything right now, but they opposed it.

So here is what my bill would do. It would give the Secretary of Health the authority to block premiums or other rate increases that are unreasonable. In many States, insurance commissioners, as the Presiding Officer knows, already have this authority. They would not be affected. Commissioners have the authority in some States—in some insurance markets they have it—and in others they do not. In about 20 States, including my own, California, companies are not required to receive approval for rate increases before they take effect. So my legislation would create a Federal fallback, a fail-safe, allowing the Secretary to conduct reviews of potentially unreasonable rates in States where the insurance commissioner does not already have the authority or the capability to do so. The Secretary would review potentially unreasonable premium increases and take corrective action. This could include blocking an increase or providing rebates to consumers.

Under this proposal, the Secretary would work with the National Association of Insurance Commissioners to implement this rate review process and identify States that have the authority and capability to review rates now. States doing this work obviously should continue. This legislation would not interrupt or effect them. However, consumers in States such as California and Illinois and others—about 20 someodd States—would get protection from unfair rate hikes.

The proposal would create a rate authority, a seven-member advisory board to assist the Secretary. A wide range of interests would be represented: consumers, the insurance industry, medical practitioners, and other experts.

I think the proposal strikes the right balance. As the Presiding Officer knows, we have worked with the administration in drafting it. We worked with the Finance Committee. We worked with the Secretary of Health. We tried to get it into the Finance Committee's health reform bill. We were not able to do so. The President took this bill and put it in the reconciliation bill. Unfortunately, the Parliamentarian found that its policy implications overcame its budgetary savings, and therefore a point of order would rest against it. So it was dropped at that time. So we are trying again. It is necessary.

Nine days from now, 800,000 Californians will get up to a 39-percent increase in their premium rate. It is greed, pure and simple.

So the legislation I have introduced provides Federal protection for consumers who are currently at the mercy of these large, for-profit medical insurance companies whose top priority is their bottom line. The bottom line for us is we have a duty to protect the American people from this kind of greed and this kind of lack of any moral compass.

If these companies were having a hard time, I would say: Look, it can't be helped. But they are not. They have enjoyed something no other American business has, and that is an antitrust exemption. Only Major League Baseball has an antitrust exemption. So

they are able to go all over the country and merge and acquire insurance companies in order to control market share. Once they control market share, they then begin to boost rates. Therefore, over the past 7 years of doing this, they have developed a 428-percent increase in their bottom line, which is their profits.

If a CEO thinks it is OK to deprive women of their health coverage when they become seriously ill with breast cancer, we can't trust them to do the right thing, period. This ought to be convincing to every Member of this body, whether it is this side of the aisle or the other side of the aisle, that we need to move to see that there is a reasonable, prudent system where people don't have to endure when they have breast cancer and they go in, that they are going to lose their medical insurance. This Reuters story points it out chapter and verse today, and I have indicated several stories.

So, in my view, it is time for Congress to step in and fix this rate hike loophole in the health insurance reform law. We have to put patients before profits. We have to protect the American people from this kind of a lack of moral compass and candidly unchecked greed. I hate to say that, but that is the way I see it.

I will likely attempt to put this as an amendment to the regulatory reform bill. As I say, the matter has had a committee hearing, and in view of the fact that 800,000 people face these rate increases a week from Saturday, I think we need to take some action.

I would implore Anthem to understand and to not raise these rates. They have postponed this rate increase once before; they certainly can do it again.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I rise today to address the financial regulation proposal that is before us right now. I wish to talk about some of the conversations that are taking place about our status. No. 1, I think everybody in this body knows that people on both sides of the aisle would like for us to come to an agreement that makes our country's financial system stronger, protects consumers, and tries to insure us against the kinds of things we have all witnessed over the last couple of years. I think on both sides of the aisle there is tremendous desire to see that happen.

There has also been some discussions, though, about the process leading up to this. I know the Senator from Nevada has talked a little bit about the fact, for instance, that they negotiated with Senator CORKER for 30 days. This bill is 1,400 pages long, and I think by all accounts most people felt as though we were almost completed—the analogy that is being used is, we were on the 5-yard line and the lights went out. Somehow or another, taking 30 days to try to discuss a 1,400-page bill and get it right has been discussed as taking a long time. I don't consider that a long time at all.

As a matter of fact, I think it is remarkable the kind of progress we have made when we actually sat down as two parties trying to reach a compromise on something that is as important to the American people. So I wish to say that a lot of us on this side of the aisle have dealt in good faith, have actually gone out on a limb to deal in good faith—as a matter of fact, have broken protocol, in some cases, to try to deal in good faith.

When statements are made that if you try to negotiate and you get to the 5-yard line but for some reason the White House and people on the other side of the aisle decide to go on because they are losing some Democrats—which, by the way, I would assume in a bipartisan negotiation you lose some Republicans, you lose some Democrats, because you have reached a middle-of-the-road piece of legislation. So to categorize that as making that much progress and then: Well, we are losing a few Democrats so we have to stop and go our own way—which has been publicly stated by my friends on the other side of the aisle as to what happened—to talk about that as if that is a problem on our side of the aisle creates a little bad faith, just to be candid. I mean, for the next person who comes along and tries to work something out with my friends on the other side of the aisle and this happens, I think it is going to discourage that from happening in the future. So I hope we will tone down those kinds of things.

Then they talked about the fact that we went through the committee with this bill. At the time it was only a 1,336-page bill. It has expanded since that time. But we voted this bill out of committee in 21 minutes with no amendments. This was not a real vote. The understanding we all had was that the makeup of the Banking Committee was such that it would be difficult to get to a bipartisan agreement there and that we might harden ourselves against each other by offering amendments. I filed 60 amendments myself, none of which were messaging amendments. They were all technical amendments, and others, to try to fix this bill. But for some reason, the rules changed and we weren't going to be able to do that in committee, and we didn't want to harden ourselves against each other, and we were going to fix it before it came to the Senate floor.

Now we file a motion to proceed to the bill without it being fixed before it comes to the floor. It just seems as though there is this little shell game where we keep moving the goalpost to such a point where, again, we are going to end up with a situation where a bill comes to the floor, but there has been no bipartisan consensus.

Now, I will say this: I do think Chairman DODD has tried to do some bipartisan things, and I know I personally have had an effect on this bill. I thank him for that. I thank Senator WARNER for the work we have been able to do together, and Senator REED and Senator GREGG and others. But the fact is, we haven't reached a bipartisan agreement. So I hope some of the statements that are being made about where we are and how we got here and the revisionist history that is being created to sort of make one side of the aisle look worse than the other side of the aisle will cease. It doesn't do any good.

The fact is, there are people on both sides of the aisle who want to see financial regulation take place. This whole notion that if you are against this bill as written, you are for Wall Street, and if you are for this bill as written, you are against Wall Street, is an unbelievably silly argument. The fact is, I think everybody in this country knows when major regulation takes place, the big guys always do best. They have the resources to deal with compliance and all of those kinds of things. As a matter of fact, I doubt there are many people on either side of the aisle who are hearing much from Wall Street right now. Who they are hearing from is their community bankers who are concerned about a consumer protection agency that has no bounds and has no veto.

All of a sudden, it is used potentially as a social justice mechanism in this country. They are concerned about that. They are probably hearing from manufacturers who actually make things and buy hedges or derivatives to make sure their material prices can be hedged again down the road so they don't lose money fulfilling a contract.

When we talk about that either you are for this bill and against Wall Street or vice versa, that is just a low-level argument. It has nothing to do with the facts. The fact, from where I sit, is we have a lot of people in this body who want a good bill. It seems to me the best way to get to a good bill is to at least get the template of the bill agreed to in advance, to get the bill agreed to as it relates to orderly liquidation.

I think we all want to make sure that if a large organization or any organization fails, it fails, but certainly with these highly complex bank holding companies, we want to see that happen. Make sure we deal with revenues in such a way that most of the trades go through a clearinghouse, so at the end of the day, people who are making money bad, make money good so we don't have an AIG-type situation again. Yet we have an appropriate end-user exclusion for people using these derivatives to actually make their businesses safer. We want to make sure we have appropriate consumer protection. We want to make sure that is done in balance; that a consumer protection agency doesn't undermine the safety and soundness piece; that those people are making sure that our banks and financial institutions are sound; that people who do business with them know they are going to be sound; and

that we don't have a consumer protection agency undermining that by trying to, again, use financial mechanisms as a way of creating social justice in this country.

Those are three big titles. It seems to me, if we can get agreement there, before the bill comes to the floor, then we can then do all kinds of amendments on the floor. I think there are a lot of good ideas that my friends on the other side have. I think there are a lot of good ideas that would come from this side of the aisle. It seems to me that the best way to have a great debate is to start with a template that is bipartisan and then let people change it in ways they see fit. We can vote on those. To me, that is the best way to go.

I hope that instead of the tremendous interference that is taking place at the White House—I have never seen such involvement in what appears to be the actual drafting of legislation, sending it straight to a committee, and it being voted out. I have never seen such involvement. I hope we can tone that down, that we can tone our rhetoric down as far as trying to blame the other side for how we ended up in this position, when there are a lot of people on both sides who have exercised good faith in trying to get here. It just pushes people apart when these realignment of history discussions take place, when that is not what has happened.

Let's give Chairman DODD and Ranking Member SHELBY some time to work through these issues. That is what needs to happen. They and their staffs need to finish working through these issues, with input from other Members, and then let's have a great debate. I know we have a weekend coming up and the floor will shut down in the next 24 hours or so. I hope the staffs and these two Members will continue to work through the weekend and try to get this bill right. I hope we will quit throwing accusations back and forth and that we will cool down the rhetoric, and I hope we have an opportunity to begin again with a bipartisan template that we can amend and then create some great legislation for this country.

I yield the floor.

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

Mr. DORGAN. Madam President, are we in morning business?

The PRESIDING OFFICER. We are not. We are on the motion to proceed to S. 3217.

Mr. DORGAN. Madam President, I ask unanimous consent to speak as in morning business for as much time as I may need.

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

THE START TREATY

Mr. DORGAN. Madam President, I have come to speak about the New START Treaty—Strategic Arms Reduction Treaty—with the Russians. I wish to talk about that in some detail.

A week ago, I and other colleagues were in Russia at a site near Moscow looking at a facility that we in the United States are funding to try to make this a safer world, to safeguard nuclear materials and nuclear warheads in the Soviet Union. I wish to talk a bit about this program as it relates to this new START Treaty.

Some of my colleagues have expressed concern and are determined that they are not necessarily supportive of the START arms reduction treaty unless other things are done. I wish to talk about that just a bit.

First, I will describe the unbelievable succession of something we have been doing called the Nunn-Lugar program, the Nunn-Lugar Cooperative Threat Reduction Program. We talk about what doesn't work and what fails, but we don't talk so much about what does work. I will do that for a moment.

I ask unanimous consent to show three things I have had in my desk drawer.

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

Mr. DORGAN. This is a wing strut from a backfire bomber, a Soviet backfire bomber. This is a bomber that would have carried nuclear weapons that would threaten this country as a potential adversary. This is from this airplane. As you can see, this airplane, this backfire bomber, doesn't exist anymore. We didn't shoot it down. I have the wing strut because we sawed it up as part of an arms control and reduction treaty reducing delivery vehicles. This bomber don't exist and carry nuclear weapons because the Nunn-Lugar program helped dismantle that bomber under agreements we have had with the Soviet Union and now with Russia.

This photo is of a typhoon-class ballistic missile submarine the Soviets had. It carried missile launch tubes. This is a missile tube from that submarine. You will see that these tubes don't exist in the submarine anymore. They are now scrap metal. This is copper wire that comes from that Soviet submarine that used to prowl the seas with nuclear weapons threatening our country. This ground-up copper wire from that submarine was not because we sank the submarine but because we have a program by which we reduced the delivery vehicles for nuclear weapons. We and the Soviets—now the Russians—have agreed to a systematic reduction of weapons and delivery vehicles.

This photo is of a missile silo in the Ukraine. This is an SS–18 missile silo. It was blown up as part of the Nunn-Lugar Cooperative Threat Reduction Program. This is what is left of the scrap metal.

I have a hinge here from this particular site in the Ukraine that housed a missile that had a nuclear warhead aimed at our country. Instead of a missile being on the ground in the Ukraine, there is now a field of sunflowers. A field of sunflowers is now planted where a missile that carried a nuclear warhead once existed.

This is unbelievable success, in my judgment, and something we ought to celebrate. With the help of the Nunn-Lugar program Ukraine, Kazakhstan, and Belarus are now nuclear weapons-free. Albania is chemical weapons-free; 7,500 deactivated nuclear warheads; 32 ballistic missile submarines gone; 1,419 long-range nuclear missiles gone; 906 nuclear air-to-service missiles gone; 155 nuclear bombers gone. We didn't shoot them down. We didn't destroy them in air-to-air combat or undersea warfare. We paid some money in a program called Nunn-Lugar with the Soviets and Russians to saw the wings off bombers and grind up the metal in submarines and take out missile silos in the Ukraine with missiles aimed at our country. Therefore, it is a safer world. The question is, How much safer and what more do we need to do?

I have previously read a portion of something into the CONGRESSIONAL RECORD. I will do it again ever so briefly.

On October 11, 2001—not many Americans know this—1 month after the 9/11 attack, George Tenet, Director of the CIA, informed the President that a CIA agent, code-named ''Dragonfire,'' had reported that al-Qaida terrorists possessed a 10-kiloton nuclear bomb, evidently stolen from the Russian arsenal. According to Dragonfire, the CIA agent, this nuclear weapon was now on American soil in New York City. That was 1 month after 9/11. The CIA had no independent confirmation of this report, but neither did it have any basis on which to dismiss it. Did Russia's arsenal include a large number of 10-kiloton weapons? Yes. Could the Russian Government account for all the nuclear weapons the Soviets built during the Cold War? No. Could al-Qaida have acquired one of those weapons? It could have. If a terrorist had acquired it, could they have detonated it? Perhaps. Smuggled it into an American city? Likely.

So in the hours that followed this report on October 11, 2001, 1 month after 9/11, Secretary of State Condoleezza Rice analyzed what strategists then called the ''problem from hell.'' Unlike the Cold War, when the United States and the Soviet Union knew that an attack against the other would elicit a retaliatory strike in greater measure and therefore perhaps destroy both countries, the al-Qaida terrorist organization had no return address and had no such fear of reprisal. Even if the President were prepared to negotiate, al-Qaida had no phone number to call.

This comes from a book that was published by Graham Allison, a former Clinton administration official. I first learned about the incident from a piece in Time magazine, on March 11, 2002. The book that describes the detail of it is pretty harrowing. It is a pretty frightening prospect. I will not read more of it. I have read a fair amount of it.

After some while, it was determined that this was not a credible intelligence piece of information. But for a month or so, there was great concern about the prospect of a terrorist group having stolen a nuclear weapon, smuggled it into an American city, and being able to detonate it. Then we were not talking about 9/11; we were talking about a catastrophe in which hundreds and hundreds of thousands of people would be killed and life on Earth would never be the same. When and if ever a nuclear weapon is detonated in the middle of a major city on this planet, life will change as we know it.

That brings me to this question of nuclear reduction treaties and the work that has gone on. We have about 25,000 nuclear warheads on this planet. I have just described the apoplectic seizure that existed in October of 2001 because one CIA agent suggested he had credible evidence or a rumor that one terrorist group had stolen one small 10-kiloton nuclear weapon. Think of the angst that caused for about a month, which most Americans don't know about. But that was one weapon. There are 25,000 on this Earth—25,000 nuclear weapons. Russia probably has around 15,000.

This is not classified, by the way. This is from a recent estimate by the Union of Concerned Scientists. Most people say it is accurate. The United States has 9,400. China has 240. France has 300. Britain has 200.

The loss of one to a terrorist group—the detonation of that nuclear warhead in a major city would change life as we know it on planet Earth. So the question is, What do we do about that? We struggle to try to accomplish two goals—one, to prevent the spread of nuclear weapons to others who don't now have it, to prevent terrorists from ever acquiring it, and working very hard to accomplish both even while we again try a systematic reduction of nuclear weapons from the 25,000 level and particularly among those that have the most nuclear weapons. We understand it is very difficult to reach these agreements, and when reached, it is very difficult to get them agreed to, get the support by what is necessary in the Senate.

About 95 percent of the nuclear weapons are owned by the United States of America and by Russia. There are a lot of groups in this world that are very interested in acquiring one nuclear weapon with which to terrorize this planet.

We are now operating under the Strategic Offensive Reductions Treaty, known as the Moscow Treaty. It requires the United States and Russia to have no more than 2,200 deployed nuclear weapons—there are many more than that; I am talking about deployed in the field—by 2012.

The Strategic Offensive Reduction Treaty we are now operating under does not restrict any nuclear delivery vehicles at all—airplanes, missiles, and so on—and it does not have any verification measures and it expires in 2012.

A few weeks ago in Prague, the Czech Republic, President Obama and Russian President Medvedev signed a new strategic arms control treaty. It is called START. I compliment the administration for successfully completing this treaty. I was part of a group in the Senate that continued to meet with and review with the negotiators the progress of their work. Their work was long and difficult, but they reached an agreement with the Russians.

It limits each side to 1,550 deployed strategic nuclear warheads, which is 30 percent lower than the Moscow Treaty under which we are now operating.

It limits each side to 800 deployed and nondeployed ICBM launchers, SLBM launchers, and heavy bombers—these are all delivery vehicles—equipped for nuclear armaments. That is one-half of what the START treaty allowed.

It sets a separate limit of 700 deployed ICBMs and SLBMs and deployed heavy bombers that are equipped for nuclear weapons.

The treaty, in addition, has a verification regime, which is very important. You can have a treaty with someone, but if you cannot verify and inspect, then you have a problem. This treaty with the Russians has onsite inspections and exhibitions, telemetry exchanges, data exchanges and notifications, and provisions to facilitate the use of a national technical means for treaty monitoring.

This, in my judgment, is a good treaty that will strengthen this country. It will reduce by 30 percent the number of strategic nuclear warheads that Russia could possess and target at the United States. It allows our country to determine our own force structure and gives us the flexibility to deploy and maintain our strategic nuclear forces in a way that best serves our own national security interests.

The new Nuclear Posture Review, as my colleagues know, says the United States will maintain the nuclear triad of land-based missiles, ballistic missile submarines, as well as bombers. The Obama administration has said as long as nuclear weapons exist, this country will maintain a safe, secure, and effective arsenal to deter any adversary and to protect our allies.

This new START treaty gives us an important window into Russia's strategic arsenal and to ensure that Russia will not be able to surprise us and try to change that balance.

This treaty contains no limits on our ability to continue developing and fielding missile defenses. Our country is doing some of that. Frankly, I have some questions about the cost and the effectiveness of some of what we are doing. Nonetheless, there is no limitation on that in this treaty.

As was done in the case of START, Russia has made a unilateral statement regarding missile defenses. Its statement is not legally binding and does not constrain us in any of our U.S. missile defense programs.

In my judgment, this treaty is very important. It is a very important first step—only a first step—because much more needs to be done. But it is important in terms of enhancing our security and world security. This will bolster, in my judgment, the Nonproliferation Treaty. It demonstrates that the United States and Russia are living up to their part of the deal under the NPT to begin reducing arms. I think it will strengthen Washington's hand in a tighter nuclear nonproliferation regime, especially at the May NPT conference.

Some Senators have said, as would be the case, I suppose, with any treaty: We are concerned about this because we think it weakens America's hand; we think it cuts our nuclear arsenal too deeply. I think they are wrong on that point. They are wrong. We have plenty of nuclear weapons. Not enough nuclear weapons is not among our problems; we have plenty. So do the Russians. We can blow up this planet 150 times and more. We have plenty of nuclear weapons. The question is, How do we and the Russians and others begin to reduce the number of nuclear weapons, and, most important, how do we stop the spread of nuclear weapons?

Let me put up a chart that shows what the Chairman of the Joint Chiefs of Staff said last month:

> I, the Vice Chairman, and the Joint Chiefs, as well as our combatant commanders around the world, stand solidly behind this new treaty, having had the opportunity to provide our counsel, to make our recommendations, and to help shape the final agreements.

This is the Chairman of the Joint Chiefs. He says he and the Joint Chiefs believe this represents our country's best national security interest.

Here is what some others are saying. Douglas Feith, not particularly unexpected. I can pretty much guess what he will say on anything dealing with security if I saw his name tag, I guess. Doug Feith, a former Defense official under the previous administration, says:

> Since the administration is so eager for [the treaty], the main interests of conservatives—

Meaning him and his friends, neocons among other things—

> will relate to modernization. Republicans are interested in the U.S. nuclear posture, the political leverage they have will be the treaty . . . One of the hot issues is going to be the replacement warhead . . .

What does he mean? We are going to use this treaty as leverage to force the government to develop a new nuclear warhead program called the RRW, the Reliable Replacement Warhead.

I am chairman of the subcommittee that funds that program. We stopped funding that warhead. That warhead was an outgrowth of the Congress deciding we are not going to fund the provision before it for another nuclear warhead. We remember the provision: Now we have to build earth-penetrating, bunker-buster nuclear weapons. That was the thing about 5 years ago.

The Congress said: We are not going to build earth-penetrating, bunker-buster nuclear weapons. There is no end to the menu of nuclear weapons some people want. We are not going to do that. That morphed into Reliable Replacement Warhead, RRW, that was to begin replacing our existing stock of warheads in a big program with the Navy, Air Force, and so on. We stopped that as well. We did not stop it because we did not have the money or anything like that. We stopped it because it is not necessary.

We have a process by which we certify that the current nuclear stockpile works, that it is effective. We have a process by which we do that. We have a lot of interest by other groups that have weighed in on the science of this, saying our existing stock of nuclear weapons will last much longer than some had suggested without spending hundreds of billions of dollars for replacement. Yet some will never be satisfied.

Here are statements by some Senators who also will want to use the ratification of this START treaty as leverage. One Senator said:

> Well, I can tell you this, that I think the Senate will find it very hard to support this treaty if there is not a robust modernization plan.

That is the need to design and build new nuclear weapons.

Another one said:

> The success of your administration in ensuring the modernization plan is fully funded in the authorization and appropriations process could have a significant impact on the Senate as it considers the START follow-on treaty.

And another one:

> My vote on the START treaty will thus depend in large measure on whether I am convinced the administration has put forward an appropriate and adequately funded plan to sustain and modernize the smaller nuclear stockpile it envisions.

As chairman of the Appropriations Energy and Water Development Subcommittee, I can tell my colleagues that the proposed budget for nuclear weapons, which is in my subcommittee, for fiscal year 2011 from this administration is more than enough to maintain the safety and reliability of our nuclear weapons; sufficient so that any Chairman of the Joint Chiefs can say with confidence and authority whose requirement it is to certify each year, that we have a nuclear arsenal that can be maintained as reliable and safe for the long-term future.

The National Nuclear Security Agency, the agency that oversees nuclear weapons, would see a 13-percent or $1.3 billion increase under this President's proposal. There are some who have argued this budget increase and planned future increases may not be sufficient to maintain the current stockpile. But that is just not the case. If we look at the budget request, the administration's budget request includes $7 billion for nuclear weapons activities. That is an increase of $624 million in this coming year. It invests significant money in what is called life extension programs. The nuclear weapons in our arsenal are not just the old nuclear weapons. We spend money all the time on life extension programs to make sure they are reliable.

I can go on and talk about the budget. The fact is, this President has sent us a budget that does what he thinks is necessary for the life extension programs and the additional funding. At a time when we have significant financial problems, he is proposing additional funding in this area.

This is a quote from Linton Brooks, who was the NNSA Administrator from 2003 to 2007 under George W. Bush, in February of this year:

> START, as I now understand it, is a good idea on its own merits, but I think for those who think it's only a good idea if you only have a strong weapons program, I think this budget ought to take care of that.
>
> Coupled with the out-year projections, it takes care of the concerns about the complex and it does very good things about the stockpile and it should keep the labs healthy. . . .

That is what he said. That is important to understand when my colleagues come to the floor of the Senate and say: I don't know that I can support arms reductions because we want to make sure we have more money spent on nuclear weapons to build a whole class of new nuclear weapons.

Understand, there is nothing partisan here. The person who last headed this agency under George W. Bush said this budget takes care of that. It will give us the confidence we need.

The September 2009 ''Report on the Lifetime Extension Program'' by the JASON Program Office, which is a very respected group of scientists, said this:

> JASON finds no evidence that accumulation of changes incurred from aging and life extension programs have increased risk to certification of today's deployed nuclear warheads.

Simple.

> Lifetimes of today's nuclear warheads could be extended for decades, with no anticipated loss in confidence, by using approaches similar to those employed in the life extension programs to date.

We have people around here who are just unbelievably anxious to get moving to begin building an entire new class of nuclear weapons. Yet we have evidence from the science of nuclear weapons that the existing stock of nuclear weapons can be maintained with life extension programs for decades. Why would we do that?

I wish to make a concluding point. I wanted to talk about the START program because it is so important to the future of our relationship with Russia. But much more important than that, it is important for the world.

I pulled out of my desk a wing strut from a backfire bomber and ground-up copper from a Russian submarine. I have taken a hinge from a missile silo in the Ukraine that had an SS–18 with a nuclear warhead aimed at the United States. I have all those in my desk just to remind me every day there is a way to reduce the number of nuclear weapons: reduce the delivery vehicles without having air-to-air combat, without firing intercontinental ballistic missiles, and without detonating nuclear warheads. It is the kind of program we have engaged in, the Nunn-Lugar program, the Global Threat Reduction Program, and it is also treaties such as the START treaty.

If it is not our responsibility and if it does not fall on our shoulders to provide the world leadership to stop the spread of nuclear weapons, who else is going to do that? Who else? If you read the book by Graham Allison or understand the consequences of both 9/11 and also October 11 of the same year and the report by a CIA agent code named Dragonfire, that a terrorist group had stolen a 10-kiloton weapon and would detonate it in an American city, if that doesn't send chills down your spine for the future of this world, then there is something fundamentally wrong with your system.

We have to understand if we do not back away from this difficult specter of a new world in which terrorists are trying very hard to acquire nuclear weapons—they don't have to acquire very much. They have to acquire the equivalent of perhaps a 2-liter bottle of highly enriched uranium. Think of one of those 2-liter Coke bottles at the gas station that sits on the counter the next time you go past, 2 liters of soft drink. Think of 2 liters of highly enriched nuclear material to produce one nuclear weapon.

Some of my colleagues, at least some folks kind of made light of, and some commentators on the radio made fun of the very large group of foreign leaders that was called to this town a week ago to deal with this question of how we get our arms around and begin securing loose nuclear materials that exist around the world. That was nothing to laugh at. That was a historic opportunity by this administration, a big deal by this President to say: You know what. That leadership is our responsibility, and we are going to call leaders from all around the world to talk about these loose nuclear materials that can be acquired by a terrorist organization and made into a bomb, and we are going to secure these materials. We are spending money to do that. We are spending money in our budget to do that. But this President said: Let's work much harder. Let's rededicate ourselves, and not just us, let's all of us rededicate ourselves to gather and secure the loose nuclear material and prevent access to that material by a terrorist organization.

Again, this responsibility falls to us. It is our responsibility to lead, to help stop the spread of nuclear weapons. It is also our responsibility, hopefully, to lead toward where the nonproliferation treaty insists we go; that is, to fewer and fewer and fewer nuclear weapons on this planet.

I understand we will not and should not disarm unilaterally. I fully understand that. But I also understand that

having 25,000 nuclear weapons stored in various locations on this planet is not healthy for the long-term prospect of life on Earth. So it is our responsibility. It is an important step, a step only in the direction because it is not the giant step. But an important first step is to ratify this START treaty.

The Russians and the Americans worked very hard to construct a treaty that I think has great merit and will provide for a safer world. Following the ratification of this treaty, then there is even more work to do, much more work to do. But this is the step along the way that is important for all of us to embrace.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT

Mr. DORGAN. Madam President, I ask the Chair to lay before the Senate a message from the House with respect to S. 1963.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House, which the clerk will report.

The assistant legislative clerk read as follows:

S. 1963

Resolved, That the bill from the Senate (S. 1963) entitled ''An Act to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.'', do pass with an amendment.

Mr. AKAKA. Mr. President, as chairman of the Committee on Veterans' Affairs, I am proud to urge our colleagues to support S. 1963, the proposed ''Caregivers and Veterans Omnibus Health Services Act of 2010,'' as amended. This bill reflects a compromise agreement between the Committees on Veterans' Affairs of the Senate and the House of Representatives on health care and related provisions for veterans and their caregivers. The House passed this bill, by a vote of 419–0, on April 21, 2009.

When this bill was passed by the Senate on November 19, 2009, it would have greatly expanded assistance for veterans and family members. The bill in its current form, after being reconciled with legislation in the other body, provides even more robust services, but is also significantly less expensive than when this legislation was originally approved unanimously by the Senate.

The centerpiece of this bill is a new program of caregiver assistance for our most seriously wounded veterans. The Committee has heard over and over about family members who quit their jobs, go through their savings, and lose their health insurance as they stay home to care for their wounded family members from the current conflicts. For those family members who manage to keep their jobs, their employers, including many small businesses already struggling in these difficult economic times, lose money from absenteeism and declining productivity. The toll on the caregivers who try to do it all can be measured in higher rates of depression, and worse health status as they struggle to care for their seriously injured family members, an obligation that ultimately belongs to the Federal Government.

The caregiver program that will be established by this compromise bill will help VA to fulfill its obligation to care for the Nation's wounded veterans by providing their caregivers with vital support services and a living stipend. These vital caregiver support services include training, education, counseling, mental health services, and respite care. This measure also provides health care to the family caregivers of injured veterans through CHAMPVA. These caregivers deserve our support and assistance and this new program will begin to meet that obligation.

Another key part of the bill relates to women veterans. Women make up a significantly increasing portion of the overall veteran population. Thanks to the leadership of Senator MURRAY, this bill will increase funding for mental health services for women who have suffered military sexual trauma, and for medical services for newborn children. In addition, this bill requires VA to report on the barriers facing women veterans who seek health care at VA.

With the help of Senator TESTER, this bill also will improve veteran access to care in rural areas by authorizing VA to carry out demonstration projects for expanding care for veterans in rural areas through partnerships with other federal entities, such as the Centers for Medicare and Medicaid Services and the Indian Health Service. States which have an especially high number of veterans living in rural areas will benefit greatly from these programs.

This bill also expands the scope of VA's Education Debt Reduction Program to include retention in addition to recruitment so that VA can address staff shortages in rural areas. Where VA has a shortage of qualified employees due to location or hard-to-recruit positions, this legislation would increase the total education debt reduction payments made by VA from $44,000 to $60,000.

The bill also attacks another very difficult and painful problem—that of homeless veterans. On any given night, the best estimate is that more than 107,000 veterans are homeless. We know that homelessness is often a consequence of multiple factors, including unstable family support, job loss, and health problems. This bill will create programs to help ease the burden of veteran homelessness and, in so doing, support Secretary Shinseki's efforts to end homelessness among veterans.

Senator DURBIN has helped keep attention on issues of overall quality management in VA, and resolving and preventing such problems as those identified at the Marion, IL, VA medical center, and other facilities. Provisions of this bill will make needed improvements in these areas.

I am grateful to all who have worked diligently on this bipartisan bill—including the committee's ranking member, Senator BURR—and the veterans service organizations, who made this one of their priorities. We are particularly indebted to the Disabled American Veterans and the Wounded Warrior Project for being in the vanguard on advocating for family caregivers and for their unrelenting support for this legislation.

Various other advocates have supported this bill as well, including the American Legion, the Veterans of Foreign Wars, the Paralyzed Veterans of America, the Nurses Organization of Veterans Affairs, the Brain Injury Association of America, the American Academy of Ophthalmology, the American Association of Colleges of Nursing, and many others.

It has taken us several years to see this legislation through to what I hope will be final passage today. As we reach this final point in the legislative process, I take a moment to thank the members of the committee staff who worked so hard on this legislation, including former committee staffers who helped craft many of the provisions in this bill, Alexandra Sardegna, Aaron Sheldon, and Andrea Buck. I also thank current committee staff, Ryan Pettit, Preethi Raghavan, Nancy Hogan, and Lexi Simpson, and all the others who, in addition to their work on specific elements of the final agreement, have worked to bring this legislation to final passage.

We have promised to care for veterans when they return from service to the Nation. The provisions in this bill will help us keep our promise by going beyond words and ceremony, and providing the care that veterans have earned through their sacrifices.

I ask my colleagues to give this legislation their unanimous support.

I ask unanimous consent that an explanatory statement developed jointly with our counterparts in the House to accompany this compromise bill be printed in the RECORD at the conclusion of my remarks.

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

EXPLANATORY STATEMENT SUBMITTED BY SENATOR AKAKA, CHAIRMAN OF THE SENATE COMMITTEE ON VETERANS' AFFAIRS

AMENDMENT OF THE HOUSE OF REPRESENTATIVES TO S. 1963 CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT OF 2010

S. 1963, as amended, the ''Caregivers and Veterans Omnibus Health Services Act of 2010,'' reflects the Compromise Agreement between the Committees on Veterans' Affairs of the Senate and the House of Representatives (the Committees) on health care

and related provisions for veterans and their caregivers. The provisions in the Compromise Agreement are derived from a number of bills that were introduced and considered by the House and Senate during the 111th Congress. These bills include S. 1963, a bill to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes, which passed the Senate on November 19, 2009 (Senate bill); and H.R. 3155, a bill to provide certain caregivers of veterans with training, support, and medical care, and for other purposes, which passed the House on July 27, 2009 (House bill).

In addition, the Compromise Agreement includes provisions derived from the following bills which were passed by the House: H.R. 402, a bill to designate the Department of Veterans Affairs Outpatient Clinic in Knoxville, Tennessee, as the ''William C. Tallent Department of Veterans Affairs Outpatient Clinic,'' passed by the House on July 14, 2009; H.R. 1211, a bill to expand and improve health care services available to women veterans, especially those serving in Operation Enduring Freedom and Operation Iraqi Freedom, from the Department of Veterans Affairs, and for other purposes, passed by the House on June 23, 2009; H.R. 1293, a bill to provide for an increase in the amount payable by the Secretary of Veterans Affairs to veterans for improvements and structural alterations furnished as part of home health services, passed by the House on July 28, 2009; H.R. 2770, a bill to modify and update provisions of law relating to nonprofit research and education corporations, and for other purposes, passed by the House on July 27, 2009; H.R. 3157, a bill to name the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic,'' passed by the House on November 3, 2009; H.R. 3219, a bill to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes, passed by the House on July 27, 2009; and H.R. 3949, a bill to make certain improvements in the laws relating to benefits administered by the Secretary of Veterans Affairs, and for other purposes, passed by the House on November 3, 2009.

The Compromise Agreement also includes provisions derived from the following House bills, which were introduced and referred to the Subcommittee on Health of the House Committee on Veterans' Affairs: H.R. 919, to enhance the capacity of the Department of Veterans Affairs to recruit and retain nurses and other critical health care professionals, and for other purposes, which was introduced on February 9, 2009; H.R. 3796, to improve per diem grant payments for organizations assisting homeless veterans, which was introduced on October 13, 2009; and H.R. 4166, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to educational assistance for health professionals, and for other purposes, which was introduced on December 1, 2009, and was concurrently referred to the Committee on Energy and Commerce.

The House and Senate Committees on Veterans' Affairs have prepared the following explanation of the Compromise Agreement. Differences between the provisions contained in the Compromise Agreement and the related provisions in the bills listed above are noted in this document, except for clerical corrections and conforming changes, and minor drafting, technical, and clarifying changes.

TITLE I—CAREGIVER SUPPORT

Assistance and Support Services for Family Caregivers (section 101)

The Senate bill contains a provision (section 102) that would create a new program to help caregivers of eligible veterans who, together with the veteran, submit a joint application requesting services under the new program. Eligible veterans are defined as those who have a serious injury, including traumatic brain injury, psychological trauma, or other mental disorder, incurred or aggravated while on active duty on or after September 11, 2001. Within two years of program implementation, the Department of Veterans Affairs (VA) would be required to submit a report on the feasibility and advisability of extending the program to veterans of earlier periods of service. Severely injured veterans are defined as those who need personal care services because they are unable to perform one or more independent activities of daily living, require supervision as a result of neurological or other impairments, or need personal care services because of other matters specified by the VA. For accepted caregiver applicants, VA would be required to provide respite care as well as pay for travel, lodging and per-diem expenses while the caregiver of an eligible veteran is undergoing necessary training and education to provide personal care services. Once a caregiver completes training and is designated as the primary personal care attendant, this individual would receive ongoing assistance including direct technical support, counseling and mental health services, respite care of no less than 30 days annually, health care through the Civilian Health and Medical Program of the Department of Veterans Affairs (CHAMPVA), and a monthly financial stipend. The provision in the Senate bill would require VA to carry out oversight of the caregiver by utilizing the services of home health agencies. A home health agency would be required to visit the home of a veteran not less often than once every six months and report its findings to VA. Based on the findings, VA would have the final authority to revoke a caregiver's designation as a primary personal care attendant. The provision also would require an implementation and evaluation report, and provide for an effective date 270 days after the date of the enactment of this Act.

The House bill contains comparable provisions (section 2 and section 4) with some key differences. The provisions in the House bill would provide educational sessions, access to a list of comprehensive caregiver support services available at the county level, information and outreach, respite care, and counseling and mental health services to family and non-family caregivers of veterans of any era. For family caregivers of eligible veterans who served in Operation Enduring Freedom (OEF) or Operation Iraqi Freedom (OIF), the House bill would require VA to provide a monthly financial stipend, health care service through CHAMPVA, and lodging and subsistence to the caregiver when the caregiver accompanies the veteran on medical care visits. Eligible OEF or OIF veterans are defined as those who have a service-connected disability or illness that is severe; in need of caregiver services without which the veteran would be hospitalized, or placed in nursing home care or other residential institutional care; and are unable to carry out activities (including instrumental activities) of daily living.

The Compromise Agreement contains the Senate provision modified to no longer require VA to enter into relationships with home health agencies to make home visits every six months. In addition, the Compromise Agreement follows the House bill in creating a separate program of general family caregiver support services for family and non-family caregivers of veterans of any era. Such support services would include training and education, counseling and mental health services, respite care, and information on the support services available to caregivers through other public, private, and nonprofit agencies. In the event that sufficient funding is not available to provide training and education services, the Secretary would be given the authority to suspend the provision of such services. The Secretary would be required to certify to the Committees that there is insufficient funding 180 days before suspending the provision of these services. This certification and the resulting suspension of services would expire at the end of the fiscal year concerned.

The overall caregiver support program for caregivers of eligible OEF or OIF veterans would authorize VA to provide training and supportive services to family members and certain others who wish to care for a disabled veteran in the home and to allow veterans to receive the most appropriate level of care. The newly authorized supportive services would include training and certification, a living stipend, and health care—including mental health counseling, transportation benefits, and respite.

The Compromise Agreement also includes an authorization for appropriations that is below the estimate furnished by the Congressional Budget Office. The lower authorization level is based on information contained in a publication (Economic Impact on Caregivers of the Seriously Wounded, Ill, and Injured, April 2009) of the Center for Naval Analyses (CNA). This study estimated that, annually, 720 post-September 11, 2001 veterans require comprehensive caregiver services. The Compromise Agreement limits the caregiver program only to ''seriously injured or very seriously injured'' veterans who were injured or aggravated an injury in the line of duty on or after September 11, 2001. CNA found that the average requirement for such caregiver services is 18 months, and that only 43 percent of veterans require caregiver services over the long-term. CNA also found that, on average, veterans need only 21 hours of caregiver services per week. Only 233 family caregivers were referred by VA for training and certification through existing home health agencies in FY 2008. This represented five percent of all home care referrals. In FY 2009, only 168 family caregivers were referred to home care agencies for training and certification.

Medical Care for Family Caregivers (section 102)

The Senate bill contains a provision (section 102) that would provide health care through the CHAMPVA program for individuals designated as the primary care attendant for eligible OEF or OIF veterans and who have no other insurance coverage.

The House bill contains a comparable provision (section 5), with a difference in the target population. Under the House bill, the target population would include all family caregivers of eligible OEF or OIF veterans, defined as those who have a service-connected disability or illness that is severe; are in need of caregiver services without which hospitalization, nursing home care, or other residential institutional care would be required; and, are unable to carry out activities (including instrumental activities) of daily living.

The Compromise Agreement contains the Senate provision.

Counseling and Mental Health Services for Family Caregivers (section 103)

The Senate bill contains a provision (section 102) that would provide counseling and mental health services for family caregivers of OEF or OIF veterans.

The House bill contains a comparable provision (section 3), except that counseling and mental health services would be available to caregivers of veterans of any era.

The Compromise Agreement contains the House provision.

Lodging and Subsistence for Attendants (section 104)

The Senate bill contains a provision (section 103) that would allow VA to pay for the lodging and subsistence costs incurred by any attendant who accompanies an eligible OEF or OIF veteran seeking VA health care.

The House bill contains a comparable provision (section 6), with a difference in the target population. Under the House bill, the target population would include all family caregivers of eligible OEF or OIF veterans, defined as those who have a service-connected disability or illness that is severe; are in need of caregiver services without which hospitalization, nursing home care, or other residential institutional care would be required; and, are unable to carry out activities (including instrumental activities) of daily living.

The Compromise Agreement contains the Senate provision.

TITLE II—WOMEN VETERANS HEALTH CARE MATTERS

Study of Barriers for Women Veterans to Health Care from the Department of Veterans Affairs (section 201)

The Senate bill contains a provision (section 201) that would require VA to report, by June 1, 2010, on barriers facing women veterans who seek health care at VA, especially women veterans of OEF or OIF.

H.R. 1211 contains a comparable provision (section 101) that would require a similar study of health care barriers for women veterans. The House provision also would define the parameters of the research study sample; direct VA to build on the work of an existing study entitled ''National Survey of Women Veterans in Fiscal Year 2007–2008;'' mandate VA to share the barriers study data with the Center for Women Veterans and the Advisory Committee on Women Veterans; and authorize appropriations of $4 million to conduct the study. VA would be required to submit to Congress a report on the implementation of this section within six months of the publication of the ''National Survey of Women Veterans in Fiscal Year 2007–2008,'' and the final report within 30 months of publication.

The Compromise Agreement contains the House provision.

Training and Certification for Mental Health Care Providers of the Department of Veterans Affairs on Care for Veterans Suffering From Sexual Trauma and Post-Traumatic Stress Disorder (section 202)

The Senate bill contains a provision (section 204) that would require VA to implement a program for education, training, certification, and continuing medical education for mental health professionals, which would include principles of evidence-based treatment and care for sexual trauma. VA would also be required to submit an annual report on the counseling, care, and services provided to veterans suffering from sexual trauma, and to establish education, training, certification, and staffing standards for personnel providing treatment for veterans with sexual trauma.

H.R. 1211 contains a similar provision (section 202), except it included no provision requiring VA to establish education, training, certification, and staffing standards for the mental health professionals caring for veterans with sexual trauma.

The Compromise Agreement contains the House provision.

Pilot Program on Counseling in Retreat Settings for Women Veterans Newly Separated From Service in the Armed Forces (section 203)

The Senate bill contains a provision (section 205) that would require VA to establish, at a minimum of five locations, a two year pilot program in which women veterans newly separated from the Armed Forces would receive reintegration and readjustment services in a group retreat setting. The provision also would require a report detailing the pilot program findings and providing recommendations on whether VA should continue or expand the pilot program.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision but specifies that the program be carried out at a minimum of three, not five, locations.

Service on Certain Advisory Committees of Women Recently Separated From Service in the Armed Forces (section 204)

The Senate bill contains a provision (section 207) that would amend the membership of the Advisory Committee on Women Veterans and the Advisory Committee on Minority Veterans to require that such committees include women recently separated from the Armed Forces and women who are minority group members and are recently separated from the Armed Forces, respectively.

H.R. 1211 contains a similar provision (section 204) except that it would allow either men or women who are members of a minority group to serve on the Advisory Committee on Minority Veterans.

The Compromise Agreement contains the Senate provision.

Pilot Program on Subsidies for Child Care for Certain Veterans Receiving Health Care (section 205)

The Senate bill contains a provision (section 208) that would require VA to establish a pilot program through which child care subsidies would be provided to women veterans receiving regular and intensive mental health care and intensive health care services. The pilot program would be carried out in no fewer than three Veterans Integrated Service Networks (VISNs) for a duration of two years and, at its conclusion, there would be a requirement for a report to be submitted within six months detailing findings related to the program and recommendations on its continuation or extension. The provision also would direct VA, to the extent practicable, to model the pilot program after an existing VA Child Care Subsidy Program.

H.R. 1211 contains a comparable provision (section 203), but it does not stipulate that the child care program shall be executed through stipends. Rather, stipends are one option among several listed, including partnership with private agencies, collaboration with facilities or program of other Federal departments or agencies, and the arrangement of after-school care.

The Compromise Agreement contains the Senate provision, with a modification to clarify that the child care subsidy payments shall cover the full cost of child care services. In addition, the provision expands the definition of veterans who qualify for the child care subsidy to women veterans who are in need of regular or intensive mental health care services but who do not seek such care due to lack of child care services. Finally, the Compromise Agreement follows the House provision by allowing for other forms of child care assistance. In addition to stipends, child care services may be provided through the direct provision of child care at an on-site VA facility, payments to private child care agencies, collaboration with facilities or programs of other Federal departments or agencies, and other forms as deemed appropriate by the Secretary.

Care for Newborn Children of Women Veterans Receiving Maternity Care (section 206)

The Senate bill contains a provision (section 209) that would authorize VA to provide post-delivery health care services to a newborn child of a woman veteran receiving maternity care from VA if the child was delivered in a VA facility or a non-VA facility pursuant to a VA contract for delivery. Such care would be authorized for up to seven days.

H.R. 1211 contains a comparable provision (section 201), but would allow VA to provide care for a set seven-day period for newborn children of women veterans receiving maternity care.

The Compromise Agreement contains the Senate provision.

TITLE III—RURAL HEALTH IMPROVEMENTS

Improvements to the Education Debt Reduction Program (section 301)

The Senate bill contains a provision (section 301) that would eliminate the cap in current law on the total amount of education debt reduction payments that can be made over five years so as to permit payments equal to the total amount of principal and interest owed on eligible loans.

H.R. 4166 contains a provision (section 3), that would expand the purpose of the Education Debt Reduction Program (EDRP), set forth in subchapter VII of chapter 76 of title 38, United States Code., to include retention in addition to recruitment, as well as to modify and expand the eligibility requirements for participation in the program. In addition, the provision would increase the total education debt reduction payments made by VA from $44,000 to $60,000 and raise the cap on payments to be made during the fourth and fifth years of the program from $10,000 to $12,000. The provision would also provide VA with the flexibility to waive the limitations of the EDRP and pay the full principal and interest owed by participants who fill hard-to-recruit positions at VA.

The Compromise Agreement contains the House provision.

Visual Impairment and Orientation and Mobility Professionals Education Assistance Program (section 302)

The Senate bill contains a provision (section 302) that would require VA to establish a scholarship program for students accepted or enrolled in a program of study leading to certification or a degree in the areas of visual impairment or orientation and mobility. The student would be required to agree to maintain an acceptable level of academic standing as well as join VA as a full-time employee for three years following their completion of the program. VA would be required to disseminate information on the scholarship program throughout educational institutions, with a special emphasis on those with a high number of Hispanic students and Historically Black Colleges and Universities.

H.R. 3949 contains the same provision (section 302).

The Compromise Agreement contains this provision.

Demonstration Projects on Alternatives for Expanding Care for Veterans in Rural Areas (section 303)

The Senate bill contains a provision (section 305) that would authorize VA to carry out demonstration projects to expand care to veterans in rural areas through the Department's Office of Rural Health. Projects could include VA establishing a partnership with the Centers for Medicare and Medicaid Services to coordinate care for veterans in rural areas at critical access hospitals, developing a partnership with the Department of Health and Human Services to coordinate care for veterans in rural areas at community health centers, and the expanding coordination with the Indian Health Service to enhance care for Native American veterans.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Program on Readjustment and Mental Health Care Services for Veterans Who Served in Operation Enduring Freedom and Operation Iraqi Freedom (section 304)

The Senate bill contains a provision (section 306) that would require VA to establish a program providing OEF and OIF veterans with mental health services, readjustment counseling and services, and peer outreach and support. The program would also provide the immediate families of these veterans with education, support, counseling, and mental health services. In areas not adequately served by VA facilities, VA would be authorized to contract with community mental health centers and other qualified entities for the provision of such services, as well as provide training to clinicians and contract with a national non-profit mental health organization to train veterans participating in the peer outreach and support program. The provision would require an initial implementation report within 45 days after enactment of the legislation. Additionally, the Secretary would be required to submit a status report within one year of enactment of the legislation detailing the number of veterans participating in the program as well as an evaluation of the services being provided under the program.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, but does not include the reporting requirement and authorizes rather than requires VA to contract with community mental health centers and other qualified entities in areas not adequately served by VA facilities.

Travel Reimbursement for Veterans Receiving Treatment at Facilities of the Department of Veterans Affairs (section 305)

The Senate bill contains a provision (section 308) that would authorize VA to increase the mileage reimbursement rate under section 111 of title 38, United States Code, to 41.5 cents per mile, and, a year after the enactment of this legislation, allow the Secretary to adjust the newly specified mileage rate to be equal to the rate paid to Government employees who use privately owned vehicles on official business. If such an adjustment would result in a lower mileage rate, the Secretary would be required to submit to Congress a justification for the lowered rate. The provision also would allow the Secretary to reimburse veterans for the reasonable cost of airfare when that is the only practical way to reach a VA facility.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Pilot Program on Incentives for Physicians Who Assume Inpatient Responsibilities at Community Hospitals in Health Professional Shortage Areas (section 306)

The Senate bill contains a provision (section 313) that would require VA to establish a pilot program under which VA physicians caring for veterans admitted to community hospitals would receive financial incentives, of an amount deemed appropriate by the Secretary, if they maintain inpatient privileges at community hospitals in health professional shortage areas. Participation in the pilot program would be voluntary. VA would be required to carry out the pilot program for three years, in not less than five community hospitals in each of not fewer than two VISNs. In addition, VA would be authorized to collect third party payments for care provided by VA physicians to nonveterans while carrying out their responsibilities at the community hospital where they are privileged.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Grants for Veterans Service Organizations for Transportation of Highly Rural Veterans (section 307)

The Senate bill contains a provision (section 315) that would require VA to establish a grant program to provide innovative transportation options to veterans in highly rural areas. Eligible grant recipients would include state veterans service agencies and veterans service organizations, and grant awards would not exceed $50,000.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Modifications of Eligibility for Participation in Pilot Program of Enhanced Contract Care Authority for Health Care Needs of Certain Veterans (section 308)

The Senate bill contains a provision (section 316) that would clarify the definition of eligible veterans who are covered under a pilot program of enhanced contract care authority for rural veterans, created by section 403(b) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (P.L. 110–387, 122 Stat. 4110). Eligible veterans would be defined to include those living more than 60 minutes driving distance from the nearest VA facility providing primary care services, living more than 120 minutes driving distance from the nearest VA facility providing acute hospital care, and living more than 240 minutes driving distance from the nearest VA facility providing tertiary care.

H.R. 3219 contains the same provision (section 206).

The Compromise Agreement contains this provision.

TITLE IV—MENTAL HEALTH CARE MATTERS

Eligibility of Members of the Armed Forces Who Served in Operation Enduring Freedom or Operation Iraqi Freedom for Counseling and Services Through Readjustment Counseling Services (section 401)

The Senate bill contains a provision (section 401) that would allow any member of the Armed Forces, including members of the National Guard or Reserve, who served in OEF or OIF to be eligible for readjustment counseling services at VA Readjustment Counseling Centers, also known as Vet Centers. The provision of such services would be limited by the availability of appropriations so that this new provision would not adversely affect services provided to the veterans that Vet Centers are currently serving.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Restoration of Authority of Readjustment Counseling Service To Provide Referral and Other Assistance Upon Request to Former Members of the Armed Forces Not Authorized Counseling (section 402)

The Senate bill contains a provision (section 402) that would require VA to help former members of the Armed Forces who have been discharged or released from active duty, but who are not otherwise eligible for readjustment counseling. VA would be authorized to help these individuals by providing them with referrals to obtain counseling and services from sources outside of VA, or by advising such individuals of their right to apply for a review of their release or discharge through the appropriate military branch of service.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Study on Suicides among Veterans (section 403)

The Senate bill contains a provision (section 403) that would require VA to conduct a study to determine the number of veterans who committed suicide between January 1, 1999 and the enactment of the legislation. To conduct this study, VA would be required to coordinate with the Secretary of Defense, veterans' service organizations, the Centers for Disease Control and Prevention, and state public health offices and veterans agencies.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

TITLE V—OTHER HEALTH CARE MATTERS

Repeal of Certain Annual Reporting Requirements (section 501)

The Senate bill contains a provision (section 501) that would eliminate the reporting requirements, set forth in sections 7451 and 8107 of title 38, United States Code, on pay adjustments for registered nurses. These reporting requirements date to a time when VA facility directors had the discretion to offer annual General Schedule (GS) comparability increases to nurses. Current law requires VA to provide GS comparability increases to nurses so that that pay adjustment report is no longer necessary. The provision would also eliminate the reporting requirement on VA's long-range health care planning which included the operations and construction plans for medical facilities. The information contained in this report is already submitted in other reports and plans, in particular the Department's annual budget request.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Submittal Date of Annual Report on Gulf War Research (section 502)

The Senate bill contains a provision (section 502) that would amend the due date of the Annual Gulf War Research Report from March 1 to July 1 of each of the five years with the first report due in 2010.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Payment for Care Furnished to CHAMPVA Beneficiaries (section 503)

The Senate bill contains a provision (section 503) that would clarify that payments made by VA to providers who provide medical care to a beneficiary covered under CHAMPVA shall constitute payment in full, thereby removing any liability on the part of the beneficiary.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Disclosure of Patient Treatment Information from Medical Records of Patients Lacking Decision-making Capacity (section 504)

The Senate bill contains a provision (section 504) that would authorize VA health care practitioners to disclose relevant portions of VA medical records to surrogate decision-makers who are authorized to make decisions on behalf of patients lacking decision-making capacity. The provision would only allow such disclosures where the information is clinically relevant to the decision that the surrogate is being asked to make.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Enhancement of Quality Management (section 505)

The Senate bill contains a provision (section 506) that would create a National Quality Management Officer to act as the principal officer responsible for the Veteran Health Administration's quality assurance program. The provision would require each VISN and medical facility to appoint a quality management officer, as well as require

VA to carry out a review of policies and procedures for maintaining health care quality and patient safety.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Pilot Program on Use of Community-Based Organizations and Local and State Government Entities to Ensure that Veterans Receive Care and Benefits for Which They are Eligible (section 506)

The Senate bill contains a provision (section 508) that would require VA to create a pilot program to study the use of community organizations and local and State government entities in providing care and benefits to veterans. The grantees would be selected for their ability to increase outreach, enhance the coordination of community, local, state, and Federal providers of health care, and expand the availability of care and services to transitioning servicemembers and their families. The two-year pilot program would be required to be implemented in five locations and, in making the site selections, the Secretary would be required to give special consideration to rural areas, areas with high proportions of minority groups, areas with high proportions of individuals who have limited access to health care, and areas that are not in close proximity to an active duty military station.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, but would give VA 180 days to implement the pilot program.

Specialized Residential Care and Rehabilitation for Certain Veterans (section 507)

The Senate bill contains a provision (section 509) that would authorize VA to contract for specialized residential care and rehabilitation services for certain veterans. Eligible veterans would be those who served in OEF or OIF, suffer from a traumatic brain injury (TBI), and possess an accumulation of deficits in activities of daily living and instrumental activities of daily living that would otherwise require admission to a nursing home.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Expanded Study on the Health Impact of Project Shipboard Hazard and Defense (section 508)

The Senate bill contains a provision (section 510) that would require VA to contract with the Institute of Medicine (IOM) to study the health impact of veterans' participation in Project Shipboard Hazard and Defense (SHAD). The study would be intended to cover, to the extent practicable, all veterans who participated in Project SHAD and may utilize results from the study included in IOM's report on ''Long-Term Health Effects of Participation in Project SHAD.''

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Use of Non-Department Facilities for Rehabilitation of Individuals with Traumatic Brain Injury (section 509)

The Senate bill contains a provision (section 511) that would clarify when non-VA facilities may be utilized to provide treatment and rehabilitative services for veterans and members of the Armed Forces with TBI. Specifically, the provision would allow non-VA facilities to be used when VA cannot provide treatment or services at the frequency or duration required by the individual plan of the veteran or servicemember with TBI. The provision also would allow the use of non-VA facilities if VA determines that it is optimal for the recovery and rehabilitation of the veteran or servicemember. Such non-VA facility would be required to maintain standards that have been established by an independent, peer-reviewed organization that accredits specialized rehabilitation programs for adults with TBI.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Pilot Program on Provision of Dental Insurance Plans to Veterans and Survivors and Dependents of Veterans (section 510)

The Senate bill contains a provision (section 513) that would require VA to carry out a three-year pilot program to provide specified dental services through a contract with a dental insurer. Additionally, the provision would provide that the pilot program should take place in at least two but no more than four VISNs and that enrollment would be voluntary. The program would provide diagnostic services, preventive services, endodontic and other restorative services, surgical services, emergency services, and such other services as VA considers appropriate.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, modified to provide that the pilot program may take place in any number of VISNs the Secretary deems appropriate. The purpose of providing the Secretary with this authority is to ensure the capability, should it be required, to maximize the number of voluntary enrollees insured under the dental program so as to reduce premium expenditures.

Prohibition on Collection of Copayments from Veterans who are Catastrophically Disabled (section 511)

The Senate bill contains a provision (section 515) that would add a new section 1730A in title 38, United States Code, to prohibit VA from collecting copayments from catastrophically disabled veterans for medical services rendered, including prescription drug and nursing home care copayments.

H.R. 3219 contains the same provision (section 203).

The Compromise Agreement contains this provision.

Higher Priority Status for Certain Veterans Who Are Medal of Honor Recipients (section 512)

H.R. 3519 contains a provision (section 201) that would amend section 1705 of title 38, United States Code, to place Medal of Honor recipients in priority group 3 for the purposes of receiving health care through VA. This would situate Medal of Honor recipients in a priority group with former prisoners of war and Purple Heart recipients.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

Hospital Care, Medical Services, and Nursing Home Care for Certain Vietnam-Era Veterans Exposed to Herbicide and Veterans of the Persian Gulf War (section 513)

H.R. 3219 contains a provision (section 202) that would amend section 1710 of title 38, United States Code, to provide permanent authorization for the special treatment authority of Vietnam-era veterans exposed to an herbicide and Gulf-War era veterans who have insufficient medical evidence to establish a service-connected disability.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

Establishment of Director of Physician Assistant Services in Veterans Health Administration (section 514)

H.R. 3219 contains a provision (section 204) that would create the position of Director of Physician Assistant Services in VA central office who would report directly to the Under Secretary for Health on all matters related to education, training, employment, and proper utilization of physician assistants.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision, modified to require the Director of Physician Assistant Services to report directly to the Chief of the Office of Patient Services instead of to the Under Secretary for Health.

Committee on Care of Veterans With Traumatic Brain Injury (section 515)

H.R. 3219 contains a provision (section 205) that would require VA to establish a Committee on Care of Veterans with Traumatic Brain Injury. This Committee would be required to evaluate VA's capacity to meet the treatment and rehabilitative needs of veterans with TBI, as well as make recommendations and advise the Under Secretary for Health on matters relating to this condition. Additionally, VA would be required to submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives an annual report on the Committee's findings and recommendations and the Department's response.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

Increase in Amount Available to Disabled Veterans for Improvements and Structural Alterations Furnished as Part of Home Health Services (section 516)

H.R. 1293 contains a provision that would increase, from $4,100 to $6,800, the amount authorized to be paid to veterans who have service-connected disabilities rated 50 percent or more disabling for home improvements and structural alterations. The provision would also increase from $1,200 to $2,000, the amount authorized to be paid to veterans with service-connected disabilities rated less than 50 percent disabling.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

Extension of Statutorily Defined Copayments for Certain Veterans for Hospital Care and Nursing Home Care (section 517)

Under current law, VA has the authority to provide hospital and nursing home care on a space available basis to veterans who do not otherwise qualify for such care. VA is authorized to collect from such a veteran an amount equal to $10 for every day that a veteran receives hospital care, and $5 for every day a veteran receives nursing home care. This authority expires on September 30, 2010.

Neither the House nor Senate bills contain a provision to extend this authority.

The Compromise Agreement contains a provision which would extend the statutorily defined copayments for certain veterans for hospital care and nursing home care to September 30, 2012.

Extension of Authority To Recover Cost of Certain Care and Services From Disabled Veterans With Health-Plan Contracts (section 518)

Under current law, VA is authorized to recover the costs associated with medical care provided to a veteran for a non-service-connected disability if, among other eligibility criteria, the veteran receives such care before October 1, 2010, the veteran has a service-connected disability, and the veteran is entitled to benefits for health care under a health-plan contract.

Neither the House nor Senate bills contain a provision to extend this authority.

The Compromise Agreement contains a provision which would extend the authority to recover the cost of such care and services from disabled veterans with health-plan contracts to October 1, 2012.

TITLE VI—DEPARTMENT PERSONNEL MATTERS

Enhancement of Authorities for Retention of Medical Professionals (section 601)

The Senate bill contains provisions (section 601) intended to improve VA's ability to recruit and retain health professionals. First, VA would be given the authority to apply the title 38 hybrid employment system to additional health care occupations to meet the recruitment and retention needs of VA. Next, the probationary period for full-time and part-time registered nurses would be set at two years; part-time registered nurses who served previously on a full-time basis would not be subject to a probationary period. In addition, VA would be authorized to waive the salary offset where the salary of an employee rehired after retirement from the Veterans Health Administration is reduced according to the amount of their annuity under a federal government retirement system.

Section 601 also would provide for a number of new or expanded pay authorities, including setting the pay for all senior executives in the Office of the Under Secretary for Health at Level II or Level III of the Executive Schedule; authorizing recruitment and retention special incentive pay for pharmacist executives of up to $40,000; amending the pay provisions of physicians and dentists by clarifying the determination of the nonforeign cost of living adjustment, exempting physicians and dentists in executive leadership positions from compensation panels, and allowing for a reduction in market pay for changes in board certification or a reduction of privileges; modifying the pay cap for registered nurses and other covered positions to Level IV of the Executive Schedule; allowing the pay for certified registered nurse anesthetists to exceed the pay caps for registered nurses; increasing the limitation on special pay for nurse executives from $25,000 to $100,000; adding licensed practical nurses, licensed vocational nurses, and nursing positions covered by title 5 to the list of occupations that are exempt from the limitations on increases in rates of basic pay; and expanding the eligibility for additional premium pay to part-time nurses. Finally, section 601 would improve VA's locality pay system by requiring VA to provide education, training, and support to the directors of VA health care facilities on the use of locality pay system surveys.

H.R. 919 contains a comparable provision (section 2) which would not, in contrast to the Senate bill, restrict VA from applying hybrid title 38 status to positions that are administrative, clerical or physical plant maintenance and protective services, would otherwise be included under the authority of section 5332 of title 5, United States Code; do not provide direct patient care services, or would otherwise be available to provide medical care and treatment for veterans. The House provision also would not place restrictions on the categories of part-time nurses for whom the probationary period would be waived. The House section contains an additional provision which would provide comparability pay up to $100,000 per year to all individuals appointed by the Under Secretary for Health under the authority of section 7306 of title 38, United States Code, who are not physicians or dentists and who would be compensated at a higher rate in the private sector.

The Compromise Agreement contains the Senate provision, modified to eliminate the provision of the Senate bill that would provide VA with the authority to waive salary offsets for retirees who are reemployed in the Veterans Health Administration.

Limitations on Overtime Duty, Weekend Duty, and Alternative Work Schedules for Nurses (section 602)

The Senate bill contains a provision (section 602) that would prohibit VA from requiring nurses to work more than 40 hours in an administrative work week or more than 8 hours consecutively, except under unanticipated emergency conditions in which the nurses' skills are necessary and good faith efforts to find voluntary replacements have failed. The provision also would strike subsection 7456(c) of title 38, United States Code, which provides that nurses on approved sick or annual leave during a 12-hour work shift shall be charged at a rate of five hours of leave per three hours of absence. Finally, for recruitment and retention purposes, VA would be authorized to consider a nurse who has worked 6 regularly scheduled 12-hour work shifts within a 14-day period to have worked a full 80-hour pay period.

H.R. 919 contains the same provision (section 3).

The Compromise Agreement contains this provision.

Reauthorization of Health Professionals Educational Assistance Scholarship Program (section 603)

H.R. 919 contains a provision (section 4) that would reinstate the Health Professionals Educational Assistance Scholarship Program. Section 2 of H.R. 4166 contains a similar provision which would also direct VA to fully employ program graduates as soon as possible following their graduation, require graduates to perform clinical rotations in assignments or locations determined by VA, and assign a mentor to graduates in the same facility in which they are serving.

The Senate bill contains a similar provision but did not include the requirement to fully employ graduates as soon as possible.

The Compromise Agreement contains the provision from section 2 of H.R. 4166.

Loan Repayment Program for Clinical Researchers From Disadvantaged Backgrounds (section 604)

H.R. 919 (section 4) and H.R. 4166 (section 4) contain identical provisions that would allow VA to utilize the authorities available in the Public Health Service Act for the repayment of the principal and interest of educational loans of health professionals from disadvantaged backgrounds in order to employ such professionals in the Veterans Health Administration to conduct clinical research.

The Senate bill contains the same provision (section 603).

The Compromise Agreement contains this provision.

TITLE VII—HOMELESS VETERANS MATTERS

Per Diem Grant Payments (section 701)

H.R. 3796 contains a provision that would authorize VA to make per diem payments to organizations assisting homeless veterans in an amount equal to the greater of the daily cost of care or $60 per bed, per day. The provision would also require VA to ensure that 25 percent of the funds available for per diem payments are distributed to organizations that meet some but not all of the criteria for the receipt of per diem payments. These would include (in order of priority) organizations that meet each of the transitional and supportive services criteria and serve a population that is less than 75 percent veterans; organizations that meet at least one but not all of the transitional and supportive services criteria, but have a population that is at least 75 percent veterans; or organizations that meet at least one but not all of the transitional and supportive services criteria and serve a population that is less than 75 percent veterans.

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision, but does not require the minimum amount of $60 per bed, per day for the Grant and Per Diem program. In addition, VA would be authorized but not required to award the per diem grants to nonprofit organizations meeting some but not all of the criteria for the receipt of such payments.

TITLE VIII—NONPROFIT RESEARCH AND EDUCATION CORPORATIONS

General Authorities on Establishment of Corporations (section 801)

H.R. 2770 contains a provision (section 2) that would authorize Nonprofit Research and Education Corporations (NPCs) to merge, thereby creating multi-medical center research corporations.

The Senate bill contains the same provision (section 801).

The Compromise Agreement contains this provision.

Clarification of Purposes of Corporations (section 802)

H.R. 2770 contains a provision (section 3) that would clarify the purpose of NPCs to include specific reference to their role as funding mechanisms for approved research and education, in addition to their role in facilitating research and education.

The Senate bill contains the same provision (section 802).

The Compromise Agreement contains this provision.

Modification of Requirements for Boards of Directors of Corporations (section 803)

The Senate bill contains a provision (section 803) that would require that a minimum of two members of the Board of Directors of an NPC be other-than-federal employees. Additionally, the provision would allow for the appointment of individuals with expertise in legal, financial, or business matters. The provision also would conform the law relating to NPCs to other federal conflict of interest regulations by removing the requirement that members of the NPC boards have no financial relationship with any entity that is a source of funding for research or education by VA.

H.R. 2770 contains a comparable provision (section 4), but provides that the executive director of the corporation may be a VA employee.

The Compromise Agreement contains the House provision, with a modification which removes the provision allowing VA employees to serve as executive directors.

Clarification of Powers of Corporations (section 804)

H.R. 2770 contains a provision (section 5) that would clarify the NPCs' authority to accept, administer, and transfer funds for various purposes. NPCs would be allowed to enter into contracts and set fees for the education and training facilitated through the corporation.

The Senate bill contains the same provision (section 804).

The Compromise Agreement contains this provision.

Redesignation of Section 7364A of Title 38, United States Code (section 805)

H.R. 2770 contains a provision (section 6) that would provide clerical amendments associated with implementing this legislation concerning Nonprofit Research and Education Corporations.

The Senate bill contains the same provision (section 805).

The Compromise Agreement contains this provision.

Improved Accountability and Oversight of Corporations (section 806)

The Senate bill contains a provision (section 806) that would strengthen VA's oversight of NPCs by requiring those NPCs with revenues of over $10,000 to obtain an independent audit once every three years, or with revenues of over $300,000 to obtain such an audit each year, and to submit certain Internal Revenue Service forms.

H.R. 2770 contains a comparable provision (section 7), but would instead raise to $100,000 the threshold for requiring three-year audits and to $500,000 the revenue threshold that would require yearly audits. The provision also would revise conflict of interest policies to apply to the policies adopted by the corporation.

The Compromise Agreement contains the House provision.

TITLE IX—CONSTRUCTION AND NAMING MATTERS

Authorization of Medical Facility Projects (section 901)

The Senate bill contains a provision (section 901) that would authorize funds for the following major medical facility projects in FY 2010: Livermore, California; Walla Walla, Washington; Louisville, Kentucky; Dallas, Texas; St. Louis, Missouri; Denver, Colorado and Bay Pines, Florida.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision, but strikes the authorization for the construction project in Walla Walla, Washington, since authorization for this construction project was provided in Public Law 111–98, enacted on November 11, 2009.

Designation of Merrill Lundman Department of Veterans Affairs Outpatient Clinic, Havre, Montana (section 902)

The Senate bill contains a provision (section 903) that would name VA outpatient clinic in Havre, Montana, as the ''Merrill Lundman Department of Veterans Affairs Outpatient Clinic.''

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Designation of William C. Tallent Department of Veterans Affairs Outpatient Clinic, Knoxville, Tennessee (section 903)

In the House, H.R. 402 contains a provision that would name the VA outpatient clinic in Knoxville, Tennessee as the ''William C. Tallent Department of Veterans Affairs Outpatient Clinic.''

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

Designation of Max J. Beilke Department of Veterans Affairs Outpatient Clinic, Alexandria, Minnesota (section 904)

In the House, H.R. 3157 contains a provision that would name the VA outpatient clinic in Alexandria, Minnesota as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic.''

The Senate bill contains no comparable provision.

The Compromise Agreement contains the House provision.

TITLE X—OTHER MATTERS

Expansion of Authority for Department of Veterans Affairs Police Officers (section 1001)

The Senate bill contains a provision (section 1001) that would provide additional authorities to VA uniformed police officers, including the authority to carry a VA-issued weapon in an official capacity when off VA property and in official travel status, the authority to conduct investigations on and off VA property of offenses that may have been committed on VA property, expanded authority to enforce local and State traffic regulations when such authority has been granted by local or State law, and to make arrests based upon an arrest warrant issued by any competent judicial authority.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Uniform Allowance for Department of Veterans Affairs Police Officers (section 1002)

The Senate bill contains a provision (section 1002) that would modify VA's authority to pay an allowance to VA police officers for purchasing uniforms. The provision would provide a uniform allowance in an amount which is the lesser of the amount prescribed by the Office of Personnel Management or the actual or estimated cost as determined by periodic surveys conducted by VA.

There was no comparable House provision.

The Compromise Agreement contains the Senate provision.

Submission of Reports to Congress by Secretary of Veterans Affairs in Electronic Form (section 1003)

Under current law, there is no requirement for VA to submit Congressionally mandated reports in an electronic form.

Neither the House nor Senate bills contained a provision to change this procedure.

The Compromise Agreement contains a provision which would create a new section 118 in title 38, United States Code, which would require VA to submit reports to Congress, or any Committee thereof, in electronic format. Reports would be defined to include any certification, notification, or other communication in writing.

Determination of Budgetary Effects for Purposes of Compliance with Statutory Pay-As-You-Go-Act of 2010 (section 1004)

Neither the Senate nor House bills contain a provision relating to compliance with the Statutory Pay-As-You-Go-Act of 2010, Title I of P.L. 111–139, 124 Stat. 8.

The Compromise Agreement contains a procedural provision to require the determination of the budgetary effects of provisions contained in the Compromise Agreement to be based upon the statement jointly entered into the Congressional Record by the Chairmen of the Committees on the Budget of the Senate and the House of Representatives.

Mr. COBURN. Madam President, our Nation has been at war for nearly a decade now in Afghanistan and nearly as long in Iraq and we owe a huge debt of gratitude to the men and women who have fought on the front lines as well as to their families who have sacrificed so much.

The Senate is considering S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2009. While I will support its passage, I believe this legislation represents a significant failure of Congress to uphold the responsibility entrusted to us by the citizens of this Nation and our obligation to military families and taxpayers.

While there will be self-congratulating press releases from Members of Congress and some Veteran Service Organization lauding the bill's passage, I believe the shortcomings of this legislation—discriminating against most veterans and adding billions of dollars to our national debt—represent a failure of leadership and lack of responsibility.

I had hoped that the House of Representatives would make some significant improvements to the legislation over the Senate. Sadly, they did not.

The legislation that the Senate will consider still unfairly discriminates against severely disabled veterans from wars and combat prior to September 11, 2001.

Many of these brave men and women have needed the assistance of caregivers for decades and have done so without help from the Department of Veterans Affairs. Many of these veterans were not the beneficiary of recent advancements in military medical care. The caregivers of these veterans will be left out of this benefits package.

There are currently 35,000 veterans receiving aid and attendance benefits from the Department of Veterans Affairs, which is approximately the number of veterans in need of caregiver assistance. Out of this population, around 2,000 veterans received their injuries after September 11 and would qualify for extra caregiver assistance in this bill.

Caregivers for almost 95 percent of severely disabled veterans from combat would not receive the level of caregiver assistance afforded to those veterans who were injured after September 11, 2001. When I offered an amendment that would provide equivalent caregiver benefits for all severely disabled veterans of all wars, the Senate summarily rejected that idea.

Unfortunately the House of Representatives also ignored the danger that our massive debt poses to our Nation and did not eliminate or reduce any current programs in the Federal budget to pay for this legislation. The bill is not paid for by trimming any wasteful, duplicative, obsolete, or lower priority Federal programs.

The Congressional Budget Office estimates that the bill will cost $3.6 billion over 5 years, which is slightly less than the version the Senate passed. The Senate also rejected my attempt to pay for this legislation out of the fraud, waste, and abuse of taxpayer dollars that we send each year to the United Nations.

Instead the Congress has decided, as it always does, to pass the debt onto our children and grandchildren, rather than bear the cost and sacrifice today as our veterans have done.

I fear that if we do not start paying for new spending then the sacrifice made by our veterans for future generations will have been in vain. At some point, the debt we are incurring today must be paid for and when that day comes, the promises we are making to veterans, caregivers, and others will no longer be affordable because Congress refused to be responsible by being fiscally responsible by trimming lower priority spending.

When the Senate first considered this legislation last fall, some of the proponents of the Caregivers and Veterans Omnibus Health Services Act attempted to rebut my facts about our

growing national debt by saying that the bill does not actually appropriate any money for these programs.

In a technical sense, they are correct. I suspect that these same proponents will issue statements celebrating its passage, which will disappoint any caregiver of a disabled veteran expecting the promised assistance soon.

No caregiver will be helped unless the appropriations committee allocates the funding for this new program authorized in this bill.

Until then, this bill is an empty promise to veterans and benefits no one except perhaps the career politicians who will claim credit for doing something to help veterans without really having to make any difficult choices.

We owe an enormous sacrifice to our veterans who fought and died in our defense. This debt, which was incurred on a battlefield far from home, should be borne by this generation so that we ensure that the future they fought to secure for our children and grandchildren is not threatened by our own fiscal irresponsibility and shortsightedness.

Congress has once again failed taxpayers, veterans, and their families today.

Mr. DORGAN. I ask unanimous consent the Senate concur in the House amendment; that the motion to reconsider be laid upon the table with no intervening action or debate, and any statements relating to the bill be printed in the RECORD.

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

TEMPORARY EXTENSION OF SMALL BUSINESS PROGRAMS

Mr. DORGAN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3253, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 3253) to provide for additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. DORGAN. I ask unanimous consent the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD as if read.

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

The bill (S. 3253) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3253

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

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111–136 (124 Stat. 6), is amended by striking ''April 30, 2010'' each place it appears and inserting ''July 31, 2010''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on April 29, 2010.

NATIONAL ADOPT A LIBRARY DAY

Mr. DORGAN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 496, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A bill (S. Res. 496) designating April 23, 2010, as ''National Adopt A Library Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DORGAN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements be printed in the RECORD as if read.

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

The resolution (S. Res. 496) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 496

Whereas libraries are an essential part of the communities and the national system of education in the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to make use of books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas the libraries of the United States depend on the generous donations and support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools and libraries across the United States—

(1) to extend the joys of reading to millions of people of the United States; and

(2) to prevent used books from being thrown away;

Whereas, as of the date of agreement to this resolution, the libraries of the United States have provided valuable resources to individuals affected by the economic crisis by encouraging continued education and job training; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as ''Adopt A Library Day'': Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2010, as ''National Adopt A Library Day'';

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges all people of the United States who own unused books to donate the unused books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK

Mr. DORGAN. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 497, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 497) designating the third week of April, 2010 as ''National Shaken Baby Syndrome Awareness Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. DORGAN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 497) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 497

Whereas the month of April has been designated ''National Child Abuse Prevention Month'' as an annual tradition initiated in 1979 by President Jimmy Carter;

Whereas the National Child Abuse and Neglect Data System reports that 772,000 children were victims of abuse and neglect in the United States in 2008, causing unspeakable pain and suffering for our most vulnerable citizens;

Whereas approximately 95,000 of those children were younger than 1 year old;

Whereas more than 4 children die each day in the United States as a result of abuse or neglect;

Whereas children younger than 1 year old accounted for over 40 percent of all child abuse and neglect fatalities in 2008, and children younger than 4 years old accounted for nearly 80 percent of all child abuse and neglect fatalities in 2008;

Whereas abusive head trauma, including the trauma known as Shaken Baby Syndrome, is recognized as the leading cause of death among physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome and other forms of abusive head trauma are being misdiagnosed or left undetected;

Whereas Shaken Baby Syndrome often results in permanent and irreparable brain damage or death of the infant and may result in extraordinary costs for medical care

during the first few years of the life of the child;

Whereas the most effective solution for preventing Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may avert enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how to protect their children from injury can significantly reduce the number of cases of Shaken Baby Syndrome;

Whereas education programs raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, childcare providers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas National Shaken Baby Syndrome Awareness Week and efforts to prevent child abuse, including Shaken Baby Syndrome, are supported by groups across the United States, including groups formed by parents and relatives of children who have been injured or killed by shaking, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and their families within the health care and criminal justice systems;

Whereas 20 States have enacted legislation related to preventing and increasing awareness of Shaken Baby Syndrome;

Whereas the Senate has designated the third week of April as ''National Shaken Baby Syndrome Awareness Week'' each year since 2005; and

Whereas the Senate strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

Resolved, That the Senate—

(1) designates the third week of April 2010 as ''National Shaken Baby Syndrome Awareness Week'';

(2) commends hospitals, childcare councils, schools, community groups, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children;

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(C) helping families cope effectively with the challenges of child-rearing and other stresses in their lives; and

(3) encourages the people of the United States—

(A) to remember the victims of Shaken Baby Syndrome; and

(B) to participate in educational programs to help prevent Shaken Baby Syndrome.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DORGAN. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider en bloc Calendar Nos. 790, 791, 792, and 793; that the nominations be confirmed en bloc; the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

IN THE COAST GUARD

The following named individual for appointment as Commandant of the United States Coast Guard and to the grade indicated under title 14, U.S.C., Section 44:

To be admiral

Vice Adm. Robert J. Papp, Jr.

The following named officer for appointment as Vice Commandant of the United States Coast Guard and to the grade indicated under title 14, U.S.C., Section 47:

To be vice admiral

Rear Adm. Sally Brice-O'Hara

The following named officer for appointment as Commander, Pacific Area of the United States Coast Guard and to the grade indicated under title 14, U.S.C., section 50:

To be vice admiral

Rear Adm. Manson K. Brown

The following named officer for appointment as Commander, Atlantic Area of the United States Coast Guard and to the grade indicated under title 14, U.S.C., section 50:

To be vice admiral

Rear Adm. Robert C. Parker

LEGISLATIVE SESSION

Mr. DORGAN. I ask unanimous consent that the Senate resume legislative session.

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

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 111–148, appoints the following individuals to serve as members of the Commission on Key National Indicators: Dr. Ikram Khan of Nevada (for a term of 3 years) and Dr. Dean Ornish of California (for a term of 2 years).

MORNING BUSINESS

Mr. DORGAN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. DORGAN. Let me ask, if I might, I know Senator MURRAY and Senator SESSIONS are here. I do not know in what order they would want to go, and I believe about 10 minutes each or so.

I ask unanimous consent that Senator SESSIONS be recognized, followed by Senator MURRAY, and I be recognized following the presentation of Senator MURRAY.

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

The Senator from Alabama.

FINANCIAL REGULATORY REFORM

Mr. SESSIONS. Madam President, we are talking about financial reform. There is a lot of attention and a lot of the Members of the Senate are trying to keep up with it and trying to make sure we create a reform package that effectively deals with corporations that have so mismanaged their business that they need to be dissolved or broken up or liquidated, as is normally the case when a company in America cannot pay its bills.

This happens every day for smaller companies. It becomes a bit more complicated, sometimes a great deal more complicated, when the corporations get bigger and bigger and bigger. The way our corporations are normally dissolved, if they are financially insolvent and cannot operate, has always been bankruptcy court.

There are bankruptcy judges all over America. It is a Federal court system. Bankruptcy is referred to in the U.S. Constitution. It has worked very well. I guess what I am concerned about is, some of the provisions that are in the proposed legislation that is floating about would alter that traditional idea in ways that may be unwise.

Senator LEAHY, the chairman of the Judiciary Committee, I am the ranking Republican on that committee, and I have talked about this a little bit. It is getting to a point where we need to figure out what is happening here. The matter is highlighted by a letter from the Judicial Conference of the United States—Mr. James Duff, the Presiding Secretary, of the Judicial Conference of the United States. Chairman LEAHY asked them their opinions on some of the proposals for dissolution of companies, the orderly liquidation of companies.

The Judicial Conference responded in a letter that was received by Senator LEAHY, and I do believe it raises important questions. I truly do. I am a person who spent a lot of time practicing law, both as U.S. attorney and in private practice in Federal court, and have some appreciation for how bankruptcy courts operate. I would say, we ought to pay attention to what the Judicial Conference says to us. It is a kind of correspondence they take seriously. They do not lightly send off letters to the Senate. This was in response to a question. So this is what Mr. Duff replies on behalf of the Judicial Conference, in reply to Senator LEAHY:

> As you noted, Title II would create an ''Orderly Liquidation Authority Panel'' within the Bankruptcy Court for the District of Delaware for the limited purpose of ruling on petitions from the Secretary of the Treasury for authorization to appoint the Federal Deposit Insurance Corporation (FDIC) as the receiver for a failed financial firm.

Then it goes on to say:

> This is a substantial change to the bankruptcy law because it would create a new structure within the bankruptcy courts and remove a class of cases from the jurisdiction of the Bankruptcy Code. The legislation, by assigning to the FDIC the responsibility for resolving the affairs of an insolvent firm, appears to provide a substitute for a bankruptcy proceeding.

You see, when people loan money to a corporation, people buy stock in a

corporation, they buy bonds of a corporation or otherwise loan them money, they have an expectation that if that company fails to prosper and pay what they owe, that company at least will be hauled into bankruptcy court and they will have an opportunity to present their claims and to receive whatever fair proportion of the money that is still left in the company as their payment.

It may be 10 cents on a dollar, it may be 90 cents on a dollar or whatever you get. They understand that bankruptcy judges have the authority to try to allow the company to continue to operate, to stay or stop people from filing lawsuits against the company and collecting debts, to allow the company a while to see if they cannot pay off more debtors by continuing to operate than shutting them down.

But if they see the company is so badly in financial crisis that it is going to collapse anyway, they come in and shut it down before they can rip off more people. So that is what bankruptcy courts do every day. So this letter indicates that by assigning the FDIC responsibility for resolving these affairs, it provides a substitute for bankruptcy, which is denying the lawful expectations of people who loan money to or bought stock in these corporations.

They go on to say:

> We note, however, that the legislation will result in the transition of at least some bankruptcy cases to FDIC receivership in situations where a firm is already in bankruptcy, either voluntarily or involuntarily.

In other words, it appears that legislation would allow a case to be taken out of bankruptcy that was already in the bankruptcy court.

It goes on to say:

> The legislation does not envision objection, participation, or input from the bankruptcy creditors (whose rights will be affected) in the course of appointing the FDIC as receiver. Indeed, the legislation deals in a sealed manner; [secret manner, apparently] only the Secretary and the affected financial firm would be noticed and given the opportunity of a hearing.

That will have major impacts on a stockholder or bondholder or a creditor of a corporation. The FDIC is going to meet with this big company, this big bank, and work out a deal and not even tell the people who loaned the corporation money in good faith and have certain legal rights, at least they always had previously. These rights, somehow, will be extinguished or cut off.

It goes on to say:

> The financial position of affected creditors may have been changed within the context of the firm's bankruptcy case in such a way that the creditors' rights might have changed dramatically. Any resulting due process challenges would impose significant burdens on the courts to resolve novel issues for which the bill provides no guidance.

They go on to say:

> In addition, we note that petitions under this title involving financial firms would be filed in a single judicial district. The Judicial Conference favors distribution of cases to ensure that court facilities are readily accessible to litigants and other participants in the judicial process.

Under the current proposal all of these cases are going to be tried in Delaware. I do not know if we have enough judges in Delaware.

They go on to say this:

> With respect to the limited review [that means appellate] to be conducted by the panel created in section 202, [of the proposed legislation] we note that the authority may exceed what is constitutionally permitted to a non-Article III entity.

What does that mean? That means some of these powers are judicial powers given only to Federal district courts presided over by senatorially confirmed, presidentially-appointed, lifetime Federal judges. We can't just give them off to somebody else to decide. It is just not constitutional. We don't have the powers in the Congress, or the President doesn't have the powers to take over judicial roles.

They continue:

> A previous statute was held unconstitutional because it conferred on the bankruptcy courts the authority to decide matters reserved for Article III courts.

It goes on to talk about that.

Let me tell my colleagues what CEOs don't like. Do we want to be tough on CEOs? I will give some suggestions.

If they can't run their companies and they can't pay their bondholders, can't pay their debtors, their stock has become worthless. People invested in their companies believing they were legitimate, believing the representations of their financial condition, and it turned out to be false. They do not want to be in a court where they raise their hands and have to give testimony under oath. They don't want to be in that position.

The way the law has been thought of and is worked out to handle these cases is to have a Federal bankruptcy judge preside over this process. There are bankruptcy rules about what the judge can and cannot do. Each entity that has an interest in the matter can have lawyers. The stockholders can have lawyers. The bondholders can have lawyers. The creditors can have lawyers. The workers can have lawyers. The employees can have lawyers. The guys have to come in under oath. They have to bring their financial statements. If they lie, they go to jail for perjury. This is a powerful thing. A lot of these big wheels don't want to subject themselves to it. I would say, if we want to be tough on these companies, don't create some FDIC buddy group that has been supervising them and sees their role as trying to work with them. Have a real judge.

We can create a system where we select experienced judges, create some special procedures for larger bankruptcy cases. We should consider that.

My one comment before I wrap up is, we should listen to the Judicial Conference and recognize there is a danger to the rule of law to legitimate expectations of creditors and stockholders by this new change, this unexpected change in the law. We should allow classical procedures to work. If we need to improve them and make some special provisions for dissolution of corporations to help bankruptcy judges do the job better, I would certainly favor that. That would allow us to function in a lawful way, a principled way, and not allow people to meet in private and secret, as we have seen happened recently, and dissolve their cases in a matter that is not open and free to the entire public, as would happen in bankruptcy court.

I ask unanimous consent to have printed in the RECORD the letter from the Judicial Conference.

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

JUDICIAL CONFERENCE
OF THE UNITED STATES,
Washington, DC, April 12, 2010.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing in response to your letter of March 25, 2010, seeking the views of the Judiciary with regard to provisions relating to bankruptcy that are contained in the financial regulation bill recently approved by the Senate Committee on Banking, Housing, and Urban Affairs. We appreciate your soliciting the views of the courts on this matter. You identified several of the issues that are of concern to the courts, and I will address each of those.

As you noted, Title II would create an ''Orderly Liquidation Authority Panel'' within the Bankruptcy Court for the District of Delaware for the limited purpose of ruling on petitions from the Secretary of the Treasury for authorization to appoint the Federal Deposit Insurance Corporation (FDIC) as the receiver for a failing financial firm. This is a substantial change to bankruptcy law because it would create a new structure within the bankruptcy courts and remove a class of cases from the jurisdiction of the Bankruptcy Code. The legislation, by assigning to the FDIC the responsibility for resolving the affairs of an insolvent firm, appears to provide a substitute for a bankruptcy proceeding. The Judicial Conference has not adopted a position with regard to the removal from bankruptcy court jurisdiction of the class of financial firms identified in this legislation.

We note, however, that the legislation will result in the transition of at least some bankruptcy cases to FDIC receivership in situations where a firm is already in bankruptcy, either voluntarily or involuntarily. Section 203(c)(4)(A) provides that a pending bankruptcy case would be evidence of a firm's financial status for purposes of triggering the Treasury Secretary's authority to seek to appoint the FDIC as receiver. The bill does not specify how the transition from a bankruptcy proceeding to an administrative proceeding would be effected. Further, the bill does not specify the effect of the transfer on prior rulings of the court. For example, would any stays or other rulings continue in effect or be dissolved upon the transfer to the FDIC? This could be especially problematic if creditors have changed position based upon rulings in the course of the bankruptcy proceeding. The legislation does not envision objection, participation, or input from the bankruptcy creditors (whose rights will be affected) in the course of appointing the FDIC as receiver. Indeed, the legislation proposes to deal with this petition in a sealed manner; only the Secretary

and the affected financial firm would be noticed and given the opportunity of a hearing. The financial position of affected creditors may have been changed within the context of the firm's bankruptcy case in such a way that the creditors' rights might have changed dramatically. Any resulting due process challenges would impose a significant burden on the courts to resolve novel issues, for which the bill provides no guidance.

In addition, we note that petitions under this title involving financial firms would be filed in a single judicial district. The Judicial Conference favors distribution of cases to ensure that court facilities are reasonably accessible to litigants and other participants in the judicial process. Although we are aware that a large number of companies are incorporated in Delaware, it is not clear that Delaware would necessarily be a convenient location for many of the affected companies, nor indeed the proper venue for that petition, absent changes to title 28, United States Code.

We also note that the legislation requires the designation of more bankruptcy judges for the panel than are permanently authorized for Delaware under existing law. The District of Delaware is authorized one permanent bankruptcy judge and five temporary judgeships. If Congress were to choose not to extend these judgeships or convert them to permanent status, it would be impossible to implement section 202's requirement to appoint three judges to the Orderly Liquidation Authority Panel from the District of Delaware.

With respect to the limited review to be conducted by the panel created in section 202, we note that the authority may exceed what is constitutionally permitted to a non-Article III entity. A previous statute was held unconstitutional because it conferred on the bankruptcy courts the authority to decide matters that are reserved for Article III courts. Northern Pipeline Const. Co. v. Marathon Pipe Line Co., 458 U.S. 50 (1982). The review of the Secretary's decision in this instance appears to resemble more closely appeals of agency decisions under the Administrative Procedure Act than a bankruptcy petition and, therefore, appears more appropriate for an Article III court. Moreover, the affirmation of the Secretary's petition to designate the Federal Deposit Insurance Corporation as a receiver effectively removes a case from the application of bankruptcy law. Accordingly, it seems anomalous to subject this petition to review by a bankruptcy court.

Your letter particularly questioned whether the time limit of 24 hours for a decision by the panel would be sufficient or realistic. The Judicial Conference has consistently opposed the imposition of time limits for judicial decisions beyond those already set forth in the Speedy Trial Act or section 1657 of title 28. We appreciate that a matter affecting the operation of the national economy warrants a prompt resolution. We note that the courts, recognizing this concern, have already demonstrated an ability to move swiftly in resolving bankruptcy petitions involving large corporations with broad impact on the national economy. In each of these instances, the initial determinations were made by a single judge. The resulting appeals in some cases were also adjudicated on an expedited basis without a statutory requirement to do so.

Requiring a panel of three judges to assemble, conduct a hearing, and craft a written opinion within 24 hours presents practical difficulties that may be insurmountable. Although §202(b)(1)(A)(iii) could be read to limit the court's review to the question of whether the covered financial company is in default or danger of default, the Secretary is required to submit to the panel ''all relevant findings and the recommendation made pursuant to section 203(a),'' which specifies consideration of multiple factors (repeated in subsection (b) of that section as the basis for the Secretary's petition). Even with the full cooperation of the financial firm affected by the proceeding, which is not a predicate for the consideration of a petition, it would appear difficult to hear and consider the evidence and prepare a well-reasoned opinion addressing each reason supporting the decision of the panel within 24 hours. Even assuming that factors other than the solvency of the firm would be excluded from this special panel's review, it may well be that the subject financial firm or one of its creditors would seek judicial review of one of the prior administrative evaluations of the statutory factors, either in the course of the hearing conducted by the Orderly Liquidation Authority Panel or in another court. Such challenges would also make it difficult to meet the proposed timeline. It is possible that the facts of a particular case may be so clear that a decision could be rendered within 24 hours, but the statutory requirement of such speed seems inconsistent with the thoughtful deliberation that would be appropriate for a decision of such great significance.

Although it is to be hoped that only a small number of large financial firms would ever become subject to this legislation, each of the petitions would involve large volumes of evidence regarding complex financial arrangements. Thus, the legislation could result in a large proportion of the judicial resources of a single bankruptcy court being devoted exclusively to review of the Secretary's petitions. Further, the bill provides that the Secretary may re-file a petition to correct deficiencies in response to an initial decision, thus extending the time in which the court's resources would be diverted from other judicial business. The District of Delaware is one of the busiest bankruptcy courts in the nation; to draw the court's limited judicial resources away from the fair and timely adjudication of those bankruptcy cases to process petitions under this bill would be inequitable and unjust to the debtors and creditors in those pending cases. If, as seems possible given recent economic developments, the failure of one firm weakens other firms in the financial services sector, the demand could exceed the court's resources. This consideration alone counsels against the assignment of all such cases to a single court.

Finally, we note that both the Administrative Office of the United States Courts (AO) and the Government Accountability Office (GAO) are directed to conduct studies which will evaluate: (i) the effectiveness of Chapter 7 or Chapter 11 of the Bankruptcy Code in facilitating the orderly liquidation or reorganization of financial companies; (ii) ways to maximize the efficiency and effectiveness of the Panel; and (iii) ways to make the orderly liquidation process under the Bankruptcy Code for financial companies more effective.

With respect to those firms that are to be treated under Chapters 7 and 11 of the Bankruptcy Code, the vagueness of, and/or lack of criteria for determining ''effectiveness'' will hamper the ability of the AO and GAO to produce meaningful reports. Some would regard rapid payment of even small portions of claims as an effective resolution, while others would prefer a delayed payment of a greater share of a claim. There would also be significant disagreements between creditors holding different types of secured or unsecured claims as to the most effective resolution of an insolvent firm. Some would argue that effectiveness should be measured by the impact of the resolution on the larger economy, regardless of the impact on the creditors of the particular firm. Without clearer guidance for the studies, both agencies will be required repeatedly to expend resources on the development of reports that may not provide the information Congress is seeking.

Thank you for seeking the views of the Judiciary regarding this legislation and for your consideration of them. If we may be of assistance to you in this or any other matter, please do not hesitate to contact our Office of Legislative Affairs at (202) 502–1700.

Sincerely,

JAMES C. DUFF,
Secretary.

Mr. SESSIONS. I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. As we prepare to consider legislation that includes some of the strongest reforms of Wall Street ever, it is important that we not lose sight of exactly what is on the line for the American people; that we will not allow complicated financial products and terminology to distract from the fact that this is a debate about fairness, about family finances, and protecting against another economic collapse; that we remember for Wall Street lobbyists, this may be complex, but for the American people it is pretty simple. For them this is a debate about whether they can walk into a bank and sign up for a mortgage or apply for a credit card or start a retirement plan.

Are the rules on their side when they do that, or are they with the big banks on Wall Street? For far too long, the financial rules of the road have favored big banks and credit card companies and Wall Street. For far too long they have abused those rules. Whether it was gambling with the money in our pension funds or making bets they could not cover or peddling mortgages to people they knew could never pay, Wall Street made expensive choices that came at the expense of working families. Wall Street used its ''anything goes'' rules to create a situation where everybody else paid, and Wall Street created a system that put their own short-term profits before the long-term interests of this country.

The simple truth is, it is time to end this system that puts Wall Street before Main Street. It is time to put families back in control of their own finances. It is time to focus on making sure the rules protect those sitting around the dinner table, not those sitting around the board room table. To do that, we have to pass strong Wall Street reform that cannot be ignored. Those reforms, I believe, have to include three core principles: a strong, independent consumer protection agency; an end to taxpayer bailouts; and tools to ensure that Americans have the financial know-how that empowers them to make smart choices about their own finances and helps them avoid making the same poor decisions that helped create this crisis.

First and foremost, Wall Street needs a watchdog. Right now what we have is a patchwork of Federal agencies, none of which are tasked with focusing solely on consumer protection. What we

have is confusion and duplication and an abdication of responsibility. What we have, quite simply, is not working. What we need is a single, strong, independent agency, a cop on the beat whose sole function is to protect consumers, a cop on the street who will expose big bank ripoffs and end unfair fees and curb out-of-control credit card and mortgage rates. We need a cop on the street that ensures when one makes important financial decisions, the terms are clear. The risks are laid out on the table, and the banks and other financial companies offering them are being upfront. What we need is one agency with one mission looking out for one group of people, and that is American families.

Secondly, Wall Street reform must spell an end to the taxpayer-financed bailout. There is nothing that makes me or my constituents in Washington State angrier than the fact that Wall Street ran up this huge bill, and we had to pick up the tab. Wall Street reform has to end that once and for all. It has to be a death sentence for banks that engage in reckless practices, and it must make them pay for their funeral arrangements, if they do.

Third, reform has to address the fact that Wall Street is not alone in deserving blame for this crisis. Therefore, it must not be the only target of reform. We cannot ignore the fact that millions of Americans walked into sometimes predatory home loan agencies all across the country, unprepared to make big, important financial decisions. We have to acknowledge that too many Americans put too little thought into signing on the dotted line. Those bad decisions had a huge impact. That is why I have been working so hard to pass a bill I introduced called the Financial and Economic Literacy Improvement Act.

That legislation would change the way we approach educating Americans about managing their own finances and making good decisions about housing and employment and retirement. We add a fourth R to the basics of reading and writing and arithmetic. That is resource management. It gives Americans, young and old, the basic financial skills to heed warnings in the fine print they are signing and avoid mounting debt. I believe if we are going to avoid many of the mistakes that led to this crisis, we need a similar component in the bill we work on next week.

We all know the old adage that sunlight is the best disinfectant. With all of the reforms I have been talking about today, we have the potential to bring a whole lot of sunlight to Wall Street. But as we have seen in the lead up to this crisis and with Wall Street's response now to our reform effort so far, they don't like to do their work in the sunlight. They like to do it in back rooms. I have heard they have had some company recently in those back rooms. I have heard that over the last several days, some of our colleagues on the other side have been huddling with Wall Street lobbyists to figure out how they can kill this bill that is coming to us. They want to figure out how they can preserve the status quo and what they have today. They want to talk their way out of change. They have been calling out to special interests in Washington and bankers back on Wall Street and big money donors. In fact, just about everyone has been invited to those meetings except, of course, the American people. That is because the vast majority of Americans, including the hard-working families in my State who were hurt by this crisis through no fault of their own, want to see the strong Wall Street reforms I have talked about today passed. They want to hold Wall Street accountable for years of irresponsibility and taxpayer-funded bailouts. And more than anything, they want to make sure we never go through this again.

There is still a widely held view on Wall Street—and with too many still in DC—that the voices of the people can somehow be drowned out with big money and even bigger fabrications. Wall Street still thinks they can get away with highway robbery because, for all too long, they have. They think they can get away with telling the American people that more regulation is bad, when the absence of regulation is largely what got us into this mess.

They think people will be satisfied with watered-down rules that Wall Street can then simply step aside or go around or ignore. They think they can pull a fast one on Main Street. They are flatout wrong. I know that because I grew up literally on Main Street in Bothell, WA, working for my dad's 5-and-10-cent store with my six brothers and sisters.

I know they are wrong because Main Street is where I got my values, values such as the product of your work is what you can actually show in the till at the end of the day; that if that money was short, you dealt with the consequences. If it was more than you expected, you knew that more difficult days could lie ahead; values like a good transaction was one that was good for your business and for your customer; that personal responsibility meant owning up to your mistakes and making them right; that one business relied on all the others on the same street; and, importantly, that our customers were not prey and businesses were not predators, and an honest business was a successful one.

Those are the values I learned on Main Street growing up. Believe me, those same values are still strong for our country today. They exist in small towns such as the one in which I grew up and in big cities in every one of our States.

Next week, when we bring a strong Wall Street reform bill to the floor, everyone in the Senate is going to hear from people who still hold values like that very dear. I am sure they will tell us in no uncertain terms: It is time to end Wall Street's excesses. It is time to bring some sanity back into the system, to protect our consumers, to end bailouts and back-room deals, to restore personal responsibility and bring back accountability.

I am hopeful we will all listen because there certainly is a lot on the line for the American people. They deserve all of our support.

I yield the floor.

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

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 20 minutes.

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

Mr. DORGAN. Mr. President, my colleague from the State of Washington just talked about Wall Street reform. It is such an important subject. It is the case that all of us who have lived through these last several years will understand when the history books record these years that we have lived and existed and struggled through a period that is the deepest recession since the Great Depression.

Mr. President, 15 million to 17 million people wake in the morning, now as I speak, jobless, get dressed, and go out to look for a job. Most do not find it. It has been a tough time. Yet those who read the newspaper and understand the difficulty of those who are losing homes, losing jobs, losing hope, also read the business pages and see that one of the heads of the largest investment banks last year was paid $25 million in salary. One of the folks who was one of the largest income earners in this country earned $3 billion running a hedge fund. That is $3 billion, by the way. That is almost $10 million a day.

So they see record profits from the biggest financial interests in this country—many of whom pursued policies that steered us right into the ditch. They wonder what is the deal here. The people at the top, the ones who caused most of the problem—the ones many of which would have gone broke had the Federal Government not come in with some funding to try to provide some stability—they are now at record profits, paying record bonuses. The folks at the bottom are out struggling to find a job because they have been laid off.

So it always comes back to something I have described often and it seems to never change and it is even more aggressive now. Bob Wills and His Texas Playboys, in the 1930s, had a verse in one of their songs: ''The little bee sucks the blossom, but the big bee gets the honey.'' The little guy picks the cotton, but the big guy gets the money.

So it is and so has it always been but even more aggressive now. The same newspaper talks about the trouble given the workers of this country and the families of this country by the big financial institutions having steered this country into the deepest recession since the Great Depression; even as in

the same newspaper they read about the largess, the record profits and record bonuses.

So the question is, What do we do about that? We are going to bring a financial reform bill, a Wall Street reform bill, to the floor of the Senate. I wish to talk a bit about that and say we need to review, just for a moment, the unbelievable cesspool of greed that existed—not everywhere but in some places—and at levels that steered this country into very dangerous territory.

Yes, new things, new instruments we had never heard of before: credit default swaps, naked credit default swaps. Some might say: What is a credit default swap? And, for God's sake, what is a naked credit default swap? How do you get a credit default swap naked? Well, let me take you not just to default swaps, let me take you back about a year and a half ago to a time when the futures market in oil was like a Roman candle and went up to $147 a barrel—$147 for a barrel of oil in day trading—just like a Roman candle and then went back down.

That market was broken. A bunch of speculators—they did not want to buy any oil. They have never hauled around a can or a case or a barrel of oil. They just wanted to speculate on the futures market. So they broke that market, ran it way up. Well, that is one symptom of financial systems that are broken and do not work.

Credit default swaps. We have been hearing recently about the SEC decision to file a criminal complaint against a large investment bank, Goldman Sachs. What we have discovered with the interworkings of this scheme that was created is, I think, based on my knowledge of it, that the development of—excuse me, it was a civil case by the SEC, not a criminal case, and that is an important distinction, but, nonetheless, it is a civil complaint against Goldman Sachs. My understanding is, there was created some billions of dollars of naked credit default swaps that had no insurable interest in anything of value. These were people who were betting on what might happen to the price of bonds.

Bonds selected by a person whom I have spoken about on the floor of the Senate previously over the last couple years, a man named John Paulson, who, in 2007, was the highest income earner on Wall Street—he earned $3.6 billion. That is $300 million a month or $10 million a day. How would you like to come home and your spouse says: How are you doing? How are we doing? And he says: Well, we are doing pretty good, $10 million every day.

So my understanding of the SEC complaint is they set up a system where Mr. Paulson could short what I believe were naked credit default swaps and others took the long position and you had rating agencies rating these things apparently with high ratings, until they discovered what they truly were and then the ratings collapsed. Mr. Paulson made a bunch of money and everybody else got duped out of their money.

Well, that is a short description and probably not even a very good description, but it is close enough to understand what has been going on in this country: betting—not investing—betting on credit default swaps, naked swaps that have no insurable interest in anything, no value on either side. You just put together a contract and say: I am going to bet you this issue happens, this stock goes up, this bond goes down. Let's have a wager. Well, you do not have to own anything. Let's just have a bet.

That is not an investment; that is a flatout wager. We have places where you should do that. If you want to do that, you can go to Las Vegas, and they say what goes on there stays there. Who knows. You can go to Atlantic City. We have places where you can do that. But those places are not places where you do activities that are equivalent to what we now see having been done in the middle of some of the investment banks and financial institutions in this country.

I have spoken many times on the floor about this, and I am going to repeat some things I have said just because, as I talk about what needs to be done in a couple cases on this reform bill, we need to understand what happened and how unbelievably ignorant it was.

The subprime loan scandal—everybody was involved in that. When I say ''everybody,'' I am talking about all the biggest financial institutions because they were securitizing mortgages and selling them upstream to hedge funds, investment banks, and you name it—all making huge bonus profits, all kinds of fees, and starting with the broker who could place big mortgages for people who could not afford it; and right on up the line, they were all making big money.

So here is an advertisement we all listened to in the last decade during this unbelievable carnival of greed. This was the biggest mortgage company in our country, the biggest mortgage bank in America—now bankrupt, of course, now gone—although the head of this company left with a couple hundred million dollars, I am told. So he got out pretty well-heeled, now under investigation. But here was their ad on television and radio.

It says: Do you have less than perfect credit? Do you have late mortgage payments? Have you been denied by other lenders? Call us. We want to lend you money. Unbelievable. The biggest mortgage bank in the country says: Are you a bad credit risk? Hey, call us. We have money for you.

Zoom Credit, another mortgage company. Here is their advertisement: Credit approval is just seconds away. Get on the fast track. With the speed of light, Zoom Credit will preapprove you for a car loan, a home loan, a credit card. Even if your credit is in the tank, Zoom Credit is like money in the bank. Zoom Credit specializes in credit repair and debt consolidation too. Bankruptcy, slow credit, no credit—who cares? Come to us. We want to give you a loan.

Ignorant? Sounds like it to me. Greedy? It appears to me it is.

Millennia Mortgage: 12 months with no mortgage payment. That is right. We will give you the money to make your first 12 payments if you call in the next 7 days. We pay it for you. Our loan program may reduce your current monthly payment by 50 percent, allow you no payments for the first 12 months. Let us give you a loan. You do not have to make any payments for a year.

Sound strange? It does to me. How about the mortgages that say: Do you know what, you don't want to pay any principle? No problem. You don't want to pay any interest? No problem. You pay nothing—no interest, no principle. And, by the way, if you don't want us to check on your income—that is called a no-documentation loan—we will give you a no-doc loan with no interest payments and no principle payments. We will put it all on the back side. Do you know what you should do? Go ahead and do that because you can flip that house. If you can't make the payments a couple years later, when we are going to reset your interest rate at 12 percent—or whatever ridiculous amount they were going to do—you can sell that house and make the money because the price of that house is always going to go up.

So it went all across this country, right at the bottom, with teaser rates. The result was, a whole lot of folks were talked into mortgages they could not afford. The loan folks, the brokers, who were putting out these mortgages, were making a lot of money. They were securitizing them, selling them up. There were fees being paid to everyone, and everybody was making a lot of money—very fat and happy.

By the way, it has not changed. If you go to the Internet, you can find on the Internet, today, EasyLoanForYou: Get the loan you seek. Fast. Hassle-free. Our lenders will preapprove your loan regardless of your credit score or history.

Go to the Internet. See if it has stopped.

Here is an Internet solicitation: Bad Credit Personal Loans. How about that? Is that unbelievable? I wonder what college they teach this in. You start a company called Bad Credit Personal Loans. It says: Previous bankruptcy? No credit? Previous bad credit? Recent job loss? Recent divorce? Need a larger loan amount? Well, click here now. For gosh sake, take advantage of what we are offering. If you are a bad person, we want to give you money.

Speedy Bad Credit Loans—same thing. Bad credit? No problem. No credit? No problem. Bankruptcy? No problem. Come to us.

Well, is it a surprise that a lot of greedy people and a lot of the biggest

institutions in this country whose names you recognize instantly loaded up on this nonsense? They loaded up—loaded to the gills. Why? Because they were all making massive amounts of money by buying and selling and trading these securities. Yes, not just the securities, not just securitization of loans but credit default swaps and CDOs and you name it. It was a carnival and a field day.

So that has all happened in the last 10 years—and even much worse. But let me end it there to say, we are now talking about: What do we do about all this? This kind of behavior steered the country right into the ditch. We lost $15 trillion when the economy hit rock bottom. Something like $12 trillion has been lent, spent or pledged by the Federal Government to prop up private companies—many of them that were doing exactly as I have just described. This has been a very difficult time. So the question now is, What do we do about this? Do we just decide, do you know what, it is OK? We are not going to do anything about this?

I just mentioned naked credit default swaps. I do not know the number in this country, but in England they estimate, of their credit default swaps, 80 percent of them are so-called naked; that is, they have no insurable interest on any side of the transaction. It is simply making a wager. When you have banks that make wagers just as if they are using a roulette wheel or a blackjack table or a craps table, they just as well ought to put that in the lobby, except my feeling is, it is fundamentally antithetical to everything we know about sound, thoughtful finance in this country to have allowed this to have happened—we did allow it—and now to continue to allow it to happen.

So I wish to take you back 11 years to the floor of the Senate because I have been through this before in something called financial modernization. It was 11 years ago now, actually: financial modernization. This is not the first time we have had substantial legislation on the floor of the Senate to address the issue of finances and the financial system. We had something called financial modernization on the floor of the Senate, and it was the piece of legislation—big piece of legislation—that pooled everything together. It said you can create one, big, huge holding company and bring everything in together—the investment banks, the commercial banks, FDIC-insured banks, the securities trading—bring them all together as one, big, happy family, one big pyramid. It will be just fine because it will make us more competitive with the European financial institutions, and it is going to be great. I said I think that is nuts. What are we doing?

I have some quotes from 1999 of things I said on the floor of this Senate. On November 4, I said:

> Fusing together the idea of banking, which requires not just safety and soundness to be successful but the perception of safety and soundness, with other inherently risky speculative activity is, in my judgment, unwise.

I said:

> We will, in 10 years time, look back and say: We should not have done that—repeal Glass-Steagall—because we forgot the lessons of the past.

I said during debate in 1999:

> This bill will in my judgment raise the likelihood of future massive taxpayer bailouts. It will fuel the consolidation and mergers in the banking and financial services industry at the expense of customers, farm businesses, and others.

I said:

> We have another doctrine at the Federal Reserve Board. It is called too big to fail. Remember that term, too big to fail. They cannot be allowed to fail because the consequence on the economy is catastrophic and therefore these banks are too big to fail. That is no-fault capitalism; too big to fail. Does anybody care about that? Does the Fed, the Federal Reserve Board? Apparently not.

That is what I said 11 years ago on the floor of the Senate.

I said:

> I say to the people who own banks, if you want to gamble, go to Las Vegas. If you want to trade in derivatives, God bless you. Do it with your own money. Do not do it through the deposits that are guaranteed by the American people with deposit insurance.

I said during that debate:

> I will bet one day somebody is going to look back and they are going to say: How on Earth could we have thought it made sense to allow the banking industry to concentrate, through merger and acquisition, to become bigger and bigger and bigger; far more firms in the category of too big to fail? How did we think that was going to help our country?

Those are quotes I made 11 years ago on the floor of this Senate. I didn't know then that within a decade, within 10 years, we would see huge taxpayer bailouts, but I thought this was fundamentally unsound public policy. I was one of only eight Senators to vote no. The whole town stampeded. In fact, as the Presiding Officer knows, this Financial Modernization Act was Gramm-Leach-Bliley, three Republicans, but this was firmly embraced by the Clinton administration and by the then-Secretary of the Treasury and others. It was bipartisan: We have to do this, have to compete with the rest of the world, and it was, Katey, bar the door. We are going to allow these big companies to get bigger, and it is going to be just great for the country.

It wasn't so great for the country. What I wish to show is what happened as a result of that piece of legislation. This graph shows from 1999 forward the growth of total assets in the largest financial institutions. Look at this graph: Bigger and bigger. Not just a bit bigger; way, way, way up, the growth in assets of those six largest financial institutions.

This chart shows the four banks, total deposits in trillions of dollars, and we see what has happened there: liabilities in the six largest institutions, deposits in the four largest banking institutions.

This chart shows the aggregate assets of the top six commercial and investment banks and what has happened in 10 years.

It doesn't take a genius and it doesn't take somebody with higher mathematics or having taken an advanced course in statistics to understand what this picture shows. We have seen a dramatic amount of concentration—some of it, by the way, aided and abetted by the Federal Government because as we ran into this problem, this very deep recession—the deepest since the Great Depression—our government arranged the marriages of some of the biggest companies, and so the big became much bigger.

I have said all of that simply to say: That is where we have been, and now the question is, Where are we going? What kind of legislation are we going to take up on the floor of the Senate? Already there has been a big dust-up. The minority leader came to the floor of the Senate and said what was done in the Banking Committee will be a big bailout of the banks. Of course, that isn't the case at all. This is a fact-free zone with respect at least to some debates. I don't think there is anybody in this Chamber who believes we don't have a responsibility now to address these issues, and address them in the right way.

Let me be quick to say a couple of things. No. 1, there are some awfully good financial institutions in this country run by some good people who have done a good job, and we need them. You can't have production without the ability to finance production. We need commercial banks. We need all of the other financial industries and institutions, but we need to make sure the excesses and the greed and the unbelievable things that were done by some in the last decade cannot be repeated, cannot happen again.

The piece of legislation that is going to come to the floor of the Senate from the Senate Banking Committee is a good piece of legislation. I commend Senator DODD. I think he has done an excellent job. By the way, those who have said in the Senate that somehow this is just partisan, they didn't reach out to others; that is not the case, and everybody knows it.

CHRIS DODD reached out to Republicans week after week and month after month to try to get some cooperation. Finally, they just walked away and they said: We are all going to vote no, no matter what. So it is not the case that this was designed to be some sort of partisan bill. I still hope there will be Republicans and Democrats who together understand what needs to be done to fix the problems that exist in our financial services industry.

In addition to Senator DODD bringing a bill from the Banking Committee, let me say Senator BLANCHE LINCOLN, under her leadership in the Agriculture Committee, has brought a piece of legislation to the Senate floor on derivatives that I think is a good piece of legislation that needs to be a part of the banking reform bill.

What I wish to talk about ever so briefly is two other things. There are a number of people who have bills that I am going to be supportive of that I think have great merit that are necessary. I think they are necessary to fix the real problems that exist. The issue of repairing what was done to Glass-Steagall, Senator CANTWELL, Senator MCCAIN have a bill on that. There are others who have a bill on proprietary trading, and there are others as well. But I wish to talk about two things very briefly.

No. 1, I am preparing an amendment that deals with what are called naked credit default swaps. I don't think that is investing. That is simply betting. If there is no insurable interest on either side of credit default swaps, that is not investing. I think there ought to be a requirement that there be an insurable interest on at least one side in order for it to be a legitimate function because it seems to me if we don't ban naked credit default swaps, we will have missed the opportunity to do something that is necessary to fix part of what happened in the last decade, No. 1.

No. 2 is the issue of too big to fail. It has not been described, it seems to me, by either the Banking Committee or by amendments that have been suggested—it has not been described that we should take seriously too big to fail by deciding if you are too big to fail, you are too big. This country has, on occasion—when we have a systemic risk that is unacceptable, when we have a moral imperative to do something about something such as this, this country has decided we will break Standard Oil into 23 parts; we will break up AT&T—and, by the way, the 23 parts turned out to be much more valuable in their sum than the value of the whole.

But having said all that, I believe there needs to be an amendment—and I am preparing an amendment—that deals with the issue of too big to fail. Very simply it says if the Financial Stability Oversight Council develops an approach that says, all right, this is an institution that is just too big to fail and the moral hazard for our country and the systemic risk for our country is too great and therefore we judge it too big to fail, I believe what ought to happen over a period of time—perhaps 5 years—is a symptomatic divestiture sufficient so that the institution remains an institution that is not then too big to fail. I believe that ought to be something that we consider as we develop our approach to these financial reform measures.

I don't think big is always bad, and I don't think small is always beautiful. I want us to be big enough to compete. I want us to have the resources to be able to make big investments in big projects. I understand all of that, and I can point to some terrific financial companies in this country run by first-rate executives.

So understand what I am talking about are the abuses and the unbelievable cesspool of greed we have seen in a decade from some institutions that were big enough and strong enough to run this country into very serious trouble. That is why I think we have a responsibility at this point to address all of those issues that are in front of us as we deal with banking reform.

I know this is going to be a long and a difficult task, but one of my hopes would be that Republicans and Democrats can all agree on one thing: What we have experienced in the last decade cannot be allowed to continue. It cannot be allowed to continue. No one, I believe, would want our financial institutions to continue to bet rather than invest, to continue to invest in naked credit default swaps where there is no insurable interest. Nobody, I would hope, would believe that represents the kind of productive financing that we need to produce in this country again. I want the financing to be available from good, strong financial institutions to good, strong companies that need to expand to produce American goods that say ''Made in America'' again.

That is what I want for our country. That kind of economic health can only come if you have a strong system of financial institutions that are engaged in the things that originally made this a great country, not trading naked credit default swaps but making good investments in the productive sector of this country.

I believe we can do that again, and I believe we will. I don't approach this banking reform debate with trepidation. I think ultimately cooler heads will prevail and all of us will understand the need, and when we meet that need, this country will be much better off.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

FOOD SECURITY

Mr. CASEY. Mr. President, I rise today to speak about an issue that was the subject of a Foreign Relations Committee hearing today, of course, chaired by our chairman, JOHN KERRY, and the ranking member, Senator DICK LUGAR.

Today in America and worldwide, every 5 seconds a child dies from starvation. Every 5 seconds across the world, every 5 seconds every day is the reality that stares us in the face. While the United States has historically played an important role in addressing hunger internationally, this simple fact should serve as a galvanizing call to action on this issue.

The 2008 global food crisis brought attention to the fact that emergency food assistance was not enough, as generous as our country is and as important as that strategy is to confronting the problem. The emergency food assistance that year was not enough, and donors in recipient countries that need to work together to address this systemic problem need to do so even more so today.

The Obama administration has rightly prioritized food security and the political support in the Senate is growing every day for the Lugar-Casey Global Food Security Act. I commend Senator LUGAR for his work on these issues for many years and, of course, I wish to commend and thank the work that our chairman, Senator JOHN KERRY, is doing on this issue every day as well.

Creating an environment where local farmers can produce for themselves and their communities as well as easily trade to get their goods to market is the key to fundamentally changing this ongoing crisis.

With a host of competing priorities for the attention of the United States, I believe there are at least two reasons food security matters, even in the midst of some of the challenges we are facing domestically.

First, this is a humanitarian crisis of immense proportions that we can go a long way toward solving. I think when we talk about this issue, no matter who we are, no matter what our station in life is, this is an issue that we come to, summoned by our conscience, and I think that is true in the Senate as well.

As one of the richest countries in the world, I believe we have a moral obligation to do all we can to help. This crisis is solvable with a combination of assistance and emphasis on providing small farmers around the world the know-how, the technology, and the means to provide for themselves.

The second reason, in addition to this being a humanitarian crisis as to why this is so important, is global hunger is a national security issue. Instability arising from conflict across the world over access to food is a documented problem. The 2008 food crisis, unfortunately, brought this into sharp, acute focus.

We saw it in Somalia, where struggles to gain access to food have enveloped population centers in violence. We have seen it in Egypt as citizens rioted for access to bread. We have seen it in Haiti more recently, where hospital beds filled in 2008 with those injured during food riots. Increased instability in any of these countries has a direct impact on U.S. national security interests.

The root causes of this perfect storm of crisis are well known but worth recounting. In 2008, food demand was driven higher due to expanding population and rising incomes. More cereals were needed to feed livestock for the production of meat and dairy products and to fill increasing demand for biofuels across the world. Higher oil prices, combined with weak harvests and rising global demand, created a scramble for resources. Wheat prices more than doubled and rice prices more than tripled between January and May of 2008.

Twenty-eight countries imposed export bans on their crops, driving up

commodity prices and limiting supply. This led to political unrest across the globe. It concentrated among developing countries with large, food-insecure, poor urban populations.

While this was indeed a perfect storm of events, the underlying issues that created this crisis continued. In Sub-Saharan Africa, for example, 80 to 90 percent of all cereal prices remain 25 percent higher than they were before the crisis began. In many Asian and Latin American and Caribbean countries, prices are still more than 25 percent higher than in the precrisis period of time. In the wake of the economic crisis, the World Food Programme began receiving requests for assistance even from countries that previously were able to provide for themselves.

The peripheral effects of food insecurity are considerable. High rates of hunger are shown to be linked to gender inequality, especially in terms of education and literacy, which also negatively affects the rate of child malnutrition. This number is stunning. It is estimated that 60 percent of the world's chronically hungry are women and girls—60 percent—20 percent of whom are children under the age of 5. It is almost incalculable. Those numbers are staggering and should do more than just bother us and just inform our conscience; they should also motivate us to do something about this crisis. I cite these figures, and too often in Washington we are guilty of doing just that—citing figures. But they have real impact and real meaning.

I have had the privilege of personally working with some very special women in Pennsylvania who took it upon themselves to really highlight some of these issues. The Witnesses to Hunger is a project that started in Philadelphia, PA. These women were given cameras to photograph their own lives, to tell us the truth of their experiences, and to raise awareness on many critical issues, including specifically hunger.

Last year, I had the honor, as did my wife Teresa, of bringing their exhibit to Washington, and in November we launched a tour across Pennsylvania to highlight this issue. I cannot begin to describe how moved I was—as were so many others who saw this exhibit—to see the photographs taken by these women and to hear their stories of hunger and of poverty. Their bravery and rare courage in sharing the struggles they face to provide a safe, nurturing home for their children will always stay with me.

These mothers who brought Witnesses to Hunger to life are constant reminders that the programs we in Congress advocate for and the new initiatives we can develop can have a profound impact on people's lives, whether it is in our towns and communities in Pennsylvania or in any other State or around the world, because this is a problem our world and our country face.

Hunger in a country such as Pakistan poses both a humanitarian and a security issue. Last year, over 77 million people in that country, Pakistan, were considered food insecure by the World Food Programme. That is nearly half of their population. As their military conducts its continued operations against extremist forces, their numbers could increase. Hunger and competition for food can lead to further instability and potentially undermine the Pakistani Government's leadership at a very critical time.

The global food crisis is still a serious problem, and despite the efforts of the administration, we still have a lot of catching up to do in order to respond properly. According to the Center for Strategic and International Studies, the U.S. commitment to agricultural development has declined in recent years, though emergency food assistance continues at robust levels. Worldwide, the share of agriculture in development assistance has fallen from a high of 13 percent in 1985 to 4 percent between 2002 and 2007. The U.S. development assistance to African agriculture fell from its peak of about $500 million in 1988 to less than $100 million in 2006. We can do a lot better than that.

The USAID has been hardest hit during this period. The USAID once considered agricultural expertise to be a core strength but today operates under diminished capacity. That is an understatement. Here is what I mean. In 1990, USAID employed 181 agricultural specialists, but in 2009 just 22—from 181 to 22 in just those years, less than 20 years. That number has gone up from 22 recently, with the new administration, but it is still far too few to work on this problem.

In the 1970s, the U.S. Government sponsored 20,000 annual scholarships for future leadership in agriculture, engineering, and related fields. Today, that number has fallen to less than 900. So we are not developing the workforce and expertise we need.

We simply don't currently have adequate infrastructure in our government to respond to this crisis. The administration is making progress, though. The administration's Global Hunger and Food Security Initiative, known by the acronym GHFSI, is a comprehensive approach to food security based on country- and community-led planning and collaboration. I welcome this opportunity to hear directly from the administration about this effort. While I know the Obama administration has worked assiduously to coordinate an interagency process and selection criteria for country participation around the world, questions remain in terms of overall leadership of the initiative, as well as its plan to develop internal expertise and capacity that is sustainable over the long term.

In the Senate, we have worked to bring attention to the world's hungry. Senator LUGAR, as I mentioned before, a respected leader in this field for decades, and I have joined together to introduce the Global Food Security Act. I will highlight three provisions before I conclude.

First, the Global Food Security Act would provide enhanced coordination within the U.S. Government so that USAID, the Department of Agriculture, and other agencies are working together and not at cross-purposes.

Second, this bill would expand U.S. investment in the agricultural productivity of developing nations, so that other nations facing escalating food prices can rely less on emergency food assistance and instead take steps to expand their own crop production. Every dollar invested in agricultural research and development generates $9 for every dollar worth of food in the developing worlds.

Third, this bill, the Global Food Security Act, will modernize our system of emergency food assistance so that it is more flexible and can provide aid on short notice. We do that by authorizing a new $500 million fund for U.S. emergency food assistance.

This is one of those rare occasions—unfortunately, too rare—where a serious crisis was greeted with substantial response by an administration—in this case, the Obama administration—as well as bipartisan collaboration in the Senate and the House. I am encouraged that there has been positive movement toward fundamentally changing how we look at food security issues. Such support, however, is not permanent, and we should enact this multiyear authorization bill to ensure that such congressional support exists in the future, many years from now. We cannot wait for another massive food crisis before taking action on this legislation. This is the right thing to do, and we will ultimately enhance the security of the United States and our allies.

Mr. President, this isn't just a matter of being summoned by our conscience. That we know is part of the reason we are doing this. This is also a grave national security issue for us and our allies. For that reason and so many others, we need to pass the Global Food Security Act and support the administration's efforts on the Global Hunger and Food Security Initiative.

I yield the floor.

TRIBUTE TO BRIAN DUFFY

Mr. MCCONNELL. Mr. President, I rise to honor Mr. Brian Duffy of Louisville, KY, for his hard work and support on behalf of Kentucky's World War II and terminally ill veterans. Mr. Duffy founded the Bluegrass Honor Flight chapter in 2007. Through his leadership, and the support of numerous donations and volunteers, the Bluegrass Honor Flight chapter has been able to fly nearly 600 veterans from Kentucky to Washington, DC, providing these brave patriots the opportunity to see their memorial firsthand.

Today, I wish to congratulate Mr. Duffy, himself a veteran, for recently being named 2010's official

''Thundernator'' responsible for starting the ''Thunder over Louisville'' firework show. He was so named because of his dedication to the Bluegrass Honor Flight organization.

I know my colleagues will join me in honoring Mr. Duffy for his tireless advocacy on behalf of veterans.

GLOBAL YOUTH SERVICE DAYS

Ms. MURKOWSKI. Mr. President, I wish to speak about a resolution designating April 23 through 25, 2010, as ''Global Youth Service Days.'' S. Res. 493 recognizes and commends the significant community service efforts that youth are making in communities across the country and around the world on the last weekend in April and every day. This resolution also encourages the citizens of the United States to acknowledge and support these volunteer efforts. S. Res. 493 passed the Senate by unanimous consent on April 20, 2010. This sends a very strong message of support to the thousands of youth across our great Nation who contribute positively to their communities—your efforts are recognized and appreciated.

Beginning this Friday, April 23, youth from across the United States and around the world will carry out community service projects in areas ranging from hunger to literacy to the environment. Through this service, many will embark on a lifelong path of service and civic engagement.

This event is not isolated to one weekend a year. Global Youth Service Days is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year.

The participation of youth in community service provides an opportunity to identify and address the needs of their communities and make positive differences in the world around them, learn leadership, organizational skills, and gain insights into the problems of their fellow citizens.

High-quality service-learning activities help young people make important connections between the school curriculum and the challenges they see in their communities. Youth who are engaged in volunteer service and service-learning activities do better in school than their classmates who do not volunteer are also more likely to avoid risky behaviors, such as drug and alcohol abuse. Service within the community contributes positively to young people's character development, civic participation, and philanthropic activity as adults.

It is important, therefore, that the Senate encourage youth to engage in community service and to congratulate them for the service they provide.

In an effort to recognize and support youth volunteers in my State, I am proud to acknowledge some of the activities that will occur this year in Alaska in observance of National and Global Youth Service Days:

Anchorage's Promise, which works to mobilize all sectors of the community to build the character and competence of Anchorage's children and youth, has sponsored the annual KidsDay events in Anchorage again this year. Youth provided significant service to their peers and to adults who attended KidsDay activities:

The Spirit of Youth Teen Action Council's Herb Project provided youth with the task of building organic hanging gardens for local elders who are unable to get out and garden this year. The Alaska Botanical Garden also supported this project with important tips about the benefits of starting your own garden at home.

Operation Support Our Soldiers, SOS, made cards for our military deployed overseas to show support and appreciation for the sacrifice that these brave men and women make every day.

The Alaska Teen Media Institute also participated in the day interviewing youth and giving tips on media production.

Teen volunteers from Anchorage conducted surveys of youth attending the 2010 KidsDay and also surveyed vendor booths regarding volunteer and employment opportunities.

Chugiak High School Junior ROTC assisted Anchorage's Promise this year at KidsDay by providing security to protect children.

In addition to the KidsDay events, young people from every region of Alaska will serve their communities in the following ways:

The Juneau Alaska Youth for Environmental Action has been working with the Juneau-Douglas High School Food Services, to transition from plastic disposable silverware to reusable metal silverware.

SAGA Juneau will be working in coordination with the Juneau School District to provide volunteer opportunities to youth.

Members of the Chugiak Family Career and Community Leaders of America coordinated four activities to earn funds for the Malowi Children's Village. They raised $560 for mosquito bed nets which will buy 260 nets to protect children from deadly insect bites.

Anchorage Boy Scout troops teamed up with local supermarkets in order to collect food for the homeless.

The Music Canvas in Anchorage offered a free sing-a-long class for families with young children.

Shishmaref Village led a trip with skilled hunters to teach the youth traditional hunting and survival tactics.

An ongoing project from the students at the Alaska Teen Media Institute involves production of a public affairs radio show on KNBA 90.3 FM Anchorage. ''In Other News'' airs the last Saturday of the month and features news and views from the teen perspective.

Teens of Covenant House Alaska will be partnering with Abundant Life Generation to outreach to women and children in Nepal that have experienced sexual exploitation from human trafficking.

Homer residents helped clean the city. Cash prizes were awarded to the top three ''trash collectors,'' and over 650 bags of trash were collected.

Over 750 volunteers joined together in Soldotna to help rebuild the local playgrounds in the city.

Cadets from the North Pole High School Air Force Junior ROTC collected donations and helped out the Alaska Blood Bank in Fairbanks.

Teen volunteers in Anchorage helped prepare materials for the annual summer reading celebration.

Youth assisted Anchorage's Promise with getting the meaning behind the five promises out into the community.

The Alaska Food Bank offered a volunteer opportunity to help the Boy Scouts of America sort out their donations from this year's Scouting for Food Drive.

Thousands of youth volunteers gathered to help clean up the neighborhoods of Anchorage.

The Alaska High School Challenge sponsored by the Blood Bank of Alaska increases awareness in the community about the importance of donating blood and allows high schools to compete with one another for recognition of saving the most lives in Alaska.

The PANIC/Mountaineer Sports Program cleaned and painted the Mount View Community Center Boys and Girls Club.

Sterling Community Club youth helped to salvage road kill moose in order to feed hungry community members.

Boys and Girls Club youth were instructed on bike safety.

Eagle River Boys and Girls Club helped to show support for troops by making care packages during the holidays.

Port Graham School students partnered up with elders in the community to learn more about traditional knowledge and cultural importance.

Wrangell youth worked with the Women in Safe Homes project and AmeriCorps members to create artwork for the Wrangell Medical Center.

Youth Group of Anchorage Unitarian Universalist Fellowship made and distributed Easter baskets to homeless youth.

Students at Barry Craig Stewart Kassan School were involved in a week of activities that focused on building skills such as teamwork and communication.

Students at Tok School were given the opportunity to ''adopt'' a person whom they found to be a positive influence on their lives.

Eagle River Lion's Club teamed up with youth to provide an Easter egg hunt for the community.

The community of Dillingham joined together to celebrate the achievements of local youth and elders.

Students with the Yakutat High National Honor Society held a community health fair.

Meterviit Youth Action Group in New Stuyahok held an event to discuss

environmental issues the village should address for the future.

Tri-Valley Community Library and the After School Yearbook Club at Healy school celebrated the 40th anniversary of the local school.

Mr. President, I am so proud of all of these young people. I value their idealism, energy, creativity, and unique perspectives as they volunteer to make their communities better and assist those in need.

Many similarly wonderful activities will be taking place all across the Nation. I encourage all of my colleagues to visit the Youth Service America Web site—www.ysa.org—to find out about the selfless and creative youth who are contributing in their own States this year.

I thank my colleagues—Senators AKAKA, BAYH, BEGICH, BINGAMAN, BURR, CARDIN, COCHRAN, COLLINS, DODD, FEINSTEIN, GILLIBRAND, GREGG, HAGAN, ISAKSON, KLOBUCHAR, LANDRIEU, LAUTENBERG, LEMIEUX, LIEBERMAN, LINCOLN, MENENDEZ, MIKULSKI, MURRAY, BEN NELSON, STABENOW, and MARK UDALL—for standing with me as original cosponsors of this worthwhile resolution which will ensure that youth across the country and the world know that all of their hard work is greatly appreciated.

TRIBUTE TO DR. DOROTHY I. HEIGHT

Ms. LANDRIEU. Mr. President, I rise to pay tribute to a great Civil Rights leader of our Nation, who passed away recently. I come to the floor in her memory to pause for just a moment and to remember this great lady.

Tuesday, the Nation lost a powerful advocate for justice, equality, and opportunity for all people. Dr. Dorothy I. Height was truly a heroine of the civil rights movement. She was a civil rights trailblazer whose courage and determination has allowed women around the nation to break through glass ceilings and realize their dreams. She has certainly been an inspiration to me personally.

Dr. Height was the chair and president emerita of the National Council of Negro Women, Incorporated. The council was founded by Mary McLeod Bethune. She brought 28 national women leaders together to improve the quality of life for women. Dr. Height embraced that vision and continued the crusade for justice. Through her leadership, she changed our nation by shining a light on discrimination and injustice that was all too common in America during the 20th century.

Dr. Height was also a member of many other organizations such as the YWCA and the Delta Sigma Theta Sorority, Inc. Through her dedication and commitment in these organizations, she encouraged women to be leaders in national and community organizations and on college campuses. She had an extraordinary presence, a really big and wonderful heart, she was a great intellect, and she had a passion for people. She is an example of the impact that women have on leadership. She was born not only to be all a woman could be, but all a person could be, all a leader could be. Dr. Dorothy Height will always be respectfully remembered.

She has received many awards including the Presidential Medal of Freedom Award, the Congressional Gold Medal Award. I was proud to join my Senate colleagues on sponsoring a Senate resolution honoring the life and legacy of Dr. Height. She will be greatly missed and her legacy will live on in the women she inspired.

AMERICAN CITY QUALITY MONTH

Ms. COLLINS. Mr. President, I rise today to recognize April as the 22nd Annual National American City Quality Month. Led by the National League of Cities, the U.S. Conference of Mayors, American City Planning Directors' Council/American City Quality Foundation, Urban Land Institute, City Planning and Management Division of the American Planning Association, International City/County Management Association, American Public Transportation Association, American Society of Landscape Architects and others, this valuable program brings together a wide range of public and private partners. Their efforts demonstrate what it takes to plan and develop better quality communities addressing vital issues including land use, building design, transportation, housing, parks and recreation, energy efficiency, economic development, environmental protection, sustainability and livability.

City planners across my State of Maine and throughout the Nation are calling on public and private sector leaders to commit to preparing, adopting and implementing a nationwide better quality communities plan that will lead to better planning, redevelopment and development of our Nation's cities and surrounding regions. This is essential to accommodate U.S. Census projected population growth of about 30 million by the year 2020 and 100 million within 30 to 40 years. This is the equivalent of building eleven cities the size of Chicago. Also, it will help to create jobs, stop urban sprawl, guide billions of dollars of investment to improve communities while lowering governmental operating expenses and taxes.

This public-private partnership is necessary to meet the growing need for higher quality, more energy efficient and sustainable housing, buildings, public transportation, infrastructure, agriculture, and industry. All citizens are urged to get involved by contacting their community planners. I applaud these collaborative efforts to improve urban and rural communities across our Nation.

This collaborative planning works. Just last year, Forbes Magazine named Portland, ME, my State's largest city, as the most livable city in America. In addition, Portland's busy Commercial Street was voted as one of the country's great streets by the American Planning Association. The transformation of Portland did not happen by accident. It is the result of citizens and organizations working together. American City Quality Month celebrates this effort. This year our Governor, John Baldacci, proclaimed April as American City Quality Month. Other Governors and officials are invited to do the same.

RECOGNIZING MIDDLEBURY COLLEGE

Mr. LEAHY. Mr. President, I speak often about the excellent higher education opportunities that are available in Vermont. Today, I want to honor Middlebury College for a new business venture that builds upon its academic reputation in foreign languages.

A small, liberal arts school of 2400 students, located in Addison County, Middlebury is a campus that is rooted in Vermont's rich culture, while charting the way forward to the future. From using wood chips to heat and cool buildings across the campus, to local food initiatives, to recycling building materials, students, faculty and staff use creativity and build on a tradition of excellence in helping to take the college to the next level.

This week, Middlebury College was hailed as one of the Nation's top ''green colleges'' in a new ranking by the Princeton Review. And a recent article in the New York Times described the college's new and innovative business partnership to develop an online language program for precollege students. Already well known for its intensive summer language programs, Middlebury will be able to broaden its reach and impact by bringing a language program directly into the homes of American students wanting to learn new languages.

The Internet has emerged as a significant learning tool, and connecting students with language instruction on the Web is a wonderful academic idea as well as an innovative business initiative.

I know that Middlebury College will continue to be a leader in academic innovation, and I wish them the best in their new endeavor.

ADDITIONAL STATEMENTS

RECOGNIZING CLEMSON UNIVERSITY SCROLL OF HONOR

• Mr. GRAHAM. Mr. President, I ask the Senate to join me in recognizing a historic event taking place in Clemson, SC. Today, Clemson University and the Clemson Corps are dedicating its Scroll of Honor Memorial, which recognizes the 473 Clemson University alumni who sacrificed their lives protecting and defending our Nation.

Clemson University has a long and distinguished military history, and todays dedication of the Scroll of Honor is a testament to this school's continued commitment to honoring those who serve our country. I truly appreciate the Clemson Corp for spearheading this important project.

As Senator, I have had the great honor to meet many of our Nation's soldiers, sailors, airmen and marines serving abroad. They are dedicated, proud individuals who take their jobs to protect our Nation very seriously.

Like the millions of veterans who served before them, they also know the great truth that freedom is never free. It was won and protected for more than two centuries by patriotic Americans willing to risk their lives to defend this great country of ours.

Millions of Americans have given their blood, sweat, and tears in defense of this great land. Many, like the individuals we honor today, paid the ultimate price. Words cannot adequately express the great respect and admiration I have for these individuals.

I, like all Americans, will forever be indebted to them for their sacrifice.

I ask that the U.S. Senate join me in honoring these distinguished Sons of Dear Old Clemson, their families, and the thousands of soldiers, sailors, airmen, and marines who continue to serve our Nation. And may God continue to bless our United States of America.●

TRIBUTE TO GERARD BAKER

● Mr. JOHNSON. Mr. President, today I pay tribute to Gerard Baker, Superintendent of Mount Rushmore National Memorial. Superintendent Baker has accepted a new assignment as Assistant Director for American Indian Relations for the National Park Service. While his leadership at Mount Rushmore will be greatly missed, the entirety of the Park Service will benefit from this new role. I have enjoyed working with Gerard in his capacity as Superintendent and want to take this opportunity to recognize his accomplishments.

During his tenure, Gerard has helped promote a comprehensive understanding of the significance of Mount Rushmore and the surrounding Black Hills. In addition to telling the story of the four Presidents whose likenesses are carved into the mountain, he and his staff have worked to broaden the perspectives of history, culture, and natural resources at the memorial. Visitors, young and old alike, have enjoyed expanded interpretive programs, including an award-winning audio tour available in Lakota and a Heritage Village highlighting the history and customs of local American Indian communities. Gerard has done an admirable job of promoting understanding and celebration of all of the cultures that make up our democracy.

Gerard's long and accomplished career with the National Park Service began in 1979 at the Knife River Indian Villages National Historic Site where he worked as a park technician. He worked his way up and eventually became Superintendent of Little Big Horn Battlefield National Monument. He would later serve as the first Superintendent of the Lewis and Clark National Historic Trail before coming to Mount Rushmore. Throughout his career, Gerard has been recognized with numerous awards for exceptional work. He was also recently featured in the Ken Burns documentary ''The National Parks: America's Best Idea.''

National Park Service Director Jon Jarvis should be commended for recognizing the importance of working with tribes across our country on cultural and natural resources issues central to the Park Service's mission. He could not have picked a better person to represent the Park Service in this capacity. In addition to vast experience with the Park Service, Gerard brings a lifetime of learning from his own heritage as a Mandan-Hidatsa Indian. That perspective, coupled with the charisma and good humor Gerard is so well known for, will be a great asset for the Park Service.

In closing, I would like to thank Gerard and his wife Mary Kay for their dedication to Mount Rushmore and the Black Hills area. I wish him all the best in his new position as Assistant Director for American Indian Relations for the National Park Service. Gerard's efforts at Mount Rushmore will continue to benefit visitors for years to come, and I congratulate him on his accomplishments.●

REMEMBERING VERNON C. POLITE

● Mr. LEVIN. Mr. President, I wish to honor the life of Vernon C. Polite, dean of the Eastern Michigan University College of Education, who passed away on March 8, 2010. Dean Polite led a life of integrity, passion, and dedication. His exemplary work and his personal warmth surely will be missed by all whose lives he touched. A memorial service will be held on the campus of Eastern Michigan University today to celebrate the life of this wonderful man.

Dean Polite's efforts to enrich the educational experiences of students in Michigan and across the country are truly inspiring. His guidance has left an indelible mark on the institutions in which he has played a part. From his work as principal at Oak Park Public Schools and professor at Catholic University of America, to his roles as founding dean of Bowie State University's School of Education and dean of the Eastern Michigan University College of Education, Dean Polite has set an example of conscientious and courageous leadership.

Dean Polite was embraced by colleagues, students, family, and friends as much for his impressive accomplishments as for his generous heart and personal kindness. He has been called ''an ambassador for education and for social justice across the nation.'' His dedication to social justice is not only evident in the research he conducted on organizational change and minority educational issues and in his active pursuit of diversity at Eastern Michigan and other institutions but also in the graceful and respectful manner in which he interacted with those around him each day. Dean Polite leaves a void at Eastern Michigan University and in the countless lives he helped to shape. His memory will be a vivid and lasting inspiration to many.

Vernon C. Polite dedicated his life to education and accomplished much in his long and illustrious career. His legacy is that of a life well-spent and is embodied in the accomplishments and aspirations of the students he inspired. I know my colleagues join me in extending condolences to Vernon's sister, Carol Brooks, and his brother, Willie Brooks, as well as to the entire Eastern Michigan University community, as we honor the life of this remarkable man.●

TRIBUTE TO SPECIALIST MICHELLE DONOVAN

● Mrs. LINCOLN. Mr. President, today I honor National Guard Specialist Michelle Donovan, a resident of Hot Springs Village in my home State of Arkansas. Specialist Donovan recently received the Purple Heart for injuries she sustained while serving in Iraq nearly 3 years ago.

Specialist Donovan served as a combat medic assigned to the 875th Engineer Battalion, Arkansas National Guard. On August 21, 2007, while on patrol in Iraq, the vehicle in which she was riding struck an explosive device, leaving her and her four team members seriously wounded. She suffered severe traumatic brain injury and wounds to her leg and shoulder, as well as injuries to her face, requiring a medical discharge from the Arkansas National Guard.

Along with all Arkansans, I salute Specialist Donovan for her bravery, and I am grateful for her service and sacrifice.

More than 11,000 Arkansans on active duty and more than 10,000 Arkansas reservists have served in Iraq or Afghanistan since September 11, 2001. It is the responsibility of our Nation to provide the tools necessary to care for our country's returning servicemembers and honor the commitment our Nation made when we sent them into harm's way. Our grateful Nation will not forget them when their military service is complete. It is the least we can do for those whom we owe so much.●

TRIBUTE TO ALICE SMITH

● Mrs. LINCOLN. Mr. President, today I congratulate Alice Smith for being named the 2009 Citizen of the Year by the Clarendon Chamber of Commerce.

According to those who know her best, Alice is a dedicated community

volunteer, spending countless hours of her time helping others throughout the Clarendon community. A long-time volunteer with the Boy Scouts, Alice also serves as President of the Clarendon Chamber of Commerce and is a member of Visions for Clarendon, the Clarendon American Legion Auxiliary, and a board member for the Monroe County Human Development Center. Alice also fought to save the annual Clarendon Christmas parade when it was on the verge of cancellation due to lack of funds and participation.

I have felt a long kinship to Clarendon, and I am grateful for the friendships I have made there. Clarendon is a community with a great spirit of volunteerism and caring. We should all embrace Alice's spirit of service and volunteerism. I send my heartfelt congratulations to her and her family.●

40TH ANNIVERSARY OF THE FOUNDING OF HOT SPRINGS VILLAGE

● Mrs. LINCOLN. Mr. President, today I rise to recognize the residents of Hot Springs Village in my home State of Arkansas.

Hot Springs Village is a gated resort and retirement community in scenic west central Arkansas in the Ouachita Mountains. It is home to 15,000 residents and offers 11 recreational lakes for fishing, swimming and boating, 16 tennis courts, a fitness center, a 650-seat performing arts center, and over 20 miles of wooded nature trails.

During the week of April 17–25, Hot Springs Village will celebrate its 40th anniversary with events throughout the community, including concerts, golf tournaments, luncheons, open houses, and more. These events symbolize the culture, recreation, and community spirit that define Hot Springs Village and its citizens.

Mr. President, I salute the residents of Hot Springs Village for their efforts to maintain the heritage, beauty, and history of their community. I join all Arkansans to express my pride in this jewel of Arkansas.●

RECOGNIZING DENNYMIKE'S 'CUE STUFF INC.

● Ms. SNOWE. Mr. President, though we often say in Maine that April can still be considered a winter month, we are hopeful that warmer weather is just around the corner. And one of our Nation's favorite summer pastimes is grilling outdoors—eating good food while enjoying the company of friends and family. While barbecue is traditionally considered Southern cuisine, one Maine company is out to redefine that notion—and having great success in this endeavor. As such, I rise today to recognize DennyMike's 'Cue Stuff Inc. for its numerous award-winning barbecue products.

DennyMike's got its start in 2002 when Dennis Michael—or DennyMike—Sherman, a born and bred Mainer, opened DennyMike's Smokehouse BBQ and Deli in the popular seaside town of Old Orchard Beach. Mr. Sherman's purpose in opening this unique restaurant in Maine was to expose New Englanders to a cuisine he has loved since the 1970s, when he first experienced authentic Texas-style barbecue. In 2008, Mr. Sherman also launched a line of genuine, hand-crafted barbecue rubs and sauces for use by customers at home, whether it be to spice up meatloaf made in the oven or add flavor to seafood or steak cooked on the grill. The company is a member of the Kansas City BBQ Society and the National BBQ Association, among other organizations, ensuring that it is at the forefront of this burgeoning industry.

To create its unique sauces and rubs, DennyMike's utilizes high-quality ingredients such as clover honey, natural sea salt, and Barbados molasses. The company creates these products, which are all-natural and gluten-free, in small batches to ensure a richer flavor. The company markets a broad range of sauces like the Sweet 'N Spicy, DennyMike's original standard-bearer, as well as rubs that include the Fintastic, seasoned with a hint of citrus for a tangy twist on traditional Maine cuisine such as fresh fish and shrimp. From sweet and savory to strong and spicy, DennyMike's products are designed to please any discerning set of taste buds. DennyMike and his wife, Patty, accompanied by one full-time employee, produce the sauces and rubs, with five part-time workers supplementing as needed.

While some may scoff at the notion of an award-winning barbecue master hailing from Maine, Mr. Sherman has put such critics to shame with an impressive display of awards from organizations nationwide. In November, one of DennyMike's sauces was named the best barbecue sauce in the ''All-Natural Hot'' category at the 2010 Scovie Awards, while another of its distinctive rubs won top place in the ''Dry Rub/All-Purpose'' class. Decided through scrupulous blind tastings, the Scovie Awards are prestigious in the barbecue industry, and now comprise one of the world's most competitive gourmet food competitions. Additionally, DennyMike's received five medals—two gold, one silver, and two bronze—from the National Barbecue Association, or NBBQA, last year, while also winning several awards for its distinct packaging from various organizations. At this year's NBBQA Conference and Expo, DennyMike's racked up seven awards, building on its record of accomplishment and success within the industry.

DennyMike's 'Cue Stuff has quickly made a name for itself by introducing quality, all-natural barbecue products to our home State. As he continues to promote his sauces and rubs at regional trade shows across New England, I am confident that word will only spread faster of Mr. Sherman's creative and celebrated line of products. I thank Mr. Sherman for so vividly embodying the entrepreneurial spirit, and wish him continued success in his tasty quest.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal 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 10:58 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1585. An act to increase awareness of physical activity opportunities at school, and for other purposes.

H.R. 3553. An act to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

H.R. 4178. An act to amend the Federal Deposit Insurance Act to provide for deposit restricted qualified tuition programs, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1963. An act to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 255. Concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin.

ENROLLED BILL SIGNED

The President pro tempore (Mr. BYRD) announced that on today, April 22, 2010, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 4360. An act to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the ''Major Charles Robert Soltes, Jr., O.D. Department of Veterans Blind Rehabilitation Center''.

At 3:36 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House disagreed to the amendment of the Senate to the bill (H.R. 2194) entitled ''An act to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran'', and agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House:

From the Committee on Foreign Affairs, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. BERMAN, ACKERMAN, SHERMAN, CROWLEY, SCOTT of Georgia, COSTA, KLEIN of Florida, Ms. ROS-LEHTINEN, Messrs. BURTON of Indiana, ROYCE, and PENCE.

From the Committee on Financial Services, for consideration of sections 3 and 4 of the House bill, and sections 101–103, 106, 203, and 401 of the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, MEEKS of New York, and GARRETT of New Jersey.

From the Committee on Ways and Means, for consideration of sections 3 and 4 of the House bill, and sections 101–103 and 401 of the Senate amendment, and modifications committed to conference: Messrs. LEVIN, TANNER, and CAMP.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1585. An act to increase awareness of physical activity opportunities at school, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3553. An act to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family; to the Committee on Indian Affairs.

H.R. 4178. An act to amend the Federal Deposit Insurance Act to provide for deposit restricted qualified tuition programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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–5578. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Nutrition Assistance Program, Regulation Restructuring: Issuance Regulation Update and Reorganization to Reflect the End of Coupon Issuance Systems'' (RIN0584–AD48) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5579. A communication from the Acting Under Secretary for Research, Education, and Economics, Office of Extramural Programs, National Institute of Food and Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Veterinary Medicine Loan Repayment Program (VMLRP)'' (RIN0524–AA43) received in the Office of the President of the Senate on April 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5580. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the fourth quarter report for calendar year 2009 of the Joint Improvised Explosive Device Defeat Organization; to the Committee on Armed Services.

EC–5581. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 110–429, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–5582. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10–007, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC–5583. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to the States' contribution to the operating costs of a National Guard Youth Challenge Program; to the Committee on Armed Services.

EC–5584. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, a report relative to the quality of health care provided by the Department of Defense; to the Committee on Armed Services.

EC–5585. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Export Administration Regulations Based on the 2009 Missile Technology Control Regime Plenary Agreements'' (RIN0694–AE79) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5586. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64)(Docket No. FEMA–2008–0020)) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5587. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations (75 FR 18072)'' ((44 CFR Part 65)(Docket No. FEMA–2010–0003)) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5588. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations (75 FR 18086)'' ((44 CFR Part 65)(Docket No. FEMA–2010–0003)) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5589. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Changes in Flood Elevation Determinations (77 FR 18090)'' ((44 CFR Part 65)(Docket No. FEMA–2010–0003)) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5590. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67)(Docket No. FEMA–2010–0003)) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5591. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64)(Docket No. FEMA–2010–0003)) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–5592. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–5593. A communication from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to the notification of Congress that during the period of January 1, 2009, through December 31, 2009, no exceptions to the prohibition against favored treatment of a government securities broker or government securities dealer were granted by the Secretary of the Treasury; to the Committee on Banking, Housing, and Urban Affairs.

EC–5594. A communication from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings for the period of January 1, 2009 through December 31, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–5595. A communication from the Secretary of the Interior, transmitting, a legislative proposal relative to the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service; to the Committee on Banking, Housing, and Urban Affairs.

EC–5596. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Categorical Exclusions from Environmental Review'' (RIN3150–AI27) received in the Office of the President of the Senate on April 20, 2010; to the Committee on Energy and Natural Resources.

EC–5597. A communication from the Chief of Recovery and Delisting Branch, Endangered Species Program, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and

Threatened Wildlife and Plants; Reinstatement of Protections for the Grizzly Bear in the Greater Yellowstone Ecosystem in Compliance with Court Order'' (RIN1018–AW97) received in the Office of the President of the Senate on April 20, 2010; to the Committee on Environment and Public Works.

EC–5598. 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 ''Transitional Guidance for Taxpayers Claiming Relief Under the Military Spouses Residency Relief Act for Taxable Year 2009'' (Notice No. 2010–30) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Finance.

EC–5599. 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—May 2010'' (Rev. Rul. No. 2010–12) received in the Office of the President of the Senate on April 21, 2010; to the Committee on Finance.

EC–5600. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, the 2009 annual report on voting practices in the United Nations; to the Committee on Foreign Relations.

EC–5601. A communication from the Assistant Secretary of the Treasury, transmitting, proposed legislation relative to the Asian Development Fund and the Asian Development Bank; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

David J. Hale, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Kerry B. Harvey, of Kentucky, to be United States Attorney for the Eastern District of Kentucky for the 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 .

Kenneth J. Gonzales, of New Mexico, to be United States Attorney for the District of New Mexico for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FEINGOLD (for himself, Mr. BURR, Mr. VITTER, Mr. BENNET, Mrs. LINCOLN, Mr. GRASSLEY, Mrs. MCCASKILL, Mr. BEGICH, Mr. MCCAIN, Mr. WHITEHOUSE, Mr. LEAHY, Ms. STABENOW, Mr. NELSON of Nebraska, Mr. ENSIGN, and Mr. DURBIN):

S. 3244. A bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011; considered and passed.

By Mrs. HAGAN (for herself, Mr. DURBIN, and Mr. SCHUMER):

S. 3245. A bill to establish rules for small denomination, short-term, unsecured cash advances, such as ''payday loans''; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 3246. A bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family; to the Committee on Indian Affairs.

By Mr. UDALL of Colorado (for himself, Mr. LUGAR, Mr. BROWN of Massachusetts, Mrs. HAGAN, Mr. LEVIN, Mr. LIEBERMAN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mrs. SHAHEEN, and Mr. UDALL of New Mexico):

S. 3247. A bill to amend the Fair Credit Reporting Act with respect to fair and reasonable fees for credit scores; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BINGAMAN (for himself, Mr. UDALL of Colorado, Mr. MCCAIN, and Mr. REID):

S. 3248. A bill to designate the Department of the Interior Building in Washington, District of Columbia, as the ''Stewart Lee Udall Department of the Interior Building''; to the Committee on Environment and Public Works.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 3249. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 3250. A bill to provide for the training of Federal building personnel, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARPER:

S. 3251. A bill to improve energy efficiency and the use of renewable energy by Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 3252. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to limit the liability of a State performing reclamation work under an approved State abandoned mine reclamation plan; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU:

S. 3253. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; considered and passed.

By Mr. BROWN of Ohio (for himself, Mr. HARKIN, Mr. DURBIN, Mrs. MURRAY, Mr. CASEY, and Mr. MERKLEY):

S. 3254. A bill to amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself and Ms. SNOWE):

S. 3255. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI:

S. Res. 495. A resolution recognizing the continued importance of volunteerism and national service and commemorating the anniversary of the signing of the landmark service legislation, the Edward M. Kennedy Serve America Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WEBB (for himself, Mr. WARNER, Mr. COCHRAN, and Ms. SNOWE):

S. Res. 496. A resolution designating April 23, 2010, as ''National Adopt A Library Day''; considered and agreed to.

By Mr. DODD (for himself, Mr. ALEXANDER, Mr. JOHNSON, Mr. LIEBERMAN, and Mr. BAYH):

S. Res. 497. A resolution designating the third week of April 2010 as ''National Shaken Baby Syndrome Awareness Week''; considered and agreed to.

By Ms. COLLINS (for herself and Mr. DODD):

S. Res. 498. A resolution designating April 2010 as ''National Child Abuse Prevention Month''; to the Committee on the Judiciary.

By Mr. FEINGOLD (for himself, Mr. WICKER, Mr. BROWN of Ohio, Mr. SPECTER, Mr. LUGAR, Mr. DURBIN, Mr. CARDIN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. JOHNSON, and Mr. INHOFE):

S. Res. 499. A resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative; considered and agreed to.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 654

At the request of Mr. BUNNING, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 773

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 773, a bill to ensure the

continued free flow of commerce within the United States and with its global trading partners through secure cyber communications, to provide for the continued development and exploitation of the Internet and intranet communications for such purposes, to provide for the development of a cadre of information technology specialists to improve and maintain effective cybersecurity defenses against disruption, and for other purposes.

S. 797

At the request of Mr. DORGAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 797, a bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1102

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1102, a bill to provide benefits to domestic partners of Federal employees.

S. 1144

At the request of Mr. JOHNSON, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1144, a bill to improve transit services, including in rural States.

S. 1158

At the request of Ms. STABENOW, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1158, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 1346

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1346, a bill to penalize crimes against humanity and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1963

At the request of Mr. AKAKA, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1963, a bill to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

S. 2106

At the request of Mrs. LINCOLN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2106, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 3019

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 3019, a bill 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.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3141

At the request of Mr. BINGAMAN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 3141, a bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3205

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 3205, a bill to amend the Internal Revenue Code of 1986 to provide that fees charged for baggage carried into the cabin of an aircraft are subject to the excise tax imposed on transportation of persons by air.

S. 3206

At the request of Mr. HARKIN, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Delaware (Mr. KAUFMAN) were added as cosponsors of S. 3206, a bill to establish an Education Jobs Fund.

S. 3231

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 3231, a bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol.

S. RES. 483

At the request of Mr. DURBIN, his name was added as a cosponsor of S. Res. 483, a resolution congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community.

STATEMENTS ON INTRODUCED AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. THUNE):

S. 3246. A bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family; to the Committee on Indian Affairs.

Mr. WYDEN. Mr. President, today, my colleague Senator THUNE and I are introducing a piece of legislation that will correct a flaw in the Native American Housing and Self-Determination Act of 1996, NAHASDA, that could leave some disabled Native American Veterans having to choose between living with their families or having enough money to survive without them. No veteran should ever be faced with having to make that painful choice. Their service to our nation demands that they be treated with the greatest care, and this bill would help ensure that.

Native Americans serve in the U.S. military at a higher rate, per capita, than any other group. However, if a Native American veteran returns home with injuries suffered in battle, they face additional challenges because of the rules covering tribal lands.

Currently, NAHASDA counts veterans disability payments and survivor benefits as income when determining both eligibility for housing assistance and rental payments. Since virtually the only criteria for receiving public housing assistance on tribal lands is income—and the income levels on tribal lands are historically low—it does not take a large veterans disability payment to make them cross the threshold of being ''too wealthy'' to qualify for tribal housing. And in Indian Country,

alternatives to tribal housing are few and far between.

In addition, because disability payments are based on the level of disability, the larger the sacrifice a soldier has made, the less likely he or she will be able to return to tribal housing. This also means that a soldier who has been disabled could not move in with his family if they receive housing assistance without putting the entire family at risk of losing their housing if the payments would put them above 80 percent of area median income. No family should have to choose between a roof over their head and caring for a wounded son or daughter, father or mother. Nor should they have to choose between living on their native homelands or being forced to move off the reservation to care for this wounded veteran. Yet, this is the Catch-22 that wounded Native American veterans currently face, and it must be fixed.

Our bill would do that, in a very simple way. It would exempt veterans' disability and survivor benefits from counting as ''income'' for tribal housing programs. This does not affect the amount of money Congress appropriates for tribally designated housing entities. It would just allow those programs to serve Native American veterans who have been injured in combat, or the families of those killed on the battlefield. Our bill is a simple, budget-neutral way to fix a law written with the best of intentions. I urge the speedy passage of this bill.

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. 3246

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 ''Indian Veterans Housing Opportunity Act of 2010''.

SEC. 2. EXCLUSION FROM INCOME.

Paragraph (9) of section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(9)) is amended by adding at the end the following new subparagraph:

''(C) Any amounts received by any member of the family as disability compensation under chapter 11 of title 38, United States Code, or dependency and indemnity compensation under chapter 13 of such title.''.

By Mr. UDALL of Colorado (for himself, Mr. LUGAR, Mr. BROWN of Massachusetts, Mrs. HAGAN, Mr. LEVIN, Mr. LIEBERMAN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mrs. SHAHEEN, and Mr. UDALL of New Mexico):

S. 3247. A bill to amend the Fair Credit Reporting Act with respect to fair and reasonable fees for credit scores; to the Committee on Banking, Housing, and Urban Affairs.

Mr. UDALL of Colorado. Mr. President, earlier, I listened to the colloquy between the two members of the Banking Committee as they outlined the importance of true Wall Street accountability and the Wall Street reforms we will consider in the future.

I rise to speak about a particular opportunity we have as we consider this important and far-reaching reform legislation, and that is to discuss a piece of legislation I have introduced today called the Fair Access to Credit Scores Act of 2010.

Senator LUGAR and I joined along with eight other colleagues, to introduce this bill that would put consumers back in control of their finances. This bill takes a commonsense yet significant step in that direction by offering Americans annual access to their credit score when they access their annual free credit report.

Making the distinction between your score and your report, a report tells consumers what outstanding credit accounts they have open, such as student loans or credit cards, maybe a car or home loan. Unfortunately, it tells Americans little else. Often, they already know—they hopefully should know that information in their credit report. In contrast, your credit score, which our legislation would make available, is what banks and lenders and increasingly even employers have access to. It is critical information that each one of us needs to know.

Today, you and I would have to jump through hoop after hoop and ultimately have to pay to have access to our credit score, while banks and lenders can get this information more easily. Mr. President, I know you have been a strong advocate for fairness in America, and that is simply not fair.

In 2003, Congress enacted legislation that required the three major consumer credit reporting agencies to provide a free annual report to each one of us on a yearly basis. This was known as the FACT Act. It was an important step in ensuring that financial records of American consumers are accurate. You could cross-check, as a consumer, what was in your report.

Many of my constituents in Colorado have seen frequent television commercials and Internet advertisements, and they are led to believe that the annual credit report under law includes this credit score I am discussing. Unfortunately, we were all disappointed—I have been personally—to find out that you only have access to your credit report, not the critical information that helps you judge your creditworthiness. You actually have to purchase your score or subscribe to a credit-monitoring service that costs you up to $200 a year to receive it. There are some troubling cases that even go further, where consumers believe they are signing up for a free credit score, only to find out later that they have actually signed up for a costly monthly monitoring service instead. This is simply not fair. It is why the Consumer Federation of America and the Consumers Union support this legislation.

Your credit score is a critical piece of information that impacts your interest rates, your monthly payments on home loans, and it could be the difference between whether a child is able to afford college or not. As I alluded to earlier, this information is increasingly being used to decide whether you will be offered a job. When you apply for a job, your potential employer has access to that information, and you don't even know what it is. This is personal information, and the consumers themselves seem to be the only people who don't have easy access to it.

We are talking about empowering American consumers when we pass—and I know we will—Wall Street accountability legislation. We want to empower consumers to be able to shape their own financial futures and thereby the country's financial future. To do that, we have to have transparency.

When you have free access to your credit score, although that is a small part of the larger reforms we need, it addresses one of the fundamental inequities that pervade our current financial system. Put simply, the one-sided marketplace today is rigged to benefit large financial institutions at the expense of hard-working Americans who are struggling to support their families and save for retirement. Consumers continually find themselves on the losing end of this bargain.

With so much at stake, this legislation we filed today is a small step to help restore balance and put Americans back in charge of their financial health. My hope is that, as this Chamber considers the Wall Street accountability bill, we will consider adding this legislation as an amendment and restore a greater dose of fairness to consumers in Colorado, to the Presiding Officer's constituents, and to all the rest of our Nation.

Let me close by thanking a group of Senators who have joined me: Senators LUGAR, SCOTT BROWN, HAGAN, LEVIN, LIEBERMAN, KLOBUCHAR, MENENDEZ, SHAHEEN, and TOM UDALL. They have all joined me in putting consumers first by cosponsoring this commonsense, proconsumer legislation.

I ask each one of my colleagues as well to join me in supporting its passage.

By Mr. BINGAMAN (for himself, Mr. UDALL of Colorado, Mr. MCCAIN, and Mr. REID):

S. 3248. A bill to designate the Department of the Interior Building in Washington, District of Columbia, as the ''Stewart Lee Udall Department of the Interior Building''; to the Committee on Environment and Public Works.

Mr. BINGAMAN. Mr. President, last month our country lost a great American with the passing of Stewart Udall, who, among his many achievements, is probably best remembered for his accomplishments as Secretary of the Interior during the Presidencies of President Kennedy and President Johnson.

His lifetime of work to protect our public lands and his efforts to improve the quality of our environment are unequaled. Stewart Udall was instrumental in the passage of virtually all of our Nation's landmark environmental laws, including the Clean Air Act of 1963, the Wilderness Act of 1964, the Federal Water Pollution Control Act of 1965, the Endangered Species Act of 1966, the National Historic Preservation Act of 1966, the National Trails System Act of 1968, and the Wild and Scenic Rivers Act of 1968. Nearly half a century later, these laws remain the key protections for our Nation's land, air, and water. In addition, he oversaw significant additions to the National Park System and the National Wildlife Refuge System. Many years after he left office, he was a driving force behind the enactment of the Radiation Exposure Compensation Act of 1990.

In the 161-year history of the Department of the Interior, there have been many exceptional individuals who have served as Secretary of the Interior, and Stewart Udall certainly ranks among the best of those. In recognition of his lifetime of work pursuing the common good and protecting our Nation's public lands and waters and in particular his achievements as the Secretary of the Interior, today I am introducing legislation to designate the Department of the Interior Building in Washington, DC, as the ''Stewart Lee Udall Department of the Interior Building.'' I am pleased to have Senator MARK UDALL, Senator JOHN MCCAIN, and Senator HARRY REID, our majority leader, as cosponsors of this bill. Dedication of the Department of the Interior's headquarters here in Washington will be a small but fitting tribute to Stewart Udall's legendary accomplishments, many of which took place in that very building.

I know my colleague, Senator MARK UDALL, is here to also speak in support of this legislation. Let me defer to him, and then I will ask recognition again on a somewhat separate matter.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I thank the Senator from New Mexico for his courtesy.

I rise in support of this legislation. I intend at some later date to spend additional time on the floor talking about my Uncle Stewart, who was a wonderful man, an uncle to me, but more than that, he was a mentor, he was a leader. In the last 12 years of his life after my father died, he really served as a second father to me; therefore, I feel as though I lost a second father recently.

I thank the Senator on behalf of at least my side of the family. I know my cousin TOM will, at the right time and in the right way, express his thanks as well.

My uncle was many things, but he was at his heart a student of the West. He was a son of the West. He always looked for the lessons that the landscapes and the people of the West could provide all of us.

I know the Senator from New Mexico knows of the many books he wrote. He wrote over half a dozen books. One of the books I took the most insight from was a book called ''The Founding Fathers and Mothers of the West.'' He pointed out in that book that people came to the West—the Presiding Officer will be interested in this—to find a new life. He continued in that vein by talking about the great western director of western movies, John Ford. He once asked John Ford if his movies portrayed the West as it was. Ford's answer was: No; they portrayed the West as it should have been, doggone it. My uncle's point was that the West was not settled by the gunfighters and those who had gotten into conflicts. The West was settled by those who came looking to create communities and to work together. It was the people standing on the wooden sidewalks watching the gunfights who in the end settled the West, established the West as we know the West today.

My uncle in particular had great affection and respect for the Native populations in the West. That led him to have great passion and even outrage about the way Native Americans had been treated. In his later years, as the Presiding Officer knows, he went to battle in the courts through his words in every form possible advocating justice and fair treatment for our Native American brothers and sisters. In our family, we characterized him as being outraged without being outrageous.

We are going to, obviously, miss him. I am going to miss his wise counsel. I will do everything I can to live by the credo he carried forward, I say to Senator BINGAMAN, which he believed deeply: We didn't inherit the Earth from our parents; we are borrowing it from our children. I think that is the fundamental lesson our uncle left with us. The inspiring step of the Senator from New Mexico to name the Interior Building after my uncle will help us keep that firmly in our view and keep committed to that purpose for our time on this Earth.

I thank the Senator from New Mexico for his graciousness. I look forward to this bill becoming the law of the land.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I thank my colleague, Senator UDALL, for his very eloquent statement. Obviously, the Udall family has a great deal of which to be proud: his father's great public service, his uncle's great public service, and, of course, he is carrying on with that tradition, as is TOM UDALL, my colleague from New Mexico. We are very fortunate in this country to have the Udall family working hard to make this a better place.

I hope this legislation I have introduced today can become law soon. We will have that additional recognition for Stewart Udall and his contribution to the country.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 3250. A bill to provide for the training of Federal building personnel, and for other purposes; to the Committee on Environment and Public Works.

Mr. CARPER. Mr. President, I rise today to introduce two pieces of legislation that I believe will help the Federal Government cut its energy bill, save taxpayers' money and benefit the environment. Today is Earth Day, when people are thinking about how they can take better care of our planet. Federal agencies need to do the same.

Also important, the last few years have underscored the need for our Nation to rethink its energy use. Constantly shifting energy costs and our Nation's severe economic problems have resulted in families, homeowners, and businesses all taking a hard look at how much they are spending, including for energy needs. Governments should be no different, and they are no different.

Over the past few months, my Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security held hearings to examine how the Federal Government can lead by example in being more energy efficient. We learned, among other things, that the Federal Government is the single largest energy user in the Nation.

In fiscal year 2008, the total energy consumption of Federal Government buildings and operations was roughly 1.5 percent of all energy consumption in the United States. The energy bill for the Federal Government that year was $24.5 billion. Of that $24.5 billion, over $7 billion was spent on energy to operate Federal buildings alone.

With a price tag that large, there are significant opportunities for savings. Today, I offer a series of proposals that I believe will allow the Federal Government to take better advantage of these opportunities.

The Government Accountability Office has noted that Federal agencies face a number of challenges in meeting their energy management goals. One of those is rapidly building and retrofitting our buildings with advanced technologies, without regard for the skills necessary to operate and maintain these facilities to their optimum efficiency.

The Federal Government has spent billions of dollars on technology and hardware to improve the energy efficiency of its buildings. However, if this significant investment is not safeguarded by well-trained individuals, we will never be able to achieve the biggest bang for our buck. New technology demands new skills. My legislation would better ensure that the individuals who manage our Federal facilities possess the knowledge they need to meet these demands.

The Federal Buildings Personnel Training Act of 2010, which I am introducing today along with Senator COLLINS, and Representatives CARNAHAN

and BIGGERT in the House, will ensure that the General Services Administration has all of the tools necessary to not only upgrade our infrastructure, but also guarantee that these buildings are properly maintained and operated at their highest performance levels. You wouldn't give a race car to an inexperienced driver and expect them to win the Indy 500. In the same way, we can't expect our Federal buildings to run at peak efficiency if we don't make sure our personnel have adequate training.

I am also introducing a second bill, the Improving Energy Efficiency and Renewable Energy Use By Federal Agencies Act of 2010.

Federal agencies are pursuing many ideas and technologies to reduce the amount of energy they consume, and adopt renewable energy such as solar panels on top of Federal buildings. These proven technologies have resulted in financial savings that have more than paid for the initial financial investment. This is in addition to the environmental and energy security benefits of reduced energy use.

In fact, earlier this year the Administration announced plans for Federal agencies to reduce its greenhouse gas pollution by 28 percent by 2020, representing between $8 billion and $11 billion in cost savings. These goals are part of a very useful and effective executive order signed last year directing agencies to not only devote more attention to energy reduction, but share their best ideas.

While the Administration's Executive Order, Federal Leadership in Environmental, Energy and Economic Performance, represents an important step forward, there is more we can do.

Federal agencies can make use of some creative financial tools where government partners with the private sector. For example, with Power Purchasing Agreements a Federal agency allows a company to use government land, for example an unused portion of military base, to build solar, wind or other renewable power production with private sector funding, and in exchange gives the Federal facility cheaper electricity. This means that governments can reduce the cost of its energy use and help clean up the environment by promoting renewable energy—all without having to spend a single taxpayer dollar. Not a bad way to do business.

Currently, DOD is more successful with Power Purchasing Agreements because their facilities are allowed to enter into longer term agreements, as compared to civilian agencies which are restricted to only 10 years. My bill will allow longer-term agreements for all agencies.

It is important to remember, the cleanest, most efficient—and cheapest—energy, is the energy we don't use. That is why I would like Federal agencies to quicken the pace of its efforts to implement energy efficiency measures. To help accomplish this, my bill establishes a $500 million revolving fund to provide financial support for Federal agency energy efficiency and renewable projects. This fund would increase the number of agency energy efficiency projects, such as new heating and cooling systems, which save on operations costs. Savings from the projects would be paid back into the fund over time, and eventually fund additional projects.

Other provisions of my bill adopt some good, common-sense ideas. For example, President Obama's fiscal year 2011 budget proposal outlined how the Department of Veterans Affairs is saving money by operating their computers more efficiently. Using new computers that use less energy, and software that automates when a computer is turned on and off, the agency plans to save around $32 million over the next 5 years. My bill would require other Federal agencies to consider and adopt steps similar to that of the Department of Veteran Affairs' successful example.

I am also interested in expanding cutting edge advanced metering technology throughout government. There's an old saying that goes, ''You can't manage, what you can't measure.'' It can easily be applied to energy use. At my recent hearings I learned that, with new digital technology, we can save energy and money by connecting facilities across an organization and monitoring buildings—and even parts of buildings and individual pieces of machinery—on their energy use in real-time. Wal-Mart uses this technology because they understand the financial savings it brings. From their headquarters in Bentonville, AR, they will know if a freezer door has been left open for too long at their store in Middletown, Delaware. The Federal Government should do the same so that building managers can make more effective decisions. The best part about deploying advanced metering is the fact that the investment pays for itself in less than a year.

As America's largest consumer of energy, Federal agencies can and should be good stewards of precious taxpayer dollars by using energy as efficiently as possible. The proposals contained in my two pieces of legislation will help the Federal Government lead by example, and demonstrate to the American people that energy efficiency efforts can pay real dividends in saving both money and the environment. I look forward to working with my colleagues and the Administration to get these two bills signed into law, and implement these important ideas.

Mr. President, I ask unanimous consent that the text of these two bills be printed in the RECORD.

There being no objection, the text of the bills were ordered to be printed in the RECORD, as follows:

S. 3250

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 ''Federal Buildings Personnel Training Act of 2010''.

SEC. 2. TRAINING OF FEDERAL BUILDING PERSONNEL.

(a) IDENTIFICATION OF CORE COMPETENCIES.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Administrator of General Services, in consultation with representatives of relevant professional societies, industry associations, and apprenticeship training providers, and after providing notice and an opportunity for comment, shall identify the core competencies necessary for Federal personnel performing building operations and maintenance, energy management, safety, and design functions to comply with requirements under Federal law. The core competencies identified shall include competencies relating to building operations and maintenance, energy management, sustainability, water efficiency, safety (including electrical safety), and building performance measures.

(b) DESIGNATION OF RELEVANT COURSES, CERTIFICATIONS, DEGREES, LICENSES, AND REGISTRATIONS.—The Administrator, in consultation with representatives of relevant professional societies, industry associations, and apprenticeship training providers, shall identify a course, certification, degree, license, or registration to demonstrate each core competency, and for ongoing training with respect to each core competency, identified for a category of personnel specified in subsection (a).

(c) IDENTIFIED COMPETENCIES.—An individual shall demonstrate each core competency identified by the Administrator under subsection (a) for the category of personnel that includes such individual. An individual shall demonstrate each core competency through the means identified under subsection (b) not later than one year after the date on which such core competency is identified under subsection (a) or, if the date of hire of such individual occurs after the date of such identification, not later than one year after such date of hire. In the case of an individual hired for an employment period not to exceed one year, such individual shall demonstrate each core competency at the start of the employment period.

(d) CONTINUING EDUCATION.—The Administrator, in consultation with representatives of relevant professional societies, industry associations, and apprenticeship training providers, shall develop or identify comprehensive continuing education courses to ensure the operation of Federal buildings in accordance with industry best practices and standards.

(e) CURRICULUM WITH RESPECT TO FACILITY MANAGEMENT AND OPERATION OF HIGH-PERFORMANCE BUILDINGS.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Administrator, acting through the head of the Office of Federal High-Performance Green Buildings, and the Secretary of Energy, acting through the head of the Office of Commercial High-Performance Green Buildings, in consultation with the heads of other appropriate Federal departments and agencies and representatives of relevant professional societies, industry associations, and apprenticeship training providers, shall develop a recommended curriculum relating to facility management and the operation of high-performance buildings.

(f) APPLICABILITY OF THIS SECTION TO FUNCTIONS PERFORMED UNDER CONTRACT.—Training requirements under this section shall apply to non-Federal personnel performing building operations and maintenance, energy management, safety, and design functions under a contract with a Federal department or agency. A contractor shall provide training to, and certify the demonstration of core competencies for, non-Federal personnel in a

manner that is approved by the Administrator.

S. 3251

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 ''Improving Energy Efficiency and Renewable Energy Use By Federal Agencies Act of 2010''.

SEC. 2. POWER PURCHASE AGREEMENT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) COST-EFFECTIVE.—The term ''cost-effective'' means, with respect to a power purchase agreement entered into by the head of an executive agency for a Federal facility that is owned or controlled by the executive agency, that the 30-year average cost for the purchase of electricity under the power purchase agreement from 1 or more renewable energy generating systems is not greater than an amount equal to 110 percent of the cost of an equal quantity of electricity from the current electricity supplier of the Federal facility, taking into consideration each—

(A) applicable cost, including any cost resulting from—

(i) a demand charge;

(ii) an applicable rider;

(iii) a fuel adjustment charge; or

(iv) any other surcharge; and

(B) reasonably anticipated increase in the cost of the electricity resulting from—

(i) inflation;

(ii) increased regulatory requirements;

(iii) decreased availability of fossil fuels; and

(iv) any other factor that may increase the cost of electricity.

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

(3) FEDERAL FACILITY.—The term ''Federal facility'' has the meaning given the term in section 543(f)(C) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f)(C)).

(4) GOVERNMENT CORPORATION.—The term ''Government corporation'' has the meaning given the term in section 103 of title 5, United States Code.

(5) RENEWABLE ENERGY SOURCE.—The term ''renewable energy source'' has the meaning given the term in section 551 of the National Energy Conservation Policy Act (42 U.S.C. 8259).

(b) POWER PURCHASE AGREEMENT PROJECTS.—

(1) AUTHORIZATION OF HEADS OF EXECUTIVE AGENCIES.—In accordance with paragraphs (2) and (3), the head of each executive agency or a designee may establish 1 or more projects under which the head of the executive agency may offer to enter into power purchase agreements during the 10-year period beginning on the date of enactment of this Act for the purchase of electricity from 1 or more Federal facilities that are owned or controlled by the executive agency from renewable energy sources located at the Federal facility.

(2) COST-EFFECTIVE REQUIREMENT.—A head of an executive agency described in paragraph (1) may offer to enter into a power purchase agreement described in that paragraph only if the power purchase agreement is cost-effective.

(3) TERM OF POWER PURCHASE AGREEMENT.—Notwithstanding any other provision of law (including regulations), the term of a power purchase agreement described in paragraph (1) may not be longer than a period of 30 years.

(4) ALLOCATION OF INCREMENTAL COSTS.—Each head of an executive agency (including the Administrator of General Services) who enters into a power purchase agreement under paragraph (1) for the purchase of electricity at a Federal facility that is owned or controlled by the executive agency for distribution to 1 or more other executive agencies shall allocate, on an annual basis for the period covered by the power purchase agreement, the incremental cost or incremental savings of the power purchase agreement for the purchase of electricity at a Federal facility from renewable energy sources (as compared to the cost of electricity from the electricity supplier of the Federal facility) among each user of the Federal facility based on the proportion that—

(A) the electricity usage of the user of the Federal facility; bears to

(B) the aggregate electricity usage of all users of the Federal facility.

(c) POWER PURCHASE AGREEMENTS WITH MULTIPLE FEDERAL FACILITIES.—An executive agency may enter into an interagency agreement as part of a power purchase agreement that involves more than 1 Federal facility.

(d) NEGOTIATED RATE AS BASIS FOR DETERMINING COST EFFECTIVENESS OF FUTURE ENERGY EFFICIENCY OR RENEWABLE ENERGY PROJECTS.—An executive agency that enters into a power purchase agreement may not use the negotiated rate as a basis for determining the business case or economic feasibility of future energy efficiency or renewable energy projects.

(e) REGULATIONS.—The Secretary of Energy shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as are necessary for each of fiscal years 2010 through 2019, to remain available until expended.

SEC. 3. FEDERAL FACILITY ENERGY EFFICIENCY AND RENEWABLE ENERGY PROJECTS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund, to be known as the ''Federal Facility Energy Efficiency and Renewable Energy Projects Fund'' (referred to in this section as the ''Fund''), consisting of such amounts as are appropriated to the Fund under subsection (b).

(b) TRANSFERS TO FUND.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Fund $500,000,000, to remain available until expended.

(2) LOAN REPAYMENTS.—There are appropriated to the Fund, out of funds of the Treasury not otherwise appropriated, amounts equivalent to loan amounts repaid and received in the Treasury under subsection (e).

(c) EXPENDITURES FROM FUND.—

(1) IN GENERAL.—Subject to paragraph (2), on request by the Secretary of Energy (referred to in this section as the ''Secretary''), the Secretary of the Treasury shall transfer from the Fund to the Secretary such amounts as the Secretary determines are necessary to provide assistance for energy efficiency and renewable energy projects carried out at Federal facilities in accordance with subsection (e).

(2) ADMINISTRATIVE EXPENSES.—An amount not exceeding 10 percent of the amounts in the Fund shall be available for each fiscal year to pay the administrative expenses necessary to carry out this section.

(d) TRANSFERS OF AMOUNTS.—

(1) IN GENERAL.—The amounts required to be transferred to the Fund under this section shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(2) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

(e) FEDERAL FACILITY ENERGY EFFICIENCY AND RENEWABLE ENERGY PROJECTS FUND PROGRAM.—

(1) IN GENERAL.—The Secretary of Energy shall establish a Federal facility energy efficiency and renewable energy projects fund program under which the Secretary shall make loans to Federal agencies to assist the agencies in reducing energy use and related purposes, as determined by the Secretary.

(2) GUIDELINES FOR APPLICATIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue guidelines for Federal agencies to submit applications for loans under this subsection.

(3) ELIGIBILITY.—Each Federal agency shall be eligible to submit an application for a loan under this subsection.

(4) LOAN AWARDS.—

(A) IN GENERAL.—The Secretary shall award loans under this subsection on a competitive basis.

(B) ALLOCATION.—The Secretary shall convene a committee of Federal agencies to determine allocation from the Fund to carry out this subsection after a competitive assessment of the technical and economic effectiveness of each application for a loan under this subsection.

(C) SELECTION.—In determining whether to provide a loan to a Federal agency for a project under this subsection, the Secretary shall consider—

(i) the cost-effectiveness of the project;

(ii) the amount of energy and cost savings anticipated to the Federal Government;

(iii) the amount of funding committed to the project by the agency;

(iv) the extent that a project will leverage financing from other non-Federal sources; and

(v) any other factor that the Secretary determines will result in the greatest amount of energy and cost savings to the Federal Government.

SEC. 4. INCENTIVES FOR FEDERAL AGENCIES FOR UTILITY ENERGY SAVINGS CONTRACTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall promulgate regulations that enable Federal agencies to retain the financial savings that result from entering into utility energy savings contracts.

SEC. 5. RENEWABLE ENERGY FACILITIES SURVEYS BY FEDERAL AGENCIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall promulgate regulations that establish appropriate methods and procedures for use by Federal agencies to implement, unless inconsistent with the mission of the Federal agencies or impracticable due to environmental constraints, the identification of all potential locations at Federal facilities of the agencies for renewable energy projects (including available land, building roofs, and parking structures).

(b) IDENTIFICATION OF POTENTIAL LOCATIONS.—Not later than 1 year after the date of the promulgation of regulations under subsection (a), each Federal agency shall complete the report of the agency that identifies potential locations described in subsection (a).

SEC. 6. ADOPTION OF PERSONAL COMPUTER POWER SAVINGS TECHNIQUES BY FEDERAL AGENCIES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of Veterans Affairs, and the Administrator of General Services, shall issue guidance for Federal agencies to employ advanced tools allowing energy savings through the use of computer hardware, energy efficiency software, and power management tools.

(b) REPORTS ON PLANS AND SAVINGS.—Not later than 90 days after the date of the issuance of the guidance under subsection (a), each Federal agency shall submit to the Secretary of Energy a report that describes—

(1) the plan of the agency for implementing the guidance within the agency; and

(2) estimated energy and financial savings from employing the tools described in subsection (a).

SEC. 7. FEDERAL ENERGY MANAGEMENT AND DATA COLLECTION STANDARD.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Administrator of General Services, and relevant industry and nonprofit groups, shall develop and issue guidance on a Federal energy management and data collection standard.

(b) REQUIREMENTS.—Guidance described in subsection (a) shall include, at a minimum, a plan for the General Services Administration to publish energy consumption data for individual Federal facilities on a single, searchable website, accessible by the public at no cost to access.

SEC. 8. ADVANCED METERING BEST PRACTICES FOR ADVANCED METERING.

Section 543(e) of the National Energy Conservation Policy Act (42 U.S.C. 8253(e) is amended by striking paragraph (3) and inserting the following:

''(3) PLAN.—

''(A) IN GENERAL.—Not later than 180 days after the date on which guidelines are established under paragraph (2), in a report submitted by the agency under section 548(a), each agency shall submit to the Secretary a plan describing the manner in which the agency will implement the requirements of paragraph (1), including—

''(i) how the agency will designate personnel primarily responsible for achieving the requirements; and

''(ii) a demonstration by the agency, complete with documentation, of any finding that advanced meters or advanced metering devices (as those terms are used in paragraph (1)), are not practicable.

''(B) UPDATES.—Reports submitted under subparagraph (A) shall be updated annually.

''(4) BEST PRACTICES REPORT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Improving Energy Efficiency and Renewable Energy Use By Federal Agencies Act of 2010, the Secretary of Energy, in consultation with the Secretary of Defense and the Administrator of General Services, shall develop, and issue a report on, best practices for the use of advanced metering of energy use in Federal facilities, buildings, and equipment by Federal agencies.

''(B) UPDATING.—The report described under subparagraph (A) shall be updated annually.

''(C) COMPONENTS.—The report shall include, at a minimum—

''(i) summaries and analysis of the reports by agencies under paragraph (3) ;

''(ii) recommendations on standard requirements or guidelines for automated energy management systems, including—

''(I) potential common communications standards to allow data sharing and reporting;

''(II) means of facilitating continuous commissioning of buildings and evidence-based maintenance of buildings and building systems; and

''(III) standards for sufficient levels of security and protection against cyber threats to ensure systems cannot be controlled by unauthorized persons; and

''(iii) an analysis of—

''(I) the types of advanced metering and monitoring systems being piloted, tested, or installed in Federal buildings; and

''(II) existing techniques used within the private sector or other non-Federal government buildings.''.

SEC. 9. AVAILABILITY OF FUNDS FOR DESIGN UPDATES.

Section 3307, of title 40, United States Code, is amended—

(1) by redesignating subsections (d) through (h) as subsections (e) through (i). respectively; and

(2) by inserting after subsection (c) the following:

''(d) AVAILABILITY OF FUNDS FOR DESIGN UPDATES.—

''(1) IN GENERAL.—Subject to paragraph (2), for any project for which congressional approval is received under subsection (a) and for which the design has been substantially completed but construction has not begun, the Administrator of General Services may use appropriated funds to update the project design to meet applicable Federal building energy efficiency standards established under section 305 of the Energy Conservation and Production Act (42 U.S.C. 6834) and other requirements established under section 3312.

''(2) LIMITATION.—The use of funds under paragraph (1) shall not exceed 125 percent of the estimated energy or other cost savings associated with the updates as determined by a life-cycle cost analysis under section 544 of the National Energy Conservation Policy Act (42 U.S.C. 8254).''.

SEC. 10. CONTINUOUS COMMISSIONING WITHIN THE FEDERAL BUILDING STOCK.

(a) IN GENERAL.—Section 3312 of title 40, United States Code, is amended—

(1) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively; and

(2) by inserting after subsection (b) the following:

''(c) CONTINUOUS COMMISSIONING WITHIN THE FEDERAL BUILDING STOCK.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Improving Energy Efficiency and Renewable Energy Use By Federal Agencies Act of 2010, the Administrator and the Secretary of Energy shall incorporate commissioning and recommissioning standards (as those terms are defined in section 543(f) of the National Energy Conservation Policy Act (42 U.S.C. 8253(f))), for all real property that—

''(A) is more than $10,000,000 in value;

''(B) has more than 50,000 square feet; or

''(C) has energy intensity of more than $2 per square foot.

''(2) REGULATIONS.—Not later than 180 days after the date of enactment of the Improving Energy Efficiency and Renewable Energy Use By Federal Agencies Act of 2010, the Administrator and the Secretary of Energy shall promulgate such regulations as are necessary to carry out this subsection.''.

(b) CONFORMING AMENDMENTS.—Section 3312 of title 40, United States Code, is amended—

(1) in subsection (e)(1) (as redesignated by subsection (a)(1)), by striking ''and (c)'' and inserting ''and (d)'';

(2) in the first sentence of subsection (f) (as so redesignated), by striking ''and (c)'' and inserting ''and (d)''; and

(3) in subsection (g) (as so redesignated), by striking ''subsection (b), (c), or (d) or for failure to carry out any recommendation under subsection (e)'' and inserting ''subsection (b), (d), or (e) or for failure to carry out any recommendation under subsection (f)''.

SEC. 11. ELIMINATION OF STATE MATCHING REQUIREMENT FOR ENERGY EFFICIENCY UPGRADES AT GUARD AND RESERVE ARMORIES AND READINESS CENTERS.

Section 18236 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''A contribution'' and inserting ''Except as provided under subsection (e), a contribution''; and

(2) by adding at the end the following new subsection:

''(e) A contribution made at an armory or readiness center under paragraph (4) or (5) of section 18233(a) of this title for an energy efficiency upgrade shall cover—

''(1) 100 percent of the cost of architectural, engineering and design services related to the upgrade (including advance architectural, engineering and design services under section 18233(e) of this title); and

''(2) 100 percent of the cost of construction related to the upgrade (exclusive of the cost of architectural, engineering and design services).''.

SEC. 12. AUDIT; REPORT.

(a) AUDIT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall carry out an audit to determine—

(1) the cost-effectiveness of energy savings performance contracts; and

(2) the ability of Federal agencies to manage effectively energy savings performance contracts.

(b) REPORT.—Not later than 90 days after the date described in subsection (a), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report that contains a description of the results of the audit carried out under subsection (a).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 495—RECOGNIZING THE CONTINUED IMPORTANCE OF VOLUNTEERISM AND NATIONAL SERVICE AND COMMEMORATING THE ANNIVERSARY OF THE SIGNING OF THE LANDMARK SERVICE LEGISLATION, THE EDWARD M. KENNEDY SERVE AMERICA ACT

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions.

S. RES. 495

Whereas April 21, 2010, marks the first anniversary of the signing of the Serve America Act (Public Law 111–13; 123 Stat. 1460) (also known as the ''Edward M. Kennedy Serve America Act'');

Whereas the Serve America Act reauthorized the Corporation for National and Community Service and the programs of the Corporation through 2014, expanding opportunities for millions of people in the United States to serve this Nation;

Whereas the United States is experiencing a wave of new innovation and collaboration

to increase volunteerism, as social entrepreneurs try new approaches, technology increases access and expands service, and corporate volunteers provide pro bono skills to nonprofit organizations;

Whereas the Serve America Act increases volunteer opportunities for people of all ages in the United States, with a focus on disadvantaged youth, seniors, and veterans;

Whereas the Serve America Act promotes social innovation by supporting and expanding proven programs and builds the capacity of individuals, nonprofit organizations, and communities to volunteer; and

Whereas the Serve America Act leverages service to assist in meeting challenges in the areas of education, health, clean energy, veterans assistance, and economic opportunity: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that service is of significant value to the United States; and

(2) commemorates the first anniversary of the Serve America Act (Public Law 111–13; 123 Stat. 1460) (also known as the ''Edward M. Kennedy Serve America Act''); and

(3) encourages every person in the United States to continue to answer the call to serve.

SENATE RESOLUTION 496—DESIGNATING APRIL 23, 2010, AS ''NATIONAL ADOPT A LIBRARY DAY''

Mr. WEBB (for himself, Mr. WARNER, Mr. COCHRAN, and Ms. SNOWE) submitted the following resolution; which was considered and agreed to:

S. RES. 496

Whereas libraries are an essential part of the communities and the national system of education in the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to make use of books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas the libraries of the United States depend on the generous donations and support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools and libraries across the United States—

(1) to extend the joys of reading to millions of people of the United States; and

(2) to prevent used books from being thrown away;

Whereas, as of the date of agreement to this resolution, the libraries of the United States have provided valuable resources to individuals affected by the economic crisis by encouraging continued education and job training; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as ''Adopt A Library Day'': Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2010, as ''National Adopt A Library Day'';

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges all people of the United States who own unused books to donate the unused books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 497—DESIGNATING THE THIRD WEEK OF APRIL 2010 AS ''NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK''

Mr. DODD (for himself, Mr. ALEXANDER, Mr. JOHNSON, Mr. LIEBERMAN, and Mr. BAYH) submitted the following resolution; which was considered and agreed to:

S. RES. 497

Whereas the month of April has been designated ''National Child Abuse Prevention Month'' as an annual tradition initiated in 1979 by President Jimmy Carter;

Whereas the National Child Abuse and Neglect Data System reports that 772,000 children were victims of abuse and neglect in the United States in 2008, causing unspeakable pain and suffering for our most vulnerable citizens;

Whereas approximately 95,000 of those children were younger than 1 year old;

Whereas more than 4 children die each day in the United States as a result of abuse or neglect;

Whereas children younger than 1 year old accounted for over 40 percent of all child abuse and neglect fatalities in 2008, and children younger than 4 years old accounted for nearly 80 percent of all child abuse and neglect fatalities in 2008;

Whereas abusive head trauma, including the trauma known as Shaken Baby Syndrome, is recognized as the leading cause of death among physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome and other forms of abusive head trauma are being misdiagnosed or left undetected;

Whereas Shaken Baby Syndrome often results in permanent and irreparable brain damage or death of the infant and may result in extraordinary costs for medical care during the first few years of the life of the child;

Whereas the most effective solution for preventing Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may avert enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how to protect their children from injury can significantly reduce the number of cases of Shaken Baby Syndrome;

Whereas education programs raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, childcare providers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas National Shaken Baby Syndrome Awareness Week and efforts to prevent child abuse, including Shaken Baby Syndrome, are supported by groups across the United States, including groups formed by parents and relatives of children who have been injured or killed by shaking, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and their families within the health care and criminal justice systems;

Whereas 20 States have enacted legislation related to preventing and increasing awareness of Shaken Baby Syndrome;

Whereas the Senate has designated the third week of April as ''National Shaken Baby Syndrome Awareness Week'' each year since 2005; and

Whereas the Senate strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

Resolved, That the Senate—

(1) designates the third week of April 2010 as ''National Shaken Baby Syndrome Awareness Week'';

(2) commends hospitals, childcare councils, schools, community groups, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children;

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(C) helping families cope effectively with the challenges of child-rearing and other stresses in their lives; and

(3) encourages the people of the United States—

(A) to remember the victims of Shaken Baby Syndrome; and

(B) to participate in educational programs to help prevent Shaken Baby Syndrome.

SENATE RESOLUTION 498—DESIGNATING APRIL 2010 AS ''NATIONAL CHILD ABUSE PREVENTION MONTH''

Ms. COLLINS (for herself and Mr. DODD) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 498

Whereas, in 2008, approximately 772,000 children were determined to be victims of abuse or neglect;

Whereas, in 2008, an estimated 1,740 children died as a result of abuse or neglect;

Whereas, in 2008, an estimated 80 percent of the children who died due to abuse or neglect were under the age of 4;

Whereas, in 2008, of the children under the age of 4 who died due to abuse or neglect, the majority were under the age of 1;

Whereas abused or neglected children have a higher risk in adulthood for developing health problems, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases;

Whereas a National Institute of Justice study indicated that abused or neglected children—

(1) are 11-times more likely to be arrested for criminal behavior as juveniles; and

(2) are 2.7-times more likely to be arrested for violent and criminal behavior as adults;

Whereas an estimated 1/3 of abused or neglected children grow up to abuse or neglect their own children;

Whereas providing community-based services to families impacted by child abuse or neglect may be far less costly than—

(1) the emotional and physical damage inflicted on children who have been abused or neglected;

(2) providing to abused or neglected children services, including child protective, law enforcement, court, foster care, or health care services; or

(3) providing treatment to adults recovering from child abuse; and

Whereas child abuse or neglect has long-term economic and societal costs: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2010 as ''National Child Abuse Prevention Month'';

(2) recognizes and applauds the national and community organizations that work to

promote awareness about child abuse or neglect, including by identifying risk factors and developing prevention strategies;

(3) supports the proclamation issued by President Obama declaring April 2010 as ''National Child Abuse Prevention Month''; and

(4) should—

(A) increase public awareness of prevention programs relating to child abuse or neglect; and

(B) continue to work with the States to reduce the incidence of child abuse or neglect in the United States.

Ms. COLLINS. Mr. President, it is with a heavy heart that I rise today to submit a resolution recognizing Child Abuse Prevention Month. I am honored to be joined by a longtime advocate of children, Senator DODD, in turning a spotlight on the issue of child abuse and neglect in this country. Senator DODD and I share a common belief that children should be valued and nurtured by both their families and the larger family of humankind.

The effort to address child abuse transcends ideological and partisan lines. This is not a Democratic or Republican issue—this is an American issue—one that we can't wish away, but that we must face head on and work to eradicate.

Abuse of children occurs in all segments of our society, in rural, suburban, and urban areas and among all racial, ethnic, and income groups. According to the 2008 Child Maltreatment Study compiled by the U.S. Department of Health and Human Services, during 2008, an estimated 772,000 children were determined to be victims of abuse or neglect, and an estimated 1,740 children died as a result.

My home State of Maine is mourning the death of 15-month old Damien Lynn, who was allegedly murdered by his mother's boyfriend. Autopsy reports show that little Damien had broken bones and ribs, head and abdominal injuries, and a human bite mark on his right arm. It is in Damien's memory, and that of the thousands of children who are abused and neglected each year, that I come to the floor today.

The time has come for Americans to unite in an all-out effort to eradicate child abuse. Child Abuse Prevention Month is an opportunity for communities across the country to keep children safe, provide the support families need to stay together, and raise children and youth to be happy, secure, and stable adults.

To paraphrase Mahatma Gandhi, ''You can judge a society by how they treat their weakest members.'' This resolution is sad commentary that we have to do more to protect those who are in the dawn of life, the most vulnerable among us, our children.

SENATE RESOLUTION 499—SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY, AND REAFFIRMING UNITED STATES LEADERSHIP AND SUPPORT FOR EFFORTS TO COMBAT MALARIA AS A CRITICAL COMPONENT OF THE PRESIDENT'S GLOBAL HEALTH INITIATIVE

Mr. FEINGOLD (for himself, Mr. WICKER, Mr. BROWN of Ohio, Mr. SPECTER, Mr. LUGAR, Mr. DURBIN, Mr. CARDIN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. JOHNSON, and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 499

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being completely preventable and treatable;

Whereas, according to the World Health Organization, 35 countries, the majority of them in sub-Saharan Africa, account for 98 percent of global malaria deaths;

Whereas young children and pregnant women are particularly vulnerable and disproportionately affected by malaria;

Whereas malaria greatly affects child health, with estimates that children under the age of 5 account for 85 percent of malaria deaths each year;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates that malaria infection causes 400,000 cases of severe maternal anemia and from 75,000 to 200,000 infant deaths annually in sub-Saharan Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria over recent years have made measurable progress and have helped save hundreds of thousands of lives;

Whereas the World Health Organization's World Malaria Report 2009 reports that ''[i]n countries that have achieved high coverage of their populations with bed nets and treatment programmes, recorded cases and deaths due to malaria have fallen by 50%'';

Whereas the World Health Organization's World Malaria Report 2009 further states that ''[t]here is evidence from Sao Tome and Principe, Zanzibar and Zambia that large decreases in malaria cases and deaths have been mirrored by steep declines in all-cause deaths among children less than 5 years of age'';

Whereas continued national, regional, and international investment is critical to continue to reduce malaria deaths and to prevent backsliding in those areas where progress has been made;

Whereas the United States Government has played a major leadership role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative and the United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas President Barack Obama said on World Malaria Day in 2009, ''It is time to redouble our efforts to rid the world of a disease that does not have to take lives. Together, we have made great strides in addressing this preventable and treatable disease... Together, we can build on this progress against malaria, and address a broad range of global health threats by investing in health systems, and continuing our work with partners to deliver highly effective prevention and treatment measures.'';

Whereas, under the new Global Health Initiative (GHI) launched by President Obama, the United States Government is pursuing a comprehensive, whole-of-government approach to global health, focused on helping partner countries to achieve major improvements in overall health outcomes through transformational advances in access to, and the quality of, healthcare services in resource-poor settings; and

Whereas recognizing the burden of malaria on many partner countries, GHI has set the target for 2015 of reducing the burden of malaria by 50 percent for 450,000,000 people, representing 70 percent of the at-risk population in Africa: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Malaria Day, including the achievable target of ending malaria deaths by 2015;

(2) calls upon the people of the United States to observe World Malaria Day with appropriate programs, ceremonies, and activities to raise awareness and support to save the lives of those affected by malaria;

(3) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(4) commends the recent progress made toward reducing global malaria deaths and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(5) welcomes ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(6) reaffirms the goals and commitments to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110–293);

(7) supports continued leadership and investment by the United States in bilateral and multilateral efforts to combat malaria as a critical part of the President's Global Health Initiative; and

(8) encourages other members of the international community to sustain and scale up their support and financial contributions for efforts worldwide to combat malaria.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3729. Mr. COBURN proposed an amendment to the concurrent resolution H. Con. Res. 255, commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin.

TEXT OF AMENDMENTS

SA 3729. Mr. COBURN proposed an amendment to the concurrent resolution H. Con. Res. 255, commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin; as follows:

Strike the preamble and insert the following:

Whereas Gaylord Nelson, former United States Senator from Wisconsin, is recognized as one of the leading environmentalists of the 20th Century who helped launch an international era of environmental awareness and activism;

Whereas Gaylord Nelson grew up in Clear Lake, Wisconsin, and rose to national prominence while exemplifying the progressive values instilled in him;

Whereas Gaylord Nelson served with distinction in the Wisconsin State Senate from 1949 to 1959, as Governor of the State of Wisconsin from 1959 to 1963, and in the United States Senate from 1963 to 1981;

Whereas Gaylord Nelson founded Earth Day, which was first celebrated on April 22, 1970, by 20 million people across the United States, making the celebration the largest environmental grassroots event in history at that time;

Whereas Gaylord Nelson called on Americans to hold their elected officials accountable for protecting their health and the natural environment on that first Earth Day, an action which launched the Environmental Decade, an unparalleled period of legislative and grassroots activity that resulted in passage of 28 major pieces of environmental legislation from 1970 to 1980, including the Clean Air Act, the Clean Water Act, and the National Environmental Education Act;

Whereas Gaylord Nelson was responsible for legislation that created the Apostle Islands National Lakeshore and the St. Croix Wild and Scenic Riverway and protected other important Wisconsin and national treasures;

Whereas Gaylord Nelson sponsored legislation to ban phosphates in household detergents and he worked tirelessly to ensure clean water and clean air for all Americans;

Whereas in addition to his environmental leadership, Gaylord Nelson fought for civil rights;

Whereas Gaylord Nelson was a patriot, who as a young soldier honorably served 46 months in the Armed Forces during World War II, and then, as Senator, worked to ban the use of the toxic defoliant Agent Orange;

Whereas, in 1995, Gaylord Nelson was awarded the highest honor accorded civilians in the United States, the Presidential Medal of Freedom;

Whereas Gaylord Nelson's legacy includes generations of Americans who have grown up with an environmental ethic and an appreciation and understanding of their roles as stewards of the environment and the planet; and

Whereas Gaylord Nelson was an extraordinary statesman, public servant, environmentalist, husband, father, and friend, and who never let disagreement on the issues become personal or partisan:

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 22, 2010, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m. to conduct a hearing entitled ''China's Exchange Rate Policy and Trade Imbalances.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 22, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 22, 2010, at 10:30 a.m., to conduct a hearing entitled ''Promoting Global Food Security.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. 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 ''Meeting the Needs of the Whole Student'' on April 22, 2010. The hearing will commence at 10 a.m. in room 106 of the Dirksen Senate Office Building.

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

COMMITTEE ON INDIAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 22, 2010, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 22, 2010, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 22, 2010, at 3 p.m., in 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 RULES AND ADMINISTRATION

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m., to conduct a hearing entitled ''Examining the Filibuster: History of the Filibuster 1789–2008.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 22, 2010, at 2:30 p.m.

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

SPECIAL COMMITTEE ON AGING

Mrs. BOXER. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet on April 22, 2010, from 2–5 p.m. in Dirksen 562 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on April 22, 2010, at 3:30 p.m. to conduct a hearing entitled, ''The Future of the U.S. Postal Service.''

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m. to conduct a hearing entitled ''After the Dust Settles: Examining Challenges and Lessons Learned in Transitioning the Federal Government.''

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

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

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

COMMEMORATING THE 40TH ANNIVERSARY OF EARTH DAY

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 255, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 255) commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. LEVIN. Mr. President, today is the 40th anniversary of Earth Day, a day set aside to appreciate the environment. In 1970, Senator Gaylord Nelson from Wisconsin recognized the power of campus activism and established Earth Day as a way to highlight the environmental problems this Nation faced—air pollution from factories, water pollution from unregulated discharges, and toxic waste dumps. After Congress passed legislation to designate April 22 as Earth Day, Congress passed several bills to protect the environment including the Clean Water Acts, the National Wild and Scenic Rivers Act, the Federal Pesticides Act, the Clean Air Act, the Environmental Education Act, and the National Hiking Trails and the National Scenic Trails Acts.

Because Michigan is surrounded by four of the five Great Lakes, the problems plaguing the lakes have an enormous impact on Michigan. A generation ago, the Great Lakes were a huge reservoir of persistent toxic substances, but they have improved markedly since that time. The Environmental Protection Agency, EPA, estimates that the Great Lakes Critical Programs Act, which I sponsored in 1990, has reduced direct toxic water discharges by millions of pounds per year. In addition, since 2002, the EPA estimates that close to 900,000 cubic yards of contaminated sediment have been removed under the Great Lakes Legacy Act at 5 of the 31 U.S. ''Areas of Concern'' in the Great Lakes, thirteen of which are found in Michigan.

While the Great Lakes have made strides in recovering, historical problems still exist and new problems are on the horizon. There are still hundreds of fish advisories issued every year; the number of beach closings remains high; Lake Erie is once again experiencing a ''dead zone'' from high levels of phosphorus; and a new invasive species enters the Great Lakes about every 8 months. Last year, Congress provided $475 million for comprehensive Great Lakes restoration efforts.

Because of its industrial past, Michigan has faced some challenges with contaminated properties, including complications related to redevelopment. This is why I have also long been a supporter of brownfields redevelopment and smart growth efforts, which connect environmental goals with economic and community development objectives. In 1999, I joined my former colleague, Senator Jim Jeffords to form the Senate Smart Growth Task Force. The task force serves as a forum for Senators interested in sustainable and sensible growth, and has supported locally driven, federally supported smart growth practices.

Supporting and enjoying Michigan's parks and trails are also important aspects of this Earth Day celebration. Last year, I helped establish the Beaver Basin area as Wilderness at Pictured Rocks National Lakeshore and I am currently working on another Wilderness designation in the Sleeping Bear Dunes National Lakeshore. It is important for the public to have access to these areas so they can enjoy magnificent vistas, quiet streams, freshwater lakes, forests and prairies, and other natural beauty. To promote access and conservation, I have also worked to improve the North Country National Scenic Trail, which runs through Michigan, by helping to provide ''willing seller authority'' to help the trail be completed more quickly. When completed, the trail will span seven States and roughly 4,600 miles, approximately 1,000 miles of which will be located in Michigan, preserving critical outdoor recreational opportunities while providing a boost to the local economies along the trail.

Michigan is blessed to have so many natural resources. It is important that we recognize that we are just temporary stewards and that we protect and restore our resources for current and future generations.

Mr. LEAHY. Mr. President, today our Nation marks the 40th anniversary of Earth Day. For four decades, Americans have joined together on April 22 to celebrate our environment and to commit ourselves to fostering a healthier world. What Senator Gaylord Nelson began as a grassroots response to widespread environmental degradation in the 1970s has grown to become the foundation of the modern environmental movement and an annual recognition of Earth Day. For 40 years, Americans have used this day to organize events and participate in activities to draw attention to environmental issues and to promote environmental awareness and reform. Today, on the 40th anniversary of Earth Day, we can be proud of the many steps we have taken to clean up the environment. With the hard work and dedication of many, we have made progress. But there is more work to be done and we are facing many new threats.

Now for the first time since the passage of the landmark environmental laws of the 1970s, we are close to making significant strides to address environmental, climate, and energy-related issues. Bipartisan legislation is being developed in both the House of Representatives and the Senate, and significant steps have been taken already by this administration to ease the impact of human activities on the natural world, for our benefit, and for the benefit of generations to come. We do not have to choose between creating jobs and protecting the environment or between jobs and solving climate change. The economy of the 21st century will be built on infrastructure powered by clean energy, and, as Gaylord Nelson once wrote, ''all economic activity depends upon the . . . air, water, soil, forest, minerals, wetlands, rivers, lakes, oceans, wildlife habitat, and scenic beauty.'' These, he said, ''are the accumulated capital resources of a nation. Take them away and what you have left is a wasteland.''

Today, as the world pauses to consider the awe-inspiring power of our choices, let us reflect on what we stand to lose if we fail to act and what we stand to gain if we make the commitment to improve the air, water, and land upon which we depend. It is clear that Earth Day is not about the next government proclamation or regulation; this day is about the actions of individuals the amazing power of one person to accomplish change.

The threats to our planet are global; they are broad and overwhelming. But they are also very personal. The choices we make today will shape our world for generations to come. Though it may seem improbable to suggest that each person has the power to make a change, in saving our planet and improving our communities, it is certainly true.

It is estimated that by the year 2050, 40 years from now, the global population will be 9.4 billion people, adding more strain to our ecosystems. If personal responsibility for the Earth is truly as simple as conserving water, choosing public transportation or carpooling whenever possible, making your home more energy efficient, buying local sustainably produced food, recycling and reusing goods, there is little reason for any of us to deny our individual power to bring about change.

It is all too easy to imagine that the problems people currently face are a world away—across an ocean, on other continents. It is too easy to imagine problems such as a lack of clean water, vicious storms, and insufficient food supplies as not our own. I know that when it comes to the future of the Earth, the continent that seems so removed could just as easily be my backyard. On this 40th Earth Day, I am proud to call Vermont, the Green Mountain State, my home, and Vermont has been a leader in helping to show the way forward in protecting the Earth.

As we celebrate the 40th anniversary of Earth Day, each of us can renew our commitment to our planet—our home. We can use our power as individuals to work together toward a cleaner environment and a healthier planet. As part of the legacy we leave for our children and our grandchildren, let them enjoy a society that is secure in its commitment to a healthy and environmentally sound future. On this 40th anniversary of Earth Day, while we remember the pioneering spirit of Gaylord Nelson, we must honor his legacy and continue turning his words into action.

Mr. KOHL. Mr. President, today I rise to recognize one of our most prominent Wisconsinites, Gaylord Nelson, the founder of Earth Day.

On April 22, 1970, 20 million Americans paused for a day to celebrate our planet and press for the urgent actions needed to preserve and protect it. As we observe this 40th anniversary of the first Earth Day, we once again reflect on the necessity of a clean and safe environment, celebrate the successes of the last four decades, and consider the long way we still must go to achieve the goals laid out that day.

In Wisconsin, we also stop to remember and honor one of our most prominent citizens.

Earth Day was born out of the passion of Gaylord Nelson. His life was one of service from the Pacific theater during World War II, to the State House as a State Senator and Governor, and to Washington, DC where he served Wisconsin as a U.S. Senator for nearly 20 years.

When Gaylord came to Washington, he did so with a mission to bring environmental causes to the forefront of the national debate. He believed that the cause of environmentalism needed as much attention as national defense. For his first years in the Senate, his cause was lonely. In 1966, his bill to ban the pesticide DDT garnered no cosponsors.

Gaylord knew that only with the grassroots support of regular Americans, could the environmental agenda rise to prominence. His idea for Earth Day came from the student teach-ins of the 1960s, but his cause inspired people across boundaries of age, race and location. This year, more than one billion people around the world will come together in the same way they did 40 years ago.

In a speech on that historic day in 1970, Gaylord noted that his goal was not just one of clean air and water, but also ''an environment of decency, quality and mutual respect for all other human beings and all other living creatures.'' He told the crowd that America could meet the challenge through our technology. The unanswered question was, he said, ''Are we willing?''

That question was answered with a resounding yes. That year saw the creation of the Environmental Protection Agency and the passage of the Clean Air Act. In 1972, 6 years after Gaylord Nelson stood alone on his proposed DDT ban, its use was ended. Later years would bring better protection of drinking water, emissions and efficiency standards for cars, programs to cleanup brownfields sites, and the protection and preservation of our forests, rivers, mountains and oceans.

Despite that progress and I imagine Gaylord would be the first to note this we still have much work ahead of us. We must use this anniversary to commit to another environmental decade. The needs of 40 years ago cleaner water, cleaner air, more protection of our lands are still here, but the next challenge we must face is climate change.

From lower lake levels, to more invasive species, the consequences of unchecked climate change could be devastating to the people of Wisconsin. Climate change isn't just a threat, it is also an opportunity. Structured correctly, the solutions to slowing climate change can also speed up our economic recovery.

Remarkable research and development is happening today in Wisconsin on products for cleaner water, advanced battery technology, and using waste from farms and forests to make advanced biofuels. We have companies developing products to harness the power of the sun to replace traditional interior lighting, retrofitting heavy-duty trucks into hybrids, and manufacturing energy-efficient hot water heaters.

In Congress, legislative work to address climate change is ongoing. With the right mixture of requirements and incentives, we can achieve a policy that reduces our dependence on foreign oil, cuts greenhouse gas emissions, lowers prices at the pump and on the electricity bill, and creates good-paying jobs that cannot be outsourced.

We do not have to choose between the environment and the economy, between jobs and solving climate change. Gaylord Nelson made this point over and over again. He once wrote that ''all economic activity depends upon the air, water, soil, forest, minerals, wetlands, rivers, lakes, oceans, wildlife habitats, and scenic beauty.'' These, he said, ''are the accumulated capital resources of the nation. Take them away and what you have left is a wasteland.''

On this 40th anniversary of Earth Day, while we remember the pioneering sprit of Gaylord Nelson, we must honor his legacy by turning words into action.

Ms. SNOWE. Mr. President, 40 years ago, Senator Gaylord Nelson attempted to bring attention to a degraded environment through a day dedicated to our planet. On April 22, 1970, environmental issues, as they are today, were challenging oxygen levels in the Androscoggin River in my great state of Maine frequently reached zero during the summer, resulting in the death of nearly all fish and other aquatic life in the river and carbon monoxide and ozone emissions significantly degraded our country's air quality. The environmental, economic, and personal costs of a failure to recognize the benefits of a healthy environment had reached a tipping point for many American citizens who demanded action both through greater awareness of personal environmental decisions and through new public laws. Millions of Americans, as Senator Nelson said, ''organized themselves'' to not only protest the degradation of our environment, but also to educate each other on personal steps to reduce waste, increase recycling, and together improve the condition of environment around us.

Four decades later, Earth Day serves as a consequential reminder of what we have achieved since 1970, and what we still have left to accomplish, especially as we evaluate the current state of our environment. In that light, on this Earth Day, as the ranking member of Oceans, Atmosphere, Fisheries, and Coast Guard, I held a hearing on the threat of acidification on the largest ecosystems of the world, our oceans. And while the expert witnesses outlined the daunting hurdles of this 21st century challenge to our lobster industry and the beautiful coral reefs of the world, it is encouraging at the same time to reflect upon the past challenges we've met that seemed insurmountable.

In 1970, there were less than 50 bald eagle nesting pairs in Maine, today there are at least 477. This extraordinary increase came to fruition through a combination of the federal banning of DDT and a concerted effort by Mainers who volunteered to track our sacred national symbol and conserve its habitat. Furthermore, just last year, the Commissioner of the Maine Department of Inland Fisheries and Wildlife remarkably and thankfully was able to recommend the removal of the Bald Eagle from Maine's list of Endangered and Threatened Species. It was a combination of dedicated attention by Mainers as well as public policies that made this success a reality. And in Maine's iconic rivers and waterways fish are returning and our air quality has improved.

Nationally, for nearly 10 years, I have been pleased to join forces with my good friend and colleague, Senator DIANNE FEINSTEIN, to implement technology available today and raise fuel economy standards for our Nation's automobile fleet. And finally, in 2007 we passed legislation that will cut air pollution, reduce our consumption of foreign oil, and save money at the gas pump which will be of benefit to everyone, especially those in the rural parts of my state. And earlier this month, these rules were finalized and will save 1.8 billion barrels of oil over the life of cars and trucks sold between the 2012 and 2016 model years. This welcomed and long overdue advancement will reduce greenhouse gas emissions from our vehicles by 21 percent by 2030 and represents the most significant effort so far to combat climate change.

When we commemorate the 50th anniversary of Earth Day in just 10 years from now, let it be said that in 2010, we made great strides in improving our energy efficiency in our homes and offices, we reduced the number of miles that we drive on a weekly basis, we mitigated carbon dioxide emissions, and we reduced the amount of oil we import. Above all, let us hope we can look back and say we were able to forge comprehensive energy legislation that spoke not just to our goals for protecting the environment and harnessing new sources for energy, for ensuring greater not lesser energy

independence, but that reflected once again the hallmark vision, ingenuity, and can-do spirit that have always driven this great land for whom no task is too daunting and no adversity too steep.

Mr. BROWN of Ohio. Mr. President, earlier today—the 40th Anniversary of Earth Day—on the grounds of the U.S. Capitol, I test drove the energy-efficient, fuel cell-powered Chevy Cruze.

Across Ohio, next-generation fuel-efficient vehicles are being built. GM recently announced that its plant in Lordstown, OH—near Youngstown in Trumball County—would bring back a third shift of workers to the assembly line to build the Cruze.

Twelve hundred jobs are expected to be created building this new line of fuel-efficient cars that will reduce our dependence on foreign oil and reduce the pollution of our air.

Forty years ago, many were hard-pressed to see how environmental and economic objectives could coexist.

The Cuyahoga River burned in Cleveland and oil spills marred the beaches of Santa Barbara.

With Lake Erie dying, Americans demanded an end to the polluted air and water that threatened the public health and safety of our Nation.

Such tragedies served as catalysts that established the Environmental Protection Agency, EPA, passed the Clean Air and Clean Water Acts, and formed a public and political conscience to safeguard our environment.

Today, the Cuyahoga River—41 years after the fire—is cleaner and healthier; more than 60 different fish species are thriving, and countless families are again enjoying its natural beauty.

The modern environmental movement was marked by the efforts of citizens demanding that their government protect our health by protecting our environment.

Like so many times throughout our Nation's history, citizen activism served as vehicle for change.

The 1960s, the third progressive era of the 20th century, was defined by passage of Medicare and Medicaid, the Higher Education Act, the Voting Rights Act, the Elementary and Secondary Education Act, and the Civil Rights Act.

Rachel Carson's 1962 ''Silent Spring'' helped the environmental movement educate elected officials and industry leaders about threats to human safety and the importance of environmental sustainability.

U.S. Senator Gaylord Nelson of Wisconsin persuaded President Kennedy to raise the importance of the conservation through a 5-day, 11 State tour in September 1963.

Senator Nelson took the energy of that tour and found it mirrored across the country in the public's desire for cleaner air and water.

Today, we celebrate Senator Nelson's vision of Earth Day—how his teach-ins and grassroots plea translated the public's concern for the environment into political action.

On April 22, 1970, after years of planning, Earth Day activities stretched from college campuses, to city parks, to community halls across the country.

That citizen call to action spurred decades worth of environmental protections that have improved the health of our Nation's air, streams, lakes, and rivers.

Today, Earth Day is celebrated around the world. And today, our college campuses are once again spurring our Nation's environmental innovation.

In northeastern Ohio, Oberlin College built one of the Nation's first—and at the time the largest—solar-powered building in the Nation. The college is also working with the city of Oberlin to develop green spaces and energy efficient living.

Baldwin Wallace has one of the Nation's only academic programs strictly devoted to sustainability practices.

Case Western is partnering with the Cleveland Foundation to build the world's first wind turbines in fresh water.

In northwestern Ohio, the University of Toledo's Clean and Alternative Energy Incubator has helped entrepreneurs and business make Toledo a national leader in solar energy jobs.

Bowling Green State University has the first and largest commercial scale wind farm in Ohio and the Midwest.

In Central Ohio, the Ohio State University is partnering with Battelle and Edison Welding to develop cutting-edge advanced alternative energy sources.

In southern Ohio, Ohio University is conducting a full-scale wind-data collection project in Appalachia to identify the best wind-energy resources within a 2,000-square-mile 7-county region.

And just this week the University of Cincinnati was named one of the greenest universities in the country.

Across Ohio, from Youngstown State University to Akron University to the University of Dayton and Stark State Community College, Ohio's campuses continue to be a breeding ground of innovation.

The activism and expertise of our students and entrepreneurs mark tremendous progress toward a more sustainable environment.

It is a progress that has led to the largest investment in clean energy and environmental sustainability in our Nation's history.

The American Recovery and Reinvestment Act is making historic investments to make our water and sewer systems safer, our clean energy sources more affordable and available.

And Ohio's history of manufacturing excellence and cutting edge entrepreneurs is leading the Nation in Recovery Act funds used for clean energy.

For four decades, the environmental movement has made clear that without action, we face dangerous consequences. We risk the health of citizens, the viability of our coastal areas, and the productivity of our State's farms, forests, and fisheries.

We risk our long-term economic and national security.

Yet no longer do environmental and economic objectives conflict with each other. No longer do we needlessly pick winners and losers among regions, workers, and industries.

We have seen how despite our population growing by 50 percent in the past 40 years and the number of cars on the road having doubled over that same time, our air is 60 percent cleaner than at the time of the first Earth day in 1970, all while our economy has grown like no other in the history of the world.

Done right, our Nation can become energy independent, improve its global competitiveness, and create new jobs and technologies for our workforce.

As we plant the seeds for economic growth—for new jobs in new industries—we are also planting the seeds for a cleaner, more sustainable environment.

And that is what Earth Day represents—for workers making the Cruze in Lordstown or activists continuing to push for a cleaner environment.

Earth Day reminds us to call upon our history of innovation and perseverance to usher in a new era of prosperity for our Nation and sustainability for our plant.

Mr. CASEY. Mr. President, I rise today to mark the 40th anniversary of Earth Day. Started in 1970 by Wisconsin's Senator Gaylord Nelson as an environmental teach-in, Earth Day has become a global event. More than 20 million people participated in the first Earth Day and that number has grown to over 500 million in 175 countries.

Since the first Earth Day, the United States has made significant strides in improving the quality of our environment—our air, our water, our land, and our natural resources. The days of having to turn on street lights in downtown Pittsburgh at noon because of the pollution emitted by coal plants, steel mills, and other industries are long gone.

No longer does the Cuyahoga River in Ohio catch fire due to the uncontrolled discharge of oil and other pollutants. Long gone too is the mining of coal and other minerals without regard to the impact on land or water. And today, one can hike through Yellowstone National Park or the Upper Peninsula of Michigan and hear the howling of wolves, a species that was almost completely wiped out in the lower 48 States. These are just a few examples of how our Nation has embraced the tenants of environmental awareness put forth on that first Earth Day in 1970.

Let me relate to you another story of our Nation's environmental progress that is a source of particular pride for Pennsylvanians. Rachel Carson is considered one of the pioneers of the environmental movement in the United States. Ms. Carson was born in 1907 and grew up on a small family farm near Springdale in western Pennsylvania,

went to the Pennsylvania College for Women in Pittsburgh, which later became Chatham College, and completed her M.A. in zoology at Johns Hopkins University. She began her career as a biologist with what was then the U.S. Bureau of Fisheries.

Her seminal work in 1962, Silent Spring, brought to the forefront the dangers of DDT and other pesticides. DDT was a major cause of decline in the population of birds of prey, including the peregrine falcon. Because of the efforts of Ms. Carson and others, DDT was eventually banned from use in the United States in 1972. Today, peregrine falcons have returned to much of their former range, including a pair of falcons that have been nesting on the Pennsylvania Department of Environmental Protection office tower in Harrisburg, which fittingly, is named the Rachel Carson Building.

Ms. Carson's call to action on the environment was also a driving force behind a 1972 amendment to the Pennsylvania Constitution clearly articulates the right of Pennsylvania's citizens to clean air, pure water, and the preservation of the natural, scenic, historic and esthetic values of the environment, and ensuring these rights to generations yet to come.

The first Earth Day was also a major impetus for our Nation to move forward with a myriad of Federal legislation—including the Clean Water Act, Clean Air Act, Surface Mining Control and Reclamation Act, and the Endangered Species Act—that provided the regulatory framework for America to be a world leader in environmental stewardship.

Just as importantly, we have seen since the first Earth Day that environmental protection can go hand-in-hand with economic growth. According to US EPA, since 1980, total emissions of six principal air pollutants—carbon monoxide, lead, nitrogen oxides, volatile organic compounds, particulate matter, and sulfur dioxide—decreased by 54 percent.

And during this same period, gross domestic product, GDP, increased by more than 126 percent while the U.S. population grew by 34 percent, clearly demonstrating that we can maintain a strong, robust economy while at the same time protecting and promoting a safe and healthy environment for all Americans.

Today, as a nation, we need to applaud the accomplishments we have made since the first Earth Day in improving the quality of our air, water, and land. But we also need to acknowledge that the task of protecting our environment is far from complete.

The remaining challenges are many. Nutrient pollution is still a concern for the Chesapeake Bay and other waterways. Mercury from large stationary sources still threatens the health of our Nation's vulnerable population of infants and pregnant woman. And many of our urban areas still exceed national standards for air quality.

But the most daunting environmental challenge today is climate change. The scientific evidence about the threat of climate change cannot be disputed. We must move forward with climate and energy legislation that will put us on a path that ends our unsustainable reliance on foreign energy. A path that will create new, clean energy jobs and that will regain our competitive edge over countries like China, which is out-investing us and out-innovating us when it comes to new energy technologies. A path that regains control of our environment, our economy, and our national security.

Let me close with a quote from Rachel Carson. It goes, ''Those who contemplate the beauty of the earth find reserves of strength that will endure as long as life lasts.'' So, as we celebrate Earth Day today, let us all take a moment to consider the beauty and wonder of the natural world around us.

And let us use the strength we take away from these moments to continue to preserve and protect our Nation's rich natural history and environment for our children and grandchildren. So that future generations will always have a clean environment, a robust economy, and a secure Nation.

Mr. CASEY. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to; that a Coburn substitute amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 255) was agreed to.

The amendment (No. 3729) was agreed to, as follows:

Strike the preamble and insert the following:

Whereas Gaylord Nelson, former United States Senator from Wisconsin, is recognized as one of the leading environmentalists of the 20th Century who helped launch an international era of environmental awareness and activism;

Whereas Gaylord Nelson grew up in Clear Lake, Wisconsin, and rose to national prominence while exemplifying the progressive values instilled in him;

Whereas Gaylord Nelson served with distinction in the Wisconsin State Senate from 1949 to 1959, as Governor of the State of Wisconsin from 1959 to 1963, and in the United States Senate from 1963 to 1981;

Whereas Gaylord Nelson founded Earth Day, which was first celebrated on April 22, 1970, by 20 million people across the United States, making the celebration the largest environmental grassroots event in history at that time;

Whereas Gaylord Nelson called on Americans to hold their elected officials accountable for protecting their health and the natural environment on that first Earth Day, an action which launched the Environmental Decade, an unparalleled period of legislative and grassroots activity that resulted in passage of 28 major pieces of environmental legislation from 1970 to 1980, including the Clean Air Act, the Clean Water Act, and the National Environmental Education Act;

Whereas Gaylord Nelson was responsible for legislation that created the Apostle Islands National Lakeshore and the St. Croix Wild and Scenic Riverway and protected other important Wisconsin and national treasures;

Whereas Gaylord Nelson sponsored legislation to ban phosphates in household detergents and he worked tirelessly to ensure clean water and clean air for all Americans;

Whereas in addition to his environmental leadership, Gaylord Nelson fought for civil rights;

Whereas Gaylord Nelson was a patriot, who as a young soldier honorably served 46 months in the Armed Forces during World War II, and then, as Senator, worked to ban the use of the toxic defoliant Agent Orange;

Whereas, in 1995, Gaylord Nelson was awarded the highest honor accorded civilians in the United States, the Presidential Medal of Freedom;

Whereas Gaylord Nelson's legacy includes generations of Americans who have grown up with an environmental ethic and an appreciation and understanding of their roles as stewards of the environment and the planet; and

Whereas Gaylord Nelson was an extraordinary statesman, public servant, environmentalist, husband, father, and friend, and who never let disagreement on the issues become personal or partisan:

The preamble, as amended, was agreed to.

SUPPORTING GOALS AND IDEALS OF WORLD MALARIA DAY

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 499, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 499) supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CASEY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 499) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 499

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being completely preventable and treatable;

Whereas, according to the World Health Organization, 35 countries, the majority of

them in sub-Saharan Africa, account for 98 percent of global malaria deaths;

Whereas young children and pregnant women are particularly vulnerable and disproportionately affected by malaria;

Whereas malaria greatly affects child health, with estimates that children under the age of 5 account for 85 percent of malaria deaths each year;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates that malaria infection causes 400,000 cases of severe maternal anemia and from 75,000 to 200,000 infant deaths annually in sub-Saharan Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria over recent years have made measurable progress and have helped save hundreds of thousands of lives;

Whereas the World Health Organization's World Malaria Report 2009 reports that ''[i]n countries that have achieved high coverage of their populations with bed nets and treatment programmes, recorded cases and deaths due to malaria have fallen by 50%'';

Whereas the World Health Organization's World Malaria Report 2009 further states that ''[t]here is evidence from Sao Tome and Principe, Zanzibar and Zambia that large decreases in malaria cases and deaths have been mirrored by steep declines in all-cause deaths among children less than 5 years of age'';

Whereas continued national, regional, and international investment is critical to continue to reduce malaria deaths and to prevent backsliding in those areas where progress has been made;

Whereas the United States Government has played a major leadership role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative and the United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas President Barack Obama said on World Malaria Day in 2009, ''It is time to redouble our efforts to rid the world of a disease that does not have to take lives. Together, we have made great strides in addressing this preventable and treatable disease... Together, we can build on this progress against malaria, and address a broad range of global health threats by investing in health systems, and continuing our work with partners to deliver highly effective prevention and treatment measures.'';

Whereas, under the new Global Health Initiative (GHI) launched by President Obama, the United States Government is pursuing a comprehensive, whole-of-government approach to global health, focused on helping partner countries to achieve major improvements in overall health outcomes through transformational advances in access to, and the quality of, healthcare services in resource-poor settings; and

Whereas recognizing the burden of malaria on many partner countries, GHI has set the target for 2015 of reducing the burden of malaria by 50 percent for 450,000,000 people, representing 70 percent of the at-risk population in Africa: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Malaria Day, including the achievable target of ending malaria deaths by 2015;

(2) calls upon the people of the United States to observe World Malaria Day with appropriate programs, ceremonies, and activities to raise awareness and support to save the lives of those affected by malaria;

(3) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(4) commends the recent progress made toward reducing global malaria deaths and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(5) welcomes ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(6) reaffirms the goals and commitments to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110–293);

(7) supports continued leadership and investment by the United States in bilateral and multilateral efforts to combat malaria as a critical part of the President's Global Health Initiative; and

(8) encourages other members of the international community to sustain and scale up their support and financial contributions for efforts worldwide to combat malaria.

ARTICLES OF IMPEACHMENT AGAINST JUDGE PORTEOUS

The PRESIDING OFFICER. The Chair submits to the Senate for printing in the Senate Journal and in the CONGRESSIONAL RECORD the amended replication of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the Articles of Impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on April 22, 2010.

The amended replication of the House of Representatives is as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, Apr. 22, 2010.

Impeachment of G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana, Amended Replication.

Hon. NANCY ERICKSON,
Secretary of the Senate, U.S. Senate, Washington, DC.

DEAR MS. ERICKSON: Enclosed please find the Amended Replication of the House of Representatives to the Answer of G. Thomas Porteous, Jr., to the Articles of Impeachment.

A copy of this letter and the Amended Replication will be served upon counsel for Judge Porteous today through electronic mail.

Sincerely,

ALAN I. BARON,
Special Impeachment Counsel.

IN THE SENATE OF THE UNITED STATES

Sitting as a Court of Impeachment

IN RE: IMPEACHMENT OF G. THOMAS PORTEOUS, JR., UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF LOUISIANA

AMENDED

REPLICATION OF THE HOUSE OF REPRESENTATIVES TO THE ANSWER OF G. THOMAS PORTEOUS, JR., TO THE ARTICLES OF IMPEACHMENT

The House of Representatives, through its Managers and counsel, respectfully replies to the Answer to Articles of Impeachment as follows:

RESPONSE TO THE PREAMBLE

Judge Porteous in his Answer to the Articles of Impeachment, denies certain of the allegations and makes what are primarily technical arguments as to the charging language that do not address the factual substance of the allegations. However, it is in Judge Porteous's Preamble that he sets forth his real defense and, without denying he committed the conduct that is alleged in the Articles of Impeachment, insists that nevertheless he should not be removed from Office.

At several points in his Preamble, Judge Porteous notes that he was not criminally prosecuted by the Department of Justice, the implication being that the House and the Senate should abdicate their Constitutionally assigned roles of deciding whether the conduct of a Federal judge rises to the level of a high crime or misdemeanor and warrants the Judge's removal, and should instead defer to the Department of Justice on this issue. Judge Porteous maintains that impeachment and removal may only proceed upon conduct that resulted in a criminal prosecution, no matter how corrupt the conduct at issue, or what reasons explain the Department's decision not to prosecute. Judge Porteous provides no support for this contention because there is none—that is not what the Constitution provides.

Indeed, the Senate has by its prior actions made it clear that the decision as to whether a Judge's conduct warrants his removal from Office is the Constitutional prerogative of the Senate—not the Department of Justice—and the existence of a successful (or even an unsuccessful) criminal prosecution is irrelevant to the Senate's decision. The Senate has convicted and removed a Federal judge who was acquitted at a criminal trial (Judge Alcee Hastings). The Senate has also convicted a Federal judge for personal financial misconduct (Judge Harry Claiborne) while at the same time acquitting that same Judge of the Article that was based specifically on the fact of his criminal conviction.[1] Thus, Judge Porteous's repeated references to what the Department of Justice did or did not do adds nothing to the Senate's evaluation of the charges or the facts in this case.[2]

Further, according to Judge Porteous, pre-Federal bench conduct cannot be the basis of Impeachment, even if that conduct consisted of egregious corrupt activities that was beyond the reach of criminal prosecution because the statute of limitations had run, and even if Judge Porteous fraudulently concealed that conduct from the Senate and the White House at the time of his nomination and confirmation. There is nothing in the Constitution to support this contention, and it flies in the face of common sense. The Senate is entitled to conclude that Judge Porteous's pre-Federal bench conduct reveals him to have been a corrupt state judge with his hand out under the table to bail bondsmen and lawyers. Such conduct, which, as alleged in Articles I and II, continued into his Federal bench tenure, demonstrates that he is not fit to be a Federal judge.

Finally, the notion that Judge Porteous is entitled to maintain a lifetime position of Federal judge that he obtained by acts that included making materially false statements to the United States Senate is untenable. Judge Porteous would turn the confirmation process into a sporting contest, in which, if he successfully were to conceal his corrupt background prior to the Senate vote and thereby obtain the position of a Federal judge, he is home free and the Senate cannot remove him.

ARTICLE I

The House of Representatives denies each and every statement in the Answer to Article I that denies the acts, knowledge, intent

or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article I sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that Article I is vague. To the contrary, Article I sets forth several precise and narrow factual assertions associated with Judge Porteous's handling of a civil case (the Liljeberg litigation), including allegations that Judge Porteous ''denied a motion to recuse himself from the case, despite the fact that he had a corrupt financial relationship with the law firm of Amato & Creely, P.C. which had entered the case to represent Liljeberg'' and that while that case was pending, Judge Porteous ''solicited and accepted things of value from both Amato and his law partner Creely, including a payment of thousands of dollars in cash.'' There is no vagueness whatsoever in these allegations. Article I's allegation that Judge Porteous deprived the public and the Court of Appeals of his ''honest services''—a phrase to which Judge Porteous raises a particular objection—could not be more clear and free of ambiguity as used in this Article, and accurately describes Judge Porteous's dishonesty in handling a case, including his distortion of the factual record so that his ruling on the recusal motion was not capable of appellate review.[3]

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of the purported affirmative defense that Article I charges more than one offense. The plain reading of Article I is that Judge Porteous committed misconduct in his handling of the Liljeberg case by means of a course of conduct involving his financial relationships with the attorneys in that case and his failure to disclose those relationships or take other appropriate judicial action. The separate acts set forth in Article I constitute part of a single unified scheme involving Judge Porteous's dishonesty in handling Liljeberg. Further, the charges in this Article are fully consistent with impeachment precedent.[4]

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges. Judge Porteous was provided a grant of immunity in connection with his Fifth Circuit Hearing testimony, and the immunity order provided that his testimony from that proceeding could not be used against him in ''any criminal case.'' Simply put, an impeachment trial is not a criminal case.[5] Accordingly, there is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony.

ANSWER TO ARTICLE II

The House of Representatives denies each and every statement in the Answer to Article II that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article II sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that the Article is vague. To the contrary, Article II sets forth several precise and narrow factual assertions associated with Judge Porteous's relationship with the Marcottes—both prior to and subsequent to Judge Porteous taking the Federal bench. Article II alleges with specificity the things of value given to Judge Porteous over time and identifies the judicial or other acts taken by Judge Porteous for the benefit of the Marcottes and their business.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that the Article improperly charges multiple offenses. The plain reading of Article II is that Judge Porteous engaged in a corrupt course of conduct whereby, over time, he solicited and accepted things of value from the Marcottes, and, in return, he took judicial acts or other acts while a judge to benefit the Marcottes and their business.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that Article II improperly charges pre-Federal bench conduct as a basis for impeachment. First, Article II plainly alleges that Judge Porteous's corrupt relationship with the Marcottes continued while he was a Federal Judge. Second, Judge Porteous's assertion that pre-Federal bench conduct may not form a basis for impeachment finds no support in the Constitution and is not supported by any other sound legal or logical basis.[6] As a factual matter, it is especially appropriate for the Senate to consider Judge Porteous's pre-Federal bench corrupt relationship with the Marcottes where it was affirmatively concealed from the Senate in the confirmation process, where it involved conduct as a judicial officer directly bearing on whether he was fit to hold a Federal judicial office, and where that conduct, having now been exposed, brings disrepute and scandal to the Federal bench.

ARTICLE III

The House of Representatives denies each and every statement in the Answer to Article III that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article III sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges in substance that the allegations in Article III are vague. To the contrary, Article III sets forth several specific allegations associated with Judge Porteous's conduct in his bankruptcy proceedings. There is no credible contention that Judge Porteous cannot understand what he is charged with in this Article.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges, in substance, that Article III charges more than one offense. The plain reading of Article III is that Judge Porteous committed misconduct in his bankruptcy proceeding by making a series of false statements and representations, and by incurring new debt in violation of a Federal Bankruptcy Court order. This Article alleges a single unified fraud scheme, with the purpose of deceiving the bankruptcy court and creditors as to his assets and his financial affairs, so that Judge Porteous could enjoy undisclosed wealth and income for personal purposes—including gambling.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges. Judge Porteous was provided a grant of immunity in connection with his Fifth Circuit Hearing testimony, effectively eliminating the possibility that any of that testimony could be used against him in any criminal case. An impeachment trial is not a criminal case. There is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony.

FIFTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense—which does not take issue with the proposition that Judge Porteous committed misconduct in a Federal judicial bankruptcy proceeding, but contends only that the acts as alleged do not warrant impeachment. First, this is not an affirmative defense. It is up to the Senate to decide whether the facts surrounding the bankruptcy warrant impeachment.

Second, the Senate has in fact removed a judge for personal financial misconduct, and in 1986 convicted Federal Judge Harry Claiborne and removed him from office for evading taxes. It is significant that the Senate did not convict Judge Claiborne for the crime of evading taxes. Rather, the Senate acquitted Judge Claiborne of the one Article that charged him with having committed and having been convicted of a crime.

Third, what the Department of Justice may consider material for purposes of a criminal prosecution has nothing to do with what the Senate may deem to be material for purposes of determining whether Judge Porteous should be removed from Office—an Office which requires that he oversee bankruptcy cases and administer and enforce the oath to tell the truth.'

ARTICLE IV

The House of Representatives denies each and every statement in the Answer to Article IV that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article IV sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges the Article is vague. The allegations sets forth in Article IV are specific and precise. In fact, Judge Porteous's description of the charge fairly characterizes the offense: ''In essence, Article IV alleges that Judge Porteous gave false answers on various forms that were presented in connection with the background investigation. . . .'' It is apparent, therefore, that Judge Porteous has a clear understanding of these allegations in Article IV, which specify the dates and circumstances

when the statements were made, and the contents of the statements that are alleged to have been false. There is no credible contention that the Article IV does not provide Judge Porteous specific notice as to what this Article alleges.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense. The allegation sets forth in Article IV are specific and precise. They charge in substance that Judge Porteous made a series of false statements to conceal the fact of his improper and corrupt relationships with the Marcottes and with attorneys Creely and Amato in order to procure the position of United States District Court Judge. Charging these four false statements, all involving a single issue, in a single Article is consistent with precedent.[8]

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, alleging that the Senate cannot impeach Judge Porteous based on pre-Federal bench conduct. First, Judge Porteous's assertion that pre-Federal bench conduct may not form a basis for impeachment is not supported by the Constitution. Notwithstanding Judge Porteous's assertions to the contrary, the Constitution does not limit Congress from considering pre-Federal bench conduct in deciding whether to impeach, and there are compelling reasons for Congress to consider such conduct—especially where such conduct consists of making materially false statements to the Senate. The logic of Judge Porteous's position is that he cannot be removed by the Senate, even though the false statements he made to the Senate concealed dishonest behavior that goes to the core of his judicial qualifications and fitness to hold the Office of United States District Court Judge. The proposition that the Senate lacks power under these circumstances to remedy the wrong committed by Judge Porteous is simply untenable.

Respectfully submitted,

THE U.S. HOUSE OF REPRESENTATIVES

By

ADAM SCHIFF,
Manager,
BOB GOODLATTE,
Manager,
ALAN I. BARON,
Special Impeachment Counsel.

Managers of the House of Representatives: Adam B. Schiff, Bob Goodlatte, Zoe Lofgren, Henry C. ''Hank'' Johnson, F. James Sensenbrenner, Jr.

April 22, 2010.

ENDNOTES

[1] Judge Harry E. Claiborne was acquitted of Article III, charging that he ''was found guilty by a twelve-person jury'' of criminal violations of the tax code, and that ''a judgement of conviction was entered against [him].'' See ''Impeachment of Harry E. Claiborne,'' H. Res. 471, 99th Cong., 2d Sess. (1986) (Articles of Impeachment); 132 Cong. Rec. S 15761 (daily ed. Oct. 9, 1986) (acquitting him on Article III).

[2] Moreover, the Department of Justice's investigation hardly vindicated Judge Porteous. To the contrary, the Department viewed Judge Porteous's misconduct as so significant that it referred the matter to the Fifth Circuit for disciplinary review and potential impeachment, and set forth its findings in its referral letter.

[3] Judge Porteous treats Article I as if it alleges the criminal offense of ''honest services fraud,'' in violation of Title 18, United States Code, Section 1346, and that because the term ''honest services'' has been challenged as vague in the criminal context, the term is likewise vague as used in Article I. Despite Judge Porteous's suggestion to the contrary, Article I does not allege a violation of the ''honest services'' statute. Moreover, it could hardly be contended that proof that Judge Porteous acted dishonestly in the performance of his official duties does not go to the very heart of the Senate's determination of whether he is fit to hold office.

[4] The respective Articles of Impeachment against Judges Halsted L. Ritter, Harold Louderback, and Robert W. Archbald each set forth lengthy descriptions of judicial misconduct arising from improper financial relationships between those judges and the private parties. These consist of detailed narration specifying numerous discrete acts. See ''Impeachment of Judge Halsted L. Ritter,'' H. Res. 422, 74th Cong., 2d Sess. (March 2, 1936) and ''Amendments to Articles of Impeachment Against Halsted L. Ritter,'' H. Res. 471, 74th Cong., 2d Sess. (March 30, 1936), reprinted in ''Impeachment, Selected Materials, House Comm. on the Judiciary,'' Comm. Print (1973) [hereinafter ''1973 Committee Print''] at 188–197 (H. Res. 422), 198–202 (H. Res. 471); [''Articles of Impeachment against Judge Robert W. Archbald''], H. Res. 622, 62d Cong., 2d Sess (1912), 48 Cong Rec. (House) July 8, 1912 (8705–08), reprinted in 1973 Committee Print at 176; and [''Articles of Impeachment against George W. English,''] Cong Rec. (House), Mar. 25, 1926 (6283–87), reprinted in 1973 Committee Print at 162.

[5] The Constitution makes it clear that impeachment was not considered by the Framers to be a criminal proceeding. It provides: ''Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.'' U.S. Const., Art. 3, cl. 7. See also, *United States v. Nixon*, 506 U.S. 224, 234 (1993) (''There are two additional reasons why the Judiciary, and the Supreme Court in particular, were not chosen to have any role in impeachments. First, the Framers recognized that most likely there would be two sets of proceedings for individuals who commit impeachable offenses—the impeachment trial and a separate criminal trial. In fact, the Constitution explicitly provides for two separate proceedings. . . . The Framers deliberately separated the two forums to avoid raising the specter of bias and to ensure independent judgments . . .'').

[6] As but one example, if the pre-Federal bench conduct consisted of treason, there could be no credible contention that such conduct would not provide a basis for impeachment.

[7] It should be noted that Judge Porteous has testified and cross-examined witnesses at the Fifth Circuit Hearing on the subject of his bankruptcy, and the House therefore possesses evidence that was unavailable to the Department of Justice.

[8] As but one example, Article III of the Articles of Impeachment against Judge Walter Nixon charged that he concealed material facts from the Federal Bureau of Investigation and the Department of Justice by making six, specified, false statements on April 18, 1984 at an interview, and by making seven discrete false statements under oath to the Grand Jury. ''Impeachment of Walter L. Nixon, Jr.,'' H. Res. 87, 101st Cong., 1st Sess. (1989) (Article III).

ORDERS FOR MONDAY, APRIL 26, 2010

Mr. CASEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, April 26; 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 there be a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate resume the motion to proceed to S. 3217, Wall Street reform.

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

PROGRAM

Mr. CASEY. Mr. President, at 5 p.m., Monday, the Senate will proceed to a rollcall vote on the motion to invoke cloture on the motion to proceed to the Wall Street reform legislation.

ADJOURNMENT UNTIL MONDAY, APRIL 26, 2010, AT 2 P.M.

Mr. CASEY. 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 6:45 p.m., adjourned until Monday, April 26, 2010, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

JONATHAN WOODSON, OF MASSACHUSETTS, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE S. WARD CASSCELLS.

DEPARTMENT OF STATE

ROSE M. LIKINS, 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 REPUBLIC OF PERU.

LUIS E. ARREAGA-RODAS, 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 REPUBLIC OF ICELAND.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Thursday, April 22, 2010:

THE JUDICIARY

DENNY CHIN, OF NEW YORK, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

DEPARTMENT OF JUSTICE

WILLIAM N. NETTLES, OF SOUTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH CAROLINA FOR THE TERM OF FOUR YEARS.

WIFREDO A. FERRER, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS.

DAVID A. CAPP, OF INDIANA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF INDIANA FOR THE TERM OF FOUR YEARS.

ANNE M. TOMPKINS, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

KELLY MCDADE NESBIT, OF NORTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

PETER CHRISTOPHER MUNOZ, OF MICHIGAN, TO BE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF MICHIGAN FOR THE TERM OF FOUR YEARS.

LORETTA E. LYNCH, OF NEW YORK, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NEW YORK FOR THE TERM OF FOUR YEARS.

NOEL CULVER MARCH, OF MAINE, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MAINE FOR THE TERM OF FOUR YEARS.

GEORGE WHITE, OF MISSISSIPPI, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS.

BRIAN TODD UNDERWOOD, OF IDAHO, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF IDAHO FOR THE TERM OF FOUR YEARS.

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH JOANN F. BURDIAN AND ENDING WITH DAWN N. PREBULA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 24, 2010.

COAST GUARD NOMINATIONS BEGINNING WITH KAREN R. ANDERSON AND ENDING WITH STEVEN M. LONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2010.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KAREN L. ZENS AND ENDING WITH RICHARD STEFFENS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 26, 2010.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH SCOTT J. PRICE AND ENDING WITH SARAH K. MROZEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2010.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NOMINATIONS BEGINNING WITH HEATHER L. MOE AND ENDING WITH KURT S. KARPOV, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 22, 2010.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on April 22, 2010 withdrawing from further Senate consideration the following nomination:

TIMOTHY MCGEE, OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE PHILLIP A. SINGERMAN, WHICH WAS SENT TO THE SENATE ON DECEMBER 21, 2009.

EXTENSIONS OF REMARKS

CELEBRATING THE LIFE OF DR. EDGAR WAYBURN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. PELOSI. Madam Speaker, I rise to pay final tribute to a great champion of the environment, Dr. Edgar Wayburn. At age 103, Dr. Wayburn passed away on March 5th surrounded by his beloved family. His accomplishments on behalf of our planet are unsurpassed.

Joining me in tribute today is Congressman GEORGE MILLER.

Working for five decades as a physician, Dr. Wayburn understood that the human condition is inextricably linked to the environment. When Dr. Wayburn first arrived in the San Francisco Bay Area in 1933, he was stunned by the uninterrupted expanse of green beginning in San Francisco and crossing the Bay to Marin. He made a lifelong commitment to ensuring that it remained protected.

He had the same experience when he first visited Alaska fifty years ago with his wife Peggy. They were captivated by the unique beauty of the Alaskan landscape. The national campaign that flowed from that first visit resulted in the Alaska Lands Act: the largest public lands legislation in the history of the U.S. Congress. Today, more than a million acres remain wild largely because of Dr. Wayburn's first trip to what he called ''the last frontier.''

Dr. Wayburn simultaneously fought to preserve and expand one of America's pristine ancient forests, Redwood National Park in Northern California. Today, these giant redwoods have a permanent home and are listed as a UNESCO World Heritage Site and Biosphere Preserve.

In San Francisco he orchestrated the creation of Golden Gate National Recreation Area (GGNRA), an almost continuous greenbelt stretching down the Pacific Coast from Point Reyes Seashore to the Peninsula. In the 1960s, the idea of an urban national park was an alien concept to Congress and the National Park Service. Thanks to the tireless labors of Congressman Philip Burton and Dr. Wayburn, along with the support of the local community and local environmentalists, GGNRA is today the most visited national park and one of our nation's great natural treasures. Within its boundaries are redwood forests, beaches, dramatic headlands, marshes, abundant wildlife, historic forts, islands in the Bay, and a world-famous prison—and all of this incredible diversity lies within easy reach of one of the largest metropolitan populations in the United States. It is a living testament to the tenacity of Dr. Edgar Wayburn.

Many of us were fortunate to work with Dr. Wayburn on the monumental achievement of transferring the Presidio of San Francisco in 1994 from a military post to an urban national park. He helped craft a model for the nation in a place which respected the stewardship and traditions of the military Presidio's tradition as a military base, while enhancing the opportunities for volunteerism and environmental education for youth.

Dr. Wayburn received many awards to honor his accomplishments: the Albert Schweitzer Prize for Humanitarianism from Johns Hopkins University, the Starker Leopold Award by the Nature Conservancy, the John Muir Award by the Sierra Club, and in 1999 Dr. Wayburn's life work was recognized with the Presidential Medal of Freedom, the highest civilian honor that our country can bestow. As President Clinton said at the time, Dr. Wayburn ''saved more of our wilderness than any other person alive.''

Dr. Wayburn, the honorary president-for-life of the Sierra Club, was the stealth force behind so many environmental movements to save the world's wild lands, forests and waters for the benefit of future generations. The magnificent landscapes that he preserved for future generations will stand as a lasting monument to him.

Above all, Dr. Wayburn was devoted to his family: his beloved late wife Peggy who was his partner in preserving the environment, his children Diane, Laurie, Cynthia and William and three grandchildren. We celebrate his life and we honor his memory.

TCU WOMEN'S RIFLE TEAM

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. GRANGER. Madam Speaker, I rise today to offer my congratulations to the TCU Women's Rifle Team. Last month the team won the 2010 NCAA National Championship. This is the first National Championship win since 1983 for TCU, so this is a huge victory for both the team and the school.

In addition to the accomplishment of the entire TCU Women's Rifle Team, several of the ladies on the team received individual distinctions. Freshman Sarah Scherer won the individual National Championship in the smallbore rifle portion of the competition. Senior Erin Lorenzen was honored as the Most Outstanding Athlete of the championship. These two TCU ladies were also honored as All-American athletes. Sarah Beard, Caitlin Morrissey, and Simone Riford received All-American athlete honors as well.

It is evident that the TCU Women's Rifle Team is a very skilled and accomplished group. Head coach Karen Monez has done an excellent job of leading the team. This National Championship is the height of achievement for the team, which has had phenomenal success for the past several years under the leadership of Coach Monez. I am confident that their success will continue.

Again, I congratulate the entire TCU Women's Rifle Team on their National Championship win. They have made their entire school and all of Fort Worth proud.

IN HONOR OF THE MONTEREY BAY BLUES FESTIVAL

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. FARR. Madam Speaker, I rise today to honor the Monterey Bay Blues Festival on the occasion of its twenty-fifth anniversary. For a quarter of a century, the Festival has been dedicated to the stewardship and celebration of this uniquely American musical legacy here on the Monterey Peninsula.

Six years ago the Festival started its Blues in the Schools (BITS) program, which has spread to five school districts in Monterey County and keeps on growing. As part of the regular music program, BITS introduces the blues to young people who hope to find their own expressions in music. Scholarships and grants help to keep students focused on and developing passion for their art. BITS clinicians support choirs, guitar classes, combos, and school bands.

In the words of my friend and former staff member, Doris M. Jones, chair of the anniversary committee: ''. . . the (festival) began with a few local men and women who had a desire to preserve the rich heritage of blues music, as well as continue to perpetuate the heartfelt sounds created out of times of sorrow, pain, jubilation and joy. . . . 'The Blues' have a way of touching that place in each of us that brings out a deep emotion and understanding that, regardless of how difficult the times, things will get better. Whether it is our economy, our health, our relationships, times of love or times of war, the expression of the blues reminds us that we are more alike than we are different.''

The mission of the Monterey Bay Blues Festival is to give back to the community and spread this distinctively American art form through the Festival and by supporting youth and the arts. In this way, they expand the appreciation of their evolving artistic legacy and inspire a passion for music, especially the Blues.

Madam Speaker, I want to hold up the Festival as a cultural institution, an expression of what makes our nation a worldwide leader in the music that is unique to our land. May their continued success inspire many more generations to celebrate our nation's musical heritage and participate in its future.

On behalf of the whole House, I am honored to extend to the Monterey Bay Blues Festival the gratitude of the Congress and the American people for their past and future service.

IN HONOR OF CAPTAIN STANLEY VINCENT DEGEUS

HON. JOE SESTAK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SESTAK. Madam Speaker, I would like to honor Captain Stanley DeGeus on his retirement from the United States Navy, which he has faithfully served for over three decades.

Captain Stanley Vincent DeGeus is a native of Philadelphia, Pennsylvania and a 1979 graduate of Villanova University. At Villanova, he earned a Bachelor of Science in Biology and was commissioned an Ensign through the Naval Reserve Officer Training Corps Program.

Following commissioning, Captain DeGeus completed Division Officer tours as Administrative Officer, Second Division Officer, and Combat Information Center/Missile Officer in USS SEATTLE (AOE 3) from November 1979 to May 1983. His first shore assignment was Commissioning Crew and Navigation/Naval Operations Instructor at the Naval Reserve Officer Training Corps Program at Boston University. While at Boston University, he received his Master's Degree in Biology in January 1986.

Captain DeGeus' subsequent afloat duty included assignment as Executive Officer in USS IMPLICIT (MSO 455) from October 1986 to November 1987 and as Executive Officer in USS ENHANCE (MSO 437) during mine countermeasure operations in the Persian Gulf. He then served as Operations Officer in USS CROMMELIN (FFG 37) from June 1988 to December 1989. Captain DeGeus served as Commissioning Commanding Officer in USS CHAMPION (MCM 4) from May 1990 to September 1992.

Following a year of study at the Naval War College, where he received a Master's Degree in National Security and Strategic Studies, he completed a three-year tour of duty as an instructor in the Command Training Department at Surface Warfare Officers School Command in Newport, Rhode Island. From May 1997 to November 1998, Captain DeGeus served as Commanding Officer in USS BONHOMME RICHARD (LHD 6) from September 2001 to February 2003. USS BONHOMME RICHARD deployed for both Operation Enduring Freedom (67 combat sorties) and Operation Iraqi Freedom during his tenure in support of the Global War on Terrorism. Following a tour of duty as a Strategy and Alignment Branch Head in OPNAV 76 and as Sea Shield Pillar Lead in OPNAV 70, Captain DeGeus reported as Commander, Surface Warfare Development Group in May 2005.

Captain DeGeus' medals and decorations include two Legion of Merit awards, the Defense Meritorious Service Medal, three Meritorious Service Medals, two Navy Commendation Medals, and four Navy Achievement awards. Most impressive is that he was able to lead a highly successful career in the Navy all while raising his three remarkable children—Juliane Catherine, Case James, and Cory—with his wife, Barbara Jean Mellon of Freehold, New Jersey.

HONORING MR. IRVIN E. RICHTER, 2010 NEW JERSEY BUSINESS HALL OF FAME RECIPIENT

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. ANDREWS. Madam Speaker, I rise today to honor Irvin Richter for his induction into the New Jersey Business Hall of Fame. Mr. Richter has demonstrated significant leadership and dedication to his community, and for this he deserves great praise.

A Laureate induction into the New Jersey Business Hall of Fame is a lifetime achievement award for individuals making a significant, positive impact on New Jersey. Inductees demonstrate, as Mr. Richter has throughout their professional lives high ethical standards, mentorship, community involvement and innovative leadership.

Chairman and Chief Executive Officer of Hill International, Mr. Richter is known for his expertise in the field of construction contacts and claims. His reputation for excellence is worldwide, after working on projects such as the Channel Tunnel, EPCOT, Reliance Oil Refinery, Athens Metro, King Khalid Military City, Petronas Twin Towers, Washington Metro, and the Alaska Pipeline. Mr. Richter is not only an actively sought expert, but also an international arbitrator and mediator for the leading participants in the industry. In addition, he has provided expert witness testimony on numerous occasions regarding contractual and damage issues.

Mr. Richter has been honored as a Distinguished Alumnus from his alma mater Wesleyan University and from his Law school, Rutgers University School of Law, Camden. He is a member of the World Presidents' Organization (WPO) and the Construction Industry Round Table (CIRT). He is a current and past member of the Board of Trustees of Rutgers University, the Board of Directors of the Construction Management Association of America (CMAA), the Board of Governors of Temple University Hospital and the Board of Directors of the ACE Mentor Program. In 2002, Mr. Richter was made a fellow by the CMAA for his contributions to the construction management industry. At that time, he was one of only 17 Fellows in the history of the organization.

Madam Speaker, Mr. Richter's contributions to his field and to state of New Jersey should not go unrecognized. I want to personally thank Irvin Richter for the exceptional leadership he has provided and the impact he has made all over the world. I congratulate Mr. Richter on his induction to the New Jersey Hall of Fame and wish him the best of luck in his future endeavors.

CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. BACA. Mr. Speaker, I rise today in strong support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act of 2009.

The United States of America has a moral obligation to provide for all the brave men and women whose courageous service allows all of us to live the lives we do.

This service comes not without a price, and America must provide for these service members and their families during deployment and post-deployment.

Our disabled, ill and injured veterans need the assistance and care they deserve for their sacrifice.

S. 1963 will expand mental health services for veterans; enhance health services for 1.8 million women veterans—which for the first time includes care for newborns.

This is a landmark legislation that builds upon the last three years of significant accomplishments for veterans, troops and military families.

S. 1963 will allow for a caregiver of a veteran to receive training, counseling, lodging and subsistence payments when accompanying a veteran on medical care visits.

We must ensure that those who care for our veterans are properly equipped and trained to do so.

In addition, we will prohibit the VA from collecting copayments from veterans who are catastrophically disabled.

I am proud to vote for S. 1963, on behalf of all the service members, veterans and their families in my District. I urge my colleagues to support this bill.

HEALTH CARE REFORM

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. MCNERNEY. Madam Speaker, I rise today to express my proud support for the passage of historic health reform legislation earlier this year. I am glad the Congress, after working for more than nine months, was able to pass comprehensive health care reform that will reduce the growth in health care costs, cut the deficit, and provide affordable health insurance for an additional 32 million Americans.

The package passed by Congress, which includes H.R. 3590 and H.R. 4872 as enacted, will reduce the deficit by $143 billion over ten years and by more than $1 trillion over the second decade. Enacting responsible health care reform will provide health care security for individuals, families, and small businesses across the country. This legislation will ensure that individuals can no longer be denied coverage due to a pre-existing condition or kicked off their insurance when they get sick. Health care reform also places caps on annual and lifetime out-of-pocket costs so that individuals and families will no longer go bankrupt due to an illness.

Despite the benefits and enhanced Medicare protections that I am confident health reform will bring, I wish to stress the importance of vigorous oversight of the newly created Independent Medicare Advisory Board, IMAB. H.R. 3590 establishes such a board, whose goal is to reduce the per capita rate of growth in Medicare spending. I strongly support the need to control costs, but I believe elected officials who answer to the people should make the key decisions affecting health programs. Medicare beneficiaries expect Congress to

take responsibility for shaping Medicare, allowing Americans a voice through their elected representatives in determining the benefits they receive on a daily basis.

H.R. 3950 wisely prevents IMAB from recommending measures that would ration health care, increase Medicare beneficiary cost-sharing, or otherwise restrict benefits. However, we must remain vigilant in our oversight of IMAB to ensure that the board serves our constituents' best interests.

HONORING KATHRYN GALLANIS MATERN

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. QUIGLEY. Madam Speaker, I rise today in recognition of Kathryn Gallanis Matern, an accomplished attorney and the next president of the Women's Bar Association of Illinois.

After receiving her Juris Doctorate from The John Marshall Law School in Chicago, Ms. Gallanis Matern made a name for herself as the lead prosecutor while working for the Assistant State's Attorney's Felony Trial Division. Many of her cases, most notably the Keystone Case, received substantial attention from the national media.

Outside of her professional duties, Ms. Gallanis Matern remains very busy. Her involvement in the community includes volunteering for the Junior League of Chicago and the New Trier Citizen's League, as well as being the acting Vice President of the Chicago Republican Women's Network. These achievements have culminated in her becoming the next president of the Women's Bar Association of Illinois.

It is my honor to recognize Kathryn Gallanis Matern, an accomplished attorney, volunteer, and member of Chicagoland women's associations.

RECOGNIZING THE WORLD WAR II VETERANS FROM AMERICAN LEGION POST 960

HON. PATRICK J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. PATRICK J. MURPHY of Pennsylvania. Madam Speaker, I rise today to honor the World War II Veterans of American Legion Post 960.

As we mark the 65th anniversary to the end of World War II, it is important that we continue to recognize the remarkable courage and sacrifice these members of the greatest generation of Americans gave for our country. We must never forget their struggle to maintain an enduring freedom throughout the world, and we all owe a debt to those who defended our liberty under circumstances most of us can only imagine.

I would like to extend my sincere gratitude to American Legion Post 960 for providing such a invaluable service to our community and our veterans. Established April 26, 1956, the 478 member post has been a place for veterans to gather together and their food holiday drives have helped feed many needy families in our community.

Madam Speaker, I am proud to recognize the World War II Veterans of American Legion Post 960 for their extraordinary heroics and sacrifices for our country, and I ask my colleagues to join me in honoring the service of these brave Americans.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, "Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free."

To ensure that the blessing of freedom is passed from one generation to the next, the members of the CYAC spent time interviewing a veteran and documenting the experience for the "Preserving History Project." Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

Retired Staff Sergeant Bernard J. Grant served a year in Vietnam as a convoy escort and over eight more years in Europe in counter-intelligence. He was the winner of several awards including: Army Commendation, five Awards of Good Conduct, National Defense Service Medal, Vietnam Service Medal, a Unit Citation, and more. He truly understood his duty and he carried it out no questions asked, without regard for his personal opinion. Grant understood that to serve in the military meant to be a weapon of the American government and a part of the greatest military on Earth. In this military, unity and personal sacrifice is key; there is little room for individualism, for the military must be one in action and goal. One's duty to their country comes before all personal desires. My discussion with Mr. Grant taught me these important lessons, which I will carry with me for the rest of my life. I will always remember them, and I will always respect those who serve our country, and those that have served our country, for their duty, honor, and sacrifice.—Josh Eldridge.

CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. DINGELL. Madam Speaker, I rise today to proudly support the House Amendments to S. 1963, the Caregivers and Veterans Omnibus Health Services Act; legislation that recognizes and aims to meet the needs of our veterans who have bravely served in Iraq and Afghanistan after 9/11. My colleagues will remember that this legislation was held up in the Senate due to one senator's objection that the bill was not paid for. However, our warriors have already paid a very high price through their sacrifices and selfless devotion to our national security, and they should be repaid with excellent care when they return to civilian life. Fortunately, this legislation builds on the Democratic Congress' record of supporting our veterans through new and innovative programs, fixing some of the existing problems in the VA, and increasing funding for the VA budget.

The legislation we are voting on today is a comprehensive approach to caring for our veterans. Specifically, it provides robust support for those who care for our wounded warriors, addresses the needs women veterans, expands services to rural veterans and for mental health care, and closes a loophole for disabled veterans health care.

Specifically, the House amendments to S. 1963 provides services, training, and reimbursements for the caregivers of veterans who return from war with serious injuries. It will strengthen support for caregivers of all veterans and will provide reimbursements for lodging and healthcare to caregivers of Afghanistan and Iraq War veterans through the Civilian Health and Medical Program of the Department of Veterans Affairs.

In addition, the legislation expands health care services for our 1.8 million women veterans including provisions mandating a study of the barriers to women veterans seeking health care, education and training for mental health professionals caring for veterans with sexual trauma, a reintegration and readjustment pilot program, establishment of a child care pilot program for women receiving regular and intensive mental health care and intensive health care services, and post-delivery health care for new born children.

This comprehensive bill also improves health care for our veterans living in rural areas, including by expanding transportation for veterans to local VA hospitals and clinics through VA grants to local Veterans Service Organizations and provides increased access to counseling and other mental health centers to any member of the Armed Forces.

Other provisions in this legislation include prohibiting the VA from collecting copayments from veterans who are catastrophically disabled; creating a pilot program to provide specified dental services to veterans, survivors, and dependents of veterans through a dental insurer; providing hospital care, medical services, and nursing home care for certain Vietnam-era veterans exposed to herbicide and Gulf-War era veterans who have insufficient medical evidence to establish a service-connected disability; and expanding the organizations offering transitional housing and other support for homeless veterans that can receive grants or per diems from the VA, which is particularly important to veterans in rural areas.

Mr. Speaker, I urge my colleagues to join me in supporting this legislation and for the Senate to swiftly act so that this legislation can become law and our veterans can begin to benefit from the important programs this comprehensive bill implements.

IN HONOR OF THOMAS S. HIGGINS' 75TH BIRTHDAY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. ANDREWS. Madam Speaker, I rise today to honor the 75th birthday of Thomas S. Higgins. Mr. Higgins has lived a life of compassion and dedication towards his family and his community and for this he deserves great praise.

Mr. Higgins was born in Camden, New Jersey on April 23, 1935. He earned his Bachelor of Science degree in political science from St. Joseph's University before earning his Juris Doctorate at Villanova Law School. After graduating, Mr. Higgins and his partners founded a successful practice in Laurel Springs, New Jersey. During his forty-year tenure as an attorney, he specialized in environmental law, serving as counsel to the Camden County Municipal Utilities Authority and the Cape May Municipal Utilities Authority. Mr. Higgins represented both governmental and personal clients with the utmost vigor and integrity.

Mr. Higgins has also served as chairman of the Health Care Facilities Finance Authority. In this role, he helped obtain financing for the construction, expansion and renovation of hospitals and other health care facilities throughout the state of New Jersey. Additionally, he has served as a Camden County Freeholder, as a chief fundraiser for the Camden County Democratic Committee and as a member of the Finance team for the campaigns of New Jersey Governor Jim Florio in 1989 and 1993. Among his most rewarding moments was preparing the background information for the successful nomination of Governor Florio for the 1993 John F. Kennedy Profiles in Courage Award.

All who know Mr. Higgins know his love of law and politics is exceeded only by his love for his wife, Kathy, his partner and teammate for 27 years. Until her passing in 2006, the two were inseparable and together were an inspirational story of love and dedication. A devoted family man, Mr. Higgins' takes great pride in the successes and achievements of his seven children, and in the blissful faces of his twelve grandchildren.

Madam Speaker, Thomas S. Higgins's contributions to his field and the state of New Jersey, and his commitment to his family should not go unrecognized. I am honored to be a part of his special day, and I would like to personally wish him a Happy 75th Birthday.

CELEBRATING THE 25TH ANNIVERSARY OF THE MONTGOMERY COUNTY SENIOR GAMES AND EXPO

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. SCHWARTZ. Madam Speaker, I rise today to honor and congratulate the Montgomery County Senior Games & Expo on the occasion of this organization's milestone 25th Anniversary. The Montgomery County Senior Games & Expo will be held at Montgomery County Community College from May 10 through 14, 2010.

The Montgomery County Senior Games & Expo originated in 1985 through the efforts of Montgomery County's state legislative delegation. Through the continued support and tireless work of talented volunteers, the Montgomery County Senior Games & Expo has been successful in ensuring that this annual event combining healthy exercise and community spirit has continued. The Games & Expo is comprised of weeklong competitive events for Montgomery County senior adults and culminates with an Expo featuring health screenings and various exhibits with services and products to benefit the lifestyles of senior citizens. This event gives seniors the opportunity to not only gain information about their health resources, but to come together in the spirit of community to engage in sports and recreation. I am proud to represent the volunteers who work so hard to organize this outstanding event, as well as the participants who take advantage of such a wonderful experience.

Madam Speaker, I ask that my colleagues join me in celebrating the Montgomery County Senior Games & Expo's 25th anniversary and in wishing the volunteers, participants, and community many more years of health and fellowship.

HONORING ISRAELI INDEPENDENCE DAY

SPEECH OF

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. HINCHEY. Madam Speaker, I rise today to honor and celebrate the State of Israel on the occasion of its 62nd anniversary. For 62 years, the United States and the modern State of Israel have shared a deep friendship and strong bonds of cooperation. Since the establishment of our ally in May 1948, the United States and Israel have been united by their strong ties and mutual democratic values.

This week, we pay tribute to the tremendous accomplishments of the State of Israel, which has developed a prosperous, educated, and vibrant nation since its establishment 62 years ago. During that time, the United States has stood in vigorous support of Israel's right to to exist and will continue to do so in the future. As a democracy, Israel's people enjoy freedom of speech and religion, an open political system, an independent judiciary and many other practices. Israel's colleges and universities are highly respected, which strengthens the Israeli economy and allows the country to be a leader in research and innovation.

I am also pleased to celebrate the ties between the American and Israeli people and the rich history of the American Jewish community. For hundreds of years, the United States has benefited from Jewish contributions to American culture. As a nation of immigrants, the United States is better and stronger because Jewish people from all over the world have chosen to become American citizens. When the first Jewish settlers came to this land, they sought a place of promise where they could practice their faith in freedom and live in liberty. American Jews have strengthened our country and helped shape our way of life. By recognizing those contributions to the the fabric of American life, we promote awareness and understanding.

Israel is an integral and essential partner and I look forward to opportunities to continue and enhance the strong bonds between our nations. As a defender of the inherent rights of all people and nations, I am proud to commemorate the 62nd anniversary of the establishment of the State of Israel.

PERSONAL EXPLANATION

HON. CHARLES W. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. DENT. Madam Speaker, I regret that due to other legislative business, I missed the last vote on April 22, 2010. Had I been present I would have voted "aye" on rollcall No. 220, H. Res. 1270, Expressing support for Mathematics Awareness Month.

RECOGNIZING WORLD MALARIA DAY 2010

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. McDERMOTT. Madam Speaker, I rise today in support of 2010 World Malaria Day, an issue of great importance to me. I witnessed the widespread devastation malaria can cause both times I lived in Africa, first in Ghana with a program called Operation Crossroads and then when I worked in Zaire (now the Democratic Republic of Congo) as a Foreign Service Medical Officer. While the disease affects people in every corner of the globe, it is particularly destructive to sub-Saharan Africa. There are 250 million malaria cases worldwide and nearly one million deaths are caused by malaria every year, ninety percent of which occur in sub-Saharan Africa. About 3.3 billion people—about one-half of the world's population—are at risk of contracting the disease. It is important to recognize the

damage that this disease afflicts on the generation of the future: seventy percent of the deaths caused by malaria happen to children under the age of five, and one in every five childhood deaths in Africa is due to malaria.

Though the statistics are staggering, it is important to recognize the progress that we've made in treating the disease. We are farther along than ever in developing a successful vaccine to combat malaria and more and more people have access to anti-malarial drugs. And because of an increased focus on outreach, people are being educated about the importance of taking preventive steps like utilizing netting to prevent mosquito bites which spread the disease.

Yet with all of the progress, we must continue to press forward with attempts to develop new tools and technologies to combat the spread of malaria. With the work and dedication of many nongovernmental organizations, including PATH, a nongovernmental organization located in my district that is leading the way in developing global health technology, I am confident that we will have made even greater progress when we observe World Malaria Day next year.

CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT

SPEECH OF

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mrs. CAPPS. Mr. Speaker, it is with great pride that I rise today to express my support for the Caregivers and Veterans Omnibus Health Services Act (S. 1963). This important piece of legislation is a tremendous step forward for our nation's bravest men and women, and the dedicated caregivers who support them.

This landmark legislation will strengthen health care services for our nation's veterans by expanding services for women veterans, providing resources to caregivers of wounded veterans, improving health care for veterans living in rural areas, providing greater access to mental health services, and expanding assistance to homeless veterans. Importantly, the legislation has received strong endorsements from numerous veterans groups, including the VFW, American Legion, Disabled American Veterans, AMVETS, the Wounded Warrior Project, and Paralyzed Veterans of America.

Among its many critical provisions, I am particularly proud of the expansion of VA services offered to the 1.8 million women who have courageously served their country, including child care for women receiving intensive mental and physical health care services, and post-delivery health care for newborns. In addition, the expansion of mental health benefits, greater support for caregivers, and help for homeless vets will improve the lives of millions of brave men and women and their families.

This important legislation exemplifies the Democrat-led 111th Congress' unwavering commitment to our veterans and their families. Tremendous advances in battlefield medicine have increased the survival rate of wounded soldiers in Iraq and Afghanistan and made it even more important that we constantly work to improve veterans' health care and its many support services.

As a nurse, I've seen first-hand the devastating consequences of inadequate health care for our nation's veterans. America has a sacred obligation to ensure these brave men and women receive the highest quality care and today that commitment extends to those dedicated individuals who care for our wounded warriors.

IN RECOGNITION OF AMERICAN OSTEOPATHIC ASSOCIATION (AOA)

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. PRICE of Georgia. Madam Speaker, on April 19, 1897 a group of osteopathic medical students at the American School of Osteopathy in Kirksville, Missouri founded what is today the American Osteopathic Association. Today I along with Dr. BROUN, Dr. BURGESS, Dr. CASSIDY, Dr. FLEMING, Dr. GINGREY, Dr. KAGEN, Dr. PAUL, and Dr. ROE, rise to honor the anniversary of the American Osteopathic Association and recognize the more than 67,000 osteopathic physicians (D.O.s) for their contributions to the American healthcare system.

Over the past 113 years, osteopathic physicians have provided high quality care to millions of patients and contributed to the advancement of medical science. The osteopathic profession's commitment to primary care and caring for underserved communities are commendable and are essential to the success of our health care system.

Over the past 20 years the profession has experienced tremendous growth. Today, one out of every five medical schools students are enrolled in a college of osteopathic medicine and total enrollment in the nation's colleges of osteopathic medicine exceeds 16,000 students. The profession is well positioned to play an important role in alleviating the physician workforce shortage over the next decade.

Osteopathic physicians practice in every specialty and subspecialty of medicine. They practice in the most elite academic institutions and successful group practices. However, a majority of osteopathic physicians continue the profession's long-standing tradition by focusing their careers on primary care specialties, general surgery, emergency medicine, and obstetrics.

These dedicated professionals provide an invaluable service to our nation, and we applaud their history and their ongoing efforts to improve the health of our nation.

HONORING MARGARET ''MIDGE'' COSTANZA

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mrs. DAVIS of California. Madam Speaker, I rise today to celebrate the life of Margaret ''Midge'' Costanza, a personal friend of mine, a mentor to women in politics across our country, and a naturally charismatic and colorful American treasure. Midge was outspoken and altruistic, passionate, witty and direct. You always knew where you stood with Midge and, whether you agreed with her or not, you valued her perspective and enjoyed being around her.

During her more than fifty years of public service and civic activism, Midge did more than break down barriers. She established new patterns. History records her accomplishments as a series of firsts. She was the first woman elected to the Rochester City Council. She was the first woman with an office in the West Wing of the White House. She was one of the first women in politics to grace the cover of Newsweek. But being first wasn't what defined Midge; it was what she did once there that marked her legacy.

When President Carter gave her an office in the West Wing, Midge used it to be a ''window to the nation.'' She brought constituencies into the White House that had never been there before. She met with gay and lesbian leaders, the poor, and the disabled. She was particularly active in fighting for women's equality, advocating for issues including the passage of the Equal Rights Amendment and the protection of women's reproductive rights.

Midge championed women in politics, supporting female candidates at all levels and working to appoint more women to high office. When she worked in the White House, there were only eighteen women in the House of Representatives and two in the Senate. Today, seventy-six women serve in the House and seventeen serve in the Senate. As a prime example of her dry wit Midge once remarked on this subject, ''When we start electing and appointing mediocre women—then, and only then, we will achieve total equality with men.''

I attended some of the numerous trainings Midge conducted for women candidates of both parties. She coached us in the art of public speaking. She was a wonderful teacher who helped women develop confidence in their abilities. But she was more than a public speaker; she was a storyteller. She could captivate an audience with a story of her time in the Carter Administration, boasting that Mikhail Baryshnikov flirtatiously asked her to dance at a White House event, or she would show a photo of herself playfully sparring with Muhammad Ali.

Midge's gift for speaking was her ability to move her listeners. She could make an audience feel as strongly as she did about an issue, and charm them with the force of her convictions and the forcefulness of her words. And she could instantly move an audience from heartfelt passion to unbridled laughter.

I learned a great deal from Midge, and I was proud to have her as my guest at President Obama's inauguration. Part of her legacy is the fact that today, it is not just women working in the West Wing who make the cover of Newsweek, but women running for President who do as well.

Midge was fond of hearing people say to her, ''You've come a long way, baby.'' She would coyly reply, ''Gosh, have I come a long way. And I love being called baby.'' Because of Midge, our political system has come a long way, as well. Many of us in office today owe a debt of gratitude to Midge Costanza, our mentor and friend, because she was willing to go first.

COMMENDING COMCAST MIAMI ON COMCAST CARES DAY 2010

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. LINCOLN DIAZ-BALART of Florida. Madam Speaker, I rise to honor Comcast Cares Day, an annual day of service that is one of the largest single-day volunteer efforts in the country. Comcast is an active and engaged member of the Miami-Dade community and supports its well-being through annual volunteer activities.

This year's event will be the ninth annual company-wide day of service. Since 2001, Comcast employees have given more than 500,000 hours of service to more than 725 non-profit community partners across the country. In recognition of the efforts of their employees, The Comcast Foundation has also contributed $8 million to its community partners in support of their year-round work in our communities.

Comcast Miami has announced the Edgar J. Hall Special Populations Center as the recipient of Comcast Cares Day 2010. Edgar J. Hall Special Population Center is part of the City of Hialeah's Recreation and Community Services Department, which provides recreational programs for adults with disabilities, particularly the developmentally disabled. It is home to the largest Special Olympics delegation in Miami-Dade County.

On April 24th more than 600 employees and their families will start Comcast Cares Day at Bucky Dent Park in the City of Hialeah. Projects include the planting of a food garden, a grounds and building make-over, and new upgrades which will increase accessibility for the disabled.

I wish to recognize Comcast and their employees for their dedication to serving the community, and I congratulate the Edgar J. Hall Special Population Center and the City of Hialeah for being this year's beneficiary of Comcast Cares Day.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor the legislative week of Tuesday, April 13, 2010.

For Tuesday, April 13, 2010, had I been present I would have voted ''aye'' on rollcall vote No. 196 (on motion to suspend the rules and agree to H. Res. 1222), ''aye'' on rollcall vote No. 197 (on motion to suspend the rules and agree to H. Res. 1041), ''aye'' on rollcall vote No. 198 (on motion to suspend the rules and agree to H. Res. 1042).

For Wednesday, April 14, 2010, had I been present I would have voted ''aye'' on rollcall vote No. 199 (on motion to suspend the rules and agree to H. Res. 1236), ''aye'' on rollcall vote No. 200 (on motion to suspend the rules and agree to H.R. 4994), ''aye'' on rollcall vote No. 201 (on motion to suspend the rules and agree to H.R. 3125), ''no'' on rollcall vote No. 202 (on motion to suspend the rules and agree to H. Res. 1249), ''aye'' on rollcall vote No. 203 (on motion to suspend the rules and agree to H. Res. 1246).

For Thursday, April 15, 2010, had I been present I would have voted ''no'' on rollcall vote No. 204 (on agreeing to H. Res. 1248, which provides for consideration of H.R. 4715), ''aye'' on rollcall vote No. 205 (on motion to suspend the rules and agree to H. Res. 1062), ''aye'' on rollcall vote No. 206 (on motion to refer H. Res. 1255, raising a question of the privileges of the House), ''no'' on rollcall vote No. 207 (on Shea-Porter amendment to H.R. 4715), ''aye'' on rollcall vote No. 208 (on motion to recommit H.R. 4715 with instructions), ''no'' on rollcall vote No. 209 (on passage of H.R. 4715), ''aye'' on rollcall vote No. 210 (on motion to suspend the rules and agree to H. Res. 1242), ''no'' on rollcall vote No. 211 (On motion to concur in the Senate amendment to H.R. 4851, the Continuing Extension Act).

HONORING ARTHUR E. KATZ

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. PRICE of Georgia. Madam Speaker, I rise today to honor Mr. Arthur E. Katz, a 1963 graduate of the United States Coast Guard Academy and a longtime resident of Sandy Springs, Georgia. As I'll explain in a moment, tomorrow, April 23, 2010, is a very special day for Arthur. But first, allow me to tell you a bit more about this man who has lived a quintessentially American life.

After his graduation from the Academy, Arthur Katz served with distinction in the United States Coast Guard, eventually rising to the rank of Lieutenant, Junior Grade. In 1965 and 1966, he was stationed in Vietnam as the Commanding Officer of the USCGC Point Cypress. While some here today may not know it, the duties of the Coast Guard often take its men and women far from American shores.

For his leadership at the helm of the Point Cypress, Arthur received the Bronze Star, one of our nation's highest military honors. Arthur's Bronze Star was accompanied by the Combat Distinguishing Device in particular recognition of his masterful handling of the Point Cypress in a vicious firefight with several Viet Cong junks in June of 1966. His quick thinking and well executed strategy led to the destruction or disabling of all enemy craft in that action without a single American casualty.

Arthur later returned to civilian life, earning an MBA from Rutgers University and running his own small business. He has volunteered countless hours for the local community over the years, including his time on the Board of the Marcus Jewish Community Center of Atlanta and as the President of Emanu-El synagogue in Sandy Springs. Today, he and his wife of forty-six years are the proud forebears of three children and seven grandchildren.

And tomorrow, on April 23, 2010, Arthur will be inducted into the Wall of Gallantry at the United States Coast Guard Academy. According to the Academy's own description, the Wall of Gallantry provides ''a regular reminder to Cadets and the public of the scope of responsibilities and sacrifice demanded of Coast Guard officers throughout history.''

So even as he is recognized for his distinguished service in the Coast Guard, Arthur Katz will continue to serve as an inspiration to future generations of Coast Guard officers. This is a fitting and much deserved honor for a man to whom we all owe an enormous debt of gratitude that can never be fully repaid.

Arthur Katz has exemplified the American spirit in service to his country, his community, his family, and his faith. Such a life carries an honor all its own, and it is my distinct privilege to recognize him here today.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.''

To ensure that the blessing of freedom is passed from one generation to the next, the members of the CYAC spent time interviewing a veteran and documenting the experience for the ''Preserving History Project.'' Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

American history, a resonant prize of the past, is a call to duty for the future. The leaders who established freedom in America have been succeeded by equally adroit and faithful men and women. One such individual is the retired Colonel Bill Knudsen, who served in the Air Force for 23 years, spanning the Vietnam and the Cold Wars. The recipient of six Air Medals, Mr. Knudsen flew along Vietcong trails to monitor sensors, directed flights in Thailand, and spent three

years in Alaska as an Intelligence Officer. Mr. Knudsen's family and military background reveals three paramount principles: the contribution of leaders, the cost of freedom, and the duty of citizens. Mr. Knudsen reflects the devotion of leaders—ordinary individuals with humble and selfless attitudes. As the benefactors of the gift of freedom, it is our duty to responsibly elect dependable leaders and to encourage military men and women. Because of dauntless leaders, Americans are blessed with the unparalleled gift of freedom. With the rich history of our nation and the devoted leaders of our generation, we hold great expectations for the continuance of duty, the cultivation of wisdom, and the conservation of our freedom.—Michelle Kim

HONORING ROBERT SELBY

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to posthumously commend and congratulate Robert Selby upon being awarded with the ''Lifetime Achievement Award'' by the Veterans of Foreign Wars, Post 9896. Mr. Selby was honored on Saturday, January 30, 2010 in Chowchilla, California.

Mr. Robert Selby was born in June 1936 in Sparta, Tennessee. In 1961, Mr. Selby enlisted in the United States Air Force. He was sent to Lackland Air Force Base, Texas for his basic training. He then completed training as a Jet Mechanic and Flight Engineer.

While fighting in Vietnam, Mr. Selby served with special Air Force units flying out of Nha Trang, Vietnam on covert missions into Laos and North Vietnam. His tour consisted of flying on many secret missions deep into enemy territory, inserting agents and hampering North Vietnamese communications in advance of U.S. bombing raids. During one particularly challenging mission on an HC–130, the aircraft was forced to fly low through heavy weather and mountainous terrain to drop supplies to combat forces. For his performance during this particular mission, Mr. Selby was awarded the Distinguished Flying Cross.

Upon returning to the United States after the war ended, Mr. Selby completed the Non-Commissioned Officers' Academy. Later, he completed the Command Staff Non-Commissioned Officers' Academy and Air Force Special Operations. Throughout his military career Mr. Selby completed many advanced training courses including, cross-training with the United States Army infantry units and the M–24 Tank, Advanced Flying Course in Turbo Propulsion, the Combat Talon, the Air Force Supervisor's Management Course, and the United States Air Force Trainer-Supervisor Course. He served on many aircraft, including the B–66 and the C–130, units and bases. He served with the 60th Military Air Wing, 8th Special Operations Service, 778th TAS, 42nd TRS and 10th TRW.

In October 1968, while serving with a C–130 squadron in Bermuda providing search and rescue missions, Mr. Selby was involved with the successful NASA Apollo 7 mission. Apollo 7 was launched and was the first manned mission. For eleven days, while the spacecraft orbited earth, Mr. Selby and squadron mates were available to assist if necessary.

Master Sergeant Selby retired from the Air Force in June 1981. For his service, Mr. Selby was awarded the Distinguished Flying Cross, the Air Medal with four oak leaf clusters, the Meritorious Service Medal, the Air Force Commendation Medal, the Good Conduct Medal with four oak leaf clusters, Non-commissioned Officer Professional Military Education Ribbon, the National Defense Service Medal, the Vietnam Service Medal with three bronze stars, the Republic of Vietnam Unit Cross of Gallantry with palm and device and the Republic of Vietnam Campaign Medal.

Upon retirement, Mr. Selby worked for the Chowchilla Water District, and later, as a hydro-power operator. He was a Life Member of the Chowchilla Veterans of Foreign Wars Post 9896, American Legion Post 248, the Disabled American Veterans, a member of the Chowchilla Masonic Lodge and the Civil Air Patrol. He served several terms as commander of the Chowchilla American Legion and VFW. He was an advocate of veterans' affairs and volunteered his time to take veterans to appointments in Fresno and Madera.

Mr. Selby passed away in the beginning of 2010. He is survived by his wife of fifty years, Shirley, two sons and three grandchildren.

Madam Speaker, I rise today to posthumously honor the life of Robert Selby and congratulate him upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896.

IN RECOGNITION OF THE OAKLAND COUNTY HOSPITAL ASSOCIATION'S 100TH ANNIVERSARY OF SERVICE TO THE RESIDENTS OF OAKLAND COUNTY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize the Oakland County Hospital Association (OCHA) on the occasion of its 100th year. As a Member of Congress it is both my privilege and honor to recognize the Oakland County Hospital Association for its century of work creating a stronger and healthier Oakland County.

At the beginning of the 20th Century the Oakland County Hospital Association was formed with the mission of meeting the health needs of all of Oakland County's residents. After nine years of planning, fundraising, and construction the Association opened Oakland County Hospital in Pontiac on May 18, 1910 to fulfill this mission. Over 100 years after it was founded, Oakland County Hospital, now Doctors' Hospital of Michigan, remains dedicated to providing quality care to its patients.

Known by many names over the years, Oakland County Hospital, Pontiac City Hospital, Pontiac General, North Oakland Medical Center and finally Doctors' Hospital, the facility has been an ever-present part of the greater Pontiac Oakland area as a symbol of community-focused medical treatment. With Doctors' Hospital continuing to serve patients at the original location of Oakland County Hospital, the mission of OCHA will continue to be fulfilled for many years to come.

Madam Speaker, I ask my colleagues to join me today in celebrating the 100th anniversary of the Oakland County Medical Association. The Association has been an integral voice over the past century in ensuring Oakland County residents have access to high quality health services and I wish the Association many more productive years of fighting to make Oakland County healthier and stronger.

H.R. 1132—THE SHORT LINE RAILROAD TAX CREDIT

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. EHLERS. Madam Speaker, I rise to urge the House to take up and pass H.R. 1132, which would extend the short line railroad tax credit as soon as possible. This credit creates immediate jobs, leverages significant amounts of private infrastructure investment and helps preserve much needed rail service to rural and small town America.

This credit has produced significant results since its enactment in 2004. Unfortunately the credit expired at the end of 2009. Nationally there are over 500 short line railroads operating 50,000 miles or nearly one quarter of the country's rail network. In my own state of Michigan, short lines operate 52 percent of the states total rail network and almost all of that is in areas no longer served by the large Class I railroads. The majority of Michigan's agricultural products that move by rail move by short line rail.

Today's short lines are small businesses that saved the track the large national railroads would otherwise have abandoned. This tax credit has played a critical role in helping preserve this valuable transportation infrastructure. If we do not extend it soon, the 2010 work season will be lost and with it we will lose a very cost efficient way to create jobs and rehabilitate our rail infrastructure.

Currently, H.R. 1132 is co-sponsored by a bi-partisan majority of the House, 259 Members. Surely with that kind of support we can find a way to enact this legislation before it is too late to enjoy its benefits in 2010, a year in which Michigan desperately needs new jobs.

COMMEMORATING THE 95TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. WAXMAN. Madam Speaker, this week, we solemnly commemorate the 95th Anniversary of the beginning of the Armenian Genocide.

From 1915 to 1923, the Ottoman Government sought to destroy Armenian communities through a systematic campaign of terror. Men were separated from their families and murdered; women and children were forced to march across the Syrian Desert, and killed if they lagged behind. At the time, the United States took bold diplomatic, political, and humanitarian action to end the bloodshed and protect the survivors. Ninety-five years later, we must continue to take pride in our efforts and reaffirm our commitment to ending genocide and defending human rights for all.

Sadly, there still remain those who aggressively deny or raise doubt about this chapter of history. The Republic of Turkey threatens severe diplomatic consequences to nations that officially recognize the genocide, and current Turkish law deems discussion of the genocide to be a criminal offense. Moreover, as a part of negotiations to end its seventeen-year blockade of the modern nation of Armenia, Turkey has insisted on the establishment of a new historical commission to study the events of 1915 to 1923, as if abundant scholarly evidence of genocide did not already exist.

If we are to prevent future atrocities, we must not be afraid to speak out about those that have taken place in the past. I am proud to have cosponsored H. Res. 252, which passed the House Foreign Affairs Committee on March 4, 2010. The resolution calls upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity of the United States record relating to the Armenian Genocide. That vote—as well as today's somber tribute—reflects our determination to honor the memory of the genocide's victims and leads us to vow, once more, that genocide will never go unnoticed, unmentioned, or unmourned.

HONORING HELEN THOMPSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. GRAVES. Madam Speaker, I rise today to honor Commander Helen Thompson on the occasion of her retirement from the United States Navy. Commander Thompson has bravely and selflessly served our country for over 25 years, and for her service our nation is forever grateful.

Commander Thompson enlisted in the U.S. Navy in 1978 following graduation from high school. One of her first assignments was on the USS *L Y Spear* where she was among the first group of women to serve in the gray ship Navy. While with the ship company she supported the operation in the Middle East during the Iranian Hostage Situation in 1980.

After five years of active duty service, Commander Thompson joined the Naval Reserve and pursued her education. Commander Thompson graduated from Winona State University in 1989 and subsequently received a commission in the Medical Service Corps. Commander Thompson furthered her education by earning a graduate degree in Information Technology Management from the Naval Postgraduate School and earned a certificate degree in the Department of Defense Chief Information Office Certification Program from the National Defense University. Her countless honors and awards include four Navy Commendation Medals, the Navy Achievement Medal, and the Global War on Terrorism Expeditionary Medal.

In addition to protecting our nation's freedoms, Commander Thompson is a wife, mother and grandmother. I know her husband, Leslie Thompson, her children, David, Leslie Rae and Barbara, and her two grandchildren David Cole II and Haileigh, are proud of her service. Further, Commander Thompson's family continues the proud tradition of service to their country via her son, David Thompson, who is currently serving in Korea with the U.S. Army.

In closing, I respectfully urge my colleagues to join me in saluting Commander Thompson for her distinguished service and outstanding commitment to our country.

IN HONOR OF ARTHUR H. ROSENFELD'S OUTSTANDING CAREER OF PUBLIC SERVICE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. GEORGE MILLER of California. Madam Speaker, I rose on February 3rd to pay tribute to Arthur H. Rosenfeld for his lifetime of service and leadership on energy conservation, on behalf of myself and the following members: Representatives HENRY WAXMAN, LOIS CAPPS, GRACE NAPOLITANO, LAURA RICHARDSON, LUCILLE ROYBAL-ALLARD, JACKIE SPEIER, JANE HARMAN, DORIS MATSUI, BRAD SHERMAN, HOWARD BERMAN, JOHN GARAMENDI, MICHAEL M. HONDA, BOB FILNER, and ZOE LOFGREN. I would like to submit for the RECORD a letter sent by members of the California congressional delegation to Mr. Rosenfeld on the occasion of his retirement as a member of the California Energy Commission.

Dear Art:

Please accept our good wishes on your retirement as a member of the California Energy Commission.

For over half a century, you have led the energy efficiency movement in California and nationally. As a result of your inspiration and innovative leadership, offices and homes throughout California, and the appliances our residents purchase, are more energy efficient than ever before.

Californians today use no more energy than they did three decades ago. New energy efficiency mandates you have sponsored are expected to deliver energy dividends of $8 billion or more over the next decade.

As you have often said, ''the cheapest energy is what you don't use.'' California's economy is more productive and efficient, our air is cleaner, and our energy industries and research centers are more dynamic because of your work.

You have changed the thinking of industry and government, and changed the habits of Californians from all walks of life in terms of how we think about and use energy on a daily basis.

These are exceptional achievements, and they are a lasting legacy of an exemplary career in public service. Your work has dramatically improved our public policy—not only in California but across the nation.

Accordingly, as members of the California Congressional delegation, we want to take public note of your work, to thank you for your unstinting public service, and to express our appreciation for all you have done to benefit our State, to promote America's energy security, and to shine a light that will help lead the way to a clean energy future for our country in the 21st century.

HONORING ISRAELI INDEPENDENCE DAY

SPEECH OF

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. GERLACH. Mr. Speaker, I rise today to honor the citizens of Israel and all Jewish-Americans as they celebrate Israel's 62nd Independence Day.

Israel and its citizens have demonstrated tremendous resilience in the face of constant threats to their personal and national security. The United States has no stronger ally in the Middle East than Israel. The special relationship between the U.S. and Israel is rooted in our common commitment to democratic values and shared vision of establishing and maintaining a lasting peace in the region.

Israel's Independence Day should serve as an occasion to renew our commitment to the long-term security of our cherished ally and reaffirm that a strong Israel is vital to our national interest and the stability of the Middle East.

Daniel Kutner, Consul General of Israel to the Mid-Atlantic Region of the United States, will welcome supporters of Israel to the annual Independence Day Ceremony on April 26, 2010 at the Museum of Archeology and Anthropology in Philadelphia, Pennsylvania.

Mr. Speaker, I ask that my colleagues join me today in recognizing the citizens of Israel and all Jewish-Americans as they commemorate this extremely special milestone and expressing unwavering support for the security and stability of this shining beacon of democracy in a turbulent Middle East.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.''

To ensure that the blessing of freedom is passed from one generation to the next, the

members of the CYAC spent time interviewing a veteran and documenting the experience for the "Preserving History Project." Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

Horace Easton Bradford is a Texas veteran who fought in World War Two. He joined the military right out of high school in 1941 because he believed it was the right and patriotic choice. During his military career, Mr. Bradford obtained the rank of Staff Sergeant and fought in Northern Africa and Europe in WWII. His job was to maintain and oversee airplane maintenance and service. Planes had to be in the best condition before they could fly out and perform missions and assignments. Although it was hard work, Staff Sergeant Bradford was able to explore a totally different area of the world while serving the country he loved.

Discovering Horace Bradford's experiences in combat in a major world war was truly a life changing experience for me. Reading history in textbooks is nothing compared to an individual's personal encounter with history. I was able to use my background knowledge in U.S. history to understand his experiences in WWII. I could feel his compassion and his dedication to the Army. His service in wartime helped reinforce my appreciation to all servicemen who have fought in world conflicts.—Richard Hung

INTRODUCTION OF EARMARK REFORM RESOLUTION

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. GOODLATTE. Madam Speaker, I rise to introduce a Resolution that expresses the will of Congress to save taxpayer money and reduce the deficit.

Madam Speaker, Thomas Jefferson once wrote: "To preserve [the] independence [of the people,] we must not let our rulers load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude."

As my colleagues may know, according to the Congressional Budget Office, the federal deficit is $655 billion through the first five months of FY 2010. This is $65 billion or 11.0% above the deficit through the first five months of FY 2009—which ended up with the highest deficit in U.S. history ($1.4 trillion).

In these challenging economic times it is even more important for government to control spending. Congress must control spending, paving the way for a return to surpluses and ultimately paying down the national debt, rather than allow big spenders to lead us further down the road of chronic deficits and in doing so leave our children and grandchildren saddled with debt that is not their own.

Unfortunately, the federal budget deficit is projected to exceed $1 trillion for the next two fiscal years and hover around $800 billion annually for the foreseeable future. These current levels of spending are simply unsustainable.

That is why I am proud that the Republican Conference recently adopted a party rule that instills a year-long moratorium on Members obtaining "earmarks" in the FY2011 appropriations process. The earmark process is broken and is in desperate need of reform.

While I am pleased that the Republican Conference has adopted a one-year earmark moratorium, the simple fact is that our policy will not save the taxpayers a dime unless Democrats reduce spending by the amount saved by the Republican moratorium. Otherwise, they will be able to just spend the money saved by the Republican earmark ban on their own Democratic earmarks.

Madam Speaker, the American people want earmark reform because they want to rein in out-of-control spending. In order to actually help achieve this goal, I am introducing this resolution today with virtually all of my Republican colleagues. Specifically, our resolution:

"Expresses the sense of Congress that House Democrats should join House Republicans in a total ban on earmarks for one year, that total discretionary spending should be reduced by the amount saved by earmark moratoriums and that a bipartisan, bicameral committee should be created to review and overhaul the budgetary, spending and earmark processes."

I hope that all Members of the House will join House Republicans in supporting this resolution and thus commit ourselves to the will of the American people to eliminate every cent of waste and squeeze every cent of value out of each hard-earned taxpayer dollar.

PERSONAL EXPLANATION

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. COHEN. Madam Speaker, I was detained from voting after attending the funeral of Dr. Benjamin L. Hooks on Wednesday, April 21, 2010. If present, I would have voted "yea" on the following rollcall votes: rollcall 214; rollcall 215; rollcall 216.

CONGRATULATING STEPHANIE CALDERON, LAUREN GRYCZEWSKI, SOFIA RAMOS AND SARA SEWERYN ON RECEIVING THE GOLDEN APPLE SCHOLAR AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. LIPINSKI. Madam Speaker, I rise today to congratulate Illinois students Stephanie Calderon of Reavis High School in Burbank, Lauren Gryczewski of Shepard High School in Palos Heights, Sofia Ramos of Mother McAuley High School in Chicago, and Sara Seweryn of the Queen of Peace High School in Burbank. These four young leaders are among 105 Illinois students selected from 2,125 nominations as 2010 Golden Apple Scholars.

The Golden Apple Scholars program recognizes Illinois high school seniors dedicated to the profession of teaching. The Golden Apple Scholars program is run by the Golden Apple Foundation, which promotes excellence in teaching through a vast array of support programs for current teachers and by training students to enter the teaching profession. Those selected as Golden Apple Scholars receive a $15,000 college scholarship, as well as valuable, hands-on professional summer training. In return Golden Apple Scholars commit to working for five years in high-need Illinois schools.

Thanks to this award, these four students will be able to bring their energy, enthusiasm, and knowledge to classrooms across Illinois that are in desperate need of highly qualified teachers. It is an honor to represent students whose own continued education will become a foundation for the education of others.

As a former educator, I understand the hard work and dedication it takes to succeed in such a demanding, important profession. I ask you to join me in honoring these four future teachers for their outstanding commitment to their community and state, and in recognition of their designation as 2010 Golden Apple Scholars.

HONORING JOHN LAWSON

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate John Lawson upon being awarded with the "Lifetime Achievement Award" by the Veterans of Foreign Wars, Post 9896. Mr. Lawson was honored on Saturday, January 30, 2010 in Chowchilla, California.

Mr. John Lawson was born and raised in Los Angeles, California where he graduated from Bell High School. After high school, Mr. Lawson enlisted in the United States Army in 1967 and was sent to Fort Campbell, Kentucky for basic training. Upon completion of basic training, he was assigned a military occupational specialty in the Army Signal Corps.

In November 1967, Mr. Lawson was ordered to Vietnam and was assigned to the 459th Signal Battalion; the same unit that served in Europe at Normandy, North France and Central Europe. Upon returning from Europe after World War II, the battalion was deactivated at Camp Pinedale, near Fresno, California. The 459th Signal Battalion was reactivated in 1962 and made part of the Sixth Army. In 1966, the battalion landed in Vietnam as part of the 21st Signal Group, First Signal Brigade.

While with the 459th Signal Battalion, Mr. Lawson encountered the TET Offensive that the North Vietnamese unleashed. During this time, he performed duties as a troubleshooter, repairing radio equipment for combat and supporting units in various provinces of Vietnam. The North Vietnamese successfully attacked U.S. forces and bases throughout South Vietnam, disrupting communications. Mr. Lawson

and his fellow soldiers worked tirelessly to keep critical communications intact for the front-line combat units. During convoy between Nha Trang to Tue Hoa and Da Nag to Tue Hoa, Mr. Lawson found himself under mortar attack and rocket fire. For the outstanding achievement and performance of the 459th, the Secretary of the Army awarded the 459th and its soldiers the Army Meritorious Unit Commendation.

Mr. Lawson completed his combat tour in Vietnam shortly after he was promoted to Specialist–4. He returned to the United States and was honorably discharged. For his service, he was awarded the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal with device, the Good Conduct Medal, the Army Meritorious Unit Commendation Ribbon and the Republic of Vietnam Unit Cross of Gallantry with palm and frame.

During his civilian life, Mr. Lawson worked as a truck driver until his retirement. Mr. Lawson is a Life Member of the Chowchilla Veterans of Foreign Wars Post 9896. He has two children and two grandchildren.

Madam Speaker, I rise today to commend and congratulate John Lawson upon being named a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Lawson many years of continued success.

TRIBUTE TO VICE ADMIRAL SIR ALAN MASSEY, KCB, CBE, ADC-ROYAL NAVY

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SKELTON. Madam Speaker, I rise today to honor Vice Admiral Sir Alan Massey, Second Sea Lord of the Royal Navy, on the occasion of his visit to the United States and in anticipation of his impending retirement from active duty following over three decades of service in the Royal Navy.

Throughout a long and distinguished career, Vice Admiral Massey has consistently demonstrated exceptional leadership, stewardship and unwavering commitment to members of the Royal Navy, and for this alone he deserves recognition and admiration. But it is his many years of friendship and cooperation with the Armed Forces of the United States for which I pay tribute to this exceptional naval officer.

Over the course of his career, Vice Admiral Massey has commanded a destroyer, a frigate, and two aircraft carriers. In the wake of the terrorist attacks on the United States on September 11, 2001, as a key ally in Operation Enduring Freedom, he led operations against the Taliban in Afghanistan while in command of HMS ILLUSTRIOUS. Additionally, at the onset of Operation Iraqi Freedom, while commanding HMS ARK ROYAL, Vice Admiral Massey led the successful coalition amphibious assault into southern Iraq as part of Operation TELIC. In recognition of his exceptional performance, he was appointed Commander of the Order of the British Empire on the United Kingdom's Operational Honours List.

Vice Admiral Massey has served in the Ministry of Defence, United Kingdom, on four occasions and has held two appointments on NATO Headquarters staffs. He served as Assistant Chief of the Royal Naval Staff, responsible for representing the maritime case in the Ministry of the Defence, while concurrently planning the Navy's future and coordinating its public communications strategy and outreach activity. In an earlier assignment, Vice Admiral Massey led the Operations division of the United Kingdom's Permanent Joint Headquarters, responsible for the conduct of joint military operations in all current theatres, including Iraq, Afghanistan and the Balkans.

Vice Admiral Massey has a first class Honours degree from the University of Liverpool, and is a graduate of the Royal Naval Staff College and the Royal College of Defence Studies. Selected for promotion to Vice Admiral in July 2008, he was appointed as Second Sea Lord, equivalent to our United States Chief of Naval Personnel, and concurrently serves as Commander-in-Chief, Naval Home Command and Flag Aide-de-Camp to Her Majesty the Queen. During the Queen's Birthday Honours of 2009, Vice Admiral Massey was appointed a Knight Commander of the Order of Bath.

I ask my colleagues on both sides of the aisle to rise with me to thank Vice Admiral Sir Alan Massey for his service to the Royal Navy and for his long and distinguished career in support of the mutual interests of the United Kingdom and the United States. We wish him fair winds and following seas as he closes his military career and assumes his new duties as Chief Executive of the Maritime and Coastguard Agency. We also wish Vice Admiral Massey, his wife Julie and their four children, James, Annabel, Tom and Sally, much success, infinite happiness and good health in the days ahead.

SMALL BUSINESS BILL OF RIGHTS

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. KIRK. Madam Speaker, I rise today to introduce the Small Business Bill of Rights. For the last three years, Congress has hurt small businesses with legislation to increase taxes and government regulation. It is time to show small businesses that we support them by backing one bill that has it all, the Small Business Bill of Rights.

Endorsed by the National Federation of Independent Business (NFIB), this legislation would:

Protect secret ballots in union elections

Lower health costs with lawsuit reforms and interstate competition

Lower energy costs with credits for efficient equipment and hybrids

Permit children to continue business with low/no death tax

Exempt small businesses from capital gains tax for 10 years

Make immigration laws easy to comply with

Create a Patent Office fast lane for small business innovation

Limit federal paperwork through the SBA for small businesses to 200 hours annually

Prevent AMT from taxing the middle class

Reduce deficit to encourage jobs and improve credit

Small businesses cannot afford lobbyists or lawyers to grease the wheels to get government assistance. With more than 1.1 million small businesses in Illinois accounting for 98.4 percent of all employers, now is the time to act.

In the teeth of the Great Recession, Congress must work to protect the heart and soul of our economy by lowering taxes and decreasing the regulatory burden so that small business employers will begin hiring, putting Americans back to work.

Small businesses are disproportionately suffering, accounting for nearly 80 percent of job losses and I urge my colleagues to become a cosponsor of this commonsense legislation.

Let us grow this economy and put people back to work.

HONORING THE CAREER AND ACHIEVEMENTS OF DAVID J. HOLLEY

HON. TIM HOLDEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. HOLDEN. Madam Speaker, I rise today to recognize Dave Holley, a constituent and friend, who, on April 2, 2010, officially retired as General Manager of the Schuylkill County Municipal Authority. Dave began his public career in 1973, working for the Schuylkill County Municipal Authority as the Assistant Manager. Two years later, he was promoted to General Manager and has served in that position for the past 33 years.

Dave's dedication to bettering the communities of Schuylkill County led him to be active in state and national organizations. He served as Past President and Past Regional Director of the Pennsylvania Municipal Authority Association; Vice Chairman of the Water Utility Council of Pennsylvania; and Past Secretary and Treasurer of the Pennsylvania Section of the American Water Works Association.

Socially, Dave is an active member of the community in Pottsville, Pennsylvania. He is current President of the AAA Schuylkill County Motor Club, the Schuylkill County Motor Club Insurance Agency, and the Schuylkill/Pottsville Chapter of the National Football Foundation and College Hall of Fame. He was the former President of the Pottsville Rotary Club and Pottsville Rotary Little League.

His work in the community and professionally has earned Dave the respect and recognition of his friends, neighbors, and colleagues. Numerous associations have honored Dave with awards for his dedicated service to municipal authorities in Pennsylvania and the water supply field. Athletic organizations have recognized him for his dedication to honoring scholar athletes and his citizenship. Dave was even inducted into the Pottsville Area School District's All Sports Hall of Fame.

I would like to congratulate Dave Holley on his retirement after 33 years as General Manager of the Schuylkill County Municipal Authority and thank him for his outstanding citizenship in the community.

HONORING KENNETH LASITER

HON. GEORGE RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. RADANOVICH. Madam Speaker, I rise today to commend and congratulate Kenneth Lasiter upon being awarded with the ''Lifetime Achievement Award'' by the Veterans of Foreign Wars, Post 9896. Mr. Lasiter was honored on Saturday, January 30, 2010 in Chowchilla, California.

Mr. Kenneth Lasiter was born in Merced, California in 1946. He graduated from Chowchilla High School, where he played on two championship football teams. Mr. Lasiter attended Fresno City College for 1 year and in 1966 he enlisted in the United States Army. He completed basic training at Fort Ord, California, where he fired ''expert'' with the M–14 rifle. Mr. Lasiter went to Fort Rucker, Alabama for Aircraft Maintenance School; he completed training with a specialty in helicopter maintenance and repair. He also completed courses in the Code of Conduct and Military Justice.

After completing stateside training, Mr. Lasiter was ordered to Vietnam in March 1967. He joined the 655th Transportation Detachment, 12th Combat Aviation Brigade. The 12th Brigade had deployed to Vietnam in 1965 and consisted of 11,000 personnel and 34 aviation units. The Brigade was based at Long Binh in the III Military Region in Vietnam and was the largest unit of its type to serve in combat.

Mr. Lasiter spent 12 months in Vietnam. During that time he flew combat missions as a door gunner on HU–1B and UH–1D ''Huey'' Helicopters. He was promoted to crew chief and was later selected to act as crew chief for the group commander. During this time there was increased hostility as regular North Vietnamese forces made their way down the Ho Chi Minh Trail through.Laos and Cambodia into South Vietnam. Mr. Lasiter's units flew assault, medical and supply missions to fire bases and in support of ground forces. Mr. Lasiter was part of the cadre that assisted the 1st Air Cavalry when it deployed from the states to Bien Hoa, Vietnam.

Upon completing his 12-month tour in Vietnam, Mr. Lasiter returned to the United States. While on leave he married Carolyn. The newlyweds flew to Germany, where Mr. Lasiter assumed duties at the Wirtheim Army Airfield and was the acting crew chief with CH–23 units.

Specialist 5 Lasiter was released from active duty in September 1969. For his service, Mr. Lasiter was awarded the Army Commendation Medal, the Air Medal with seven oak leaf clusters, the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal with device, the Aircraft Crewman Badge and Expert Rifle and Sharpshooter Badges.

Upon returning to civilian life, Mr. and Mrs. Lasiter made their home in Chowchilla, California. Mr. Lasiter attended Merced College. He then started a lifelong career in farming. Mr. Lasiter is a Life Member of Chowchilla Veterans of Foreign Wars Post 9896 and is a member of the Cornerstone Community Church. Mr. and Mrs. Lasiter continue to live in Chowchilla. They have two children and three grandchildren.

Madam Speaker, I rise today to commend and congratulate Kenneth Lasiter upon being named as a ''Distinguished Life Member'' by the Veterans of Foreign Wars, Post 9896. I invite my colleagues to join me in wishing Mr. Lasiter many years of continued success.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country, and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.''

To ensure that the blessing of freedom is passed from one generation to the next, the members of the CYAC spent time interviewing a veteran and documenting the experience for the ''Preserving History Project.'' Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

I, Kathryn Boswell interviewed Reba Leonard, SSG of the United States Army. She was part of the technology branch and was stationed in San Antonio, Germany, and Pensacola. From this experience, I have learned about sacrifice for your country, camaraderie with fellow soldiers, and the effect serving in the military has on a life. Reba is a strong woman and has learned from her experiences in the army to live life to the fullest and ''keep a bigger perspective on life.'' It's not just about me, it's about the wellbeing of the people around me. She worked on the first computers, and was able to communicate live time from Germany to Maryland in the 1980s. She also worked off the first portable hard-drive. She is a computer specialist at McAfee and has raised two boys in Plano, Texas.—Kathryn Boswell

ON HOUSE RESOLUTION TO REDUCE THE USE OF PLASTIC AND PAPER BAGS

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. MORAN of Virginia. Madam Speaker, as we mark the 40th anniversary of Earth Day, I ask my colleagues to consider cosponsoring a resolution I am introducing today to reduce the use of plastic and paper bags.

Single-use retail plastic and paper bags are bad for the environment. Both paper and plastic bags consume valuable natural resources when produced, generate waste, and pollute the environment. They keep us dependent on nonrenewable resources and impose external costs that we bear in the form of higher waste disposal costs, visual blight, the destruction of wildlife and the deaths of tens of thousands of animal and marine life by entangling them in the plastic or poisoning them through toxins that leach into the ground and waterways. We use more than 100 billion plastic bags every year and because they don't biodegrade, each bag represents a persistent threat to the environment.

While paper bags are less harmful to the environment, they require four times as much energy to produce and generate 70 percent more air pollution and 50 times more water pollution than plastic bags. And while recycling efforts should be applauded, recycling rates are dismally low. Between one and three percent of all plastic bags are recycled and between ten and 15 percent of all paper bags are recycled.

The resolution encourages states to establish targets for businesses to reduce distribution of plastic and paper bag use by 40 percent over the next five years; educate the public about using reusable bags through public-private initiatives, public awareness campaigns, and other methods whenever possible; and facilitate the dissemination of best practices among businesses for reducing single-use retail bag consumption. It would also encourage businesses to adopt consumer credit programs to promote reusable bag use.

One need look no further than the District of Columbia to measure success. Late last year the District imposed a 5 cent tax on plastic bags which led to a dramatic impact on bag use. The number of plastic bags used by supermarkets and other establishments dropped from the 2009 monthly average of 22.5 million to just 3 million in January 2010.

I could conclude here, but that would be only half the story. This resolution was brought to my attention by two enterprising Georgetown University students, Mariel Reed and Brian Lin. Together with their fellow classmates they drafted the resolution in response to a bill I introduced last year to tax plastic and paper bag use. They used my bill as a case study on environmental legislation. Both students are very bright and realized that there is little prospect my bag tax bill would be enacted. My bill does point toward a worthwhile objective, and it builds on the actions of several local and foreign initiatives that have met with success. But, there is no group or organization that has backed it and few Members today prefer to be on record supporting a tax increase.

And here is the second lesson these Georgetown students came to realize and what remains a valuable lesson that the environmental community needs to appreciate as a movement. The public and many elected officials are not always in sync with what we need to do to restore the environment and preserve it for future generations. Progress on the environmental front has never been a clear and straight line but erratic path with peaks and troughs. But, if we look back over the past 40 years, we have seen considerable progress. If you were to average out all the peaks and troughs, an upward progress would begin to appear. We can be proud of our achievements and the fact that such landmark laws like the Clean Water Act and Clean Air Act, and many others that we have passed since the 1970s, have gone a long way toward restoring the environment. Our land, air and water are cleaner than they were on the first Earth Day.

While the science of today has led us to a better understanding of our relationship with nature, we must also appreciate that a democracy requires time for the public to accept and support the necessary changes.

Just as the time may not be ripe to ban the use of plastic bags, we can encourage broader public participation in recycling and promoting alternatives that over time will achieve the same goal. There are a number of proven approaches that work to reduce plastic and paper bag use. All have merit and the states are the appropriate forum through which these approaches can be developed and implemented.

Again I applaud the efforts of the two Georgetown students and their class for providing us a valuable political lesson on this 40th anniversary of the first Earth Day.

THE OBAMA ADMINISTRATION'S QUESTIONABLE NASA PLAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. WOLF. Madam Speaker, I rise in strong opposition to the FY2011 budget proposed by President Obama for the National Aeronautics and Space Administration, NASA. I believe the administration plan would abdicate U.S. leadership in space. Nearly every astronaut, including Neil Armstrong, the first man to walk on the moon, has spoken out against this misguided budget proposal.

I submit articles from The Wall Street Journal and the Orlando Sentinel which further call into question the administration's judgment with regard to NASA.

[From the Wall Street Journal, Apr. 17, 2010]

NASA WHIPSAW: PROP RE-DO FOR OBAMA'S SPEECH

When President Barack Obama gave his long-awaited speech Thursday laying out a vision for NASA, the backdrop featured an immaculate mockup of the Orion space capsule.

But only a few days before, workers at the Kennedy Space Center in Florida had frantically removed all vestiges of the Orion program from the same building.

What prompted the prop swap?

The reasons behind the abrupt scene change—and Obama's positive words about Orion in his address—reflect the sudden shifts and last-minute policy decisions that continue to buffet the National Aeronautics and Space Administration. For more on that, read this WSJ article.)

In February, the White House shocked many in industry and Congress by seeking to kill NASA's Constellation manned exploration program, designed to replace the retiring space shuttle fleet and eventually take astronauts back to the moon and on to Mars. The multi-billion dollar Orion capsule, reminiscent of the Apollo era, is part of that program.

In the following months, the Obama administration resisted entreaties by Lockheed Martin, the capsule contractor, and its champions on Capitol Hill to save Orion. The company repeatedly tried but failed to interest NASA and the White House in pursuing a less-expensive, stripped-down version of the capsule, ''Orion light.'' For the White House, all of Constellation was too expensive and would take too long to complete.

On Mondays as the space center was preparing for the high-profile presidential policy speech, Lockheed had forklifts and other equipment hurriedly removing everything related to Orion from the building where Obama would speak, according to people familiar with the details. Administration officials bluntly told company executives that the president didn't want to be associated with Orion.

That quickly changed. On Tuesday afternoon, chief White House science adviser John Holdren called Joanne Maguire, head of Lockheed Martin's space programs, to inform her that a revised version of the Orion capsule would be reinstated in the president's plans. Now, NASA wants to use the capsule, at the very least, as an emergency escape system for U.S. astronauts when they are on the international space station.

That still left NASA, however, with the dilemma of what to do about the mockup. Between Tuesday night and Thursday morning, the White House, NASA managers and local center officials managed to restore the Orion mockup to its earlier prominence in the building. ''Things were really changing pretty quickly there, at the end,'' said one administration official.

As photographers and reporters swarmed around Obama, pictures of the capsule were beamed around the world.

Lockheed didn't have any comment. The White House had no immediate comment.

During his speech, Obama had only nice things to say about the Lockheed Martin program, though he initially mispronounced its name. NASA, he said, ''will build on the good work already done'' on the Orion crew capsule, and it will become ''part of the technological foundation for advanced spacecraft to be used in future deep-space missions.''

[From OrlandoSentinel.com, Apr. 18, 2010]

OBAMA'S SPACE PLAN ADDS INSULT TO INJURY

(By Douglas MacKinnon)

With all due respect to President Obama, regarding his speech in Florida on ''Space Exploration in the 21st Century,'' I simply have to ask, ''Are you kidding me?''

As one who has consulted on and written extensively about our space program, worked in the White House and drafted a speech or two, I know shameless pandering filler when I read it.

The president's speech had more useless and suspect filler than a New York City street hot dog—part of that filler being when the president recognized his chief science adviser, John Holdren. This is the same man who just told students the United States couldn't be No. 1 in science forever.

When the nation and the program most needed honesty, true direction and an unwavering belief in the promise of space, the president chose to add insult to the injury that is the dismantling of our human spaceflight program. To quote Neil Armstrong, James Lovell and Eugene Cernan, the president's decision to ''. . . cancel the Constellation program, its Ares 1 and Ares V rockets, and the Orion spacecraft, is devastating.''

Three heroic and history-making astronauts take the unusual step of writing an open letter to warn of this ''devastating'' action, and the president responds with a pedestrian speech that makes a mockery of a dire situation. Worse, for purely political reasons, he decided to pit the Apollo 11 moonwalkers against each other.

To try and blunt the criticism of him by the first man to step on the surface of the moon, Obama not only flew Buzz Aldrin with him on Air Force One for the event at Kennedy Space Center, but led his remarks by referring to Aldrin as a legend. Aldrin may be the only one not aware of his role as a prop of the White House political operation.

It's not a stretch to imagine Chief of Staff Rahm Emanuel turning to David Axelrod and saying, ''If the first man on the moon is going to strongly and publicly criticize us, then let's use the second man to walk on the moon as validation for our 'promise them anything but deliver nothing' new vision.''

In a speech void of detail, the president said, ''By the mid–2030s, I believe we can send humans to orbit Mars and return them safely to Earth.'' Where have I heard something like that before? That would be President George H. W. Bush in July 1989 when he spoke of landing Americans on Mars. Twenty-one years later, Obama gives us a watered-down version of that speech.

In 1989, much of the media rightfully took President Bush to task for an open-ended goal that lacked specifics and would have carried a price tag in the hundreds of billions of dollars. Say what you will about Bush's half-hearted effort, at least his astronauts would have landed on the Red Planet. Under Obama's fictional plan, for our investment of more than $100 billion, our astronauts would only get to wave at Mars as they zipped around it, with a landing saved for a future mission. Can't we just wave at it for free from here on Earth?

The president betrayed both his lack of interest in human spaceflight as well as his ignorance of the subject when he said, ''Now, I understand that some believe that we should attempt a return to the surface of the moon first, as previously planned. But I just have to say pretty bluntly here. We've been there before. Buzz has been there . . .''

By that thinking, European explorers should have abandoned the New World and President Jefferson should have ignored the explorations and discoveries of great natural wealth made by Lewis and Clark.

For reasons of cost, commercial enterprise, science and national security, it makes sense for us to establish bases, observatories, mines and potentially even military operations on the moon. If we don't, others—particularly the People's Republic of China with its military-controlled space program—most assuredly will.

President Obama has played the space community for fools, and he's hoping he will get away with it. Unfortunately for us all, China, Russia and others share his hope.

TRIBUTE TO JUDY HELLMAN

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. MOORE of Kansas. Madam Speaker, I rise today to honor Judy Hellman, who is retiring this spring from the Jewish Community Relations Bureau/American Jewish Committee of the greater Kansas City area. Judy and this agency have been most helpful to me during my time in Congress and were responsible for sponsoring my visit to Israel in 1999 during my first year in office. My remarks borrow very freely from a letter sent by JCRB/AJC Board Chair Michael Abrams in January 2010 when Judy made her plans public.

JCRB/AJC Associate Director Judy Hellman has devoted her professional career and her personal life to the work of justice and community relations, and to the Jewish Community Relations Bureau/American Jewish Committee, first as a volunteer, then as a member of the Board of Directors, and then as staff for decades before her ''first'' retirement over a decade ago. Shortly after that ''retirement'' she started helping in the office on one project, then another, then a couple days a week, and was soon once again an everyday devoted and passionate professional who doesn't stop accepting responsibilities and challenges.

Judy's contributions to the community are significant, and too numerous to mention. Her work to advocate that each person does not have to face injustice has touched countless lives and families. Decades ago she worked for fair housing in Kansas City, and was a leader in the movement to free Soviet Jews from religious persecution. Before the founding of the Midwest Center for Holocaust Education, Holocaust education was a mission of JCRB, for which Judy did extraordinary work.

Judy continues to be admired for her exemplary and prolific work in interfaith relations, her dedicated relationship work with educators, law enforcement, government and elected officials, and her work vigilantly combating hate groups. Judy has listened to, and discussed and worked with, hundreds of individuals and families regarding their issues, always with great compassion and empathy. Many have seen her on JCRB Agency videos poignantly talking about why she has worked for justice in the public square for the people of Israel, and in recent years been a role model in the community advocating on behalf of those suffering injustice in Africa.

For several decades, Judy and Rev. Dr. Robert Lee Hill have co-chaired the Martin Luther King, Jr. Community Interfaith Service every January. Judy has been a longtime officer of the Southern Christian Leadership Conference, working with the Rev. Dr. Nelson ''Fuzzy'' Thompson. Judy has been recognized with many awards, and has asked that ''this'' retirement come with little fanfare. In Judy Hellman's case, her achievements are a monument to her work. Judy's life has been dedicated to working for justice. Judy would have devoted her time to working on these issues even if she had not been a staff member of a justice organization.

With a milestone birthday approaching, Judy has decided to give retirement yet another attempt. All who know Judy feel great admiration, gratitude, love, and respect for her. I know that I look forward to continuing to work with Judy, soon as a retired and devoted community member, as she continues to work to make the greater Kansas City area a more just community.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.''

To ensure that the blessing of freedom is passed from one generation to the next, the members of the CYAC spent time interviewing a veteran and documenting the experience for the ''Preserving History Project.'' Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

Robert James is a veteran of World War II. He entered the war in the Medical Corps and returned from war as a private first class in the Air Force. After graduating from U.T., Mr. James stayed in the Air Force Reserve for 30 years and retired as a Major. He still regularly visits a nearby base in Colorado, where he buys his groceries, works out, and shops for other needs. Robert James received multiple awards after returning home, including an Air Medal and a Distinguished Flying Cross. Mr. James' story should be preserved throughout history in addition to the thousands of other veterans that risked their lives for the safety of the United States. This interview with my grandfather was very moving and I gained a lot more insight and detail than I ever had before. I am happy to have been able to discuss such a pivotal time in my grandfather's life and I hope my essay helps to somehow preserve some of his unique experiences so that they can last throughout generations of Americans. The conservation of the stories of our many veterans is very crucial and should be a goal of every American that has been kept alive by these honorable, selfless men and women.—Rebecca James

HONORING GEORGE GALLUP, JR. ON HIS 80TH BIRTHDAY

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. ROTHMAN of New Jersey. Madam Speaker, I rise today in recognition of the 80th birthday of George Gallup, Jr., the accomplished son of Dr. George Gallup, Sr., the founder of the renowned Gallup Poll.

George Jr. has followed in his father's footsteps; a close friend described George as a ''political junkie,'' a characteristic that clearly runs in the family. It comes as no surprise that George has become so involved and intrigued by the political process, since he has either observed or participated in polling for his entire life. His father pioneered the random sampling technique, which has been used for decades to gauge public opinion on everything from presidential approval to the economy. He also founded the George H. Gallup International Institute, of which George Jr. is the current Chairman. In this role, George Jr. oversees preeminent economists, psychologists, and sociologists all over the world in their efforts to investigate what people think about the most pressing issues of the day.

George is from Princeton, New Jersey and has been a lifelong advocate for children's rights locally and nationally. He has made the world a safer place for kids through working closely with Child Lures Prevention, an organization which helps protect children from violence, drugs, and sexual abuse. He also wrote a passionate letter to President Obama in support of the organization and the admirable cause for which it fights.

George would agree that the influence of the Gallup Poll over the past 75 years has been much more than symbolic—the organization has provided our political leaders and lawmakers with objective, unbiased information about the ever-shifting values and expectations of the American people. In short, polling makes the government more responsive and accountable to the electorate.

Madam Speaker, I know that my colleagues will join me in honoring a man who has been instrumental in keeping our leaders honest and the American public informed.

RAISING AWARENESS AND SUPPORTING AN END TO VIOLENCE AGAINST WOMEN

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. CARNAHAN. Madam Speaker, I rise in solidarity with my colleagues who, this week,

have come forth under the leadership of Representative TED POE, founding co-chair of the Victims' Rights Caucus, to speak out against violence perpetrated against women. Violence against women is one of the most pervasive forms of violence throughout the world today, affecting an estimated one billion women and girls. It is a reprehensible violation of fundamental human rights and a crime against humanity.

According to the United Nations, approximately 1 out of every 3 women in the world has been beaten, coerced into sex, or otherwise abused in her lifetime. The World Health Organization reports that in some countries, up to 70 percent of women report having been victims of domestic violence at some stage in their lives.

Violence against women has come to be systematically used as a tool of war in some regions, where women are publicly raped, beaten and murdered. In Rwanda, up to half a million women were reportedly raped during the 1994 genocide. In Bosnia-Herzegovina, nearly 60,000 women were raped in a campaign of ethnic cleansing during the war.

Women have become ''prey,'' according to the New York Times, in Guinea, and in the Democratic Republic of Congo it is reportedly more dangerous to be a woman than a soldier.

Shocking stories such as these provide only a snapshot of the complete scope of this deplorable problem and are exemplary, sadly, of the experiences of vast communities of women and girls every day.

It is critical that we in Congress, along with other governments, multilateral organizations and nongovernmental organizations throughout the world, take a strong stand against these crimes. We must not allow violence against women to become a socialized norm.

In 1994 the Violence Against Women Act was sign into law by President Bill Clinton, in an effort to comprehensively acknowledge and address the severity and importance of this insidious problem within the United States. This landmark Act enhanced judicial and law enforcement tools to combat violence in all forms, improved existing services and provided for additional services, economic security, and protection for victims.

This legislation has since served as an example globally on how issues affecting women can be successfully incorporated into public law and social consciousness. Freedom from violence, abuse and intimidation is a basic building block of empowering women. And, when women have a voice, communities and countries are made stronger, more economically prosperous, and more stable.

In 2009, the International Violence Against Women Act was reintroduced, to extend the provisions of VAWA to tackle violence worldwide. This bill would ensure that all women are protected under the same policies and approach now codified for women and girls in the U.S.

IVAWA seeks a comprehensive international strategy to reduce and prevent violence against women and girls. This includes assistance to reduce international violence, enhanced U.S. accountability and training of foreign military, police and judicial officials on preventing and responding to violence, and addressing violence in humanitarian relief, peacekeeping, conflict and post-conflict operations.

We in Congress, along with our international partners, must stand up now to take bold action on ensuring that women and girls are no longer targets of brutal violence; violence that destroys families and communities, and has lasting detrimental effects on productivity, health, and many other areas of women's daily lives.

Furthermore, we must work tirelessly to give women a voice to impact the issues that affect them and be agents of change in their societies. When women thrive, families, communities, societies and economies thrive. When women and girls are victimized, families, communities, societies and economies suffer and are profoundly weakened, and the cycle of violence is perpetuated. Violence against women and girls is an assault against us all and we must end it now.

IN RECOGNITION OF RETIRED SAN MATEO POLICE DEPARTMENT CAPTAIN KEVIN RAFFAELLI

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. SPEIER. Madam Speaker, I rise to honor Kevin Raffaelli, who retired as a Captain with the San Mateo Police Department in December of 2008 after 30 years of dedicated and loyal service.

I must note that last year Kevin continued his law enforcement service on an on-call basis and on August 24, 2009 was credited with preventing a pipe bomb suspect from carrying out a potentially catastrophic event at Hillsdale High School. For this heroic action he was awarded the prestigious Medal of Valor, proving again, that some of us get better with age.

The list of commendations for Kevin is long and meritorious and many involve the apprehension of burglary subjects during the commission of a crime. He is well known throughout San Mateo County for his expertise in tactical deployment and special operations at events. He was, for example, commander of the Countywide Tactical Chemical Assault Team, a model operation replicated by other municipalities after 9/11.

He played key roles in coordinating security for numerous dignitaries visiting the San Francisco Bay Area, including President Bill Clinton, President George W. Bush, President Jimmy Carter as well as Israeli Prime Minister Ariel Sharon and British Prime Minister Margaret Thatcher.

Kevin grew up in the city of South San Francisco where his brother, Mark, served as the chief of police, so Kevin's thirst for public safety runs deep in his family.

Madam Speaker, Kevin Raffaelli has served his fellow citizens to the utmost of his ability and he has saved lives in the process. I commend him and wish that he and his wife, Elizabeth, enjoy this well-earned retirement.

IN RECOGNITION OF MS. DIANNE ADDINGTON'S DECADES OF SERVICE TO OUR COMMUNITY AS PRESIDENT AND CEO OF GENISYS CREDIT UNION

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. PETERS. Madam Speaker, I rise today to recognize Dianne Addington, president and CEO of Genisys Credit Union, on her retirement from Genisys. As a Member of Congress it is both my privilege and honor to recognize Ms. Addington for her many years of service and her contributions which have enriched and strengthened our community.

Ms. Addington brings a lifetime of experience to her current position at Genisys Credit Union; a career which began almost 40 years ago as a part-time teller at T&C Federal Credit Union. Through Ms. Addington's ingenuity and hard work she eventually rose to the position of president and CEO of T&C Federal Credit Union, one of the parent companies of Genisys, which she has held for the last 21 years. During her tenure at Genisys, Ms. Addington has been awarded numerous accolades for her commitment to the community including awards from the Sojourner Foundation, the Clinton Valley Council of the Boy Scouts of America, and the Pontiac Chamber of Commerce. In recognition of her many contributions, the Michigan Credit League, MCUL, awarded her the Distinguished Service Award in 2006, for which she was inducted into the Michigan Credit Union Hall of Fame.

Under Ms. Addington's leadership Genisys Credit Union has grown into a thriving local institution, which is deeply involved in strengthening the communities it serves. Genisys is a strong philanthropic partner to Southeast Michigan, having received numerous awards and recognitions from the community for the programs it has sponsored. In keeping with their mission to provide excellent customer service and to support its community, Genisys continues to create programs which highlight the importance of financial literacy to its more than 117,000 members and to the communities it serves. Moreover, through its strong commitment to quality customer service Genisys Credit Union was recognized by the readership of Corp! Magazine as a ''Best of Michigan Business'' in 2009.

Madam Speaker, I ask my colleagues to join me today to honor Ms. Dianne Addington for her many contributions to our community and her leadership at Genisys Credit Union. I wish her many more years of health, happiness, and productive service.

CONGRATULATING ANGEL RAY GUERRERO

HON. GREGORIO KILILI CAMACHO SABLAN

OF NORTHERN MARIANA ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SABLAN. Madam Speaker, Angel Ray Tudela Guerrero is a teenager in the Northern Mariana Islands, who, despite facing extraordinary health problems in his own life, found

ways to improve the lives of other young people.

At age 12 Angel Ray was diagnosed with a malignant brain tumor. He spent a year and a half in a Hawaii hospital battling cancer.

But Angel Ray did not let his disease control his life. Instead, he used his experience to empower himself to help others.

During his long hospital stay, Angel Ray found that time passed more comfortably because of a playroom in the pediatric ward. It was filled with games and toys, computers and a TV well stocked with DVDs, all of which helped take the young patients' minds away from their illness and from the reality of being in the hospital. In the playroom, Angel Ray told a reporter from the Saipan Tribune, kids "don't feel like they're sick. They feel like they're at home."

But Angel Ray knew—from personal experience—that kids back home at the Commonwealth Health Center in the Northern Marianas had no playroom. Though the average stay is only two-and-a-half days, some patients are there for six weeks or more. And they have no toys or books, no refuge from the psychological toll of being sick.

So Angel Ray partnered with Hawaii state representative Glenn Wakai and with Reach Out Pacific, a non-profit organization that takes surplus medical and educational supplies from Hawaii to the Pacific islands, including the Marianas, Guam, Palau, the Marshall Islands, Chuuk, Yap, Kosrae, Pohnpei and the Philippines. Together, they organized donations of toys and books to create a playroom at the Commonwealth Health Center. The Shriner's Hospital in Honolulu was being renovated and needed to clear out toys in its pediatric area. Moanalua High School gave hundreds of books. The U.S. Bankruptcy Court donated shelving. And Matson Navigation offered to ship the 20-foot container stuffed with 50 boxes of books, 19 bookshelves, and 60 bags of toys from Hawaii to the Northern Mariana Islands.

Madam Speaker, Angel Ray Guerrero is an inspiration to us all: an individual who took the adversity in his own life and turned it into a benefit for others.

CELEBRATING THE LIFE OF DR. DOROTHY IRENE HEIGHT

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mrs. MALONEY. Madam Speaker, today we mourn the loss of Dr. Dorothy Height, a true American hero, who worked tirelessly throughout her 98 years to make the world better as a leader, activist, and counselor in the civil rights and women's rights movements. In 2004, I was privileged to support legislation that honored Dr. Height with the Congressional Gold Medal, the highest award Congress can bestow. Dr. Height led a remarkable life and made a significant difference in the lives of so many others.

After earning degrees at New York University, Dr. Height joined the staff of the Harlem YMCA. There she met human rights activists First Lady Eleanor Roosevelt and educator Mary McLeod Bethune. Her encounter with Dr. Bethune led to Dr. Height's involvement with the National Council of Negro Women (NCNW), an organization she would come to lead as president for four decades. Dr. Height was a tremendous mediator and minister during times of great civil rights strife, such as after the 1935 riots in Harlem and then again in 1963, at the request of Dr. Martin Luther King, Jr., she traveled to Birmingham, Alabama, after a bomb killed four African American girls in a church.

Called the queen of the civil rights movement, Dr. Height was often the only woman at key moments in civil rights history and we are indebted to her for keeping women's rights and equality in the fore. During her tenure with NCNW, Dr. Height instituted programs to establish dialogue between interracial groups of women, to expand business ownership by women, to celebrate women's history at the Bethune Museum and Archives, and to monitor human rights around the world.

In addition to her efforts to overcome racial prejudices and for full voting rights of all, she also fought for school desegregation, for access to decent housing, and for better employment opportunities. It seems only fitting that we honor the legacy of Dr. Height on Equal Pay Day, a day each April intended to bring awareness to the inequalities that still exist in our society. Dr. Height was at the White House ceremony when President Kennedy signed the Equal Pay Act and was there again when President Clinton marked the 35th anniversary of the legislation.

Dr. Height was apt to tell her colleagues at NCNW to continue their efforts to address issues of social concern. In gratitude for everything she has done, we are inspired to continue with her life's dedication to expand civil rights and equality for all.

COMMEMORATING 40TH ANNIVERSARY OF EARTH DAY

SPEECH OF

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. COHEN. Madam Speaker, under the leadership of Speaker PELOSI, the 111th Congress has passed some of the most extensive and ambitious environmental legislation this country has seen since the 1970s. So it brings me great pleasure to be here in the House of Representatives to celebrate the 40th anniversary of Earth Day.

Such legislation includes the Recovery Act, which I was proud to support and has made historic job-creating investments in a clean energy future that will provide hundreds of thousands of jobs. The House also passed clean energy jobs legislation that enhances the American manufacturing base and will make the U.S. a world leader in new energy technologies.

Additionally, I recently introduced the 10 Million Solar Roofs and 10 Million Gallons of Solar Water Heating Act, which will provide valuable cash rebates for the creation of 10 million small power plants located on the roofs of American homes and businesses throughout the country. This legislation will also create an estimated 1.35 million direct and indirect jobs, lower energy costs, strengthen the economy, and put America on the path to energy independence.

Corporate interests have spent millions espousing mistruths and presenting a false choice to the American people—the idea that efforts to preserve our planet and ensure our own survival will destroy the American economy. However, this Congress has exposed these claims for what they really are—lies. The 111th Congress has proven that we can indeed strengthen the American economy and ensure that all Americans can breathe cleaner air and drink cleaner water, and I am honored and proud to have been a part of such a historic effort.

RECOGNIZING THE LIFE AND WORK OF COUNTY COMMISSIONER MINNIE SHIRLEY WIGGINS

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. BUTTERFIELD. Madam Speaker, I rise to recognize the life and work of County Commissioner Minnie Shirley Wiggins who died on Sunday, April 18, 2010 after a short illness. Commissioner Wiggins was a well-respected elected official and community leader in Perquimans County, North Carolina.

Born on February 6, 1933 to the late Mary and Hardy Wiggins, Sr., Commissioner Wiggins was a graduate of Perquimans County Training School and St. Agnes School of Nursing in Raleigh, North Carolina.

Commissioner Wiggins served our Nation with honor as a United States Navy Nurse Corps Captain, serving aboard the USS *Sanctuary* during the Vietnam War. She was a proud member of the American Legion, Veterans of Foreign Wars and Vietnam Veterans of America.

During her more than 20 years as a Perquimans County Commissioner, she provided a passionate and tireless voice for the youths and senior citizens of the Albemarle Region. She worked as a volunteer with elementary school children and devoted significant time to the Meals on Wheels program. She earned recognition for her devotion to public service, including North Carolina's highest honor—the Order of the Long Leaf Pine.

Commissioner Wiggins had a great passion for her church, Melton Grove Missionary Baptist Church of Winfall, North Carolina, where she was a devoted member for many years.

She is survived by brothers, Percy A. Wiggins Sr. and Horace Wiggins; brother/son Hardy Wiggins Jr.; daughter/niece C. Loretta Buggs; and a host of nieces, nephews, adopted sons and daughters, godchildren and extended family.

Madam Speaker, I ask that my colleagues rise to recognize the life and work of Commissioner Minnie Shirley Wiggins and her outstanding public service to the community. I also ask that we pass along our best wishes and prayers to her family, friends and loved ones during this time of bereavement.

CRAIG MORGAN RETIRES AFTER 25 YEARS AS THE DISTRICT MANAGER FOR THE SCHUYKILL CONSERVATION DISTRICT

HON. TIM HOLDEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. HOLDEN. Madam Speaker, I rise today to recognize Craig Morgan, a constituent from my district, who is retiring as District Manager of the Schuylkill Conservation District after twenty-five years of service. Craig has always had an interest in the outdoors. As a boy, he enjoyed fishing, hunting, and helping on his grandfather's farm. After graduating with a bachelor's degree in environmental resource management from Penn State University in 1977, Craig began his career with the Schuylkill Conservation District.

The Schuylkill Conservation District was formed in 1955 with an emphasis on soil conservation. Since becoming District Manager, Craig has expanded the conservation district's role to erosion and sediment control, watershed protection, environmental education, farmland preservation, and farm conservation planning.

One of the Schuylkill Conservation District's accomplishments under Craig's leadership is the farmland preservation and erosion and sediment control efforts around the Little Swatara Creek, ultimately preserving the down-stream Sweet Arrow Lake.

Acid mine drainage has traumatically impacted and sometimes destroyed the ecosystems of streams in part of my district. Under Craig's direction, the Schuylkill Conservation District has partnered with the Schuylkill Headwaters Association, and other watershed associations, to treat acid mine drainage and bring those streams back to life with plant life and fish.

Craig is also proud of the Schuylkill Conservation District's efforts to educate local students on the environment and the importance of conservation. In 1979, Craig ran Schuylkill County's first environthon, which combines in-class curriculum and outdoor training, helping students to learn more about aquatic ecology, forestry, soil and land use, wildlife, and current issues facing the environment.

Looking back on his twenty-five years as district director, Craig said, "The job has been a challenge, but it's been a pleasure in doing good things and doing the right things. That's the reward. Seeing fish back in streams, seeing people at Sweet Arrow Lake. I am the type of person that wanted to do things right the first time so I didn't have to do them again."

I would like to thank Craig Morgan for his twenty-five years of commitment to conserving and preserving Schuylkill County's waters, lands, and wildlife.

CONGRATULATING REVEREND DANIEL P. COUGHLIN ON 10TH YEAR OF SERVICE AS HOUSE CHAPLAIN

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Ms. MCCOLLUM. Mr. Speaker, I rise today in support of H. Res. 1216, a resolution congratulating Reverend Daniel P. Coughlin on his 10th year of service as Chaplain of the House of Representatives.

Reverend Coughlin was sworn in as the fifty-ninth Chaplain of the House of Representatives on March 23, 2000—the first person of Roman Catholic faith to hold the office. In his decade of service, he has opened House proceedings with prayer, provided pastoral counseling and arranged memorial services for the House and its staff.

Over the years I have come to know Reverend Coughlin and value his service to the House of Representatives. This resolution is a fitting honor, and I urge my colleagues to join me in congratulating Reverend Coughlin for his decade of faithful service.

HONORING THE LIFE OF LIEUTENANT COLONEL SPANN WATSON

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mrs. MCCARTHY of New York. Madam Speaker, I rise today to recognize the life and achievements of Spann Watson, one of the original Tuskegee Airmen, a retired U.S. Air Force pilot and an advocate for civil rights. Mr. Watson, who helped break the color barrier in the military years ago, passed away at the age of 93 years old.

Mr. Watson, originally born in South Carolina, moved with his family to New Jersey where he was inspired to become a pilot after watching Charles Lindbergh land the *Spirit of St. Louis* at Teterboro Airport. Mr. Watson earned his pilot's license while studying engineering at Howard University. In 1940, he was told by an Army recruiter that there were no openings for black pilots; however, a year later, the NAACP filed a race-discrimination lawsuit and the War Department set up an experimental program to train African American airmen.

Mr. Watson completed this program, which was based at Tuskegee Army Air Field in Alabama, as a fighter pilot and participated in nearly 40 flight missions during World War II. He retired from the military in the 1960s and worked as an affirmative action specialist for the Federal Aviation Administration. He continued to lecture into his 90s about his experiences as a military and civil rights pioneer.

Over the past 20 years, Mr. Watson traveled the country attending air shows and speaking about the all-black flight program. In 1997, Congress honored graduates of the Tuskegee program with the Congressional Gold Medal—the Nation's highest civilian award.

While at Tuskegee, Mr. Watson met Edna Webster, a civilian employee at the airfield, and they were married on December 17, 1943. The couple had five children and spent nearly 50 years as a resident of Westbury, Long Island.

Madam Speaker, it is with great admiration, pride and respect that I acknowledge the accomplishments of Lieutenant Colonel Spann Watson and thank him and his family for a lifetime of civil service to our country.

TRIBUTE TO MYRTLE E. THATCHER

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to a distinguished citizen of Kansas City, Kansas, who celebrates her 100th birthday today.

Myrtle E. Green Thatcher was born in Kansas City, Kansas, on April 22, 1910, to Embridge and Eliza Green. She is a lifelong resident of Kansas City, where she graduated from Northeast Junior High School and Sumner High School. She was married for over 50 years to Nathan W. Thatcher, Jr., the third son of Mr. and Mrs. Nathan W. Thatcher, Sr., who was general manager of Thatcher Funeral Home, which is the oldest black family-owned funeral home in the State of Kansas. The business began operation in April 1912, at 1520 North 5th Street, founded by Mr. and Mrs. Nathan W. Thatcher, Sr.

In 1979, Mr. and Mrs. Nathan Thatcher, Jr., affectionately known as Myrtle and "Snooks", remodeled the building. In the following year, Nathan died, leaving the family business in the capable hands of their only child, Quintelle Thatcher Davis, who guided the business until finally succumbing after a hard fought battle with cancer in 2007.

Myrtle E. Thatcher has been active in the business for over 50 years. A licensed funeral director, she's been a member of the Missouri-Kansas Funeral Directors Association, the National Funeral Directors and Embalmers Association, and other professional groups. She's been a member of Pleasant Green Baptist Church for over 50 years and is a charter member of Alice M. Browne Chapter #40 of the Order of the Eastern Star. The recipient of numerous community service and professional awards through the course of her career, she is still serving our community, along with the excellent leadership of her grandson, Robert Davis, the fourth generation of her family to join the business, where he serves as general manager, funeral director and embalmer.

This family business will be 98 years old this month. As Myrtle maintains, they will continue to follow founder Nathan Thatcher, Senior's, practice of following the Golden Rule: do unto others as they do unto you. And Myrtle will continue to be very proud of her family, which includes five great grandchildren and three grandchildren: Judy Easterwood, who lives with her husband Robert in Kansas City, Kansas; Robert Davis, and Associate Professor Jacquelyn Hams, the chair of the department of earth science and anthropology of Los Angeles Valley College.

Madam Speaker, I know that you and all members of the House of Representatives join with me in paying tribute to Myrtle E. Thatcher upon her 100th birthday.

EQUAL PAY DAY

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. AL GREEN of Texas. Madam Speaker, Tuesday, April 20, 2010 marked the observance of National Equal Pay Day—a time to celebrate the women who have blazed trails for gender equality, reflect on the progress that has been made since the Equal Pay Act and recommit ourselves to closing the wage gap between women and men.

When the Equal Pay Act became law in 1963, women who worked full-time, year-round made 59 cents on average for every dollar earned by men. That figure only went up to 77 cents for every dollar earned by men in 2008. It is unconscionable that more than 40 years later, women continue to be paid less for performing the same job as their male colleagues. Equal Pay Day reminds us of the need to recommit to ending the injustice of wage discrimination.

Last year, one of the first major bills signed into law by President Obama in January 2009, was the Lilly Ledbetter Fair Pay Act which restores the right of women and other minorities to challenge unfair pay in court. Specifically, the bill overturned a 2007 Supreme Court decision that made it much harder for women and other minority groups to pursue pay discrimination claims. As long as workers file their charges within 180 days of a discriminatory paycheck, their claims for a remedy will be considered timely.

In January 2009, the House of Representatives also passed the Paycheck Fairness Act which closes the loopholes in the Equal Pay Act and imposes penalties on employers who discriminate based on gender. We look forward to working with the Senate to complete this bill and send it to the President's desk.

Pay inequity is not just an issue that impacts women; families, communities, and our entire economy suffer because of this injustice. Our Nation is still recovering from an economic recession and thousands of Americans continue to struggle to make ends meet. We should not allow pay inequity to exacerbate our economic challenges.

Let us reaffirm our commitment to eliminating this inequality so that we can truly achieve equal pay for equal work.

HONORING ISRAELI INDEPENDENCE DAY

SPEECH OF

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to recognize the 62nd Anniversary of the Jewish State of Israel. On April 19, 2010, Israel celebrated Yom Ha'atzmaut, the national Independence Day of Israel, which commemorates its founding in 1948. In that spirit, the following is an op-ed I wrote regarding the benefits of U.S. aid to Israel.

ROTHMAN: THE DIVIDENDS OF U.S. SUPPORT FOR ISRAEL—APRIL 13, 2010—THE RECORD.

The argument that American military aid to Israel is damaging to the United States is not only erroneous, it hurts the national security interests of this country and threatens the survival of Israel.

U.S. support for Israel is essential, not only for Israel's national security, but for America's. Every bit of that support—and more—withstands all reasonable scrutiny.

Under the 2010 U.S. budget, about $75 billion, $65 billion and $3.25 billion will be spent on military operations and aid in Afghanistan, Iraq and Pakistan during this fiscal year, respectively. Israel will receive $3 billion, in military aid only. There is no economic aid to Israel, other than loan guarantees that continue to be repaid in full and on time.

There isn't enough space here to discuss the relative merits of the expenditures in these other countries, but we already know the critically important return we get for helping our oldest, most trusted ally in the strategically important Middle East—the most powerful military force in that region, the pro-United States, pro-West and democratic Jewish state of Israel.

Here's how:

First, it's important to remember that about 70 percent of the $3 billion aid must be used by Israel to purchase American military equipment. This provides real support for U.S. high-tech defense jobs and contributes to maintaining our industrial base. This helps the United States stay at the very top in the manufacturing of our own cutting-edge military munitions, aircraft, vehicles, missiles and virtually every defensive and offensive weapon in the U.S. arsenal—with the added contribution of Israel's renowned technical know-how.

Second, the United States and Israel are jointly developing state-of-the-art missile defense capabilities in the David's Sling and Arrow 3 systems. These two technologies build on the already successful Arrow 2, jointly developed by our two countries, which is already providing missile defense security to Israel and U.S. civilians and ground troops throughout the region.

A MULTIPLIER EFFECT

The knowledge we gain from these efforts also has a positive multiplier effect on applications to other US. military and non-military uses and jobs here.

Third, given Israel's strategic location on the Mediterranean, with access to the Red Sea and other vital international shipping and military lanes of commerce and traffic, it is critically important to the United States that Israel continue to serve as a port of call for our troops, ships, aircraft and intelligence operations.

Israel also has permitted the United States to stockpile arms, fuel, munitions and other supplies on its soil to be accessed whenever America needs them in the region.

Fourth, America's special relationship with Israel provides us with real-time, minute-to-minute access to one of the best, intelligence services in the world: Israel's. With Israeli agents gathering intelligence and taking action throughout the Middle East and, literally, around the world, regarding al-Qaida, Hezbollah, Iran and Hamas, the US. receives invaluable information about anti-U.S. and terrorist organizations and regimes.

Fifth, imagine the additional terrible cost in U.S. blood, and the hundreds of billions more of American taxpayer dollars, if Saddam Hussein had developed nuclear weapons, or if Syria possessed them.

Then remember that it was Israel that destroyed the almost-completed nuclear reactor at Osirak, Iraq, in 1981 and Syria's nuclear facility under construction at Deir-ez-Zor in 2007.

And think about the many operations that Israel's Defense Forces and intelligence agents have undertaken to foil, slow and disrupt Iran's efforts to develop a nuclear weapons capability. A nuclear-armed Iran would threaten the lives of hundreds of thousands of Americans in the region, all of Iran's Arab neighbors, the world's largest oil supplies and those who rely on that oil.

ACCESS TO LETHAL IRANIAN TECHNOLOGY

It also would provide anti-U.S. terrorists with access to the most lethal Iranian technology and probably set off a nuclear arms race in the region.

For about 2 percent of what the United States spends in Afghanistan, Iraq and Pakistan this year, Americans can take pride in the return on our investment in aid to Israel.

And with Israel's truly invaluable assistance to America's vital national security, we can take comfort that—in actions seen in Tehran and Damascus and noticed by al-Qaida and other anti-U.S. terrorists everywhere—the United States is safer and made more secure because of the mutually dependent and beneficial relationship between us and Israel.

HONORING ISRAELI INDEPENDENCE DAY

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mrs. MALONEY. Mr. Speaker, I rise to recognize and celebrate the 62nd Anniversary of the establishment of the State of Israel. Much like our July 4th, this day commemorates the date on which David Ben Gurion read the formal Declaration of the Establishment of the State of Israel drafted by a coalition of zionist leaders, voted on by the People's Council (Moetzet Ha'am) and signed by 37 founding mothers and fathers of the Jewish State.

On November 29, 1947, the United Nations approved a partition plan to take effect upon the expiration of the British Mandate. The partition plan was immediately rejected by the Arabs and armies from Egypt, Iraq, Jordan, Lebanon and Syria attacked to try to destroy the fledgling Jewish State before it could be established. During the War of Independence, the Jewish Settlement (Yishuv), under the leadership of David Ben Gurion, formally established the State of Israel.

The Declaration of the Establishment of the State of Israel was signed on May 14, 1948, which fell on the 5th of the Hebrew Month of Iyar, the date the British Mandate over Palestine expired. At a ceremony held at the Tel Aviv Museum, now known as Independence Hall, David Ben Gurion read the Declaration and 25 of the 37 signatories formally affixed their signatures before a crowd of 250 invited guests and a radio audience of countless listeners. Eleven of those who ultimately signed the Declaration were trapped in Jerusalem which was then under seige; the 12th was abroad at the time of the ceremony.

Eleven minutes after the declaration was signed, President Truman de facto recognized the State of Israel. America shares an unshakable bond with Israel, born of our shared values and our common outlook. We are both nations of immigrants that believe the path to success lies in invention, creation and investment. We are both nations that believe in the rule of law and the importance of a

strong and independent judiciary. We are both nations that were created by pioneers seeking religious freedom. We are both pluralistic nations in which what you know and what you create is more important than who you are and where you came from. And, the United States must stand with Israel and must work to ensure that Israel endures as a Jewish State.

In the 62 years that followed its establishment, Israel has survived and flourished despite the repeated efforts to destroy her. Israel is a vigorous democracy, our strongest ally in the Middle East. Her economy is thriving, in large part as a result of her agricultural, technological and medical innovations. With a free and active press, freedom of religion, free elections and a free and independent judiciary, Israelis of all religions and nationalities enjoy rights and opportunities unimaginable elsewhere in the Middle East.

Israel constitutes a fraction of 1% of the land mass and only 2% of the population of the Middle East. Nonetheless, Israel far outshines much of the world in terms of academic, scientific and technological achievement. Israel has the highest ratio of university degrees per capita in the world and produces more scientific papers and more books per capita than any other nation in the world. It is the only nation in the world that has had a net increase in the number of trees. Israel has transformed itself from an impoverished backwater to a gleaming modern nation, ranking among the very highly developed countries of the world.

Mr. Speaker, I am pleased to congratulate Israel for its 62 years of independence, innovation and enterprise.

TRIBUTE TO THE SOUTHWEST FLORIDA VETERANS ON THE SATURDAY, APRIL 24, 2010 HONOR FLIGHT

HON. CONNIE MACK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. MACK. Madam Speaker, I rise today to honor the nearly 100 World War II veterans from Southwest Florida traveling to Washington, DC on the Honor Flight on Saturday, April 24, 2010.

Since its inception in 2005, Honor Flight has flown tens of thousands of World War II veterans to our nation's capital to view the World War II Memorial. Thanks to the generosity of thousands of volunteers and businesses around the country, these heroes have an opportunity to visit the Memorial that was built to honor their service to our great nation.

I would like to recognize the following men and women from Southwest Florida who are taking the Honor Flight to Washington, DC: Kurt Boenker, Fred Warner, Vincent Marinera, Carl Price, Joseph Harrington, James Jarvis, Norman Jarvis, David Smith, Lawrence Phelan, Thomas Withrow, Robert Bricker, Henry Chiminello, Robert Voege, Robert Schugg, Jack Anderson, James Cusick, Jr., Jack Blachley, Robert Hall, William Wardle, Ralph Cook, Leonard Nallman, Donald Lester, Thomas Mac Kimmie, Robert Stilson, John Drake, James Hausler, Alfred Pagles, Stanley Parks, Eugene Roaf, Edward Coombs, Bernard Brehm, Aubrey Smith, Ronald Birchler, Elwood Grube, Ira Weisblum, George Brown, John Nemeth, Kenneth Sayers, Edward Sturm, Eugene Poslaiko, Emmett Yoder, Jr., Charles Brandenburg, Eleanor Purser, Dorothy Kurtz, Louis Spencer, Joseph Beauchamp, David McKalip, Kenneth Ferris, Robert Partington, George Mann, Donald Bunger, Frank Parker, Michael Ursitti, Elias Ursitti, Charles Rogers, Forrest Yeager, Paul Groves, La Moine Heimstead, Edward Texley, Robert Demmink, Curtiss Sarff, Ervin Loche, Paul Wilcox, Dominic Franciose, George Doucette, John Heck, Frank Barletta, Frank Oden, Jr., Wesley Bates, Eugene Andrews, Jorgen Brinch, Frank Mazzarisi, Edwin Ratcliffe, Lewis Riggles, Charles Briner, Carl Loiocano, Carlton Carson, Lew Hall and Frank Burns.

Throughout our nation's history, men and women have answered the call of duty in times of peace and in times of conflict. These veterans and their sacrifices have helped to preserve liberty and freedom around the world.

I would like to thank these veterans for their commitment to our country. I am honored to have these brave men and women visit Washington, DC. Madam Speaker, it is a true honor to represent these heroes in Congress.

COMMEMORATING DR. BARBARA-JAYNE LEWTHWAITE AS 12TH PRESIDENT OF CENTENARY COLLEGE

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. GARRETT of New Jersey. Madam Speaker, I rise today to commemorate Dr. Barbara-Jayne Lewthwaite upon being inaugurated as the 12th President of Centenary College in Hackettstown, New Jersey.

Dr. Lewthwaite is only the second woman and second former faculty member to hold the position since Centenary's founding in 1867. Part of the Centenary College community for more than 20 years, she brings to the post sound academic credentials, strong educational leadership skills and valuable business acumen.

Dr. Lewthwaite was appointed Acting President of the College on January 1, 2009. Since that time, she has used her academic background to enhance the College's mission: providing a student-centered liberal arts education with a career focus and a special emphasis on community service.

Before assuming the Presidency, Dr. Lewthwaite served Centenary in several leadership positions, including Chief Academic Officer and Acting Chief Operating Officer. As a member of Centenary's Executive Staff since 2003, she spearheaded significant accomplishments at the college: supporting the development of a faculty of talented teachers and scholars; upgrading academic expectations that are grounded in the adoption of standards such as the Centenary Greater Expectation Learning Outcomes; leading the academic assessment movement that resulted in the College being the first in New Jersey to receive pre-accreditation from the Teacher Education Accreditation Council (TEAC); achieving extensive articulation agreements with local and global partners; and undertaking a major revision of the curriculum which included movement from a three-credit to a four-credit course curriculum, and numerous faculty-generated enhancements that have focused on experiential learning, service learning, global initiatives, and substantive new online offerings in the adult and traditional student programs on the graduate and undergraduate level.

Madam Speaker, we are fortunate to have Dr. Lewthwaite at the helm of Centenary College in northwestern New Jersey. With her leadership I am confident that Centenary will continue to provide high-quality education to its students, preparing them for the 21st Century.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.''

To ensure that the blessing of freedom is passed from one generation to the next, the members of the CYAC spent time interviewing a veteran and documenting the experience for the ''Preserving History Project.'' Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

Major Scott Edward Barnett, has accomplished so much in his life. After talking to him, I understand that being in the military is a very rewarding life experience. I have learned so much after interviewing him.

After speaking with someone who has seen so many traumatic experiences, the war really does become real to me. I also can really feel the pain of having to be so far away from your loved ones for so long. I can't even imagine having to be newly married, then deployed to a foreign country in danger, away from your new spouse, not being able to contact them every day. Or even having children and not being able to see them grow up. This would be extremely hard to do, and it really takes a special type of person to do that. This assignment has given me a new appreciation of everything that our soldiers do for us. When you are just living your normal daily life, there are soldiers out in danger, fighting to let you keep that freedom that you just take advantage of. I believe that more people should get to know about the war veterans, so that they can appreciate everything soldiers do for us.—Abby Callison

A TRIBUTE TO EARTH DAY AND NORTHWEST HALIFAX HIGH SCHOOL

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. BUTTERFIELD. Madam Speaker, today I am proud to mark Earth Day's 40th anniversary. The brainchild of Senator Gaylord Nelson, Earth Day has done more than simply raise awareness of environmental issues; it has helped shape policy to build a more sustainable country.

This occasion should remind everyone of the opportunity to swiftly take steps toward addressing our most dire environmental threat—global climate change. Last June, the House approved the American Clean Energy and Security Act, which would establish a process to curb greenhouse gas emissions. If signed into law, our children will celebrate the 80th annual Earth Day in 2050 with 83 percent less domestic greenhouse gas emissions.

It is critical that the U.S. Senate take immediate steps to provide meaningful, science-based legislation to limit greenhouse gas emissions. We must do our part to leave a legacy of conservation and sustainability for future generations. And, as Congress slowly labors to provide direction, millions of Americans are taking their own steps to live greener and more sustainable lives.

Northwest Halifax High School, located in Littleton, North Carolina in the First Congressional District, has installed a 2.0k/W solar panel system that will use a third less energy and reduce carbon emissions by 117,840 pounds over the lifespan of the system. On average, the school will save enough money to hire two full time teachers.

Madam Speaker, as we celebrate Earth Day, I urge Congress to meet the mandate of the American people and pass meaningful legislation to confront climate change. I ask my colleagues to join me in celebrating Earth Day, and commending Northwest Halifax High School on setting an example for all Americans.

EXPRESSING CONDOLENCES FOR VICTIMS OF TESORO REFINERY FIRE IN ANACORTES, WASHINGTON

SPEECH OF

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. GENE GREEN of Texas. Madam Speaker, I rise today in strong support of House Resolution 1262, which honors the victims of the fire at the Tesoro Refinery in Anacortes, Washington and expresses condolences to their families, friends, and loved ones in the wake of this tragic incident.

On April 2, 2010, as a team of seven employees worked in the refinery's naphtha hydro-treater, a devastating fire broke out. While the fire was quickly brought under control by Tesoro's fire control team and local first responders, three of the employees died immediately in the fire, three more died of their injuries, and another remains in intensive care after suffering severe burns.

I would like to extend my deepest sympathies to the community of Anacortes and the entire state of Washington, including to Representative RICK LARSEN who represents the affected community. Our district has five refineries that employ many of our constituents and we share in their unfortunate loss.

As we continue to deal with the devastating consequences of this episode, we must also direct our attention to preventing losses of life like this in the future. Ensuring the safety of our refineries must be a top priority to protect the security and wellbeing of our workers, their families, and communities.

Again, I would like to express my condolences to the families, friends, and loved ones of those killed in the fire and also offer my support and hope for a full recovery to the Anacortes community.

HONORING ISRAELI INDEPENDENCE DAY

SPEECH OF

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Ms. MATSUI. Mr. Speaker, I rise in recognition of the 62nd anniversary of one of our country's most steadfast and supportive allies: Israel.

Since Israel's declaration of independence in 1948, Jews from all over the world have moved there to put down roots, flourish, and participate in a Jewish state and society. Israel has grown from a country that provided a refuge for Jews who survived unprecedented horrors and anti-Semitic persecution to a nation with a strong and enduring tradition of democracy and liberal governance.

Israel was born out of war and conflict, and has weathered constant threats from beyond its borders since its creation. The history of Israel is one of a nation small in size but large in its dedication to the enduring principles of democratic governance, liberal democracy, and national unity. It is a testament to the character and inner strength of the Israeli people that their country continues to develop and flourish even as it is surrounded by so many who unjustly wish to see it dissolved and destroyed.

The nation of Israel is a friend of the poor and dispossessed around the world. It has sent humanitarian aid and emergency medical supplies to war zones in Rwanda; disaster areas in Turkey, the Indian Ocean, and along the Gulf Coast; and to fire-scorched areas in Greece. Most recently, Israel supplied much-needed support and relief to the people of Haiti, including deploying the Israel Defense Forces on aid missions and contributing millions of dollars to help the Haitian people rebuild their country.

It is clear that Israel's national mission is a higher calling than mere survival or self-perpetuation. It is an example to the world of the power of a determined national spirit, a citizenry dedicated to justice, and a set of founding principles that cannot be corrupted.

From the moment the United States recognized the State of Israel 11 minutes after its creation in 1948, Israel has proven to be a loyal partner with which the United States enjoys a mutually beneficial alliance. The advances made by our two countries in educational, scientific, and technological fields help to make the world a better place, and augment our intelligence and security partnerships in a crucial region of the world.

I join with many of my colleagues in the U.S. House of Representatives in highlighting my admiration for what the nation of Israel has accomplished in the last sixty-two years. It is my hope that the people of Israel use this anniversary as an opportunity to set a path forward that will help bring peace and prosperity to themselves and to their region for the next several years.

CELEBRATING THE CENTENNIAL ANNIVERSARY OF THE SAINT PAUL HOTEL

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. MCCOLLUM. Madam Speaker, today I rise to honor the staff and owners of The Saint Paul Hotel on the occasion of its Centennial Anniversary, which will be celebrated this weekend on April 17th.

Since its grand opening on April 18th, 1910, The Saint Paul Hotel has served as a geographic and cultural landmark for Minnesota's capital city, as well as a gathering place for Saint Paul's many visitors and residents.

In 1908 local businessman Lucius P. Ordway recognized the need for a major hotel in the growing commercial hub of Saint Paul. Mr. Ordway partnered with the city's Business League to purchase a parcel of land near downtown Saint Paul's Rice Park and finance the hotel's construction. Less than two years later, the Saint Paul Hotel was opened for business. It immediately was recognized as the premier hotel in the region, and less than one month after its grand opening celebration the hotel was named "Best in the West" by the National Hotelman's Association.

After falling into disrepair in the 1950s, civic and business leaders undertook an extensive renovation to return the hotel to its original

glory between 1981 and 1982. Since then, The Saint Paul Hotel has won dozens more awards for outstanding service and accommodations, and it has become, once again, one of the foremost luxury hotels in the Midwest.

Throughout its history, The Saint Paul Hotel has hosted a number of American Presidents, foreign dignitaries and heads of state, performing artists, writers, athletes, and numerous weddings. It has contributed a century's worth of memories to Saint Paul and the surrounding community.

Madam Speaker, please join me in rising to honor the Centennial Anniversary of The Saint Paul Hotel and its contributions to the rich history of the city of Saint Paul and the State of Minnesota.

HONORING ROY ISOM

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. COSTA. Madam Speaker, I rise today to pay special tribute to a man whose life and passions exemplified the well honored work ethic and spirit of fortitude, fairness, decency and citizenship that has made our nation great. Many things have contributed to the agriculture industry's prominence in our nation and the world, but one significant underlying factor in awareness of California's premier agricultural contributions to this great society has been the presence of individuals such as Roy Isom. On April 15th, 2010, agriculture and the entire Central Valley of California, lost a valuable friend and ally in Mr. Roy Isom, a radio icon in Fresno, California, the man colleagues called the hardest working person in broadcasting.

Roy Isom was a fixture in Central Valley California broadcasting for more than 40 years. Mr. Isom was known in the Central Valley by many as the ''voice of agriculture'' producing daily, an hour-long morning agricultural news show, reporting the concerns and activities of farming and agribusiness. Roy genuinely understood agriculture and its issues, talking regularly with farmers. Roy Isom was dedicated to agriculture.

Mr. Isom was a good hearted and good natured newsman who came to KMJ in Fresno in 1981 after a long stint in television news, including KFSN ch. 30. He started as farm news editor, but later added the title of news director to his resume. Colleagues marveled at his work ethic. He would come to work at 1 o'clock in the morning and then ''maybe'' leave at 3 in the afternoon, only to come back to work the next day seemingly unaffected by it. Though he arrived to work so early, he'd refuse to be pulled off a story until that story was told—and told well.

Roy Isom was known for his fair and balanced reporting. There was no one who didn't like or respect Roy. Though passionate about his craft, he was never pushy. Former KMJ general manager Al Smith reported, ''He was never a gotcha news guy. He was a guy who just wanted to get the facts ma'am.'', always done in a respectful way. Roy could masterfully paint a mental picture for listeners when on the scene of breaking news events.

Over the course of 45 years, Mr. Isom covered countless major breaking stories. Roy covered some of the most important stories our Valley has ever seen, most notably the recent dire water crisis facing our Central Valley farmers and their communities. His collection of media badges and awards speak volumes. He was named the California Farm Bureau Agricultural Reporter of the Year in '94. In 2005, Roy received the ''Heavy Puller Award'' from the Fresno County Farm Bureau.

Cancer may have claimed Roy's life at 72, but longtime friend and broadcaster Dennis Hart reports Roy went out just the way he'd planned; working until the very end. He's one of those rare people that got to do just that.

Roy Isom is survived by his wife of 45 years Pat Isom; son, Richard Isom; daughters Jennifer Isom Schmidtke and Catherine Isom; and seven grandchildren; all of Fresno. Mr. Isom will be long remembered for his love and dedication to his family and to the broadcast industry, and for his tireless efforts in doing his job, especially on behalf of Valley agriculture. A memorial scholarship in Roy's name has been set up with the Ag One Foundation at California State University, Fresno. Roy Isom will truly be missed by family, friends and the entire Central Valley Region. I will greatly miss Roy. Here's to a truly honorable and great man!

COMMEMORATING 40TH ANNIVERSARY OF EARTH DAY

SPEECH OF

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Ms. MATSUI. Madam Speaker, I rise today to celebrate the 40th annual Earth Day.

Each year Earth Day offers us an opportunity to reflect on the progress we have made toward protecting our environment and the work that we still need to do.

Now more than ever, we have an historic opportunity to take action to limit the harmful effects of climate change and create the clean energy economy of the future.

And there is no reason why America shouldn't be at the forefront of this new economy—and my hometown of Sacramento is helping to lead that effort.

To date, our area has among the highest federal funding levels through the Recovery Act and other grants to support investments in clean-tech and energy efficiency projects, including SmartGrid.

Madam Speaker, Sacramento's efforts are helping to lay the groundwork for renewed economic prosperity for our country, create good jobs, and will provide enormous benefits to our environment at the same time.

TRIBUTE TO GARY M. CHRISTMAS, CHIEF DEPUTY COUNTY EXECUTIVE OFFICER

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an individual from my Congressional District for his nearly 30 years of outstanding achievements and accomplishments in public service. Gary M. Christmas has served as Riverside County's Chief Deputy County Executive Officer since October 2008, and has been employed with the county in Riverside, California since July 1997. After almost three decades of service, Gary is retiring and today I honor his years of public service.

Gary graduated from the University of New Orleans with a Bachelor's Degree in Political Science and from San Jose State University with a Master's in Library Science. Prior to attending college, Gary served four years in the United States Coast Guard stationed in New Orleans, Louisiana.

Gary was a librarian for 16 years where he held progressively more responsible library management positions. He was also a reference librarian at several colleges and universities, including University of California, Riverside, Cal-Poly Pomona, Riverside Community College and Mt. San Jacinto Community College.

Gary served as the county librarian from July 1997 to June 2004 where he managed the library services contract and the County Library System with over 30 branches and more than 300 contract employees.

As Deputy County Executive Officer, a position he held from June 2004 to October 2008, Gary oversaw analysts in the Executive Office on budget and policy items, managed the County Capital Improvement Program team and coordinated the court facility transfer to the State Administrative Office of the Courts.

During his tenure as Chief Deputy County Executive Officer, Gary worked directly with the CEO, Assistant CEO and the Board of Supervisors in developing county policies and strategies. Additionally, Gary managed the Program Division of the Executive Office and has served as the legislative coordinator for the county advocacy program in Sacramento and Washington, DC. Gary has also represented the county at various federal, state and local meetings, boards and committees.

Gary has been married to his wife Kathy since 1974 and has two children, Erin and Andrea. In retirement, Gary will continue to travel and spend time with his family.

Gary Christmas's tireless passion for community and public service has contributed immensely to the betterment of the community of Riverside, California. I am proud to call Gary a fellow community member, American and friend. I know that many community members are grateful for his service and salute him as he retires.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress.

These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

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To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

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The summary follows:

I had known a little about what my dad did while he was deployed, but I had never pressed him for details. I think that is was partially because I assumed that anything that would make a good story would be classified for the next eighty years, but I also think that I was a little bit afraid of what I might hear. However, the stories that he shared were not as horrifying as I expected. I was stunned when he told me that he had never had a casualty in any of his units.

Our interview session was about as casual as it could be. I went outside to interview him while he was working in the yard. During our interview I learned more about some of the places he had visited in peace, including the U.A.E. (United Arab Emirates) and what was included in that country. At first I was surprised that this was one of his favorite places he has visited, but after he explained what was there it made perfect sense. I was honored that I could speak with my father about his experiences. It inspired me to do my utmost to make sure that I will preserve our military history.—Kai Fujisaka

AMERICA MUST CONTINUE TO LEAD THE FIGHT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SCHIFF. Madam Speaker, I rise today to remind my colleagues that April 25th is World Malaria Day. On this day, global health advocates around the world will be raising awareness about malaria, and the fight against this deadly disease.

Malaria is an acute and often fatal disease transmitted to humans by mosquitoes. The World Health Organization estimates that annually, there are approximately 250 million cases of malaria and nearly 1 million deaths, primarily among children in Africa under five.

Malaria is highly preventable and treatable with existing tools, including insecticide-treated bed nets, indoor residual spraying of insecticides, and anti-malaria drugs. Through the President's Malaria Initiative, contributions to the Global Fund to Fight AIDS, TB, and Malaria, and other investments, the United States has played a prominent role in the global effort to fight this deadly disease.

This effort is already showing impressive results, but ensuring that available anti-malaria tools reach all of the people who need them will require greater dedication of resources from the U.S. and our partners. Furthermore, drug and insecticide resistance mean that today's tools are likely to lose their efficacy over time. Therefore, it is critical to invest in research on new tools, including drugs, insecticides, diagnostics, and, eventually, a malaria vaccine.

The past several years have seen remarkable gains against malaria. Securing and expanding these gains will require continued U.S. leadership and investment.

2010 WORLD MALARIA DAY—''WE CAN DEFEAT MALARIA''

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. PAYNE. Madam Speaker, I rise today to recognize the importance of World Malaria Day, which occurs on April 25th. For millions around the world—particularly in sub-Saharan Africa, where the global malaria burden is heaviest—the disease is a daily reality, an enduring epidemic that kills millions and impedes the progress and ambitions of entire nations.

In the last decade, however, it has been proven that this need not be the case; that malaria can, in fact, be defeated. Between 2000 and 2009, 384,000 lives were saved in 12 African countries alone, through resources like insecticide-treated bed nets, indoor residual spraying, and malaria prevention for women during pregnancy. This was accomplished through the efforts and support of many countries, organizations, and companies that effectively raised the level of prevention, treatment, program support, and health system-strengthening in sub-Saharan Africa.

In 2008, Congress authorized an historic $48 billion for HIV/AIDS, tuberculosis, and malaria programs by passing H.R. 5501, the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008. But the current level of funding is not where it needs to be to ensure that these life-saving measures reach the people who need them. In fact, current funding is only 25 percent of what is needed to achieve the malaria intervention and elimination goals established by the UN and the Roll Back Malaria partnership.

World Malaria Day is an opportunity to raise awareness for this cause and address its inherent challenges. This is not an endeavor for which we lack the knowledge, skills, or resources to win. Rapidly scaling up the distribution of malaria control interventions has been proven to have a dramatic impact on reducing illnesses and deaths caused by malaria. There is a plan in place to put us on the path to eliminating this disease and, through our foreign assistance, we, as Americans, are an integral part of that plan.

Congressman BOOZMAN and I launched the Congressional Malaria Caucus to promote awareness in Congress of the efforts being made to stamp out the disease. We now have close to 60 Members of the Caucus, and I encourage us to see this plan through and help those who face the daily burden of malaria to reach their potential as a nation and as people.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. CONYERS. Madam Speaker, on April 22, 2010, I regret that I was not present to vote on the Motion on Ordering the Previous Question on the Flake Privileged Resolution, the Motion to Refer the Flake Privileged Resolution, the Republican Motion to Instruct Conferees on H.R. 2194, and H. Res. 1270.

Had I been present, I would have voted ''yea'' on the Motion to Refer the Flake Privileged Resolution, and H. Res. 1270

I would have voted ''no'' on the Motion on Ordering the Previous Question on the Flake Privileged Resolution and the Republican Motion to Instruct Conferees on H.R. 2194.

CAREGIVERS AND VETERANS OMNIBUS HEALTH SERVICES ACT

SPEECH OF

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. ADLER of New Jersey. I rise in support of S. 1963, the Caregivers and Veterans Omnibus Health Services Act.

The Caregivers and Veterans Omnibus Health Services Act is a comprehensive piece of legislation aimed at augmenting the support services available to family caregivers of wounded veterans, improving VA services to women veterans, preventing veteran homelessness, and increasing mental health care access to veterans.

This historic bill achieves so many necessary and important goals. First, it provides immediate support for veteran caregivers by creating a program to offer caregiver training, access to mental health counseling, and 24-hour respite care in the veteran's home. Family caregivers sacrifice so much of their own lives in order to care for our nation's heroes. It is so important that we give them every supportive service they need so they do not become overwhelmed by the daily realities of caring for a wounded veteran.

Second, this bill seeks to build a VA health care system respectful of the unique medical needs of women veterans. For the first time, VA will be authorized to provide health care for newborn infants of women veterans. Our women veterans deserve private health care that is respectful of their unique medical needs.

This bill also seeks to expand VA services that are designed to end veteran homelessness. It is unacceptable that the brave men and women who fought in service to our country would go without a place to rest their heads at night. I applaud these efforts to augment Secretary Shinseki's plan to end veteran homelessness in the next 5 years.

The Caregivers and Veterans Omnibus Health Services Act deserves our undivided support. I urge my colleagues to vote in favor of S. 1963.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, ''Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free.''

To ensure that the blessing of freedom is passed from one generation to the next, the members of the CYAC spent time interviewing a veteran and documenting the experience for the ''Preserving History Project.'' Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

I had the privilege of interviewing Congressman Sam Johnson. He served in the United States Air Force during the Korean War, the Vietnam War, and during the Cuban Missile Crisis. Congressman Johnson was a prisoner of war for nearly seven years in the Hanoi Hilton. Shortly after the Vietnam War, he retired from the United States Air Force as a Colonel. When he departed from the military, he was a highly decorated officer having received two Legions of Merit, the Distinguished Flying Cross, two Silver Stars, one Bronze Star with Valor, four Air Medals, two Purple Hearts, and three Outstanding Unit Awards.

Since 1991, Congressman Johnson has served the Third District of Texas as our representative to the United States Congress. He serves as the Ranking Member of the Social Security Subcommittee. Congressman Johnson currently sits on the prestigious Ways and Means Committee. Mr. Johnson has personally inspired me as a young man. Through his unshakable faith, he has shown me that nothing is impossible with a mighty God. ''I can do all things through Him who strengthens me.'' (Philippians 4:13). Congressman Johnson is my Hero.—Gabriel Devoto.

HONORING DAVID POSSNER

HON. MICHAEL E. McMAHON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. McMAHON. Madam Speaker, I rise today to acknowledge and honor the service of David Possner to the youth of New York City. He has dedicated his life to educating the youth of our city and to the betterment of his community.

David Possner graduated from the prestigious New York City Leadership Academy's Aspiring Principals Program and is currently an assistant principal at M.S. Q226 in Queens, New York. At this school, he is the supervisor of the Visionary School Academy. In this role, he is a role model and inspiration to his students. He is always available to assist students and their families, in or out of the classroom.

David's commitment to education and community service is not limited to the classroom. He is always available to assist students and their families in both academic and personal matters. David is involved in numerous charitable organizations and has inspired many of his students to join him in these endeavors. He sees his role not just as an educator, but as a leader of youth. His tireless dedication to his life's calling makes him an inspiration not just to his students, but to educators across the country.

I am pleased to inform you that David's hard work has not gone unnoticed. He has been recognized by the United States Senate, the House of Representatives, the New York State Assembly, and the New York City Council. The New York Post has called him ''a visionary who has made a deep impact on the lives of his students and fellow teachers.''

The one word that we could use to describe David would be ''hope.'' This has been his guiding principle for his entire career: hope in New York City, hope in our state, hope in our youth, and hope in our nation. Despite the constant challenges facing his students, he never gives up on them and always inspires them to strive for excellence.

Madam Speaker, I invite the House of Representatives to join me in recognizing the outstanding life contributions of David Possner to our city's and our nation's youth.

HONORING THE 150TH ANNIVERSARY OF THE SISTERS OF CHARITY OF SAINT ELIZABETH

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. ROTHMAN of New Jersey. Madam Speaker, I rise today to recognize the Sisters of Charity of Saint Elizabeth and celebrate with them on their 150th Anniversary of service and dedication to serving their Church and community.

The Sisters of Charity of Saint Elizabeth come from a long legacy of public service that stretches back to the 19th century. This legacy is interwoven with the founding and development of the Catholic Church in New Jersey. Under the authority of the first American bishop, Bishop John Carroll of Baltimore, Mother Elizabeth Ann Seton founded the American Sisters of Charity in 1809 in Emmitsburg, Maryland. Fifty years later, Sister Mary Xavier Mehegan was assigned by the New York Sisters of Charity to take charge of the new community that the first Bishop of Newark, James Roosevelt Bayley, nephew of Mother Seton, wished to establish.

Following the example of Mother Elizabeth Ann Seton, the new community was formally ordered and established in Newark, New Jersey on September 29, 1859. The Sisters of Charity of Saint Elizabeth founded the Academy of Saint Elizabeth, the first secondary school for young women in the state, near Morristown in 1860. In 1899, at a time when New Jersey had no baccalaureate-degree-granting college for women, Sister Mary Xavier Mehegan founded the College of Saint Elizabeth, New Jersey's oldest four-year college for women and one of the first colleges for women in the United States.

Under Sister Mehegan's leadership, the Sisters of Charity of Saint Elizabeth moved their ministries beyond New Jersey to Connecticut, Massachusetts, and New York. Following her passing, they further expanded their work into China, Puerto Rico, and the Virgin Islands. While their endeavors continued to grow and expand abroad, they did not hesitate to toil restlessly for those who were disadvantaged and discriminated against at home. During the period of segregation, the Sisters of Charity opened a school for black children in Pensacola, Florida. The Sisters truly believe it to be self evident that all men, women and children are created equal.

From this rich history, the Sisters of Charity of Saint Elizabeth have become a beacon of hope throughout the community. Their mission is to work with and for the poor, to alleviate suffering, to dispel ignorance, and to promote justice. They participate in the mission of the Catholic Church through ministry supported and nourished by prayer and a vowed life of service to the community. The Sisters of Charity of Saint Elizabeth serve as a true example of selflessness and service. They continue to embody President John F. Kennedy's grand instruction: ''Ask not what your country can do for you—ask what you can do for your country.''

Madam Speaker, I know that my colleagues will join with me in honoring the Sisters of Charity of Saint Elizabeth for their 150 years of faithful service to New Jersey.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

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The summary follows:

As a 1st rank navel veteran, Mr. Harvey F. Spears has had many awe-inspiring experiences. In particular he was involved in law enforcement and weapons control in his military career, which lasted 20 years. In the Navy, he was the Command Master in Arms (CMAA) and was involved in the Navy Security Guard. He comes from a history of family serving their country through various aspects of the military. He helped found the Veterans Association just before graduating from the University of North Texas in Denton, Texas; currently, Mr. Spears is the president of the Veterans Association at UNT, which helps veterans gaining an education at the University of North Texas to fully access all the resources available to them.

I absolutely enjoyed talking to him and realized that he had been through much that even I could learn from. I was also amazed at how many places he has been to, seeing as I have never been outside the country. Ultimately, I admire his leadership ability to create an organization for veterans as an alumnus of the university and still play a prominent role in his community, even after his retirement from service.—Anita Chandrahas

TRIBUTE TO DENVER HEALTH

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. DEGETTE. Madam Speaker, along with Representative ED PERLMUTTER, I would like to recognize the exceptional endeavors and notable undertakings of an extraordinary public hospital system in Denver, Colorado. It is fitting and proper that we recognize this outstanding institution for its innovation in the health care field and for its enduring service to care for the people of our state. It is to commend this outstanding and distinguished institution that we rise to honor Denver Health on the occasion of its 150th Anniversary.

Since 1860, Denver Health has been providing essential, quality health care services for the metropolitan area. It is astonishing to think about what an integral role Denver Health has played over the last 150 years. It has been a community institution since Abraham Lincoln was elected President; sixteen years before Colorado even became a state. Denver Health has been here since the days of duels and horse-drawn ambulances; since before the Civil War even began. The hospital began in a small log cabin and has transformed into the extraordinary institution we know today, serving twenty-five percent of Denver residents and one in every three Denver children. Last year alone, Denver Health provided approximately $350 million in uncompensated care to the uninsured and medically needy.

The first sentence in Denver Health's mission statement is a testament to its commitment to the health of our citizens. It reads: ''Provide access to the highest quality health care, whether for prevention, or acute and chronic diseases regardless of ability to pay.'' Serving as the safety-net provider for the community, Denver Health faces obstacles year after year as the uninsured population continues to increase. Denver Health's pioneering leadership has been innovative in developing tools to reduce cost, curb waste, and improve quality for our most vulnerable populations.

In addition to its role as our primary safety-net hospital, Denver Health provides a number of other services to the surrounding communities and region. Denver Health operates the city's school based health centers, Denver's 911 emergency response system, provides correctional facility care, and houses the Denver Public Health Department. Denver Health also serves the surrounding region by housing the regional Rocky Mountain Poison Control Center, Rocky Mountain Center for Medical Response and the Rocky Mountain Regional Trauma Center. Denver Health is truly a system of integrated care.

Denver Health's physicians, leadership, and medical professionals have received an array of local and national accolades for their innovation and commitment to achieving the highest quality of patient care. Denver Health leads the way in innovation and improvement in quality and efficiency.

Please join me in commending Denver Health on the occasion of its 150th Anniversary. It is the vision, innovation, and commitment of Denver Health that continually enhances the lives of our citizens and builds a better future for Coloradoans and for all Americans.

HONORING TAYLOR MILLS AS A STUDENT LEADER

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. BOOZMAN. Madam Speaker, I rise to honor Taylor Mills, a student leader at the University of Arkansas.

A dedicated student and an active individual, Taylor Mills has quickly distinguished himself as an influential leader among the students of the University of Arkansas. He has served in various leadership positions around campus, such as the president of the Red Cross, vice president of Hogs for Haiti, and as the president of One World RSO. Maintaining his motivation to be a well rounded individual, Mills conducts research for the Terrorism Research Center as well as serves as the intern coordinator for Winrock International. All of this has culminated in his nomination as Student Leader of the Week.

Taylor Mills serves as an inspiration for all of us, showing what hard work and dedication can lead to. I have seen his hard work first hand as an intern in my office and am proud of what he has accomplished. I believe this man is capable of great things not only for the State of Arkansas, but also for the entirety of the United States. Thank you, Taylor Mills, for all you have done at your time at the University of Arkansas and all you will continue to do. We look forward to seeing what you will accomplish.

HONORING REVEREND JAMES COFFEE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. WOOLSEY. Madam Speaker, I rise with sadness today to honor a man who was a dear friend to me and a giant in our community. Reverend James Coffee of Santa Rosa, California, passed away April 6, 2010, at the age of 76, after a life that touched thousands of lives. He will be deeply missed.

Raised in Oklahoma when segregation was the rule of the day, Rev. Coffee moved to the San Francisco Bay Area as a teenager. He was first invited to be the pastor of Community Baptist Church in Santa Rosa in 1962 while studying at Golden Gate Baptist Seminary in Mill Valley. A year later, he accepted the position and took on a small congregation of 15 African American members.

Rev. Coffee was engaged in the civil rights struggles of those times, including the 1956 Montgomery bus boycott where he met Rev. Martin Luther King, Jr. Racial tensions existed in Sonoma County also. In 1985 the church was damaged in a fire that Rev. Coffee believed to be arson, possibly because of his stand against apartheid and his success in

persuading the Board of Supervisors to withdraw investments in South Africa. Many in the community rallied around the church, contributing time and money to the repairs and later to the building of a new church.

Reverend Coffee always persevered in his vision of a society where everyone could realize his or her full potential. With love and an open heart, he acted on his principles. With the support and assistance of his wife Vivian, his family, and his many friends made over the years, he worked inclusively to break down the barriers between races and promote the greater good.

He was particularly concerned with the community's youth, mentoring young people, providing scholarships, and joining with others to establish and promote programs such as Rites of Passage (with Shirley Gordon) which teaches teens that they can attend college and become leaders. These activities have given young people the hope and the support that keeps them out of gangs and on the path or promise.

Rev. Coffee also founded or participated in a wide variety of civic organizations and could be found bringing people together for a wide variety of social issues. From the Bridge Builders Organization (to promote racial reconciliation), 100 Black Men of Sonoma County, Race Equality Week, and Citizens Against Domestic Violence to the Salvation Army Advisory Board and Citizens for Balanced Transportation, Rev. Coffee's presence and energy were a catalyst for the whole the community.

In 1981, he co-founded Santa Rosa's Martin Luther King, Jr. birthday celebration (with Carole Ellis and Mary Moore) which continues to inspire youth and bring people together. In 2004, he had the honor of meeting King's son, Martin Luther King III who spoke at a Sonoma County Human Rights Commission event at which the first of a new series of awards were presented—the Reverend James E. Coffee Human Rights Awards.

Rev. Coffee himself earned many awards throughout his years of service. He appreciated these acknowledgements, yet the greatest honors for him were the light of understanding in a teen's eyes, the dialogue across a racial barrier, and the legacy of love and activism. He leaves a Community Baptist Church that is multi-cultural with 500 active members who will carry on his work.

He is survived by his wife Vivian; his children James Jr., Shirley, and Yvette; three grandchildren; one great grandchild; and countless friends who will mourn him and be inspired by his example.

Madam Speaker, I am one of those many friends and I will miss him every day. To me, the Reverend James Coffee, has been the perfect embodiment of one of his favorite sayings: "Make a difference one day at a time." Reverend Coffee did make a difference—with strength and persistence, humor and compassion—every day of his life.

IN HONOR OF TAKE STOCK IN CHILDREN GRADUATION AND CONTRACT SIGNING 2010

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today to bring to the attention of my colleagues the work of Take Stock in Children. This organization offers extraordinary educational and mentoring programs for disadvantaged youth throughout the state of Florida.

Enrolling students as early as sixth grade, Take Stock in Children offers each child a college tuition scholarship, a volunteer mentor, a case manager, and long-term support. The children in the program sign performance contracts agreeing to get good grades; exhibit positive behavior and; remain drug and crime free.

Through their programs, Take Stock in Children aims to reduce the number of high school drop-outs and increase the number of students who finish college and enter the workforce successfully. Since its inception in 1995, Take Stock in Children has served over 16,000 children in 67 of Florida's counties, graduating 92 percent of its scholars in comparison with the state average of 65 percent. In my home county of Broward, over 900 low income students have received scholarships since 1996, with 550 volunteer mentors meeting with the students at their schools every week.

I would like to congratulate the 72 Take Stock in Children senior scholars who will be graduating and the 85 new scholars who will be entering the program next week in Broward County. They join students graduating from around the state, 88 percent of which are first generation college-going students, empowered by the financial and moral support that this important program has provided over their high school career.

I am proud today to honor the important work that Take Stock in Children continues to do paving the way to better lives for many disadvantaged children and helping them pursue the American dream of a college education.

HONORING ISRAELI INDEPENDENCE DAY

SPEECH OF

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 21, 2010

Mr. COHEN. Mr. Speaker, I rise today to celebrate the 62nd anniversary of the founding of the State of Israel, our friend and partner. After a process that began with the Balfour Declaration, the Mandate of the League of Nations and generations of struggling to regain their homeland, the United Nations passed a resolution on November 29, 1947 giving Israel the right to exist as a state. On May 14, 1948, Israel signed a proclamation creating the State of Israel, establishing it as a country that will "ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex." That same night, the United States officially recognized Israel as a sovereign nation.

Despite its unfortunate history of violence, the State of Israel has established itself as a world leader and a nation millions of Jews are proud to have as their homeland. Considering that Israel is the hundredth smallest country in the world with less than one thousandth of the world's population, what Israel has been able to accomplish is truly remarkable. What separates Israel from almost every other country is its truly innovative and entrepreneurial nature.

With regards to education, Israel has the highest ratio of university degrees in the world, so it is no surprise that Israel has become a leader in the health, science, and technology fields. In fact, many of the technologies we rely upon in the United States were actually developed in Israel such as the cell phone, computer operation systems, and voicemail technology. As a result of these technological developments Israel has developed a $100 billion economy, which is larger than the combined economies of all its immediate neighbors.

Therefore, I rise today to celebrate Israel's Independence and to pay my respects to those who have lost their lives defending the nation they loved. Although the State of Israel has experienced more than its fair share of trying times, it has never lost sight of the noble ideals upon which the state was founded: freedom, justice, equality and peace.

CELEBRATION OF ELIZABETH EVELYN WRIGHT DAY

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. BISHOP of Georgia. Madam Speaker, I rise today to celebrate Elizabeth Evelyn Wright Day, which will be commemorated this year on April 24th, in Talbotton, Georgia. Ms. Wright was an incredible woman. Her passion to inspire and educate the disenfranchised burned within, and her internal fire was often challenged by actual fire. She survived several arson attacks, yet remained undeterred. The flames of hatred were no match for the lamp of knowledge.

Elizabeth Evelyn Wright was born April 3, 1872, in Talbotton, Georgia. She was raised in a poverty-stricken area of Talbotton known as "Smith Hill." As a child, she was persistent in her educational endeavors. At St. Phillip's AME Church, she studied reading, writing, and arithmetic, and her scholastic excellence was quickly recognized by her professors.

To realize her potential, Wright then enrolled at Tuskegee Institute in Alabama, where she worked in the cafeteria during the day and attended classes at night. With the aid of Olivia Washington, wife of Booker T. Washington who was then Principal of Tuskegee Institute, Elizabeth Evelyn Wright was able to attend daytime classes. She became close with the Washington family, and was affectionately known as "Lizzie." Mrs. Washington inspired Lizzie to use her exceptional talents to educate underprivileged African-American children.

During her senior year of college, Wright was approached by Almira Steele, a white trustee at Tuskegee who knew of Lizzie's stellar academic reputation. She asked Lizzie to move to McNeill, South Carolina, to teach. In 1892, taking a hiatus from school, Lizzie realized her dream of educating African-American children and became inspired to open her own school.

In 1893, the McNeill School burned to the ground due to a hate-fueled attack. Witnessing this injustice inspired Lizzie to return to Tuskegee to graduate. She resumed teaching in McNeill, this time, at her own school. Nevertheless, the flames of hatred burned again as

white supremacists burned the lumber purchased to build Lizzie's schoolhouse and then set fire to the temporary classroom building. These were not the last fires of injustice Lizzie would experience in her lifetime. She would attempt three more times to build a school, and each met a fiery end.

Undeterred, she moved to Denmark, South Carolina, and opened the Denmark Industrial School. In 1902, with the gracious aid of Ralph Voorhees, a blind philanthropist from New Jersey, Lizzie was able to purchase 280 acres of land. With the assistance of her friend and mentor Booker T. Washington, the school expanded, and was renamed the Voorhees Industrial School, which today is know as Voorhees College. In 1904, the school was incorporated by the South Carolina State Legislature.

Sadly, due to life-long illness, Lizzie passed away shortly thereafter, but she left an incredible legacy. She never yielded in the face of adversity, and strove to educate and inspire her community. Her passion still inspires the students of Voorhees College. Today, the college is an accredited four-year liberal arts college, dedicated to a diverse global society, life-long learning, healthy living and an abiding faith in God. The students aim to improve communities, society, and themselves.

On April 2, 2009, my colleague, Congressman CLYBURN, sponsored a Tribute to Elizabeth Evelyn Wright. In celebration of her birthday, the Citizens of Talbotton, Georgia, first declared "Elizabeth Evelyn Wright Day" on April 4, 2009. The Citizens of Talbotton, in celebration of the "Second Annual Elizabeth Evelyn Wright Day," have asked that Congress again recognize the amazing contribution she made to education. On behalf of Georgia's Second Congressional District, which is proud to be the birthplace of Elizabeth Evelyn Wright, as well as the place she spent her formative years where her character, values, and academic excellence were developed, I am pleased to honor her today.

Madam Speaker, Elizabeth Evelyn Wright was beyond remarkable, and has not been given an appropriate place in history. It is my hope to draw attention to this incredible educator, whose life and courage in the face of adversity continues to inspire students and teachers today.

THE CONGRESSIONAL YOUTH ADVISORY COUNCIL: A LEGACY OF SERVICE

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 22, 2010

Mr. SAM JOHNSON of Texas. Madam Speaker, I ask my fellow colleagues to join me in congratulating the 2009–2010 Congressional Youth Advisory Council. This year 45 students from public, private, and home schools in grades 9 through 12 made their voices heard and made a difference in their communities, their country and their Congress. These students volunteered their time, effort, and talent to inform me about the important issues facing their generation. As young leaders within their communities and their schools, these students boldly represent the promise and the hope we all have for their very bright future.

President Ronald Reagan said, "Freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States where men were free."

To ensure that the blessing of freedom is passed from one generation to the next, the members of the CYAC spent time interviewing a veteran and documenting the experience for the "Preserving History Project" Today I'm proud to submit the brief summaries provided so the patriotic service of our dedicated veterans and the thoughtful work of the CYAC may be preserved for antiquity in the CONGRESSIONAL RECORD. A copy of each submitted student summary follows.

To each member of the Congressional Youth Advisory Council, thank you for making this year and this group a success. It is not a coincidence that this congressional tribute celebrates two generations of service. Each of you is trusted with the precious gift of freedom.

You are the voices of the future and I salute you. God bless you and God bless America.

The summary follows:

This unique opportunity to interview a veteran was very eye-opening and educational. It helped me to better understand why this country is so great. After interviewing such a prideful American, it is easy to see why this nation has been so prosperous. I am more cognizant of the opportunities set out for me and why those opportunities are possible. Many of them are only available because of those who have fought for this great country. I found this project so inspirational that I have become more interested in possibly serving some day. I think that for this country to continue to succeed it needs more people who are as special as Mr. Rowley, the veteran that I interviewed. His passion for America rubbed off on me in a unique way. The way he explained his experiences to me was special. It definitely seemed like his life and the way he saw things changed during his service. His eyes were opened up to the world. He never before realized how good his life in America was. One thing that struck me the most was how optimistic he was about the future of the country In a time with so many issues, it is reassuring to hear enthusiasm about where we are and where we are going.—Blake Balda

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2535–S2604

Measures Introduced: Twelve bills and five resolutions were introduced, as follows: S. 3244–3255, and S. Res. 495–499. **Page S2587**

Measures Passed:

Cost of Living Adjustment for Members of Congress: Senate passed S. 3244, to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011. **Page S2544**

Small Business Act and the Small Business Investment Act: Senate passed S. 3253, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Page S2573**

National Adopt A Library Day: Senate agreed to S. Res. 496, designating April 23, 2010, as ''National Adopt A Library Day''. **Page S2573**

National Shaken Baby Syndrome Awareness Week: Senate agreed to S. Res. 497, designating the third week of April 2010 as ''National Shaken Baby Syndrome Awareness Week''. **Pages S2573–74**

40th Anniversary of Earth Day: Senate agreed to H. Con. Res. 255, commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin, after agreeing to the following amendment proposed thereto: **Pages S2596–S2600**

Casey (for Coburn) Amendment No. 3729, in the nature of a substitute. **Page S2600**

Supporting the Goals and Ideals of World Malaria Day: Senate agreed to S. Res. 499, supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative. **Pages S2600–01**

Measures Considered:

Restoring American Financial Stability Act—Cloture: Senate began consideration of the motion to proceed to consideration of S. 3217, to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices. **Pages S2553–66**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Thursday, April 22, 2010, a vote on cloture will occur at 5 p.m., on Monday, April 26, 2010. **Page S2553**

A unanimous-consent agreement was reached providing that Senate resume consideration of the motion to proceed to consideration of the bill at approximately 3 p.m., on Monday, April 26, 2010. **Page S2553**

House Messages:

Caregivers and Veterans Omnibus Health Services Act: Senate concurred in the amendment of the House to S. 1963, to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, clearing the measure for the President. **Pages S2566–73**

Appointments:

Commission on Key National Indicators: The Chair, on behalf of the Majority Leader, pursuant to Public Law 111–148, appointed the following individuals to serve as members of the Commission on Key National Indicators: Dr. Ikram Kahn of Nevada (for a term of 3 years) and Dr. Dean Ornish of California (for a term of 2 years). **Page S2574**

Impeachment of Judge G. Thomas Porteous, Jr.: The Chair submitted to the Senate for printing in the Senate Journal and in the Congressional Record the amended replication of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the articles of impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on April 22, 2010. **Pages S2601–03**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 98 yeas (Vote No. EX. 123), Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit.

Pages S2539–44

William N. Nettles, of South Carolina, to be United States Attorney for the District of South Carolina for the term of four years.

David A. Capp, of Indiana, to be United States Attorney for the Northern District of Indiana for the term of four years.

Anne M. Tompkins, of North Carolina, to be United States Attorney for the Western District of North Carolina for the term of four years.

Noel Culver March, of Maine, to be United States Marshal for the District of Maine for the term of four years.

George White, of Mississippi, to be United States Marshal for the Southern District of Mississippi for the term of four years.

Loretta E. Lynch, of New York, to be United States Attorney for the Eastern District of New York for the term of four years.

Brian Todd Underwood, of Idaho, to be United States Marshal for the District of Idaho for the term of four years.

Kelly McDade Nesbit, of North Carolina, to be United States Marshal for the Western District of North Carolina for the term of four years.

Peter Christopher Munoz, of Michigan, to be United States Marshal for the Western District of Michigan for the term of four years.

Wifredo A. Ferrer, of Florida, to be United States Attorney for the Southern District of Florida for the term of four years.

4 Coast Guard nominations in the rank of admiral.

Routine lists in the Coast Guard, Foreign Service, and National Oceanic and Atmospheric Administration. **Pages S2544–45, S2574, S2603–04**

Nominations Received: Senate received the following nominations:

Jonathan Woodson, of Massachusetts, to be an Assistant Secretary of Defense.

Rose M. Likins, of Virginia, to be Ambassador to the Republic of Peru.

Luis E. Arreaga-Rodas, of Virginia, to be Ambassador to the Republic of Iceland. **Page S2603**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Timothy McGee, of Louisiana, to be an Assistant Secretary of Commerce, which was sent to the Senate on December 21, 2009. **Page S2604**

Messages from the House: **Pages S2585–86**

Measures Referred: **Page S2586**

Executive Communications: **Pages S2586–87**

Executive Reports of Committees: **Page S2587**

Additional Cosponsors: **Pages S2587–88**

Statements on Introduced Bills/Resolutions: **Pages S2588–95**

Additional Statements: **Pages S2583–85**

Amendments Submitted: **Pages S2595–96**

Authorities for Committees to Meet: **Page S2596**

Record Votes: One record vote was taken today. (Total—123) **Page S2544**

Adjournment: Senate convened at 9:33 a.m. and adjourned at 6:45 p.m., until 2 p.m. on Monday, April 26, 2010. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2603.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF ARMY AND DEPARTMENT OF AIR FORCE

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the Department of Army and the Department of Air Force, after receiving testimony from Louis Jerome Hansen, Deputy Assistant Secretary for Strategic Infrastructure, and Senior Official Performing Duties of Assistant Secretary for Installations and Environment, Joseph F. Calcara, Deputy Assistant Secretary for Installations and Housing, Brigadier General James C. Boozer, Director, Operations Directorate, Office of the Assistant Chief of Staff for Installation Management, Major General Raymond W. Carpenter, Acting Director of the Army National Guard, James Snyder, Assistant Chief, Army Reserve, all of the Department of Army, Terry A. Yonkers, Assistant Secretary for Installations, Environment and Logistics, Kathleen I. Ferguson, Deputy Assistant Secretary for Installations, Major General Patrick J. Moisio, Deputy Director, Air National Guard, and Major General David L. Commons, Mobilization Assistant to the Chief of the Air Force Reserve, all of the Department of the Air Force, all of the Department of Defense.

APPROPRIATIONS: NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2011 for the National Aeronautics and Space Administration, after receiving testimony from Senator Hatch; and Charles F. Bolden, Jr., Administrator, and John Frost, Council Member, Aerospace Safety Advisory Panel, both of the National Aeronautics and Space Administration.

NUCLEAR POSTURE REVIEW

Committee on Armed Services: Committee concluded a hearing to examine the Nuclear Posture Review, after receiving testimony from James N. Miller, Principal Deputy Under Secretary for Policy, and General Kevin P. Chilton, Commander, United States Strategic Command, both of the Department of Defense; Ellen O. Tauscher, Under Secretary of State for Arms Control and International Security; and Thomas P. D'Agostino, Under Secretary of Energy for Nuclear Security and Administrator, National Nuclear Security Administration.

CHINA'S EXCHANGE RATE POLICY

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Economic Policy concluded a hearing to examine China's exchange rate policy and trade imbalances, after receiving testimony from Senator Graham; Clyde Prestowitz, Economic Strategy Institute, Nicholas Lardy, Peterson Institute for International Economics, Daniel J. Ikenson, Cato Institute, and Derek Scissors, The Heritage Foundation, all of Washington, D.C.; Charles H. Blum, Fair Currency Coalition, Chevy Chase, Maryland; Mark A. Suwyn, NewPage Corporation, Miamisburg, Ohio; and Jack W. Shilling, Murrysville, Pennsylvania.

2011: BUDGET

Committee on the Budget: Committee ordered favorably reported a concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2011, revising the appropriate budgetary levels for fiscal year 2010, and setting forth the appropriate budgetary levels for fiscal years 2012 through 2015.

IMPACTS OF OCEAN ACIDIFICATION

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine the environmental and economic impacts of ocean acidification, after receiving testimony from James P. Barry, Monterey Bay Aquarium Research Institute, Moss Landing, California, on behalf of the National Academies Committee on Development of an Integrated Science Strategy for Ocean Acidification Monitoring, Research, and Impacts Assessment; Thomas Ingram, Diving Equipment and Marketing Association, San Diego, California; John T. Everett, Ocean Associates, Inc., Arlington, Virginia; Sigourney Weaver, New York, New York; and Donald A. Waters, Pensacola, Florida.

DEBT SETTLEMENT INDUSTRY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the debt settlement industry, focusing on the consumer's experience, and how fraudulent, abusive, and deceptive practices pose risk to consumers, after receiving testimony from Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; Julie Brill, Commissioner, Federal Trade Commission; Philip A. Lehman, North Carolina Department of Justice, Raleigh; John Ansbach, United States Organizations of Bankruptcy Alternatives (USOBA), Houston, Texas; and Holly A. Haas, Concord, New Hampshire.

GLOBAL FOOD SECURITY

Committee on Foreign Relations: Committee concluded a hearing to examine promoting global food security, focusing on the next steps for Congress and the Administration, after receiving testimony from Jacob Lew, Deputy Secretary of State for Management and Resources; Rajiv Shah, Administrator, United States Agency for International Development (USAID); and Dan Glickman, Washington, DC, and Catherine Bertini, Cortland, New York, both of the Chicago Council on Global Affairs.

FEDERAL GOVERNMENT TRANSITIONS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine challenges and lessons learned in transitioning the Federal government including S. 3196, to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election, after receiving testimony from Gail Lovelace, Chief People Officer, General Services Administration; Clay Johnson, former Deputy Director for Management, Office of Management and Budget; and John D. Podesta, Center for American Progress Action Fund, and Max Stier, Partnership for Public Service, both of Washington, DC.

FUTURE OF THE UNITED STATES POSTAL SERVICE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine the future of the United States Postal Service, focusing on action needed to facilitate financial viability, after receiving testimony from Phillip Herr, Director, Physical Infrastructure Issues, Government Accountability Office; John E. Potter, Postmaster General and Chief Executive Officer, and David C. Williams, Inspector General, both of the United States Postal Service; and Ruth Y. Goldway, Chairman, Postal Regulatory Commission.

ELEMENTARY AND SECONDARY EDUCATION ACT

Committee on Health, Education, Labor, and Pensions: Committee continued hearings to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on meeting the needs of the whole student, after receiving testimony from Geoff Canada, Harlem Children's Zone, New York, New York; Karen Pittman, Forum for Youth Investment, Lynsey Wood Jefferies, Higher Achievement, and Anne Henderson, Annenberg Institute for School Reform, all of Washington, DC; Eric Schwartz, Citizen Schools, Boston, Massachusetts; George Sugai, Positive Behavior Interventions and Supports, Storrs, Connecticut; Jamie Greene, Rhode Island School Library Association, Warren; Clare Struck, Price Lab School, Cedar Falls, Iowa; Nikki Rittling, Wonderful Willards Elementary School, Willards, Maryland; and Dan Cardinali, Communities in Schools, Arlington, Virginia.

INDIAN ENERGY PROMOTION AND PARITY ACT

Committee on Indian Affairs: Committee concluded a hearing to examine the discussion draft of the ''Indian Energy Promotion and Parity Act of 2010'', after receiving testimony from Joe Garcia, National Congress of American Indians, Washington, DC; Matthew J. Box, Southern Ute Indian Tribe, Ignacio, Colorado; Michael Marchand, Economic Development Committee, Portland Oregon; Ralph Andersen, Bristol Bay Native Association, Dillingham, Alaska; and Peter Stricker, Clipper Windpower Development Company Inc., Carpinteria, California.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Kerry B. Harvey, to be United States Attorney for the Eastern District of Kentucky, David J. Hale, to be United States Attorney for the Western District of Kentucky, Kenneth J. Gonzales, to be United States Attorney for the District of New Mexico, and Alicia Anne Garrido Limtiaco, to be United States Attorney for the District of Guam and concurrently United States Attorney for the District of the Northern Mariana Islands, all of the Department of Justice.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Raymond Joseph Lohier, Jr., of New York, to be United States Circuit Judge for the Second Circuit, and Leonard Philip Stark, to be United States District Judge for the District of Delaware, who was introduced by Senator Carper, after the nominees testified and answered questions in their own behalf.

HISTORY OF THE FILIBUSTER

Committee on Rules and Administration: Committee concluded a hearing to examine the filibuster, focusing on the history of the filibuster 1789–2008, after receiving testimony from Robert Dove, Parliamentarian Emeritus, United States Senate; Stanley Bach, former Senior Specialist in the Legislative Process, Congressional Research Service, Library of Congress; Sarah Binder, George Washington University, Washington, DC; and Gregory J. Wawro, Columbia University, New York, New York.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

HEALTH CARE TECHNOLOGY

Special Committee on Aging: Committee concluded a hearing to examine the National Broadband Plan and health care technology, after receiving testimony from Mohit Kaushal, Health Care Director, Federal Communications Commission; Farzad Mostashari, Senior Advisor, Office of the National Coordinator for Health IT, Department of Health and Human Services; Eric Dishman, Intel Digital Health Group, Washington, DC; Robin A. Felder, University of Virginia School of Medicine, Charlottesville, Virginia; and Richard Kuebler, University of Tennessee Health Science Center Telehealth Department, Memphis.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 29 public bills, H.R. 5107–5135; and 12 resolutions, H. Res. 1287–1298, were introduced. **Pages H2841–43**

Additional Cosponsors: **Pages H2844–45**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Pastor to act as Speaker pro tempore for today. **Page H2803**

Comprehensive Iran Sanctions, Accountability, and Divestment Act—Motion to go to Conference: The House agreed to the Berman motion to disagree to the Senate amendment and agree to a conference on H.R. 2194, to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran. **Pages H2806–15**

Agreed to the Ros-Lehtinen motion to instruct conferees on the bill by a yea-and-nay vote of 403 yeas to 11 nays with 3 voting ''present'', Roll No. 219. **Page H2817**

Later, the Chair appointed the following conferees: From the Committee on Foreign Affairs, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Representatives Berman, Ackerman, Sherman, Crowley, Scott (GA), Costa, Klein (FL), Ros-Lehtinen, Burton (IN), Royce, and Pence. **Page H2818**

From the Committee on Financial Services, for consideration of secs. 3 and 4 of the House bill, and secs. 101–103, 106, 203, and 401 of the Senate amendment, and modifications committed to conference: Representatives Frank (MA), Meeks (NY), and Garrett (NJ). **Page H2818**

From the Committee on Ways and Means, for consideration of secs. 3 and 4 of the House bill, and secs. 101–103 and 401 of the Senate amendment, and modifications committed to conference: Representatives Levin, Tanner, and Camp. **Page H2818**

Privileged Resolution—Motion to Refer: The House agreed to refer H. Res. 1287, raising a question of the privileges of the House, to the Committee on Standards of Official Conduct by a yea-and-nay vote of 402 yeas with none voting ''nay'' and 17 voting ''present'', Roll No. 218. Earlier, the previous question was not ordered on H. Res. 1287 by a yea-and-nay vote of 187 yeas to 218 nays with 16 voting ''present'', Roll No. 217. **Pages H2815–17**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Wednesday, April 21st:

Expressing support for Mathematics Awareness Month: H. Res. 1270, to express support for Mathematics Awareness Month, by a ⅔ yea-and-nay vote of 407 yeas to 2 nays, Roll No. 220. **Pages H2817–18**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday, April 26th for morning hour debate. **Page H2822**

Senate Messages: Messages received from the Senate today appear on pages H2803 and H2827.

Senate Referrals: S. 3244 was referred to the Committees on House Administration and Oversight and Government Reform. **Page H2840**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H2815–16, H2816, H2817, and H2817–18. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 4:08 p.m.

Committee Meetings

MOVIE FUTURES TRADING EXCHANGES

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review proposals to establish exchanges trading ''movie futures.'' Testimony was heard from Dan Berkovitz, General Counsel, CFTC; and public witnesses.

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 USDA, Office of Inspector General Oversight. Testimony was heard from Phyllis K. Fong, Inspector General, USDA.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies held a hearing on Office Justice Programs (OJP) FY 2011 Budget. Testimony was heard from Laurie Robinson, Assistant Attorney General, Department of Justice.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense held a hearing on Defense Health Program/Wounded Warrior. Testimony was heard from the following officials of the Department of Defense: Charles L. Rice, M.D., President, Uniformed Services University of the Health Sciences, Performing the Duties of the Assistant Secretary, Health Affairs; LTG Eric Schoomaker, USA, Surgeon General and Commander, U.S. Medical Command; VADM Adam M. Robinson, Jr., USN, Surgeon General of the Navy; and LTG Charles B. Green, M.D., USAF, Surgeon General of the Air Force.

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS

Committee on Appropriations: Subcommittee on Financial Services and General Government held a hearing on Financial Crisis and TARP. Testimony was heard from Herbert Allison, Assistant Secretary of the Treasury, Financial Stability; and Neil Barofsky, Special Inspector General, Troubled Asset Relief Program.

ARMY/AIR FORCE NATIONAL GUARD-RESERVE EQUIPMENT POSTURE

Committee on Armed Services: Subcommittee on Air and Land Forces held a hearing on Army and Air Force National Guard and Reserve component equipment posture. Testimony was heard from the following officials of the Department of Defense: LTG Harry M. Wyatt III, USAF, Director, Air National Guard; MG Raymond W. Carpenter, USA, Acting Director, Army National Guard; LTG Jack C. Stultz, USA, Chief, U.S. Army Reserve; and LTG Charles E. Stenner, Jr., USAF, Chief, U.S. Air Force Reserve.

WORK-LIFE BALANCE AWARD ACT

Committee on Education and Labor: Subcommittee on Workforce Protections held a hearing on H.R. 4855, Work-Life Balance Award Act. Testimony was heard from public witnesses.

ENVIRONMENT AND HUMAN HEALTH

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''The Environment and Human Health: the Role of HHS.'' Testimony was heard from the following officials of the Department of Health and Human Services: Linda Birnbaum, Director, National Institute of Environmental Health Sciences, and the National Toxicology Program; and Henry Falk, M.D., Acting Director, National Center for Environmental Health, and the Agency for Toxic Substances and Disease Registry.

MISCELLANEOUS MEASURES

Committee on Financial Services: Ordered reported, as amended, the following bills: H.R. 2336, GREEN Act of 2009; and H.R. 5017, Rural Housing Preservation and Stabilization Act of 2010.

The Committee also began markup of H.R. 5072, FHA Reform Act of 2010. Will continue April 27.

UNEXPLODED ORDNANCES IN LAOS

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific and the Global Environment held a hearing on the Legacies of War: Unexploded Ordnances in Laos. Testimony was heard from Scot Marciel, Deputy Assistant Secretary and Ambassador for ASEAN Affairs, Bureau of East Asian and Pacific Affairs, Department of State; and public witnesses.

PRIVATE STUDENT LOAN BANKRUPTCY FAIRNESS ACT OF 2010

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 5043, Private Student Loan Bankruptcy Fairness Act of 2010. Testimony was heard from public witnesses.

AMERICANS WITH DISABILITIES ACT

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Civil Liberties held an oversight hearing on Achieving the Promise of the Americans with Disabilities Act in the Digital Age-Current Issues, Challenges, and Opportunities. Testimony was heard from Samuel Bagenstos, Principal Deputy Assistant Attorney General, Department of Justice; and public witnesses.

OVERFISHING/CATCH SHARES

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife held an oversight hearing on A Community Perspective on Catch Shares. Testimony was heard from public witnesses.

CABIN FEE ACT OF 2010

Committee on Natural Resources: Subcommittee on National Parks, Forests, and Public Lands held a hearing on H.R. 4888, Cabin Fee Act of 2010. Testimony was heard from Joel Holtrop, Deputy Chief, National Forest System, U.S. Forest Service, USDA; and public witnesses.

CRISIS IN KYRGYZSTAN/AFGHAN SUPPLY CHAIN

Committee on Oversight and Government Reform: Subcommittee on National Security and Foreign Affairs held a hearing entitled ''Crisis in Kyrgyzstan: Fuel, Contractors, and Revolution along the Afghan Supply Chain.'' Testimony was heard from public witnesses.

HELIUM-3 SUPPLY CRISIS

Committee on Science and Technology: Subcommittee on Investigations and Oversight held a hearing on Caught by Surprise: Causes and Consequences of the Helium-3 Supply Crisis. Testimony was heard from William Hagan, Acting Director, Domestic Nuclear Detection Office, Department of Homeland Security; William Brinkman, Director, Office of Science, Department of Energy; and public witnesses.

HAZARDOUS MATERIALS MANAGEMENT

Committee on Transportation and Infrastructure: Held a hearing on the Department of Transportation's Oversight and Management of Hazardous Materials Special Permits and Approvals. Testimony was heard from the following officials of the Department of Transportation: Calvin L. Scovel III, Inspector General; and Cynthia Quarterman, Administrator, Pipeline and Hazardous Materials Safety Administration; and a public witness.

VA'S FIDUCIARY PROGRAM

Committee on Veterans' Affairs: Subcommittee on Disability Assistance and Memorial Affairs held a hearing on Examining VA's Fiduciary Program: How Can VA Better Protect Vulnerable Veterans and Their Families? Testimony was heard from the following officials of the Department of Veterans Affairs: Belinda J. Finn, Assistant Inspector General, Audits and Evaluations, Office of Inspector General; and Bradley G. Mayes, Director, Compensation and Pension Service, Veterans Benefits Administration; Daniel Bertoni, Director, Education, Workforce, and Income Security Issues, GAO; representatives of veterans organizations; and a public witness.

TEMPORARY ASSISTANCE RECIPIENT EDUCATION/TRAINING

Committee on Ways and Means: Subcommittee on Income Security and Family Support held a hearing to examine the role of education and training in the Temporary Assistance for Needy Families (TANF) program. Testimony was heard from Representative Moore of Wisconsin; and public witnesses.

BRIEFING—GUANTANAMO DETAINEE TASK FORCE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on Guantanamo Detainee Task Force. The Committee was briefed by departmental witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, APRIL 23, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to resume hearings to examine Wall Street and the financial crisis, focusing on the role of credit rating agencies, 9:30 a.m., SD–G50.

House

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of April 26 through May 1, 2010

Senate Chamber

On *Monday*, at approximately 3 p.m., Senate will resume consideration of the motion to proceed to consideration of 3217, Restoring American Financial Stability Act, and after a period of debate, vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 5 p.m.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: April 28, Subcommittee on Energy and Water Development, to hold hearings to examine a national assessment of energy policies, focusing on significant achievements since the 1970s and an examination of U.S. energy policies and goals in the coming decades, 10 a.m., SD–124.

April 28, Subcommittee on Financial Services and General Government, to hold hearings to examine the President's proposed budget estimates for fiscal year 2011 for the Commodity Futures Trading Commission and for the Securities and Exchange Commission, 2:30 p.m., SD–138.

April 29, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Federal Railroad Administration and the National Railroad Passenger Corporation (Amtrak), 9:30 a.m., SD–138.

April 29, Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Department of Justice, 10 a.m., SD–192.

April 29, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Library of Congress and the Open World Leadership Center, 2:30 p.m., SD–138.

April 29, Subcommittee on Financial Services and General Government, to hold hearings to examine holding banks accountable, focusing on if treasury and banks

are doing enough to help families save their homes, 2:30 p.m., SD–192.

Committee on Armed Services: April 28, Subcommittee on Personnel, to hold hearings to examine military compensation and benefits, including special and incentive pays, in review of the Defense Authorization request for fiscal year 2011 and the Future Years Defense Program, 10 a.m., SR–222.

April 29, Full Committee, to receive a closed briefing on United States policy towards Yemen and Somalia, 9:30 a.m., SVC–217.

Committee on Banking, Housing, and Urban Affairs: April 29, Subcommittee on Economic Policy, to hold hearings to examine short-termism in financial markets, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: April 27, Subcommittee on Competitiveness, Innovation, and Export Promotion, to hold hearings to examine promoting our national parks as travel destinations, 10 a.m., SR–253.

April 28, Subcommittee on Surface Transportation and Merchant Marine, to hold an oversight hearing to examine motor carrier safety efforts, 10 a.m., SR–253.

April 29, Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold hearings to examine children's privacy, focusing on new technologies and the Children's Online Privacy Protection Act, 10 a.m., SR–253.

Committee on Energy and Natural Resources: April 27, to hold hearings to examine the nominations of Philip D. Moeller, of Washington, and Cheryl A. LaFleur, of Massachusetts, both to be a Member of the Federal Energy Regulatory Commission, 10 a.m., SD–366.

April 27, Subcommittee on Water and Power, to hold hearings to examine S. 745 and H.R. 2265, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater recharge project, S. 1138 and H.R. 2442, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, S. 1573 and H.R. 2741, bills to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, S. 3099, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir, S. 3100, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch, H.R. 325, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra Black Wash Reclamation and Riparian Restoration Project, H.R. 637, to authorize the Secretary, in cooperation with the City of San Juan Capistrano, California, to participate in the design, planning, and construction of an advanced water treatment plant facility and recycled water system, H.R. 1120, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Central Texas Water Recycling and Reuse Project, H.R. 1219, to make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992, H.R. 1393, to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, and H.R. 2522, to raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project, 3 p.m., SD–366.

April 28, Subcommittee on Public Lands and Forests, to hold hearings to examine S. 1241, to amend Public Law 106–206 to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer, S. 1571 and H.R. 1043, bills to provide for a land exchange involving certain National Forest System lands in the Mendocino National Forest in the State of California, S. 2762, to designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, S. 3075, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 3185, to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and H.R. 86, to eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, 2:30 p.m., SD–366.

Committee on Environment and Public Works: April 27, Subcommittee on Water and Wildlife, to hold hearings to examine collaborative solutions to wildlife and habitat management, 10 a.m., SD–406.

Committee on Finance: April 29, Subcommittee on International Trade, Customs, and Global Competitiveness, to hold hearings to examine doubling United States exports, focusing on United States seaports, 1 p.m., SD–215.

Committee on Foreign Relations: April 27, business meeting to consider S. 2971, to authorize certain authorities by the Department of State, S. 3087, to support revitalization and reform of the Organization of American States, and the nominations of Mari Carmen Aponte, of the District of Columbia, to be Ambassador to the Republic of El Salvador, Department of State, and Michael P. Meehan, of Virginia, and Dana M. Perino, of the District of Columbia, both to be a Member of the Broadcasting Board of Governors, 2:15 p.m., S–116, Capitol.

April 29, Full Committee, to hold hearings to examine historical and modern context for United States-Russian arms control, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: April 27, to hold hearings to examine putting safety first, focusing on strengthening enforcement and creating a culture of compliance at mines and other dangerous workplaces, 2 p.m., SD–430.

April 28, Full Committee, business meeting to consider the nominations of Joshua Gotbaum, of the District of Columbia, to be Director of the Pension Benefit Guaranty Corporation, and Eduardo M. Ochoa, of California, to be Assistant Secretary of Education for Postsecondary Education, 10 a.m., SD–430.

April 28, Full Committee, to resume hearings to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on standards and assessments, 2 p.m., SD–430.

April 29, Full Committee, to resume hearings to examine Elementary and Secondary Education Act (ESEA) reauthorization, focusing on meeting the needs of special populations, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: April 27, Permanent Subcommittee on Investigations, to resume hearings to examine Wall Street and the financial crisis, focusing on the role of investment banks, 10 a.m., SD–106.

April 28, Ad Hoc Subcommittee on Contracting Oversight, to hold an oversight hearing to examine contract management at the Centers for Medicare and Medicaid Services, 2:30 p.m., SD–342.

April 29, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine developing Federal employees and supervisors, focusing on mentoring, internships, and training in the Federal government, 2:30 p.m., SD–342.

Committee on Indian Affairs: April 29, to hold hearings to examine S. 2802, to settle land claims within the Fort Hall Reservation, S. 1264, to require the Secretary of the Interior to assess the irrigation infrastructure of the Pine River Indian Irrigation Project in the State of Colorado and provide grants to, and enter into cooperative agreements with, the Southern Ute Indian Tribe to assess, repair, rehabilitate, or reconstruct existing infrastructure, and S. 439, to provide for and promote the economic development of Indian tribes by furnishing the necessary capital, financial services, and technical assistance to Indian-owned business enterprises, to stimulate the development of the private sector of Indian tribal economies, 2:15 p.m., SD–628.

Committee on the Judiciary: April 27, to hold an oversight hearing to examine the Department of Homeland Security, 10 a.m., SD–226.

April 28, Full Committee, to hold hearings to examine certain nominations, 2:30 p.m., SD–226.

April 29, Full Committee, business meeting to consider S. 1346, to penalize crimes against humanity and for other purposes, S. 657, to provide for media coverage of Federal court proceedings, S. 446, to permit the televising of Supreme Court proceedings, S. Res. 339, to express the sense of the Senate in support of permitting the televising of Supreme Court proceedings, S. 1684, to establish guidelines and incentives for States to establish criminal arsonist and criminal bomber registries and to require the Attorney General to establish a national criminal arsonist and criminal bomber registry program, and the nominations of David B. Fein, to be United States Attorney for the District of Connecticut, and Paul Ward, to be United States Marshal for the District of North Dakota, both of the Department of Justice, 10 a.m., SD–226.

Committee on Small Business and Entrepreneurship: April 27, to hold hearings to examine Federal efforts to expand small business internet access, 10 a.m., SR–428A.

Select Committee on Intelligence: April 27, to receive a closed briefing on certain intelligence matters from officials of the intelligence community, 2:30 p.m., SH–219.

April 29, Full Committee, to hold closed hearings to consider certain intelligence matters, 2:30 p.m., SH–219.

House Committees

Committee on Appropriations, April 27, Subcommittee on Financial Services and General Government, on FY 2011 Budget Request for the Election Assistance Commission, 10 a.m., 2226 Rayburn.

April 28, Subcommittee on Financial Services, and General Government, on FY 2011 Budget Request for the GSA, 10:30 a.m., 2362–B Rayburn.

April 28, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on FY 2011 Budget Overview: National Institutes of Health, 10 a.m., 2359 Rayburn.

April 29, Subcommittee on Financial Services and General Government, on FY 2011 Budget Request for the FCC, 10 a.m., 2359 Rayburn.

Committee on Armed Services, April 27, Subcommittee on Oversight and Investigations, hearing on Simplifying Defense Travel: Improving the Defense Travel System for the User, 2 p.m., 2118 Rayburn.

April 27, Subcommittee on Readiness, hearing on Fiscal Year 2011 Army Reserve, Army National Guard, and Air National Guard Training and Operations, 10 a.m., 2118 Rayburn.

April 27, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Closing the Gap: Addressing Critical Rotary Wing Shortfalls for U.S. Special Operations Forces in Fiscal Year 2011 and Beyond, 2:30 p.m., 210 HVC.

April 28, Subcommittee on Air and Land Forces, hearing on Air Mobility Programs, 2 p.m., 2118 Rayburn.

April 29, full Committee, hearing on Security and Stability in Pakistan: Developments in U.S. Policy and Funding, 10 a.m., 2118 Rayburn.

Committee on Education and Labor, April 28, Subcommittee on Workforce Protections, hearing on Whistleblower and Victim's Rights Provision of H.R. 2067, Protecting America's Workers Act, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, April 28, Subcommittee on Commerce, Trade and Consumer Protection, hearing entitled "Public Sales of Hurricane Katrina/Rita FEMA Trailers: Are they Safe or Environmental Time Bombs?" 10 a.m., 2322 Rayburn.

April 28, Subcommittee on Energy and Environment, hearing on Clean Energy Policies That Reduce Our Dependence on Oil, 9:30 a.m., 2123 Rayburn.

April 28, Subcommittee on Health, hearing entitled "Antibiotic Resistance and the Threat to Public Health.," 2 p.m., 2123 Rayburn.

April 29, Subcommittee on Commerce, Trade and Consumer Protection, hearing on the Consumer Product Safety Enhancement Act, 10 a.m., 2322 Rayburn.

April 29, Subcommittee on Communications, Technology and the Internet, hearing entitled ''The National Broadband Plan: Competitive Availability of Navigation Devices,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, April 27, to continue markup of H.R. 5072, FHA Reform Act of 2010, and to mark up the following bills: H.R.2555, Homeowners' Defense Act of 2009; H.R. 1264, Multiple Peril Insurance Act of 2009; H.R. 5114, Flood Insurance Reform Priorities Act of 2010; and H.R. 4790, Shareholder Protection Act of 2010, 10 a.m., 2128 Rayburn.

April 28, Subcommittee on Housing and Community Opportunity, hearing entitled ''Legislative Proposals to Preserve Public Housing,'' 10 a.m., 2128 Rayburn.

April 28, Subcommittee on International Monetary Policy and Trade, hearing entitled '' Promoting Small and Micro Enterprise in Haiti,'' 2 p.m., 2128 Rayburn.

April 28, Subcommittee on Oversight and Investigations, hearing entitled '' Reviewing FinCEN Oversight Reports,'' 2 p.m., 2220 Rayburn.

April 29, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''Credit Default Swaps on Government Debt: Potential Implications of the Greek Debt Crisis,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, April 27, Subcommittee on Europe, hearing on A Relic of the Cold War: Is it Time to Repeal Jackson-Vanik for Russia? 2 p.m., 2172 Rayburn.

April 28, full Committee, to mark up the following measures: H.R. 4128, Conflict Minerals Trade Act; the International Megan's Law of 2010; H.R. 4801, Global Science Program for Security, Competitiveness, and Diplomacy Act of 2010; and the Office of High Representative Protection Act of 2010, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, April 29, Subcommittee on Management, Investigations, and Oversight, hearing entitled ''Laying the Framework for the Task Ahead: An Examination of the Department of Homeland Security's Quadrennial Homeland Security Review,'' 10 a.m., 311 Cannon.

Committee on House Administration, April 28, hearing on Oversight of the Clerk, Sergeant at Arms, Chief Administrative Officer and Inspector General of the House of Representatives, 11 a.m., 1310 Longworth.

Committee on the Judiciary, April 27, Subcommittee on Commercial and Administrative Law, hearing on H.R. 3764, Civil Access to Justice Act of 2009, 11 a.m., 2141 Rayburn.

April 28, full Committee, hearing on H.R. 2695, Credit Card Fair Fee Act of 2009, 10 a.m., 2141 Rayburn.

April 29, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Protecting the American Dream Part II: Combating Predatory Lending Under the Fair Housing Act, 1 p.m., 2141 Rayburn.

April 29, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Collateral Consequences of Criminal Convictions: Barriers to Reentry for the Formerly Incarcerated, 11 a.m., 2237 Rayburn.

Committee on Natural Resources, April 27, Subcommittee on Insular Affairs, Oceans and Wildlife, oversight hearing entitled ''Marine Mammals in Captivity: What Constitutes Meaningful Public Education,'' 10 a.m., 1324 Longworth.

April 27, Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 2986, National Capital Region Land Conservation Act of 2009; H.R. 3923, Sugar Loaf Protection District Land Exchange Act of 2009; H.R. 3967, To amend the National Great Black Americans Commemoration Act of 2004 to authorize appropriations through fiscal year 2015; H.R. 3989, Heart Mountain Relocation Center Study Act of 2009; H.R. 4514, Colonel Charles Young Home Study Act; H.R. 4686, Rota Cultural and Natural Resources Study Act; and H.R. 4773, Fort Pulaski National Monument Lease Authorization Act, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, April 28, Subcommittee on Government Management, Organization, and Procurement, to consider pending business, 10:30 a.m., 2247 Rayburn.

April 28, Subcommittee on National Security and Foreign Affairs, hearing entitled ''The Rise of the Drones II: Examining the Legality of Unmanned Targeting,'' 10 a.m., 2154 Rayburn.

April 29, full Committee, hearing entitled ''Running Out of Time: Telecommunications Transition Delays Wasting Millions of Federal Dollars,'' 10 a.m., 2154 Rayburn,

Committee on Science and Technology, April 28, to consider the America COMPETES Reauthorization Act of 2010, 10 a.m., 2318 Rayburn.

Committee on Small Business, April 28, hearing entitled ''Evaluating the Impact of Small Business Trade Policy on Job Creation and Economic Growth,'' 1 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, April 27, Subcommittee on Coast Guard and Maritime Transportation, hearing on Status of Coast Guard Civil Rights Programs and Diversity Initiatives, 10 a.m., 2167 Rayburn.

April 28, Subcommittee on Water Resources and Environment, to continue hearings on Protecting and Restoring America's Great Waters, Part II: The Columbia River and San Francisco Bay, 2 p.m., 2167 Rayburn.

April 29, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on Proposed Fiscal Year 2011 Budgets for Regional Economic Development Commissions, Priorities and Impacts on Regional Economics and Employment, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, April 28, Subcommittee on Oversight and Investigations, hearing on Examining the Progress of Suicide Prevention Outreach Efforts at the Department of Veterans Affairs, 10 a.m., 334 Cannon.

April 29, Subcommittee on Economic Opportunity, hearing on Status of Veterans Small Businesses, 1 p.m., 334 Cannon.

April 29, Subcommittee on Health, to mark up the following measures: H.R. 1017, Chiropractic Care Available to All Veterans Act; H.R. 2506, Veterans Hearing and Assessment Act; and draft legislation on Continuing Professional Education Reimbursement, followed by a hearing on VA's Implementation of the Enhanced Contract Care Pilot Program, 10 a.m., 334 Cannon.

Committee on Ways and Means, April 27, Subcommittee on Social Security and the Subcommittee on Income Security and Family Support, joint hearing on SSA's large backlogs in disability claims, 2 p.m., 1100 Longworth.

April 29, Subcommittee on Trade, hearing on U.S.-Cuba Policy, 10 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: April 29, to hold hearings to examine long-term unemployment, focusing on causes, consequences and solutions, 2 p.m., 210, Cannon Building.

Next Meeting of the SENATE

2 p.m., Monday, April 26

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of the motion to proceed to consideration of S. 3217, Restoring American Financial Stability Act, and after a period of debate, vote on the motion to invoke cloture on the motion to proceed to consideration of the bill at 5 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, April 26

House Chamber

Program for Monday: To be announced.

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