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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mrs. DAHLKEMPER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 15, 2010.

I hereby appoint the Honorable KATHLEEN A. DAHLKEMPER to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 1 minute a.m.), the House stood in recess until 10 a.m.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CLYBURN) at 10 a.m.

PRAYER

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

This world was created by You, Almighty God. In You and through You, humanity has been freed and brought to a liberty that is powerful enough to enable us to learn from mistakes and resolve with firm determination to live with compassion for others and bring greater and equal justice to all peoples.

Help this Nation live up to its calling in these historic times. May all those who are committed to love others and pursue justice, work together, without illusion or deceit, and build a world of true and lasting peace.

This we ask calling upon Your Holy Name, with lasting faith. 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. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore 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 passed a bill of the following title in which the concurrence of the House is requested:

S. 1660. An act to amend the Toxic Substance Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, June 10, 2010, the House will stand in recess subject to the call of the Chair to receive the former Members of Congress.

Accordingly (at 10 o'clock and 4 minutes a.m.), the House stood in recess subject to the call of the Chair.

RECEPTION OF FORMER MEMBERS OF CONGRESS

The Speaker pro tempore presided.

The SPEAKER pro tempore. On behalf of the House, I consider it a high honor and a distinct personal privilege to have the opportunity of welcoming so many of our former Members and colleagues as may be present here for this occasion. We all pause to welcome them.

The Chair now calls on the Honorable John J. Rhodes, president of the association, to take the chair.

Mr. RHODES (presiding). It is my pleasure at this point in time to yield the floor to the vice president of the association and my great friend, the gentleman from Michigan, Mr. Hertel, for the purpose of making a presentation.

Mr. HERTEL. I thank the gentleman from Arizona.

It is always a distinct privilege to be back in this revered Chamber, and we appreciate the opportunity to present today the annual report of the U.S. Association of Former Members of Congress.

Our association's president, Jay Rhodes of Arizona, along with some of our colleagues, will report on the activities and projects of our organization. Before we get to this report, however, it is my distinct honor and pleasure to present our 2010 Distinguished Service Award to William H. Gray of the great State of Pennsylvania.

Bestowing our association's highest award on Bill Gray was an easy decision and one that was long overdue. The reward recognizes distinguished

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service, and few Members have served their community and country with more distinction than Bill Gray did before, during and after his years here on Capitol Hill.

Majority Whip Gray embodies the spirit of our award, having spent his post-congressional career as an education leader, which he believes is his higher calling for our entire country. As president and CEO of the United Negro College Fund, he worked to elevate historically black colleges, and believes they provide vital educational bridges that need continued support. We are thrilled to honor him today. Bill, please join me here at the dais.

You know, Bill first of all had to have the political hard sense and experience to become the whip to be elected by the caucus. And then once he was the whip, on a daily and weekly basis he had to lead us and be able to count those votes in such a political way. So it is not just education and public service, it is being one of the greatest politicians that we have had in the history of our House. On behalf of the U.S. Association of Former Members of Congress, it is a great pleasure and honor for to me to present our 2010 Distinguished Service Award to William H. Gray of Pennsylvania.

The plaque is inscribed as followed:

The 2010 Distinguished Service Award is presented by the United States Association of Former Members of Congress to Chairman William Herbert Gray, III, for his lifetime of exceptional public service. Both in and out of Congress, Minister Bill Gray has demonstrated his tremendous dedication to civil rights, fairness and equality. Representing the State of Pennsylvania with great distinction, he served as the first African-American majority whip and the first African-American chairman of the House Budget Committee. His leadership helped young Americans obtain the dream of a college education, his perseverance contributed to the fall of apartheid, and his humanity brought relief to the people of Haiti. Congressman Bill Gray is an inspiration to us all, and his former colleagues from both sides of the political aisle salute him today.

Mr. GRAY. Thank you to the president, the distinguished gentleman from Arizona, to my former colleague from Michigan, to all of you who are here, those who I had the privilege of serving with, and those that I have known over the years through outstanding service since or before.

It is a real privilege and a pleasure to be here today and to receive this award because of the group that is making it, the former Members of Congress who gave service not only when they were elected officials, but continue to give service, inspiring fellow Americans to get involved in public service and understand that democracy must have participation by all of its citizens.

Sometimes the debate can get kind of tough. But one thing we all learned long ago, and that is that civility is the cement that holds the bricks of democracy together. And so we must always keep in mind in our public service that although we disagree, we can never have the point that we reach in our society where we think of each other as evil because of our disagreements. We are all fellow Americans fighting for the best.

I want to recognize one of our former Members, because in a way our partnership symbolizes that civility, that working together, even though we probably in the 10 or 12 years that we spent together here in the House of Representatives, he and I never voted alike on anything, not even the approval of the Journal, I don't think. He was from Texas, from San Antonio, and a rock-ribbed conservative, and I was from Philadelphia, a rock-ribbed progressive, and today we are partners in a firm. And that is Tom Loeffler, who came to the House about the same time as I did, and yet today we are working together.

So I want to thank all of the members of the Former Members Association for this outstanding award. I enjoyed immensely my years on this floor and in this body serving with so many of you. I have enjoyed immensely my work in education. But above all, I have enjoyed my work of 45 years as a Baptist preacher.

Today I thank you for this award, and continue to say what my father said to me years ago. He said, ''Service is the rent you pay in the house of democracy.'' Thank you, and let us continue to work together to pay good rent for the next generation and broaden the house of democracy.

Thank you, Mr. President.

Mr. RHODES. Congressman Gray, thank you very much for being with us today, and for all that you have done for this institution, and this country, and for our God. Thanks, Bill. I appreciate it.

I am going to yield the chair in a moment to the gentleman from Michigan to preside over the balance of the meeting. I want to take a special moment—actually, I am going to take several special moments, because the majority leader has entered the Chamber, and it's my hope that he will have some comments and remarks to make for us.

Mr. HOYER. Good morning and welcome back.

Many of you, of course, visit on a relatively regular basis. Others of you we don't get to see as often. I now have been here long enough to know almost all of you, and have served with almost all of you. And I am always pleased to join here to welcome you back to the House.

I have my own Connie Morella from Maryland and Bev Byron. You know the story about Bev Byron. We met in 1962. She was wondering who this skinny kid was who had written to her husband, ''Dear President Byron.'' He was president of the Young Democrats of Maryland. And I signed it ''Steny Hamilton Hoyer,'' and she has not let me forget the officiousness of that letter.

But I am so pleased to be with all of you. I have lamented on numerous occasions welcoming you here that when I first came here it was 1981, and clearly the partisanship was starting to elevate.

All of you know, because I have said on so many different occasions, what respect and deep, deep affection I have for Bob Michel. Respect in the sense that I thought he brought the best of what the American people want and represented to the House of Representatives. He brought a philosophical judgment as to what policies we ought to support, direction the country ought to go, but he also brought a deep conviction that what the American public expected of us was to work together, respect one another, and try to do the best that we could for the American people.

Unfortunately, as all of you have seen, we are a deeply polarized Congress. That does not mean that we don't sit down together and talk about issues from time to time. Leader BOEHNER has just walked in. He and I are working on a joint enterprise that we think may have some real positive effect. And hopefully, we can win the day on that issue. But for the most part, we are not working together as collegially as I think the American public would like us to do.

The problems that confront our country, as all of you know, are very, very substantial. We have an immediate crisis, the oil crisis, which has given to the American public a sense of almost helplessness that their government is not responding in a way that can stop this oil from leaking. Clearly, BP and the entire oil industry has extraordinary incentive to do that. They have been technically unable to do it. We are in deep water both figuratively and literally on this issue.

JOHN and I were on a television program on Sunday morning together on which we both agreed that, A, BP ought to be held responsible, and B, we need to do everything we possibly could to not only stop the oil, but to help those who have been hurt, which nobody can contemplate exactly how broad that will be.

The other issue that we are grappling with that I feel keenly about that has gotten cumulatively worse during the 30 years that I have been here, and that is the fiscal crisis that confronts our country. We are in deep debt. We are approaching or about at 90 percent of GDP in terms of our debt load. We are moving towards 100 percent. No country in the world can sustain that kind of debt load for very long and remain healthy, vibrant, and growing.

So we need your continued wisdom and counsel. Notwithstanding the fact you are not voting, you are all very, very influential people in this country and in your States and in your districts still. And your voice is needed, as we try to reach some bipartisan consensus on how to achieve a more positive fiscal picture confronting our country.

But notwithstanding those serious issues, as someone who just turned 71 yesterday, and I am sending the message to my constituents that I have no intention of retiring; I hope they have no intention of retiring me. I enjoy my service here. I continue. And I enjoyed serving with all of you on both sides of the aisle.

So on behalf of Speaker PELOSI, JOHN will speak for himself, obviously, but I know in a very bipartisan way we welcome all of you back here. We enjoy seeing you. We enjoy reminiscing about the good times, about the challenges, and about how we got things done, and how we might apply those lessons of the past to the solving of the problems that confront us today.

So thank you all very, very much. Enjoy this day, and make sure that you come back on a regular basis to give us, as I said, not only advice and counsel, but perhaps even encouragement. Not everybody in America, as you have noticed, is giving us encouragement.

You know, the bad news for Democrats is that we are very low down in the polls. The good news for Democrats is Republicans are there with us. They don't like any of us. They don't think any of us have got it. So working together, perhaps we can reinstate their confidence and reinstate a positive, more confident America as we move forward, as you have done when you served America so well in this body. Thank you very much.

I now, if I might, the distinguished gentleman from Arizona, I know he wants to recognize him, but I would be pleased to yield to my friend with whom I from time to time have the opportunity to work together, but always try to have a cordial and positive relationship with, the Republican leader, Mr. BOEHNER.

Mr. RHODES. Mr. HOYER, my wife and I own a little piece of property in Calvert County which happens to be in a major part of your district, and one of the things that we constantly notice is between Prince Frederick and Solomon's Island, roughly every half mile there is a post office. Now, I know that you and everybody else thinks that earmarks are not good, but you are not going to be defeated as long as you keep building those post offices.

Mr. HOYER. I appreciate your confidence, Mr. Speaker.

Mr. RHODES. The Chair recognizes the Republican leader.

Mr. BOEHNER. Mr. Speaker, this is the first time in my 20 years here that I have seen the Speaker lobbying from the podium.

Let me welcome all of my colleagues here to the Capitol today. There are a good number of you. I would hope that some of you would work to get more of your colleagues to come back for what really is a very special day, and we, on a bipartisan basis, really do welcome you and glad to see many of you. Some of you, this is the only day of the year I get to see; others I get to see a little more often, like these two over here.

To Bill Gray, congratulations. Bill Gray has spent a lifetime of service to his country, whether it was the years that he spent here, the years that he spent with a number of organizations where he has provided exemplary service, and I am very pleased that Bill is being honored today by all of you. He and I had a chance to serve together. I was a young pup, he was one of the senior leaders in the other party, but we still always had an opportunity to talk to one another.

As all of you know, we continue, as STENY said, to face big challenges, and what is really of interest to me and I'm sure to Steny is the political rebellion that is going on in America today. I have never seen anything like this. When you look at what is happening, we've got people who have been driven off the couch, off their easy chair, away from their TV, and into the streets protesting what their government is doing. The result of this, we will see what happens in November, but it really is—there's nothing short of a political rebellion going on in the country, something like I have never seen in my lifetime. It is creating more challenges for the Members that are here and clearly will create challenges for candidates on both sides of the aisle as we get into November.

Let me just once again say thank you for being here. Anytime that we can be of service to all of you, we would certainly like to do that.

Mr. RHODES. Thank you, Mr. Leader.

I wasn't aware that I was lobbying, but if that's the way you take it, then that's fine.

I am going to yield the chair to the gentleman from Michigan, but before I do, I want to pay special recognition to my Republican leader, Bob Michel, and to three individuals who were elected at the same time that I was in 1986: Jack Buechner, Ernie Konnyu and Connie Morella. I appreciate you being here.

The Chair recognizes the gentleman from Michigan.

Mr. HERTEL. I thank the gentleman from Arizona.

I want to thank the majority leader who has always taken the time to participate with us and to welcome us here on the House floor but has always participated in our other activities, too, and encouraged us to continue in serving our country in the capacity of former Members. He reminds me of 30 years ago when he talked about Minority Leader Bob Michel, who we all looked to for advice, and those times of, as he said, really the beginning of increased partisanship.

But just as Majority Leader HOYER and Mr. BOEHNER were last year at our golf tournament for the wounded warriors playing golf and there were some press excerpts of them working together, the majority leader has always reached out to the other side because, while we have partisan differences, as I saw with him back 30 years ago with our esteemed Speaker Tip O'Neill and our revered minority leader, Bob Michel, they were able to show us how you fight for what you believe in, you fight for your partisan position, you fight for your party position, but in the end, you're elected by the people to serve this country and to reach the best accommodation and policy in the interest of the United States for the future and the people of our country.

In that light, the president of our association, Jay Rhodes, has set up a bipartisan day tomorrow where we have former Speakers of the House, Foley and Hastert, and Dick Gephardt and others coming forward, a full day over at the National Archives to talk about the need for bipartisanship and what it has meant in the past. I know of Tip O'Neill's great respect for Bob Michel; I know of Tip O'Neill's great love for Jerry Ford, who was minority leader and then President of the United States; and there was never anybody who would give an inch on an issue that he believed in than Speaker O'Neill and neither was there from President Ford from my State of Michigan. And yet as partisan as they were in their leadership, there is no one in this country who doesn't know how their leadership really was embodied for the entire Nation and the people of this country, to serve them and to move things forward.

That's the example that we see, just as we saw yesterday Minority Leader BOEHNER coming out to our golf tournament again for the wounded warriors and showing his leadership again today by welcoming us with the majority leader and the comity that they have in working together on policy issues for our country.

Again, I am reminded of the foresight of our leader from Arizona, having this bipartisan day tomorrow, but not just a day. It's a yearlong program that he has established to talk about the need for bipartisanship and the examples of bipartisanship in our future.

So, today, I would like to ask President Jay Rhodes to step down here to the dais with me, and before you deliver our association's report to the Congress of what has been going on this last year under your leadership, I want to thank you for 2 years of outstanding leadership as president of this organization. Our membership and board of directors really appreciate all that you have done for the Former Member Association, and we really can't capture all the time that you've spent, all the hours, all the leadership, all of your iconic and ironic wit that you've demonstrated in this last year of leadership and also here on the House floor, but all the hard work you've done on our international issues, on our national issues, on the Congress to Campus program, Jay, and the way that you've taken time to listen to all the members of our association to implement their ideas and to involve all the different members of our association to move things forward.

So I would like you to come down here, Jay, because we have a special plaque for you.

Mr. RHODES. I don't think it's appropriate to leave the chair unattended.

Mr. HERTEL. Well, I will come up to you, then.

Let me read this, which is presented to the Honorable John J. Rhodes, III:

In recognition and appreciation of his strong leadership as President of the U.S. Association of Former Members of Congress. His tremendous enthusiasm and effectiveness will always be remembered by his very grateful colleagues.

Washington, D.C., June 15, 2010.

Jay, we want to thank you for all that you've done in your continued service with us as a past president, how much we appreciate it. And we are anxious to hear your report of our organization.

Mr. RHODES. Thank you, Mr. Soon-to-be-President Hertel. I have really enjoyed the time that you and I have spent together, along with the members of the board and the executive committee. I look forward to continuing my relationship with the association, and I look forward to your presidency—which is not formal yet, so don't get too excited.

I now yield the chair to the Honorable Dennis Hertel.

Mr. HERTEL (presiding). The Chair recognizes the gentleman from Indiana, MIKE PENCE, the Republican Conference Chair. Thank you for coming.

Mr. PENCE. Thank you, Mr. President. Thank you all.

Those of you that don't watch C–SPAN incessantly may not know I serve as the House Republican Conference Chairman now, and I am just honored to be here with our former leader, a man deeply admired, and to see so many familiar faces back on the floor, back in the people's House. To Congressman Rhodes, it is wonderful to see you. Congratulations on a great tenure in leadership.

Thank you all for being here. We just adjourned the House Republican Conference, and I think you will see former colleagues and current Members coming over to say hello. We just appreciate your continued leadership. I appreciated what JOHN BOEHNER said about your continued role in the leadership of this country. So many of you have gone on from Congress and played an even greater role in the life of this Nation in various industry and philanthropic ways, and I want to commend you for that.

But let me also say I want to commend Congressman Rhodes and our new president for the call for bipartisanship. In the 9 years that I have served on Capitol Hill, I remain convinced that we could learn an awful lot from those who have gone before on this floor in this current time. As we think about the extraordinary challenges facing this country at home and abroad, the hard choices that we are going to have to be making that can only be made if we act as Americans first and not on a partisan basis, please know that we're going to continue to turn to the men and women who have served in this place before.

We will have a competitive election, I expect, this fall. The American people will decide what the composition of this place looks like. I want to tell you as I came onto the floor and I saw a lot more people on this side than on that side, it's kind of how it feels for us Republicans right now, but whatever the American people decide. I want to thank you for being here today. Thank you for your involvement in the former Members group; some men and women that I have had the privilege of serving with are here.

But I also want to challenge you, the extraordinary and intractable problems—rising deficits and debts, a difficult economy—we need to turn to the wisdom of the men and women who have been here before. We need to turn to you to facilitate an environment of good will where we can solve these problems for this and future generations of Americans, and I know that we will. When I see where we have come from, the part of this national life that you've been a part of, I know that we will meet these challenges and make this the next great American century.

Thank you all for your involvement. God bless you all. It's an honor to speak to you this morning.

Mr. HERTEL. Thank you very much for taking the time. We appreciate the gentleman from Indiana for coming today.

I was reminded of—well, two things. I see Mike Barnes here joining the two gentlewomen from Maryland; I wish every State had the same representation as Maryland does here at our meeting today. But I am reminded to tell about the victory of the Democrats yesterday at the golf tournament for the wounded warriors. I think it's the second year in a row that Democrats have been successful. Marty Russo reminded me of that today.

And now, I will call on our president, the gentleman from Arizona, for his annual report on the association's work under his leadership.

Mr. RHODES. Thank you, Mr. Speaker. I hope that the Democrats enjoyed their victory yesterday, and I trust that that will be just about the end of it.

We are very constrained in terms of the time that we have available to us; we have to vacate the floor by 11 o'clock.

There are three of our association members who have reports to deliver about some of the activities of the association over the course of the past year.

I would first like to recognize the gentleman from New York, Mr. McHugh, distinguished former president of the association and a tremendous asset to the association, for his report on the Congress to Campus program.

Mr. MCHUGH. Thank you very much, Jay. It's a great privilege, as always, to report again on this outstanding program.

As you have indicated in the past, this Congress to Campus program has been administered by our association now for 3 years in cooperation with the Stennis Center. During that time, the program has experienced marked growth and has expanded to include a number of community colleges as well as traditional universities.

As most of you know, this is the association's flagship program. It sends bipartisan teams of former Members to colleges, universities, and high schools across the country to educate the next generation of leaders on the importance of civic engagement. The participating students benefit from the interaction with our association members, whose knowledge and experience clearly are a unique resource. Our members at the same time benefit through their continued involvement in public service and the ability to engage young people on issues of real importance to them.

During each visit, our bipartisan team conducts classes, meets individually with students and faculty, speaks to campus media, participates in both campus and community forums, and meets with local citizens. The program has made both domestic and international visits this academic year, including two separate visits to campuses in the United Kingdom. During the 2009–2010 academic year, the program has made a total of 22 campus visits. More than 35 former Members participated, and I want to thank all of you who took the time from your busy schedules to do so. I also want to encourage those who have not yet had the opportunity to seriously consider doing so. It's a great way to continue our public service after Congress.

I also want to thank the faculty, staff members and students who worked so diligently on each of these visits. Without the hard work of these folks, these visits would not have been possible at all.

We have continued our relationship with the Stennis Center for Public Service in the administration of the program, and we owe a special debt of gratitude, I think, to Tracy Fine of our staff and to Brother Rogers of the Stennis Center for their fine work throughout the year. Our staffs work very closely together to make the program such a success and we also appreciate the continuing financial support from the Stennis Center. We look forward to our continuing association in the years ahead.

In addition to the expansion of the program to community colleges, and with the help of a grant from the U.S. Department of Education, the program has also commenced a concerted effort in partnership with the University of Central Florida and the Lou Frey Institute of Politics and Government to reach out to high school students

through a series of webcasts. These programs focus on specific topics related to Congress and the legislative process and are designed as a tool for teachers to showcase these topics and encourage involvement in government. During the fall and the spring, the program was piloted to high schools in Florida and around the country. The broadcasts were taped and streamed live with an in-studio audience of high school students in Washington as part of the Congressional Youth Leadership Council.

We have also continued our working relationship with the People to People Ambassador Program that brings young people to our Nation's capital for a week of events centered on the concepts of character and leadership. This year, the association sent former Members to 30 different speaking engagements in this area and reached hundreds of students through these appearances. These students are younger than those who participate in Congress to Campus activities, but they have already demonstrated a commitment to the ideals that Congress to Campus seeks to promote. The association's involvement in this program allows our members living in the Washington area to speak to these younger students on the importance of public service and to answer their many questions about our country and its government. A number of our members continue to work full-time, and the People to People engagements allow them to continue their public service in this way. The events are typically held in the early morning at suburban locations. Again, I want to thank my colleagues, especially Orval Hansen, Jack Buechner and Martin Frost, who have participated in this program regularly over the past year.

Finally, Jay, I want to say again how grateful we are to those who have made the Congress to Campus program such a great success, and I strongly encourage all of my friends and colleagues to participate in this program either by making a visit to a school or by recommending a school to host the program. As you know, a democracy can prosper only if its citizens are both informed and engaged. As former legislators, we have a particular opportunity and responsibility to encourage such involvement. This program gives us the chance to do so, particularly with our young people.

Again, many thanks to you for your leadership. My congratulations to our friend and colleague, Bill Gray, on this award, and it is great to see all of you back again.

Mr. RHODES. Thank you, Matt. Your continued association and your continued leadership in this organization is unparalleled, and we appreciate it extremely much.

Speaking of unparalleled service, I would like to recognize a former Member, the former president of the association, the Honorable Lou Frey from Florida. I am not going to ask you to make a speech because that would take up the rest of the time.

Lou and I, a month or so ago, were privileged to go to China together, and we had a very, very fascinating trip. He has written eloquently in his Lou Frey reports about that trip, and I hope that you will have an opportunity to review those reports because he has encapsulated, basically, what we did and what we saw.

I would now like to recognize my friend from Maryland, Connie Morella, who will discuss the activities of our various study groups.

Ms. MORELLA. Thank you, Mr. President, and thank you for your exemplary service as president.

Congratulations also to Bill Gray, a great statesman of the year. It is nice to see Bob Michel in this great reunion. I'm Connie Morella and I approved this message.

My message is to give you a little synopsis of the Congressional Study Groups for which the former Members are so noted. The association is pleased to oversee and to administer the Congressional Study Groups on Germany, Turkey and Japan, which create invaluable opportunities for current Members of Congress to engage with their counterparts in the legislative branches of those countries.

The Congressional Study Group on Germany is the association's flagship international program, and it is the largest, most active parliamentary exchange program involving the U.S. Congress and the legislature of another country. Since its inception, which was almost 30 years ago, the study group has offered lawmakers a unique forum to discuss potential avenues of cooperation on issues ranging from the current economic global crisis to NATO's role in Afghanistan. A group of current Members of Congress chair the study group in a bipartisan manner. In the House of Representatives, Congressman RUSS CARNAHAN of Missouri serves as the chairman, and Congressman PHIL GINGREY of Georgia serves as the vice chairman. In the Senate, Senators EVAN BAYH (D–IN) and JEFF SESSIONS (R–AL) serve as co-chairs.

The study group on Germany's programming consists of three pillars: the Distinguished Visitors Program, which offers monthly roundtable discussions on Capitol Hill for Members of Congress, featuring visiting dignitaries from Germany; annual seminars, which meet in Germany and in the United States on a rotating basis; and a senior congressional staff study tour to Germany. Recent Capitol Hill discussion partners include the German Federal Minister of Economy and Technology, the Minister-President of Hessen, and the Minister-President of Lower Saxony.

The highlight of each programming year is the annual Congress-Bundestag seminar, which brings together Members of the U.S. Congress with their counterparts in the German Bundestag for in-depth discussions about issues that affect the transatlantic relationship. In addition to current and former lawmakers from the United States and Germany, representatives from the State Department, the German Foreign Ministry and the business and academic community also participate. Discussion topics are dictated by current events and issues influencing U.S.-German relations. The 27th Annual Congress-Bundestag took place the second week of May in Washington, DC and St. Louis, Missouri. Seminar sessions examined prospects for peace in the Middle East, mutual national security risks, as well as outlook on the 2010 mid term elections. The 2010 Senior Congressional Staff Study Tour to Germany took place at the end of March, bringing 10 House chiefs of staff to Berlin and Cologne.

Since its inception, the Congressional Study Group on Germany has received generous grants from the German Marshall Fund of the United States. The association would like to thank the German Marshall Fund's president, Craig Kennedy, for his support and trust in the study group.

Additional funding to assist with administrative expenses is received from a group of organizations that make up the study group's Business Advisory Council. This council is chaired by former Member of Congress Tom Coleman of Missouri, who served as the chairman of the Congressional Study Group on Germany in the House in 1989. Current Business Advisory Council Members are Airbus, Allianz, BASF, Daimler, Deutsche Telekom, DHL, Eli Lilly, Fresenius, Inc., Lufthansa, RGIT, and Volkswagen.

The Congressional Study Group on Turkey, the second study group, was established in 2005, and it quickly has become a major focus for the Former Members Association, obviously. The study group offers lawmakers a unique educational forum to examine issues ranging from the current economic global crisis to cooperation in the Middle East peace process.

Taking the successful and long-running Congressional Study Group on Germany as a model, the Congressional Study Group on Turkey has grown into a highly relevant and productive program for American and Turkish legislators. The study group is currently active in the House of Representatives, and is co-chaired by Congressman STEVE COHEN of Tennessee and Congresswoman VIRGINIA FOXX of North Carolina. Congressman ED WHITFIELD of Kentucky remains active in the study group as immediate past chair.

Similar to the study group on Germany, the Congressional Study Group on Turkey hosts roundtable discussions on Capitol Hill for Members of Congress featuring visiting dignitaries from Turkey and U.S. administration officials as part of its distinguished visitors program. The study group has recently hosted the Turkish Minister of Foreign Affairs and the Chairman of the Foreign Affairs Committee of the Turkish Grand National Assembly, among others.

The Congressional Study Group on Turkey also conducts an annual U.S.-Turkey seminar, which brings together American and Turkish lawmakers to discuss current issues pertinent to the bilateral relationship. The fifth annual U.S.-Turkey seminar took place at the end of August 2009 in Ankara and Istanbul, Turkey, and the 2010 annual U.S.-Turkey seminar is slated to take place this summer in Washington and in Chicago. Discussion topics will examine current issues in Turkish-American relations, such as the Strategic Cooperation Framework on Trade, the Middle East peace process, and energy security. The study group will also take this opportunity to inform the visiting parliamentarians about the 2010 mid term elections in the United States via meetings with journalists, think-tank representatives, and policymakers.

In the past, the Congressional Study Group on Turkey continued to receive a generous funding boost from the German Marshall Fund of the United States and a group of corporate sponsors making up its Business Advisory Council. The Study Group's current Business Advisory Council members include Eli Lilly and the Turkish-American Business Council.

The Association also organizes and administers the Congressional Study Group on Japan. Founded in 1993 in cooperation with the East-West Center in Hawaii, the Congressional Study Group on Japan brings together Members of the U.S. Congress and members of the Japanese Diet for a series of discussions covering issues of mutual concern. A group of current Members of Congress chair the study group in a bipartisan manner. In the House of Representatives, Congressman JIM MCDERMOTT of Washington and Congresswoman SHELLEY MOORE CAPITO of West Virginia serve as co-chairs. In the Senate, Senators JIM WEBB of Virginia and LISA MURKOWSKI of Alaska take an active role in study group programming. The Congressional Study Group on Japan is funded by the Japan-U.S. Friendship Commission.

Finally, last year the association launched a new program called the Trilateral Renewable Energy Roundtable for legislators from Germany, India and the United States. Together with the Alliance for U.S. India Business, the Bertelsmann Foundation, the Robert Bosch Foundation and TERI North America, we brought together German, Indian and America lawmakers in Washington, DC, for a series of discussions on renewable energy solutions and ways of cooperation in a trilateral framework. We aim to replicate this successful dialogue in the near future, possibly involving Japanese lawmakers in the project.

The Congressional Study Groups on Germany, Turkey, and Japan, as well as the Trilateral Roundtable, demonstrate the significant role that the U.S. Association of Former Members of Congress plays in assisting current Members in maintaining a strong dialogue and personal relationships with their counterparts around the globe. We are very proud of the work that is done by the association to keep these study groups as vital programs in the association, and I hope that all of you will look forward to further participation in them.

Mr. RHODES. Thank you, Connie.

The Study Groups are very important and they are very enjoyable. Congress to Campus is a very viable program and I hope more of you will take advantage of it. The gentleman from Kansas and I are living proof that a bipartisan approach to Congress to Campus can be survived.

Mr. Slattery is going to deliver a report on our election monitoring expedition to Iraq. Mr. Slattery is within 2 weeks of losing his exalted position as the immediate past president of this association, but I hope that that does not mean you're going to diminish your activities.

Mr. SLATTERY. Thank you, President Rhodes, for the opportunity to report on the International Election Monitors Institute and its March mission to Iraq. I also want to thank you, Jay, for your dedicated service as president of this association. You have done a terrific job and we all appreciate it. We know the time commitment that you have made to making this association more vital and more actively involved in all the projects we're involved in.

I also want to congratulate my chairman, Bill Gray. It was always an honor and a pleasure to serve with you on the Budget Committee. As I look back on those days, I can't help but recall with some fondness our intense debates around deficits at that time that we were trying to get under $200 billion. Chairman Gray, you did a great job and it was an honor to serve with you.

I want to also join those who have already previously recognized our friend, former Leader Bob Michel, who is really one of the true patriots to have served in this body. What an honor to have known and worked with you during those years and to continue our friendship. Bob Michel, terrific. It's great to see you here today.

It was an honor to travel to Iraq and participate in this project. As you have mentioned, Jay, the International Election Monitors Institute was created in 2005, under the leadership of our good friend, Jack Buechner, when he was president of the association. It is a joint project of the U.S. Association of Former Members of Congress, the Association of Former Members of the European Parliament, and the Canadian Association of Former Parliamentarians. In addition to conducting annual workshops for former legislators to train them for election monitoring missions, the International Election Monitors Institute has sent delegations to places like Morocco and Ukraine. Our most recent mission was our most ambitious. We sent six former legislators to observe the March parliamentary elections in Iraq.

Our team was invited to monitor this election by the Independent High Electoral Commission of Iraq. Six former legislators from the United States, Canada, Sweden, and the United Kingdom, including former Congressman Scott Klug and myself, traveled to Iraq to witness these elections.

On March 7, 2010, the brave people of Iraq gave the world another inspirational example of their commitment to freedom and democracy. This was a pivotal election, with more than 300 accredited political entities, more than 80 having candidates competing in the election. There were 6,292 candidates competing for 325 seats. Nearly 300,000 poll workers staffed 52,000 polling stations in 8,600 polling centers. In addition, there were 314 out-of-country voting precincts located in 16 countries.

To get an overall idea of what was happening during the elections, we met with people from all sides of the political spectrum. We spoke to people from several election-oriented NGOs, members of the international community, the Iraqi High Election Commission staff, political parties, and people at special needs polling stations.

With the world's attention on Iraq for these elections, many Iraqi people were ready, inspired, and really excited to go to the polls. To me and our team's amazement, Iraqi citizens made it to the polls even with the explosion of nearly 50 bombs in Baghdad by noon on election day. I have monitored elections in other troubled countries, including the Nicaraguan election in 1990 and the Orange Revolution in Ukraine in 2004, but I have never seen security at the level it was in Iraq. My two-person team was accompanied by a group of 16 armed guards in five armored vehicles provided by the U.S. Government.

On election day, we visited 25 polling stations. We were welcomed by each person we met. They were obviously happy to see neutral officials monitoring their election. The Iraqis working the polls were passionate about the election. The staffers were well trained in voting policies as well as the fact that an adequate amount of supplies were provided for each voter at the polling stations. There was also a sense of pride and camaraderie among the Iraqis who voted that day. We were happy to see that there was no discrimination based on age, ethnicity, religion, or political parties at the polling stations we visited. In addition, both the Shia and Sunni sects were encouraged to vote by their leaders, rather than boycott the election as they had been instructed to do in previous elections.

Let there be no mistake. Iraq has a long way to go in developing a western style democracy where the threat of death is not associated with active political participation. And while there was no conclusive outcome on election day with no one party winning more

than 40 percent of the vote, we believe that this election was a giant step forward. Nearly 60 percent of registered voters voted in a free, democratic election, in spite of the violence. There were, of course, some problems with this election, just like there are issues with every election. But in the final analysis, all of us who observed this election were confident that it mechanically went off as good as could be expected. We are confident that it was a great improvement over the last election, and we are confident that it's a giant step toward that day when America's incredible military personnel can withdraw from this troubled land, which likes to think of itself as the ''cradle of civilization,'' and leave the people of Iraq in the hands of a stable democracy.

Thank you again for the opportunity to serve on this mission and to report on its outcome today.

Mr. RHODES. Thank you, Jim. I appreciate that very, very much. The interesting thing to me about giving people the vote is that they hunger for it, and they are willing to take all kinds of risks to exercise it. My first experience with something like that was in 1970 in Vietnam. Like Jim, I saw what happened in Nicaragua, I saw what happened in Ukraine, I saw what happened in Afghanistan, and when people are given the opportunity to express themselves, they jump at it, and they are excited about it.

I would like to include my formal remarks in the CONGRESSIONAL RECORD at this point. I want just simply to put in a pitch for our bipartisan programs of tomorrow. I'm not sure I know what bipartisanship is, but I do know what civility is. And I do know that when we were first elected and when Mr. Mitchell was the leader and Mr. O'Neill was the Speaker, civility was the rule. I would hope that we can return to the days when the Members of this body are civil to each other, even if they do not agree. And so if bipartisanship is not a definable term, I know that we know what civility is.

THE U.S. ASSOCIATION OF FORMER MEMBERS OF CONGRESS, 2010 ANNUAL REPORT TO CONGRESS, JUNE 15, 2010

I. INTRODUCTION

This report outlines the activities of the U.S. Association of Former Members of Congress for the period June 2009 through June 2010. Pursuant to the Association's Congressional charter requirement, the Association's President, former Member of Congress John J. Rhodes, III, delivered this report to the Congress on June 15, 2010. The report was preceded by the presentation of the Association's 2010 Distinguished Service Award to former Member of Congress William H. Gray. The inscription read:

The 2010 Distinguished Service Award is presented by the United States Association of Former Members of Congress to Chairman William Herbert Gray, III for his lifetime of exceptional public service. Both in and out of Congress, Minister Bill Gray has demonstrated his tremendous dedication to civil rights, fairness and equality. Representing the State of Pennsylvania with great distinction, he served as the first African-American Majority Whip and the first African-American Chairman of the House Budget Committee. His leadership helped young Americans obtain the dream of a college education, his perseverance contributed to the fall of Apartheid, and his humanity brought relief to the people of Haiti. Congressman Bill Gray is an inspiration to us all and his former colleagues from both sides of the political aisle salute him.—WASHINGTON, DC June 15, 2010.

The Association also presented to its outgoing President the following plaque in appreciation for his 2 years of service: Presented to The Honorable John J. Rhodes, III in recognition and appreciation of his strong leadership as President of the U.S. Association of Former Members of Congress. His tremendous enthusiasm and effectiveness will always be remembered by his grateful colleagues.—Washington DC, June 15, 2010.

II. GENERAL OVERVIEW ABOUT ASSOCIATION

Mr. Rhodes: Let me take this opportunity to also congratulate Bill Gray on this well-deserved honor. You are an inspiration to us all and we thank you for your many years of distinguished public service.

As President of this organization, it is now my duty to report to the Congress about the activities of the U.S. Association of Former Members of Congress since our last annual meeting in June of 2009.

Our Association is nonpartisan. It was chartered by Congress in 1983. The purpose of the U.S. Association of Former Members of Congress is to promote public service and strengthen democracy, abroad and in the United States. About 600 former Senators and Representatives belong to the Association. Republicans, Democrats and Independents are united in this organization in their desire to teach about Congress and the importance of representative democracy. We receive no funding from the Congress. All the activities which we are about to describe are financed either via membership dues, program-specific grants and sponsors, or via our fundraising dinner. Our finances are sound, our projects fully funded, and our 2009 audit by an outside accountant came back with a clean bill of financial health.

We again have had a very successful, active, and rewarding year. We have continued our work serving as a liaison between the current Congress and legislatures overseas; we have created partnerships with highly respected institutions in the area of democracy building and election monitoring; we have developed new projects, which we are in the process of expanding, including our webcasting civics education program, and we again sent dozens of bipartisan teams of former Members of Congress to university campuses here in the United States and abroad as part of our Congress to Campus Program.

III. ASSOCIATION DOMESTIC PROGRAMS

a. Conference on Bipartisanship

We were incorporated on June 18th, 1970, almost 40 years ago to the day. Let me quote from our original by-laws as they describe the purpose for which the Association was created: purposes include the promotion of the cause of good government at the national and international level by strengthening and improving representative government, by teaching about our system of government, and by sending delegations to help countries as they develop democratic systems of government.

You will find that all the programs we have initiated meet one or more of the goals outlined in our bylaws. For example, tomorrow we will host a one-day conference focused on the issue of bipartisanship. The conference is a joint project with the National Archives and the Bipartisan Policy Center. Three different panels will examine our current political discourse, how bipartisanship—or the lack thereof—has influenced our political decision making, the way our media influences this nation's political climate, and what concrete steps we might be able to take to foster a more civil relationship across the aisle. Panelists and speakers include current Members such as Senator Ron Wyden, and former Members such as Speaker Tom Foley. The media is represented, for example by Judy Woodruff and Jackie Calmes. This will be an outstanding conference and it is a good example of the type of contribution former Members can make to the issues that affect us all.

Our founders 40 years ago envisioned former Members teaching about Congress and encouraging public service. They were hoping that former Members could inspire the next generation of America's leaders. No program of ours does a better job implementing that vision than the Congress to Campus Program. Established many years ago as a way to reach college students, it has since grown to also bring former Members into the high school civic education classroom as well as connecting with students as young as middle school age.

We continue to work with the Stennis Center for Public Service, but all administration of this great program is now done in-house by Association staff. I will now yield to a former President of our Association, Matt McHugh of New York, who co-chairs the Congress to Campus Program.

b. Congress to Campus Program

Mr. McHugh: Thank you, Jay, for the opportunity to report on this outstanding program. As you indicated, the Congress to Campus Program has been administered entirely by the Association in cooperation with the Stennis Center for three years now. During that time, the program has experienced marked growth and has expanded to include community colleges. As most of you know, this is the Association's flagship program for its members. It sends bipartisan teams of former Members to colleges, universities and high schools across the country to educate the next generation of leaders on the importance of civic engagement. The participating students benefit from the interaction with our Association members, whose knowledge and experience are a unique resource. Our members also benefit through their continued involvement in public service, and the ability to engage young people on issues that are important to them.

During each visit, our bipartisan team conducts classes, meets individually with students and faculty, speaks to campus media, participates in both campus and community forums, and meets with local citizens. Institutions are encouraged to market the visit to the entire campus community, not just to those students majoring in political science, history or government. Over the course of two and a half days, hundreds of students are exposed to the former Members' message regarding the significance of public service.

The program has made both domestic and international visits this academic year, including two separate visits to campuses in the United Kingdom. During the 2009–2010 academic year, the program has made 22 campus visits, including visits to the United States Naval Academy, Boise State University in Idaho, Waubonsee Community College in Sugar Grove, Illinois, Cabrini College in Radnor, Pennsylvania, and Miami University Hamilton in Ohio.

More than 35 former Members participated, and I want to thank all of you who took time from your busy schedules to do so. I also want to encourage those who have not yet

had the opportunity to seriously consider doing so. It is truly a great way to continue your public service after Congress.

I would also like to extend our thanks to the faculty, staff members and students who worked so diligently on each visit. Without their hard work, these visits would not have been possible. We rely heavily on the universities to take the lead in coordinating logistics related to each visit, and appreciate the time they devote to ensuring that their students receive the full benefit of the program.

We have continued our relationship with the Stennis Center for Public Service in the administration of the program, and we owe a special debt of gratitude to Tracy Fine of our staff and to Brother Rogers of the Stennis Center for their fine work. Our staffs work very closely together to make the program such a success and we also appreciate the continuing financial support we receive from the Stennis Center. We look forward to our continuing association in the years ahead.

In addition to the expansion of the program to community colleges, and with the help of a grant from the U.S. Department of Education, the program has also commenced a concerted effort in partnership with the University of Central Florida and the Lou Frey Institute of Politics and Government, to reach out to high school students via a series of webcasts. These programs focus on specific topics related to Congress and the legislative process, and are designed as a tool for teachers to showcase these topics and encourage involvement in government. During the fall and spring, the program was piloted to high schools in Florida and around the country. The broadcasts were taped and streamed live with an in-studio audience of high schools students in Washington as part of the Congressional Youth Leadership Council. We want to thank the U.S. Department of Education, the University of Central Florida, the Lou Frey Institute of Politics and Government, George Washington University School of Media and Public Affairs, and the Congressional Youth Leadership Council for their support of this great program. In the 2010–2011 academic year, the project will continue to reach out to high school students. While these ''virtual'' visits cannot replace the person-to-person experience of a traditional Congress to Campus visit, they can play an important supplemental role in teaching about representative democracy at the high school level.

We have also continued our working relationship with the People to People Ambassador Program that brings young people to our nation's capital for a week of events centered on the concepts of character and leadership. This year the Association sent Former Members to 30 different speaking engagements in this area and reached hundreds of students via these appearances. These students are younger than those who participate in Congress to Campus activities, but they have already demonstrated a commitment to the ideals that Congress to Campus seeks to promote. The Association's involvement in this program allows our members living in the Washington area to speak to these younger students on the importance of public service and to answer their many questions about our country and its government. A number of our members continue to work full time, and the People to People engagements allow them to continue their public service in this way. The events are typically held in the early morning at suburban locations, and I want to thank my colleagues, especially Orval Hansen, Jack Buechner, and Martin Frost who have participated in this program regularly over the past year.

Finally, I want to say again how grateful we are to all of those who have made the Congress to Campus Program such a success and to strongly encourage all of my friends and colleagues to participate in the program, either by making a visit to a school, or by recommending a school to host the program. As you know, a democracy can prosper only if its citizens are both informed and engaged, and as former legislators we have a particular opportunity and responsibility to encourage such involvement. This program gives us the chance to do so, particularly with our young people. Thank you.

c. Political Rules of the Road

Mr. Rhodes: One of the lessons we have learned from interacting with America's college students, is that there is a void of real-life experience and advice when it comes to civic education textbooks. To fill that void former Member of Congress Lou Frey of Florida collected the words of wisdom our membership had to offer and edited two books we have since published. The first, Inside the House—Former Members reveal how Congress really works—was published several years ago and is being used by political science professors across the country. This past summer, we published a follow-up volume entitled Political Rules of the Road. This book focuses on some of the rules of the road we all have learned during our political lives, and I thank the many former Members who took the time and submitted contributions for this terrific collection. We have over 500 rules by almost 200 former and current Members as well as several U.S. Presidents! The book has received quite some attention; as a matter of fact Lou Frey did a call-in show on C-Span late last year. Please visit our website at wwww.usafmc.org for more information about ordering either one of these publications.

d. Statesmanship Award Dinner

None of these projects would be possible without funding. We do not receive a single taxpayer dollar from the Congress for our organization. All programs are self-financed via membership dues, grants, contributions and our annual fundraising dinner. We have taken the occasion of the fundraiser to recognize former or current Members of Congress who have inspired others through their leadership or statesmanship. Our 2010 Statesmanship Award Honoree was Secretary of Transportation Ray LaHood. Early on we decided to dedicate our 40th anniversary year to the theme of bipartisanship. It was therefore a very easy decision to recognize Secretary LaHood for his many years in the Congress and in the current administration as a public servant who strives to reach across the aisle, create dialogue, and work with others regardless of their political persuasion. The dinner was a rousing success and we are so pleased that we had a chance to recognize Secretary LaHood for the good work he did in the Congress and the good work he is doing as Secretary of Transportation.

e. Charitable Golf Tournament

Two years ago we took a 35–year-old tradition—our annual golf tournament which pits Republicans against Democrats—and gave it a new and much bigger mission: we converted it into a charitable golf tournament to aid severely wounded vets returning from Afghanistan and Iraq. Our beneficiary, the Wounded Warrior Project of Disabled Sports USA, is as impressive and remarkable an organization as you are likely to find anywhere in this country. They use sports to help our wounded veterans readjust to life after a severe injury, they involve the entire family in the sport, and they take care of all the equipment and training. We held the third golf tournament yesterday and between the three tournaments we have raised almost $200,000 for this outstanding organization. We are very proud of this new focus for our organization and hope to be able to support our wounded heroes for many years to come.

IV. ASSOCIATION INTERNATIONAL PROGRAMS

a. China Delegation

According to our bylaws and articles of incorporation, we are tasked with promoting representative democracy at home and abroad. We therefore have created a number of programs with an international outreach.

For example, earlier this year I was privileged to lead a delegation of former Members of Congress to China. Our bipartisan group had a number of meetings in Beijing as well as in Shanghai. The purpose of the trip was to learn about China firsthand, engage Chinese officials in a frank dialogue, shed some light on current U.S. politics and foreign policy, and gain knowledge about U.S.-Chinese trade relations from U.S. corporate representatives in Asia. To conduct this mission we partnered with the China Association For International Friendly Contact and the China U.S. Exchange Foundation. Our discussion partners included the Vice Chairman of the NPC Standing Committee, the Assistant Minister of Commerce, and the Deputy Minister of Foreign Affairs. In addition, we met with a number of Chinese university students, Chinese cultural representatives, and the Deputy Governor of China's central bank. Our talks were frank and productive, we learned an awful lot and were able to dispel some myths. Most importantly, we established an avenue for an exchange of views and ideas. This was a very successful trip and we are planning a followup in the fall.

Another example of our international outreach is the work we do via the International Election Monitors Institute. Created in 2005 under the leadership of our then-President Jack Buechner, the IEMI is a collaborative effort administered in conjunction with our Canadian and European Union sister organizations. IEMI takes former legislators from the United States, Canada and Europe and trains them in proper election monitoring techniques and a code of conduct. To this end we have been able to put together a two-day training course which we've now administered numerous times in Ottawa. The course, as well as a host of other achievements for the Institute, was made possible via a three-year grant from the Canadian International Development Agency. Dozens of U.S., Canadian, and European former legislators have gone through the training and are now well versed in the actual set of responsibilities and challenges that come with election observation. Our most recent mission was also our most ambitious undertaking: we were one of only two organizations with U.S. election monitors in Iraq for that country's March parliamentary elections. Former Member of Congress Jim Slattery was in Baghdad as an IEMI election observer and will report on this project.

b. IEMI Iraq Election Monitoring Mission

Mr. Slattery: Thank you, Jay, for the opportunity to report on the International Election Monitors Institute and its March mission to Iraq. It was an honor to be able to travel to Iraq and participate in this endeavor and to be part of such an important moment for democracies around the world.

As you mentioned, the IEMI was created in 2005 under the leadership of our good friend Jack Buechner, when he was President of our Association. It is a joint project of the U.S. Association of Former Members of Congress, the Association of Former Members of the European Parliament, and the Canadian Association of Former Parliamentarians. In addition to conducting multiple annual workshops for former legislators to train them for

election monitoring missions, IEMI has sent delegations to places such as Morocco and Ukraine. Our most recent mission was arguable our most ambitious, when we sent six former legislators to observe the March parliamentary elections in Iraq.

A team from the IEMI was invited to visit Iraq and monitor the 2010 elections by the Independent High Electoral Commission of Iraq. Six former legislators from the United States, Canada, Sweden, and the United Kingdom, including myself, traveled to Iraq to witness the elections.

On March 7, 2010, I had the opportunity to observe the elections in Iraq and see how the brave people of that country gave the world another inspirational example of their commitment to democracy. This year was a pivotal election year with over 300 accredited political entities, more than 80 having candidates competing in this election. There were 6,292 candidates competing for 325 seats. Nearly 300,000 poll workers staffed 52,000 polling stations in 8,600 polling centers. In addition, there were 314 out-of-country voting precincts located in 16 countries.

In order to get an overall idea of what exactly was happening during the elections, we met with people from all sides of the spectrum. We spoke to people from several election-oriented NGOs, members of the international community, IHEC staff, political parties, and people at special needs polling stations.

With the world's attention on Iraq for these elections, many Iraqi people were ready, inspired and excited to go to the polls. To me and my team's amazement, Iraqi citizens still made it to the polls even with the explosion of nearly 50 bombs in Baghdad by noon on Election Day. I have monitored elections in other troubled countries, including the Nicaraguan election in 1990 and the Ukrainian election in 2004, but I have never seen security at the level it was in Iraq. My two-person team was accompanied by a group of 16 armed guards in 5 armored vehicles, provided by the U.S. Government.

On Election Day, we visited 25 polling stations. We were welcomed by each person we met. They were happy to know that there were neutral officials coming to monitor the elections. The Iraqis working the polls were passionate about these elections. All of the staffers were well trained in voting policies and procedures. Instructions on the voting process as well as an adequate amount of supplies were provided for each voter at the polling stations. There was also a sense of pride and camaraderie amongst the Iraqis who voted that day. People sat in voting centers sharing food and drink, celebrating this noteworthy day. We were happy to see that there was no discrimination between age, ethnicity, religion, or political parties at the polling stations we visited. In addition, both the Shia and Sunni sects were encouraged to vote by their leaders, rather than boycott the election as they had been instructed to do in previous elections.

Let there be no mistake. Iraq has a long way to go in developing a Western style democracy where the threat of death is not associated with active political participation. And while there was no conclusive outcome on Election Day with no one party winning more than 40 percent of the vote, we believe that this election was a big step forward. Nearly 60 percent of registered voters voted in a legitimate, democratic election. There were, of course, some problems with this election—just like there are issues with every other election that takes place in any country on this planet. For example, we found that there is a need for a definite voter list. The lack thereof continues to adversely affect citizens' attitudes toward democracy and their belief in the legitimacy of the process. Another issue was that the Council of Representatives did not complete the revisions to the electoral law until December 6, 2009, barely three months before election day. However, domestic monitoring organizations and nearly all Iraqi officials with whom we met believed the March election was a major improvement on the 2005 election.

We hope this election is another giant step toward that day when America's incredible military personnel can withdraw from this troubled land, which likes to think of itself as the ''Cradle of Civilization'', and leave the people of Iraq in the hands of a stable democracy. Thank you for giving me the opportunity to serve on this mission and to report on its outcome today.

c. House Democracy Partnership project

Mr. Rhodes: For the past year, we have been working in conjunction with current Members on democracy building and legislative strengthening projects abroad. Specifically, the U.S. Association of Former Members of Congress has had the privilege to support the important work of the House Democracy Partnership.

HDP is an undertaking by the House of Representatives to strengthen democratic institutions by assisting parliaments in emerging democracies. One of the objectives of HDP is to provide expert advice to members and staff of the parliaments of partner countries. HDP is chaired by David Price of North Carolina and David Dreier of California. It is an extension of the great work begun by Martin Frost and Gerry Solomon as part of the Frost-Solomon Task Force. We are very pleased to be able to play an important role in this outstanding project.

Via a grant by the U.S. Agency for International Development, bipartisan teams of former Members have travelled to Kenya, Georgia, and Poland. In addition, we have assisted with the work of a team of former Congressional Staff in Haiti. The missions are issue-specific, have an intense and active program, and give former Members the opportunity to share some of their experiences with current legislators in parliaments overseas. The Georgia mission, for example, had the very specific focus of talking about effective civilian control of the military and an appropriate role for Parliament in the setting, funding and oversight of defense policy. This mission was led by former Member Martin Lancaster and included former Members Heather Wilson, Joel Hefley and Pete Geren. The Kenya mission was led by former Member Martin Frost and included former Members Barbara Kennelly, Connie Morella and Phil English. The delegation had meetings with the Ministers of Foreign Affairs, Justice, Agriculture, and Water; the Speaker of Parliament; the Parliamentary Reform Caucus; Former Members of Parliament; and leaders of the major political parties. They discussed challenges and coalition building with Civil Society leaders, including Transparency International, the Law Society of Kenya, SUNY, and Youth movement organizations. The mission to Poland included former Member Martin Frost and coincided with the 20th anniversary commemoration of the Frost-Solomon Task Force working with the Polish legislature. During this mission, the delegation focused on organizing a training program for legislative staff. Clearly former Members can play an important and productive role in this type of legislative strengthening project. We thank David Price and David Dreier for including us in their work and we hope that we will be allowed to contribute further in the future.

In addition to the international work which I just highlighted, our Association also focuses on creating a dialogue involving current Members of Congress and their colleagues in legislatures abroad. Mainly we achieve this objective via several Congressional Study Groups involving Germany, Turkey, and Japan. We have arranged over 500 special events at the U.S. Capitol for international delegations from over 80 countries and the European Parliament, hosted meetings for individual legislators and for parliamentary staff, and organized over 50 foreign policy seminars in about a dozen countries involving more than 1,500 former and current legislators. Former Member of Congress Connie Morella will report on the activities of our Congressional Study Groups.

d. Congressional Study Groups

Ms. Morella: Thank you, Jay. The U.S. Association of Former Members of Congress is pleased to oversee and administer the Congressional Study Groups on Germany, Turkey and Japan, which create invaluable opportunities for current Members of Congress to engage with their counterparts in the legislative branches of those countries.

The Congressional Study Group on Germany is the Association's flagship international program, and is the largest and most active parliamentary exchange program involving the U.S. Congress and the legislature of another country. Since its inception almost 30 years ago, the Study Group has offered lawmakers a unique forum to discuss potential avenues of cooperation on issues ranging from the current economic global crisis to NATO's role in Afghanistan. A group of current Members of Congress chair the Study Group in a bipartisan manner. In the House of Representatives, Congressman Russ Carnahan of Missouri serves as the Chairman and Congressman Phil Gingrey of Georgia serves as the Vice Chairman. In the Senate, Senators Evan Bayh (D–IN) and Jeff Sessions (R–AL) serve as Co-Chairs.

The Study Group on Germany's programming consists of three pillars: the Distinguished Visitors Program, which offers monthly roundtable discussions on Capitol Hill for Members of Congress featuring visiting dignitaries from Germany; Annual Seminars which meet in Germany and the United States on a rotating basis; and a senior Congressional Staff Study Tour to Germany. Recent Capitol Hill discussion partners include: the German Federal Minister of Economy and Technology, Rainer Bruederle; Minister-President of Hessen, Roland Koch; and Minister-President of Lower Saxony, Christian Wulff.

The highlight of each programming year is the Annual Congress-Bundestag Seminar, which brings together Members of the U.S. Congress with their counterparts in the German Bundestag for in-depth discussions about issues that affect the transatlantic relationship. In addition to current and former lawmakers from the United States and Germany, representatives from the U.S. State Department, the German Foreign Ministry, and the business and academic community also participate. Discussion topics are dictated by current events and issues influencing U.S.-German relations. The 27th Annual Congress-Bundestag took place the second week of May in Washington, DC and St. Louis, MO. Seminar sessions examined prospects for peace in the Middle East, mutual national security risks as well as outlook on the 2010 Mid-term elections. The 2010 Senior Congressional Staff Study Tour to Germany took place at the end of March bringing ten House Chiefs of Staff to Berlin and Cologne.

Since its creation, the Congressional Study Group on Germany has received generous grants from the German Marshall Fund of the United States. The Association would

like to thank GMF's President, Craig Kennedy, for his support and trust in the Study Group. Additional funding to assist with administrative expenses is received from a group of organizations that make up the Study Group's Business Advisory Council. This council is chaired by former Member of Congress Tom Coleman of Missouri, who served as the Chairman of the Congressional Study Group on Germany in the House in 1989. Current Business Advisory Council Members are: Airbus, Allianz, BASF, Daimler, Deutsche Telekom, DHL, Eli Lilly, Fresenius Inc., Lufthansa, RGIT and Volkswagen.

The Congressional Study Group on Turkey was established in 2005, and it has quickly become a major focus for the Former Members Association. The Study Group offers lawmakers a unique educational forum to examine issues ranging from the current economic global crisis to cooperation in the Middle East peace process. Taking the successful and long-running Congressional Study Group on Germany as a model, the Congressional Study Group on Turkey has grown into a highly relevant and productive program for American and Turkish legislators. The Study Group is currently active in the House of Representatives, and is co-chaired by Congressman Steve Cohen of Tennessee and Congresswoman Virginia Foxx of North Carolina. Congressman Ed Whitfield of Kentucky remains active in the Study Group as Immediate Past Chair.

Similar to the Study Group on Germany, the Congressional Study Group on Turkey hosts roundtable discussions on Capitol Hill for Members of Congress featuring visiting dignitaries from Turkey and U.S. Administration officials as part of its Distinguished Visitors Program. The Study Group has recently hosted: the Turkish Minister of Foreign Affairs, Ambassador Ahmet Davutoglu; and Chairman of the Foreign Affairs Committee of the Turkish Grand National Assembly, MP Murat Mercan.

The Congressional Study Group on Turkey also conducts an annual U.S.-Turkey Seminar, which brings together American and Turkish lawmakers to discuss current issues pertinent to the bilateral relationship. The 5th Annual U.S.-Turkey Seminar took place at the end of August 2009 in Ankara and Istanbul, Turkey, and the 2010 Annual U.S.-Turkey Seminar is slated to take place this summer in Washington, DC and Chicago, IL. Discussion topics will examine current issues in Turkish-American relations, such as the Strategic Cooperation Framework on Trade, the Middle East peace process and energy security. The Study Group will also take this opportunity to inform the visiting parliamentarians about the 2010 mid-term elections in the United States via meetings with journalists, think-tank representatives and policy makers. In the past year, the Congressional Study Group on Turkey continued to receive a generous funding from the German Marshall Fund of the United States, and a group of corporate sponsors making up its Business Advisory Council. The Study Group's current Business Advisory Council members include Eli Lilly and the Turkish-American Business Council.

The Association also organizes and administers the Congressional Study Group on Japan. Founded in 1993 in cooperation with the East-West Center in Hawaii, the Congressional Study Group on Japan brings together Members of the U.S. Congress and Members of the Japanese Diet for a series of discussions covering issues of mutual concern. A group of current Members of Congress chair the Study Group in a bipartisan manner. In the House of Representatives, Congressman Jim McDermott of Washington and Congresswoman Shelley Moore Capito of West Virginia serve as co-Chairs. In the Senate, Senators Jim Webb of Virginia and Lisa Murkowski of Alaska take an active role in Study Group programming. The Congressional Study Group on Japan is funded by the Japan-U.S. Friendship Commission.

Last year, the Association launched a new program called the Trilateral Renewable Energy Roundtable for legislators from Germany, India and the United States. Together with the Alliance for U.S. India Business, the Bertelsmann Foundation, the Robert Bosch Foundation and TERI North America, we brought together German, Indian and American lawmakers in Washington, DC for a series of discussions on renewable energy solutions and ways of cooperation in a trilateral framework. We aim to replicate this highly successful dialogue in the near future, possibly involving Japanese lawmakers in the project.

The Congressional Study Groups on Germany, Turkey and Japan, as well as the Trilateral Roundtable demonstrate the significant role that the U.S. Association of Former Members of Congress plays in assisting current Members in maintaining a strong dialogue and personal relationships with their counterparts around the globe. We are very proud of the work we do to keep these Study Groups as vital programs in the Association, and I look forward to being an active participant in Study Group activities for many more years to come. Thank you.

e. Middle East Fellows Program

Mr. Rhodes: The Study Groups do important work and are another example of how former Members can assist current Members in their international outreach.

I wish to highlight one more international project which we initiated this year and hope to replicate in the future. Just last month our Association hosted six Legislative Fellows from the Middle East here in DC. In partnership with an organization called Legacy International, we implemented a small grant from the U.S. Department of State. Via this program we brought a group of young professionals from the Middle East to Washington for one month. The group came from Kuwait and Oman and included lawyers, journalists and government employees. Each fellow—and I should highlight that there were two female fellows—was paired up with a former Member of Congress to serve as a mentor. I thank our six colleagues who went above and beyond in terms of taking their visitor under their wings. In addition to the time spent with the former Members, each fellow spent three weeks on Capitol Hill as a visiting fellow in Congressional offices. Let me also thank the six current Members of Congress who participated in this project. We are hoping to bring a second and larger group of Middle East Fellows to DC in the fall, and then possibly send a former Members delegation to the Middle East as a follow up visit. This program clearly falls within our goal of strengthening ties via people-to-people interaction and dialogue.

V. CONCLUSION

a. In Memoriam

It is now my sad duty to inform the House of those former and current Members who passed away since our last report. We honored them via a memorial breakfast for which Speaker Pelosi joined us earlier today. It was a fitting commemoration of the service these Members gave to our country. They are:

Ike Andrews of North Carolina
William Avery of Kansas
Henry Bellmon of Oklahoma
James Bromwell of Iowa
Frank Coffin of Maine
Bob Davis of Michigan
Paul Fino of New York
Robert Franks of New Jersey
Thomas Gill of Hawaii
Clifford Hansen of Wyoming
Cecil Heftel of Hawaii
Bill Hefner of North Carolina
Jay Johnson of Wisconsin
Ted Kennedy of Massachusetts
Don Lukens of Ohio
Charles ''Mac'' Mathias of Maryland
John Murtha of Pennsylvania
Stanford Parris of Virginia
John Rarick of Louisiana
David Treen of Louisiana
Stewart Udall of Arizona
Charlie Wilson of Texas

I ask all of you, including the visitors in the gallery, to rise for a moment of silence as we pay our respects to their memory.

Before we conclude, let me welcome to Washington several former Members of the Canadian Parliament who have joined us as our guests. Leo Duguay is my counterpart in the Canadian Association of Former Parliamentarians and is leading a delegation of his colleagues as part of our continued excellent relations with our neighbors from the north. Also with us are four former Members of the Ontario legislature, led by Steven Gilchrist. To you also a warm welcome and our thanks for joining us again this year. Last, but certainly not least, we are so pleased that an old friend of this Association has again made the long trip from the UK to join us. Richard Balfe serves in the Executive of the European Union Former Members Association and it is always wonderful to see you! We are honored that you have joined us for our annual meeting.

I would be remiss if I did not thank the other members of our Association's Executive Committee: our Vice President, Dennis Hertel; our Treasurer, Connie Morella; our Secretary, Barbara Kennelly, and our Immediate Past President, Jim Slattery. You all have made this Association a stronger and better organization than it has ever been and I thank you for all your time and energy. Your counsel was invaluable to me during these two years as President.

Former Member Dennis Hertel will succeed me as President starting July 1st. He will have a great group of former Members to work with on the Executive Committee level and we are pleased to announce that former Member of Congress Jim Kolbe will become a new officer with the Former Members Association. In addition, I wish to thank our Board of Directors and our counselors for their commitment to our Association. Your service is valued and appreciated! As of July 1st our newest board member will be former Member of Congress Scott Klug.

To administer all these programs takes a staff of dedicated and enthusiastic professionals. We have five full-time employees and we appreciate their hard work. They are:

Esra Alemdar, Program Officer
Bryan Corder, Member Services Manager
Tracy Fine, Democracy Officer
Sudha David-Wilp, International Programs Director
Pete Weichlein, Executive Director

Closing Remarks. That concludes the 40th Report to Congress by the U.S. Association of Former Members of Congress. We thank the Congress, Majority Leader Hoyer, and Minority Leader Boehner for giving us the opportunity to report again this year on the activities of our organization and we look forward to another active and productive year. Thank you.

Mr. HERTEL. I thank the gentleman from Arizona and the president of our association for all his service. I think it could be summarized best by Speaker PELOSI, coming this morning to our

memorial service for those Members who have died in this last year in talking about Jay Rhodes and how much she respected him and how she hopes he will continue in service of this organization and in service of our country. Those were the remarks of Speaker PELOSI this morning.

I want to thank Lorraine Miller, the Clerk of the House, for being with us again and for hosting us and for spending all this time with us. We are honored to have you here. Thank you very much, Madam Clerk. I want to thank all of the guests of our whip and Budget chairman, Bill Gray, who received our Distinguished Service Award. We are very honored that you all took the time to come. You are just as proud of him as we are. You know how much time it took from his community but especially his family.

I want to recognize his wife, Andrea; their three sons, Bill, Justin and Andrew, up in the gallery; their daughter-in-law, Jennifer; and two grandchildren, Sabrina and Aidan, here today. Thank you very much for coming. We are so proud of him and for all the time he gave on behalf of us taken from you.

Finally, I want to thank Richard Balfe from the European Union Association of Former Members; Steven Gilchrist who is leading a delegation of the Ontario legislature; and lastly Leo Duguay, my counterpart and the president of the Canadian Association of Former Parliamentarians, and Don Boudria and Francis LeBlanc for taking the time to join with us. All of the public service that all of you are accomplishing for us on the international level, we very much appreciate; and I want to thank all of our Members here for all their service.

We are adjourned.

Accordingly (at 11 o'clock and 3 minutes a.m.), the House continued in recess.

□ 1130

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BLUMENAUER) at 11 o'clock and 30 minutes a.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Ms. BERKLEY. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks.

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

There was no objection.

JOBS

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to discuss the importance of putting Americans back to work. You know, we cannot overturn and change 8 years of Republican rule with simply a snap of a finger. However, the Democratic Caucus is on its way to restoring this country's economic well-being.

The House passed the Small Business and Infrastructure Jobs Tax Act. The legislation will create 160,000 jobs and extends successful Build America Bonds for schools, roads and bridges. We also passed the Summer Jobs Act which creates 300,000 summer job opportunities for our youth. We have seen an increase in GDP, and we've seen an increase in manufacturing, and we've seen a significant increase in economic indicators. As President Obama said, this is the Nation where anyone with a good idea and the will to work hard can succeed. Dallas, my hometown, is no stranger to good ideas, hard work, or small businesses.

I commend Dallas' small businesses which have created hundreds of jobs, provide valuable goods and services, and help drive our local economy.

I encourage my colleagues in the House and in the Senate to work together to enact policies that creates and saves jobs.

House Democrats are committed to create good American jobs, build a strong foundation for the economy, and work to turn around our Nation's economy.

RECOGNIZING COLLIERVILLE AND HOUSTON HIGH SCHOOLS FROM SHELBY COUNTY, TENNESSEE

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

Mrs. BLACKBURN. Mr. Speaker, today I rise to praise two outstanding high schools in Tennessee's Seventh Congressional District. Collierville High and Houston High Schools, both in Shelby County, Tennessee, have been named by Newsweek magazine among America's top high schools. Only 6 percent of America's high schools make this list. This is an important accomplishment that comes because of hard and diligent work not just from students but faculty, staff, principals, from parents and from lots of participation from the community.

I congratulate Principals Leisa Justus of Houston and Tim Setterlund of Collierville, along with the faculty and most importantly the students of both schools for all the hard work that has led them to this important achievement.

FLAG BURNING

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, yesterday folks across America gathered together to celebrate our national flag. For 233 years now, the Stars and Stripes have been a unique symbol of freedom and democracy across the globe, the representation of all we are and all that we stand for. Millions of young men and women fought and died for their country under that flag, and every day our servicemembers risk their lives in Afghanistan, Iraq and around the world to protect the ideals it represents.

To burn or desecrate it is an insult to those who have made the ultimate sacrifice to keep us safe and to those who helped build our great Nation. It should be illegal, and this Congress should make it illegal by finally passing a constitutional amendment to ban the burning of a U.S. flag. Every day this House begins its work by pledging allegiance to the flag of the United States of America. We need to live up to that pledge.

HAPPY BIRTHDAY, U.S. ARMY

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday the United States Army celebrated its 235th birthday. Since the Continental Congress first created the Continental Army to protect and secure our new Nation, men and women have continued to make the ultimate sacrifice in the name of freedom and independence. For three centuries, from the Revolutionary War to D-day and the current global war on terrorism and every day in between, America's soldiers have performed bravely. The American military has achieved the largest number of countries living today in freedom and democracy in the history of the world.

I appreciate firsthand the Army as a 31-year veteran of the Army Reserve and Army Guard myself. Also, my father served in the Army Air Corps as a Flying Tiger in China and India. But more meaningful to me is that I have three sons today serving in the Army National Guard, with my oldest son an Iraq veteran of the field artillery. On this 235th birthday, I extend my appreciation to those who have served or are currently serving and especially to those family and friends of soldiers who paid the ultimate sacrifice in the defense of liberty.

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

INTRODUCING THE TEEN PARENTS GRADUATION AND COLLEGE ACT

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

Ms. CHU. The author Robin Cook wrote that ''education is more than a luxury. It is a responsibility that society owes to itself.'' Our country far too

often neglects this duty. Every year, nearly 750,000 American teens become pregnant. Every year, 70 percent of these new teen mothers drop out of school. Every year, the lack of services to keep low-income parents in school focuses this problem on our Nation's most underprivileged communities.

That's why I have introduced the Teen Parents Graduation and College Act. This bill would fund grants to help teen parents finish high school and college. It would provide tutoring and child care and counseling to help them succeed. It would let teen parents and their children lead better, fuller lives. This basic support is the least we owe our young people. Together we will ensure that the beginning of a new life doesn't mark the end of an education.

ALIX KLEIN'S BAT MITZVAH

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

Ms. ROS-LEHTINEN. Mr. Speaker, I am delighted to wish a happy bat mitzvah to a wonderful young lady in my congressional district, Alix Klein. She recently celebrated her bat mitzvah surrounded by family and friends and chose to mark the occasion with more than just a party, but with a concert to benefit those less privileged than she is. Alix's kindness and generosity has made a difference in the lives of the young patients of Alyn Hospital and Rehabilitation Center in Israel. These patients have physical disabilities.

Alix has demonstrated a maturity beyond her years, and she serves as a role model for her fellow teenagers. Alix's selfless contributions will provide much-needed support for these patients and their families in Israel.

MEDICARE PART D DOUGHNUT HOLE IS BEGINNING TO CLOSE

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

Mr. WILSON of Ohio. Mr. Speaker, today I would like to deliver some good news to Medicare participants around the country. This week, seniors who fall into the Medicare part D doughnut hole will begin receiving $250 checks in their mailboxes to help them cover their prescription drug costs. This is one of many benefits for Medicare participants included in the health care reform law that Democrats passed earlier this year.

Across the country, nearly 4 million seniors will be helped by these checks. In my district alone in Ohio, over 9,000 people will receive this benefit. While the doughnut hole will soon be closed completely, seniors will continue to see lower prescription drug costs. Next year, those experiencing a coverage gap will receive a 50 percent discount on their brand-name drugs. I am proud to work hard to improve Medicare for all seniors.

NO NEW ENERGY TAX

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

Mr. POSEY. Mr. Speaker, I rise to echo the concerns that I have heard from thousands of my constituents. They tell me that Washington has failed to focus on economic recovery; and you know what, they are right. Last year, the House passed a massive national energy tax known as cap-and-trade, and it's similar to legislation passed in Europe in the 1990s. It cost Europe hundreds of thousands of jobs and made virtually no change or effect whatsoever on their environment. Estimates are that if Washington forces this bill on the American public, it will kill more than 2.5 million more American jobs.

Fortunately, the national energy tax is now stalled in the Senate, and I sure hope it stays there. With unemployment near 10 percent, the last thing America needs is more job-killing legislation and more taxes. America does need to know that Congress is listening to them.

PAY THE DOCTORS FOR TREATING PATIENTS ON MEDICARE

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

Ms. BERKLEY. The Republicans in the Senate are once again doing everything they can to destroy Medicare for millions of seniors by blocking legislation that will stop the 21 percent cut in payments to doctors who care for our elderly citizens. They say they are worried about the deficit, and paying the docs will add to the deficit. Excuse me, we're fighting two wars not paid for. We have homeland security needs not paid for. Medicare part D, not paid for.

Not a word from the Senate Republicans. But they are drawing a line on paying the doctors who treat Medicare patients. This is going to add to the deficit. Let's stop playing politics with Medicare, pay the doctors, and provide health care for millions and millions of our senior citizens.

THE U.S. NEEDS A BUDGET

(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. Mr. Speaker, at its most fundamental level, the duty of Congress is to steward the tax revenue. Lately, all Congress has been doing is spending it. Through the first 8 months of the current fiscal year, the Federal Government amassed $941 billion in deficit spending. Every penny of debt accumulated must be paid for by our children and grandchildren. Without a budget, the only spending rule is, there are no rules.

The deadline for the House of Representatives to pass an actual budget has come and passed, and we still have nothing to show the American people. The budget process can be frustrating, but that's what we're here to do, to make the tough decisions. Families, small businesses, cities and States have to put together a budget. Congress must do the same for our country. We need a practical, workable Federal budget which restrains spending and puts us on a path to solvency, economic growth and prosperity.

PAYMENTS TO MEDICARE BENEFICIARIES

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

Mr. MURPHY of New York. Today we're seeing the implementation of one of the things in the health care reform bill: payments of $250 to help our seniors with the doughnut hole coverage. One of the things that's also going on that most Americans don't know about is fundamental reforms with respect to waste and fraud in the Medicare system. Our efforts on that front have been dramatically improved by things that were in the health care bill that was passed earlier this year, giving Medicare the power to do commonsense things that any small business in America would do, do a better job of checking new providers as they come into Medicare, do a better job of putting people on probation and checking up on them in that first year to make sure they are not abusing our system.

There is a rampant problem with waste, fraud and abuse in our Medicare system. The health care bill we passed earlier this year is making steps to bring that into check. Today we had a hearing here in Congress about other things that we can do. And I testified about my legislation to put more tools in the hands of our law enforcement professionals and CMS to cut down on the waste and fraud in Medicare. I look forward to continuing to work on this and making sure that we use the dollars in Medicare to provide health benefits to our seniors, not allow criminals to run rampant.

GEERT WILDERS—CHAMPION OF THE PUBLIC LIBERTY

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

Mr. POE of Texas. Mr. Speaker, free speech is under assault from Islamic terrorists worldwide. They use threats and political correctness to silence anybody who speaks out about their violent beliefs. Dutch lawmaker Geert Wilders made a movie about these Islamic clerics who incite violence in the name of religion. But the Dutch Government is putting Wilders on trial for incitement to hatred. The oppressive Dutch Government says it's irrelevant that the speech in the movie may be true.

You see, there is no freedom of speech in the Netherlands if a person is critical of radical Islam. Freedom of speech is a basic human right. Political speech and religious speech are the most controversial types of all speech. That is why these types of speech should be protected the most. Benjamin Franklin said, ''There can be no such thing as public liberty without freedom of speech.'' Geert Wilders is a champion of the public liberty and the free speech that guarantees that liberty.

And that's just the way it is.

PASS ANNUAL BUDGET

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

Mr. DJOU. Mr. Speaker, last month I left the Honolulu City Council for the great honor of entering this Chamber as a Member of the United State House of Representatives. Last week, my former chamber, the Honolulu City Council, passed its annual budget. The budget was $3.5 billion. My position is that the Honolulu City Council budget is too big, increased taxes by too much, and increased government size by far more than the citizens of the city and county of Honolulu could afford. But at least the city and county of Honolulu passed a budget. It was $3.5 billion. The Federal Government will spend that money in about 5 minutes.

Here today in mid-June, the United States Congress still has yet to pass a budget. If the Honolulu City Council, which I just departed, can pass a budget for $3.5 billion, which the Federal Government will spend in just a few minutes, it is the responsibility of our government here in the United States Congress to pass a budget. We are spending far too much money. Even worse than that, we are spending far too much money on programs that are not working. Even worse than that, we have no plans to pay it back. Let us get to work and pass a budget.

ECONOMIC TURNAROUND

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

Mr. ALTMIRE. Mr. Speaker, I would ask my friends to take a walk down memory lane and consider where our economy was at the beginning of last year compared to where it is today: 2009 had the biggest single year turnaround this Nation has seen in more than 30 years, going from negative 6 GDP in the first quarter of last year to plus 6 GDP in the last quarter. And we are currently in the midst of our fourth consecutive quarter of strong GDP growth.

We have had positive job growth for six of the past 7 months, and the stock market, which bottomed out at 6500 just before we passed the stimulus, is over 10,000 today. Housing starts are up, consumer confidence is on the rise, the auto industry is coming back, and manufacturers are increasing orders and hiring back thousands of workers.

No, everything is not where we want it to be or even where we need it to be, but things have gotten better, and there can be no doubt that the bold action of this Congress is the reason why.

TWO MONTHS LATE ON PASSING BUDGET

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

Mr. BOEHNER. Mr. Speaker, the House is 2 months late in passing a budget. In that time, unemployment has remained nearly 10 percent, and the national debt has now exceeded $13 trillion. Last week, I gave the President a letter signed by more than 100 top economists from around the country that urges both parties to cut spending now in order to create jobs and boost our economy. Less spending, more jobs, it really is just that simple.

But the President responded Saturday night with a letter asking for another $50 billion in stimulus bailout money. Without specifying where this money would come from, the President asked us to be patient with his administration for its continuing job-killing spending spree.

This money comes from our kids and grandkids who this year are going to get stuck with 43 cents out of every dollar the Federal Government spends. The debt is going to be laid on them.

The American people are shouting at the top of their lungs: Stop, and stop now. They are making their voices heard through YouCut, where more than 830,000 votes have already been cast to cut spending.

And today, on America Speaking Out, PAUL RYAN has posted a plan to cut spending now and to reduce the budget deficit. You can visit AmericaSpeakingOut.com right now and check out these ideas and vote on them in order to cut spending quickly.

FILLING THE DOUGHNUT HOLE

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

Ms. WATSON. Good news, Mr. Speaker, the first $250 checks have been sent out, 3 weeks ahead of schedule, to about 80,000 people who are already in the doughnut hole. The rest will be mailed at monthly intervals through the year as more part D enrollees, about 4 million in all, hit that gap. The one-time rebate will be sent directly to anyone who falls into the Medicare part D doughnut hole during 2010.

Health care reform will eventually close the doughnut hole completely. Additional checks will be sent to seniors who fall into the doughnut hole every month or so after that, with a total of 4 million seniors receiving these $250 checks in the mail. While the Medicare part D program has helped millions of seniors obtain prescription drug coverage, there will be more.

CONGRESS ISN'T LISTENING

(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, the American people know when they are being ignored. Congress just isn't listening. Unemployment is nearly 10 percent. The national debt is skyrocketing past $13 trillion; and even more spending is coming down the pipe this week. Dependency on the Federal Government is rising at an alarming rate, and the Democrats have failed to even propose a budget.

Our Founding Fathers would not be pleased with this situation, and neither are the American people. That is why I am launching The Empowerment Project. To get America back on track, we must restore our founders' principles of empowerment by having more limited government, increasing personal freedom and responsibility, and having greater choices and opportunity. The Empowerment Project will work to highlight Member initiatives that empower the American people to prosper.

Our Nation cannot thrive if it is built on government dependency. It is time to put America back on the path of empowerment. To learn more about The Empowerment Project, go to my Web site at Randy.house.gov.

CONSUMER CONFIDENCE ON RISE

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

Mrs. DAHLKEMPER. Mr. Speaker, each month the numbers come in, and the signs are clear: Our economy is growing in the United States.

Consumers agree. Consumer confidence rose to the highest level in more than 2 years this month. I believe our economy is on the rebound largely because we are making the move back to a manufacturing and production economy and away from the paper economy of Wall Street.

Our manufacturing sector is up for the 10th month in a row. Manufacturing has added more than 125,000 jobs this year. Companies like Acutec in Crawford County, a manufacturer of aerospace parts, have been performing well and hiring new employees despite the recession.

A strong economy is one that makes things, produces goods and products that people want to buy here and all over the world. American can-do attitude and entrepreneurship will continue to lead us out of this recession. I am proud to support our American manufacturers, and I urge my colleagues to do the same.

GUN RIGHTS

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

Mr. REHBERG. Mr. Speaker, too many people in Washington, D.C. are under the dangerous impression that the Second Amendment is obsolete and unnecessary. If they had their way, only criminals and agents of the State would be armed, while law-abiding Americans would be at their mercy.

While we can stop gun control in Congress, progressives and Washington, D.C. bureaucrats will use every tactic at their disposal to disarm the American public, including banning firearms on public lands.

That is why I have sponsored the Firearms Freedom on Federal Lands Act with Representatives Rob Bishop and Paul Broun. This legislation creates a statutory protection of gun rights, preventing land management agencies from restricting firearms on public lands, as they have done in the past.

The NRA has endorsed this measure, and I hope my colleagues will follow their lead and cosponsor this legislation.

CELEBRATING LIFE OF BARBARA GREENSPUN

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

Ms. TITUS. Mr. Speaker, I rise today to celebrate the life of Barbara Greenspun whose recent death marks the end of an era in Nevada. With her sad passing, we have lost a remarkable individual who gave so much of herself to our community.

Together, Hank and Barbara Greenspun poured their heart and soul into the Las Vegas Sun, showing a dedication and commitment that would turn the paper into a leading publication. Then moving from behind the scenes to publisher after Hank's death, Barbara built upon his legacy as the paper earned journalism's most prestigious award, the Pulitzer Prize.

Known for her grace and generous spirit, Barbara also committed herself to a number of important causes, including higher education and women's health that touched the lives of so many. While she will be truly missed, her legacy will live on through her remarkable family, the landmark Greenspun building at UNLV, and the continued excellence of the Las Vegas Sun.

CONGRESS IS NOT LISTENING

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

Mr. CONAWAY. Mr. Speaker, an oft-forgotten dictum in Washington is that to govern is to choose. It is to choose between the dizzying array of wants, wishes, and needs of the American people, while constrained by the Constitution, fiscal, and political realities of the day.

Sadly, the leadership of the majority of this House have punted on choosing anything. They have ignored fiscal realities, our present condition, and the constitutional limits on our authority, and simply enacted whatever they could twist enough arms to pass. This majority has made promises it cannot keep with money it does not have. It has not made hard choices; it has not governed. No place is this more evident than in the Speaker's refusal to pass a budget this year, the most basic fiscal document our Nation has.

The budget is the foundation of all the taxing and spending that the Federal Government does. It constrains the appropriators and sets the boundaries for the spending debate. In choosing not to pass a budget, the Speaker is failing in her responsibility to govern this House and our Nation.

The American people, though, are not standing idly by. They are suggesting difficult choices for the Speaker through the YouCut program. To date, the American people have voiced support for over $60 billion in hard choices.

Mr. Speaker, we are a Nation governed by the people; the people are not being heard. This Congress is not listening.

AMERICAN JOBS

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

Mr. DAVIS of Tennessee. Mr. Speaker, I want to talk about jobs: where we were, where we are, and where I hope that we will be in the next 10 years.

In the last 3 months of 2008, we lost an average of approximately 650,000 jobs per month. The first quarter of 2009 saw us lose over 700,000 jobs per month. In the first quarter of 2009, our economy shrunk by 6.4 percent.

We have stopped the bleeding. We have added jobs in six of the last 7 months, averaging almost 200,000 jobs, the majority originating in the private sector. If this pace continues, this administration will have added more jobs in 1 year than the previous Bush administration did in 8 years. I repeat, 1 year compared to 8 years. Our economy grew by 3 percent for 3 straight quarters of economic growth, 9 percent in 12 months. After February of 2009, household wealth grew for 10 straight months, regaining nearly 30 percent, $5 trillion of the $17.5 trillion of household wealth wiped out during the former Bush administration in its final 18 months.

We have stopped the bleeding. The economic policies of this Congress is investing in America. There is no snap-your-finger fix to our economy.

□ 1200

PASS A BUDGET

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the House of Representatives has passed a budget every year since the Congressional Budget Act took effect in fiscal year 1976. To be completely accurate, there have been times under both Democrats and Republicans when a finished budget was not passed by both Houses. But this is the first time the House of Representatives has simply decided there is too much peril for the American public to see the numbers that they are pursuing, so they are going to stop the game before the coin is even tossed.

We have more than $13 trillion in debt and a Presidential budget that puts the deficit at $1.6 trillion and spends $3.8 trillion. Even Fed Chairman Ben Bernanke says this budget is, quote, ''unsustainable.''

Faced with similar challenges in your personal budget, there would be a talk around the kitchen table and the children's allowances would be cut, along with many other luxuries. It is that discussion that the majority seems unwilling to have under the theory that if they ignore it, it might go away. Unfortunately, the debt will not go away. The pain will be transferred to our children and grandchildren in the hopes that they will have the guts to face reality.

WALL STREET REFORM

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

Ms. FUDGE. Mr. Speaker, Congress must decide whether to protect the interests of a few deceptive bankers who ruined the industry for others or to protect the hardworking Americans of this Nation.

House Democrats have already decided. We have decided to choose Main Street over Wall Street. We have decided to choose parents who want to provide for their children and for people who are saving for retirement. We have decided, Mr. Speaker, that the American people are more important than the overzealous bankers.

Maintaining the status quo is not the answer. Look at what the current situation has done to America. Eight million jobs were lost without the safeguards to protect Main Street. Millions of homes were taken in foreclosure due to subprime mortgage schemes.

American people deserve and want better. A CNN poll shows 6 out of 10 Americans support Wall Street reform. Republicans have blocked efforts to protect Americans. House Republicans voted unanimously against the Wall Street Reform and Consumer Protection Act. This act would reform Wall Street, reform executive pay, end taxpayer-funded bailouts, and hold banks

and financial firms accountable to the American taxpayers.

Congressional Republicans are making backroom deals with the bankers. It is time for us to protect Main Street.

The same Republicans who deregulated the industry, and opposed reforms, now claim the Wall Street reform bill "allows bailouts." This is false.

Let's give Americans what they deserve—fairness in the financial system.

PASS A BUDGET

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

Mr. DREIER. Mr. Speaker, at this time last year, we, for the first time in the 221-year history of our Republic, saw the appropriations process shut down, completely shut down. Never before had that happened. It was difficult to imagine that anything could be done to jeopardize and undermine openness, transparency, and accountability than shutting down the appropriations process.

Well, Mr. Speaker, it's hard to believe, but this Democratic majority has gone one step further. Incomprehensible, but they have now decided not to pass a budget at all. Now, in the last 17 months, we have witnessed an 84 percent increase in nondefense discretionary spending. And we all know that a budget is a blueprint and absolutely essential if a majority is going to make any attempt whatsoever to govern.

Well, Mr. Speaker, they have failed in the appropriations process, and now they have failed to come forward with even a budget. Our children and our grandchildren deserve better.

PASS A BUDGET

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

Mr. CARTER. Mr. Speaker, a recent Gallup Poll tells us that the American people rank the growing debt in this country as the single most threatening issue to the future of our country's well-being.

When the American public in their homes face a debt crisis, the first thing they do is prepare a budget so they can live within their means and start to reduce their debt burden. But this House, under the Democratic leadership, has chosen to prepare no budget. In fact, for the first time in modern budgetary history, they are telling us there will be no budget here in this House this year.

Mr. Speaker, the American people are crying out for us to get control of our spending. How can we control our spending without a budget? It's a crying shame there is no budget. No wonder we've got issues with jobs.

And by the way, when you're trying to create jobs, why do you shut down a major industry in the gulf and kill tens of thousands of jobs up and down the gulf coast, stopping drilling in the Gulf of Mexico?

PASS A BUDGET

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

Mr. SESSIONS. Mr. Speaker, today Republicans are on the floor of the House of Representatives speaking out on behalf of the American people that we believe that the leadership of this House of Representatives should bring forth a budget, a budget that would give the American people more confidence in this body. We are at record low numbers of people who have confidence in the leadership of the House of Representatives, the ability to lead this country in a direction that will bring us closer to jobs and addressing the issues of this Nation.

We just got the budget numbers that come in from May, and through May of this year, we have a $936 billion deficit. Mr. Speaker, the American people understand that we must have a road map, a road map to lead America back to where we become an employer Nation again. Taxing, spending, and unemployment will not lead us that way.

I urge this House leadership, the Democrats, please bring forward a budget where the American people can be part of this debate.

RECOGNIZING THE NEED FOR JOB CREATION POLICIES

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

Mr. BOOZMAN. Mr. Speaker, sales are suffering, the economy remains stagnant, and millions of hardworking Americans are looking for work. Arkansans believe that the recent Obama-Pelosi health care bill, cap-and-trade, and other job-killing tax increases will hurt, not help, our struggling economy.

We should take action to help businesses get on their feet by focusing on job creation as opposed to some of the misplaced priorities. New taxes and health care mandates are harming smaller firms and businesses. The so-called stimulus bill is not creating long-term jobs but is increasing the budget deficit and sending the bill, plus interest, to tomorrow's taxpayers.

Congress must stop growing the tax burden and creating job-killing policies. Tax relief and incentives for small businesses would help all Americans, especially the middle class, and get our economy back on track. The key to this will be fiscal discipline. Now is the time to put a cap on Washington spending and to focus on the economic issues that matter instead of further inflating the national debt.

PUT PEOPLE TO WORK

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

Mr. GARAMENDI. Mr. Speaker, we just heard a very interesting 1-minute presentation that didn't make much sense. We have a world of hurt. People are unemployed. People are going to lose their jobs in local governments and State governments, and teachers are going to be laid off across this Nation. And to simply say we need fiscal discipline doesn't solve this problem.

The Democrats put out, without one Republican vote, an American Recovery Act a little more than a year ago, and it really worked. People did get jobs. Things were done. Infrastructure was built. We need to continue that, and we need to keep people working.

Yes, we need fiscal discipline, and I would be welcoming any idea from the Republicans on how they are going to do that other than simply say there ought to be. Yes, there ought to be, but we need right now to put people to work.

There is a program that's available that will be coming up that will stimulate small businesses. It puts forward major programs for the Small Business Administration to support loans. We also need to support the local governments. Yes, it's going to cost us some money in the short term, but we have a choice: We are either going to put people to work or we are going to have welfare. I want people to work. I want them to be taxpayers.

THE GULF OIL SPILL TRAGEDY

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

Mr. PENCE. The oil spill in the gulf is a widening tragedy of epic proportions. BP must be held accountable for every dime of cost that will affect the families and the environment and the communities of our gulf region. And this administration must be held responsible, responsible for failing to provide the kind of energetic leadership that the American people expect and the law demands.

What's obvious to Americans across the political spectrum is this administration has been a day late since day one. Unable to make this crisis a national priority, we now hear that the President is poised tonight to go to the Oval Office in the midst of explaining the Federal response to this crisis and use it as an opportunity to press for a climate change bill.

The American people don't want this administration to exploit the disaster in the gulf to advance their disastrous energy policies. America needs a new energy policy. But cap-and-trade won't cap that well. This administration should work the problem in the gulf instead of working their liberal environmental agenda.

THE U.S.-MEXICO PARLIAMENTARY EXCHANGE

(Mr. POLIS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. POLIS. This last weekend, I was part of a delegation to Campeche, Mexico, as part of the U.S.-Mexico parliamentary exchange. This was the 49th annual U.S.-Mexico parliamentary exchange, and I rise today to emphasize the importance of the U.S.-Mexico relationship.

Our topics included three major areas:

We talked about border security, what we need to do on both sides of the border to improve security, to reduce the flow of drugs from Mexico into the United States, and reduce the flow of weapons from the United States into Mexico;

We talked about how to expand our economic partnership to create jobs in both nations. Mexico, depending upon how you measure it, is our second or third largest trade partner, and we continue to grow our trade;

And finally, we talked about immigration. However frustrating it is for the United States to deal with this issue, it's even more frustrating for Mexico to see many of their best and brightest fleeing northward. And the Mexican Government resolves to take action on this issue. Likewise, it's critical for our country to replace our broken immigration system with one that works for the United States.

PASS A BUDGET

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, we have heard today some comments from our friends on the other side of the aisle about fiscal responsibility and about creating jobs, but the one thing we haven't heard from them is anything about the budget.

If they were from Hollywood, they would be up here saying, ''We don't need no stinkin' budget.'' If they were involved in, oh, Presidential politics a few years ago, they would say, ''Where's the beef? Where's the budget?''

Fiscal responsibility starts with knowing where you are and where you are going. Every family in America adopts a budget, but I guess we are too big to fail. We are too big to create budgets because we can just print money after money after money. The fundamental proposition is, as stated by the chairman of the Budget Committee a couple years ago, if you can't budget, you can't govern.

They've told us they can't budget. They're proving to us they can't govern. The problem is this is not a game; this is not a Hollywood movie; this is real life, and real people are hurting.

Let's get down to the business of helping people by being responsible here, and let's start with a budget. Everybody understands that, perhaps, except the Democratic leadership.

PASS WALL STREET REFORM

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

Mr. SNYDER. Mr. Speaker, Americans deserve a financial system that protects their savings and their money. Until this Congress passes the Wall Street reform package, America's families and small businesses are at risk. By supporting reform, we support the kind of financial stability that supports job creation.

Regulation, effective regulation, is the unbiased referee that protects us as we compete. Everyone benefits when Americans' savings are protected and small businesses can get loans. Yesterday's laws do not protect us today.

I commend Chairman FRANK and Senator BAUCUS for their hard work going on right now to get a final version of Wall Street reform before this Congress for the American people.

AMERICANS WILL BE FORCED TO CHANGE THEIR HEALTH CARE PLAN

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

Mr. FLEMING. Mr. Speaker, the selling of ObamaCare to the American public has been trademarked by one empty promise after another. On September 9, 2009, President Obama infamously promised Americans, and I quote, ''If you are among the hundreds of millions of Americans who already have health insurance through your job, nothing in this plan will require you or your employer to change the coverage or the doctor you have.'' Yet yesterday, in an ironic twist, the Obama administration released draft regulations indicating that up to 69 percent of employer-provided plans may be forced to change their health plans when the new health care law's mandates and requirements begin.

Speaker PELOSI was quoted as saying that we will have to pass this bill to find out what's in it. As the fine print is being placed, we are learning bad news daily about this unpopular law.

Mr. Speaker, I again ask: How many promises will ObamaCare have to break with the American people before we repeal this disastrous legislation?

□ 1215

PRESCRIPTION DRUG DOUGHNUT HOLE

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

Ms. SCHAKOWSKY. About 80,000 senior citizens and people with disabilities have already fallen into what we call the doughnut hole. What is that? That is a gap in Medicare prescription drug coverage and is a result of—you know, we just heard criticism of so-called ObamaCare—but the Republicans passed a bill called Medicare part D.

But what it says is that Mrs. Jones, after a certain amount of money that has been spent on her prescription drugs stands in line at the drugstore and says, I'm ordering a refill of my prescriptions.

And the druggist says, Well, Mrs. Jones, that will be $100.

She says, What do you mean, I thought I was insured?

They say, Oh, no, you've gone over the amount of money that the government will give you, and now you're going to have to pay $3,000-plus out of pocket in order to get covered again.

Well, we finally have done something about that, and checks are going to start going out this week to people, the 80,000 that have fallen into the doughnut hole, of $250 to try and help them pay for that, and we're going to ease out the prescription drug doughnut hole.

LEADERSHIP REQUIRES MAKING TOUGH DECISIONS

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

Mrs. MCMORRIS RODGERS. Mr. Speaker, you know, America is broke, and it's time for us to start making tough decisions. Continuing debt spending is actually the easy choice. Leadership requires making tough decisions, and yet we stand here today as Members of Congress with the majority not even sending up a budget.

Now, the Obama administration did propose a budget. It was $3.8 trillion funded with revenue that totaled $2.2 trillion. The majority doesn't even seem to want to address the budget. Now, when we were in the majority, JOHN SPRATT said, If you can't forward a budget, you can't govern, and yet today we don't see a budget.

All across this country, American families have had to readdress their budget, make tough decisions in their family households. That's what you do during difficult times. Businesses have had to make tough decisions, and yet this Congress is refusing to make the tough choices. Instead we continue the deficit spending, tacking on debt to the next generation.

America deserves better. Our children and our grandchildren deserve better than continued deficit spending.

STAND UP FOR HARDWORKING AMERICANS

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

Mr. WALZ. Mr. Speaker, I rise today to call on Members of Congress and the Wall Street reform conference committee to stand up for hardworking Americans and send us a strong bill that protects the interests of those on Main Street who have been continuing and will continue to pay the price for Wall Street excesses.

Over the past few weeks, I've been meeting with small business owners, like Joe Lorentz of Myles Lorentz Trucking Company in Mankato, Minnesota. Community leaders, like Owatonna Mayor Tom Kuntz, Waseca Mayor Roy Srp, and New Ulm Mayor Joel Albrecht, and all of them have delivered a very simple message: We must end too big to fail by ensuring large financial firms are allowed to fail without burdening the taxpayer. We must protect Main Street businesses and consumers from the negative effects of greed run amuck. And we must not penalize Main Street institutions that work, community banks, credit unions and auto dealerships.

So on behalf of Main Street Minnesota, I urge my colleagues to send us a tough bill that restores transparency and accountability to America.

FISCAL YEAR 2010 EMERGENCY SUPPLEMENTAL AND FISCAL YEAR 2011 BUDGET

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

Mr. ROGERS of Kentucky. Mr. Speaker, the American people deserve better from their elected leaders. Vital funds to protect our troops are being held hostage, and serious proposals to deal with our soaring national debt aren't even being discussed in this body.

The brave men and women fighting our enemies overseas have been waiting for Congress to approve an emergency funding bill critical to their operations since February. Over 4 months later, still nothing. Only broken promises and missed opportunities for bipartisanship. Not only has the majority party repeatedly failed to deliver funds for our troops in harm's way, they've bypassed regular order to tack on billions more in unnecessary deficit spending. No committee deliberations, no markups, no offer of amendments, and no input from the minority. It's a national disgrace.

I urge the Congress to act to support our troops.

SMALL BUSINESS LENDING FUND ACT

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

Mr. BACA. This week, the Chamber will consider H.R. 5297, the Small Business Lending Fund Act. This bill will create a small business loan fund and provide capital to American small businesses. This bill also includes a boost to State lending programs, providing $2 billion in funding to new and existing programs across the country.

Small businesses are the backbone of the American economy and create two out of three jobs in this country. Our economy has begun to show signs of growth and recovery, and our largest financial institutions are stabilized, but it's time to assist local and community banks that provide the bulk of the capital to small businesses.

Job creation needs to be the number one priority forward, and legislation like this will help accomplish our goals and restore the public faith in our economy.

I urge my colleagues to vote ''yes'' on H.R. 5297 when it comes before us.

WE MUST HAVE A BUDGET RESOLUTION

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

Mr. FRELINGHUYSEN. Mr. Speaker, it's now official. We're now a full 2 months behind the congressional deadline with no budget resolution in sight. In the past, this would be just another failure by the majority to meet a technical responsibility. But this year is different.

This administration's enormous government spending increases have driven our annual budget shortfall to $1.4 trillion. That's the deficit. We're spending $1.4 trillion more than we're bringing in. The accumulation of all our past budget deficits, the national debt, last month rocketed past $13 trillion, and media reports last week predicted that it would balloon over $15 trillion by 2015.

And how do we finance this debt? When American families and businesses find themselves short of cash, they cut their spending. When the Federal Government finds itself with a record deficit, we borrow money. From whom? The Chinese, the Japanese, from the Saudis, and we pay interest on that debt, hundreds of billions of dollars each year.

We can do better. We must do better. We must have a budget resolution. We must cut spending.

MONEY IN THE STIMULUS BILL WENT TO THE RIGHT PEOPLE

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

Mr. MURPHY of Connecticut. Mr. Speaker, I ran for Congress 4 years ago because I had watched the Republicans use the power that they had accrued here to turn our government over to their friends in the oil industry and the insurance industry, the drug industry and the banking industry, and so I wonder what kind of stimulus bill they would have written last year were they still in charge.

It would have been very different than the one that's on the ground today in Connecticut, one that has put funds in a small solar company in Bethel, Connecticut, Apollo Solar, creating jobs in renewable energy; a stimulus bill that just opened up a new early Head Start program in Danbury, Connecticut, employing 20 people immediately and creating a lot of job opportunities for the parents who now have child care. It would have been very different than the bill that gave millions and millions in tax credits to middle- and lower-income individuals in Connecticut that have allowed them to go out and start to create a retail resurgence.

The stimulus bill would have been done very differently under the Republicans. Democrats in charge, the money went to the right people.

KYRGYZSTAN

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

Mr. PITTS. Mr. Speaker, this week, violence flared up in Kyrgyzstan, prompting tens of thousands of Uzbeks to flee their homes and places of birth to seek refuge in neighboring countries. Innocent people, including women, children and the elderly, are suffering with over 100 killed.

Just 2 months ago, the people deposed the authoritarian President Bakiyev, who promptly fled to Belarus and the protection of the Lukashenko government. Approval of a new constitution and general elections were proceeding smoothly until the recent violence, which was prompted by forces supportive of the deposed president and other lawless elements.

Even with the present chaos, the interim Kurdish government is insisting that the date of elections will remain unchanged. For many years, I've worked with the nations along the old Silk Road in central Asia, and it pains me to see the Kyrgyz fleeing violence in their homeland.

The U.S. wants to keep our Air Force base in Kyrgyzstan, but we have shown little interest in helping the people of this nation build a republic that respects human rights free of corruption. Even China and Russia are lending their support with humanitarian aid flights. We need the State Department and President Obama to offer the support of America to a nation struggling to create democracy and freedom to strengthen their independence and sovereignty.

Without action on the part of the U.S., violence will continue, and then more than just a military base will be lost.

DON'T LET AN OIL SPILL RUIN YOUR VACATION

(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 as co-chair of the Congressional Tourism Caucus to remind this Nation that we should not let an oil spill ruin our vacation. Disasters drive people away from wherever there is a disastrous incident. In the Gulf States, local tourism is suffering from it. It's suffering

from the greatest oil spill in American history.

Mr. President, when you address the Nation tonight, I hope you will urge them to visit the Gulf States to shore up the local economy and have BP pay for that tourism promotion. I urge you to have the coastal State Governors support a regional tourism plan for the Gulf States for this summer, for now, immediately.

A disaster of this proportion is a disaster of national significance. It's time that we as a Nation respond by spending our money and our time in those communities most affected. God bless America. Let's promote tourism.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair requests that Members observe decorum by addressing comments through the Chair.

THE BUDGET

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

Mrs. LUMMIS. Mr. Speaker, when you and I and the American people want to start a business and we want to borrow money to do it, we go to a bank, and we have to present a business plan with income projections and where we are going to get the money to pay the debt we're requesting back.

When my State of Wyoming is doing a budget, it projects its revenue, and every month we see how much money we have collected pursuant to those projections. And if we don't have enough money, we cut our budget.

In Washington, we don't even have a budget. For the first time since 1974, this House does not have a budget, isn't going to pass one. That's irresponsible. That's not leadership.

Mr. SPRATT was right: If you can't budget, you can't govern. And this is a perfect example, Mr. Speaker.

WE HAVE TO HOLD BP ACCOUNTABLE FOR THE AMERICAN PEOPLE

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

Mr. BRALEY of Iowa. Mr. Speaker, a week ago I was in Chalmette, Louisiana, for a field hearing on the BP Deepwater Horizon oil disaster. We heard compelling testimony from people whose lives have been devastated, including two of the widows who lost their husbands on that explosion on the rig. We also flew out over the site of that disaster, and as they opened up the rear hatch on the plane, you could see the burn-off from the relief wells being drilled, and you could smell the overpowering stench of oil coming off the water.

Well, our friends on the other side like to take a position that government should be hands off when it comes to business development, and BP is teaching us that we can't afford to let businesses misrepresent to this country what they're planning to do the way BP did when they knew that there was a 99 percent chance of a blowout during the 40-year period of this lease and still got a waiver from any deep, intensive environmental impact analysis before that well was explored.

We have to hold this company accountable for the American people, the American taxpayers.

They created this problem. This is what happens when we stay hands off and don't keep people accountable for their conduct.

SPENDING IS OUT OF CONTROL

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

Mrs. SCHMIDT. Mr. Speaker, spending is out of control. In April, the U.S. Government ran a record monthly deficit of $82.7 billion. That's almost $83 billion in just one month.

Unfortunately, the Democratic majority has done nothing to reduce spending. Overall, spending has only gone up since they've been in power. Perhaps the most outrageous thing is that the majority is not even trying to pass a budget, which would give us a framework to rein in runaway spending.

Budgeting is the most basic duty of government. Yet here we are 2 months beyond the deadline to produce a Federal budget, and it doesn't appear this House will produce one. This will be the first time since 1974 we haven't produced a budget. Failing to consider a budget doesn't make the problems go away. It simply provides more proof that the current leadership in Congress has no plans for dealing with the debt and deficits that continue to rise.

We cannot keep laying the current financial burdens on our children and our grandchildren. They can't afford it, and we can't afford it. Let's pass a budget. Reduce spending, rein in, and get ourselves back in control.

□ 1230

SECOND ANNIVERSARY OF THE DEVASTATING FLOODS OF 2008

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

Mr. LOEBSACK. Mr. Speaker, 2 years ago, Iowa experienced the worst natural disaster in our State's history as a result of the great flood of 2008. We have made amazing progress, but 2 years later there is still damage in small and large communities like Oakville, Columbus Junction, Palo, Cedar Rapids, and Iowa City. Many homeowners are struggling to recover still, and many small businesses have been unable to access relief programs because of red tape, all this on top of an economic downturn. Government-wide, we need to cut down on red tape and approve efficiency. I think we can all agree with that. With disaster relief, this is even more important because effective assistance is absolutely critical to communities' ability to recover.

Communities are also trying to mitigate future flooding through a variety of structural and nonstructural means. I will continue to work with city leaders, homeowners, and businesses to ensure that we reduce inefficiency and the chances of another devastating flood like the one we experienced in Iowa 2 years ago.

PARTIAL DRILLING IN LOUISIANA

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

Mr. CAO. Mr. Speaker, the oil disaster in the Gulf of Mexico has caused great economic impact to my district. Hundreds of businesses have closed and thousands of people are out of work. The moratorium imposed by the administration potentially can also cost Louisiana thousands of jobs, yet there is a very simple solution to allow the administration the time that it needs to review the safety and to implement procedures for the deep oil industry and at the same time preserve the jobs in Louisiana: Allow the oil companies to do partial drilling; allow them to drill, but do not allow them to tap into the reservoir.

Modern technology allows companies to know exactly where the oil is. What this partial drilling does is preserve the jobs in Louisiana during a time when we need the amount of revenue that the State needs to sustain its economy to help the people to bring about the livelihood.

RECORD-BREAKING DEFICITS MEAN CONGRESS SHOULD PASS A BUDGET

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

Ms. FOXX. Mr. Speaker, someone once said, If you can't budget, you can't govern. Those words came from my distinguished colleague from South Carolina, the current chairman of the Budget Committee. He uttered them in 2006 as ranking member of the committee. The question is, What does that mean for this Congress?

Today, we face a budget deficit five times larger than the one that Congress faced in 2006 of $1.4 trillion, and here we are 2 months past the budget deadline and there is no budget. Unprecedented spending, unprecedented debt, and no budget.

It is only 8 months into the current fiscal year and the Federal Government has racked up close to $1 trillion

in new debt. Mr. Speaker, it's time for this Congress to prove it can govern and debate a budget. If today's record-breaking deficits aren't reason enough to debate a budget, then I don't know what is.

WHERE'S THE BUDGET?

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

Mr. McCLINTOCK. Mr. Speaker, suppose your family is deeply in debt, bills are piling up, your credit card interest is eating you alive, and finally you seek the help of a financial counselor. What's the first thing that debt counselor is going to say? He's going to say, the first thing we've got to do is sit down and sketch out a family budget. We all know that. It's hard work, it's painful, but it's absolutely necessary if you're going to get your finances back under control.

Mr. Speaker, our national debt is fast approaching the size of our entire economy, yet while this House has all the time in the world to consider the most trivial matters, it can't spare the time to develop a national budget at the very moment in the life of our Nation when we need one the most, before we bury our children in debt.

Churchill once spoke of a locust generation. I wonder if that's what we've become.

DOES THE ADMINISTRATION FAVOR GOVERNMENT WORKERS?

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

Mr. BISHOP of Utah. Mr. Speaker, with no budget or overall spending plan, the administration apparently wants at least another $25 billion to save the jobs of local government workers; yet at the same time, the administration's space plan would destroy 30,000 jobs, many of them scientists and engineers who are working in the private sector who would cost this government nine times less. Is there any kind of wonder why so many people watching what we're doing in Washington suffer from policy whiplash? It's almost as if this administration is saying, If you are a government worker, we'll bend over backwards to help you, but if you're in the private sector, especially a scientist or engineer, you'd better be hoping that Wal-Mart is hiring.

BUDGET

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

Mr. BROUN of Georgia. Mr. Speaker, Congress received a surprise Saturday night. Late in the evening, President Obama sent a letter to Republicans and Democrats requesting an additional $50 billion in emergency stimulus funds. After justifying his new spending request, President Obama expressed a newfound interest in fiscal responsibility. He urged Washington to ''establish a fiscally responsible budget path, discipline the budget process, and ensure a sustainable and responsible long-term budget.'' I have just one question: What budget?

For the first time since 1974, Democrats in the House have failed to even outline a budget. Similar to the family budget, a Federal budget provides guidance and transparency for how the government spends the American people's hard-earned money. With the U.S. national debt at $13 trillion—and rising—I agree that Congress needs to discipline the budget process. Unfortunately, President Obama's spending request does not reflect his rhetoric.

SPILLED OIL ROYALTY COLLECTION ACT

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

Ms. PINGREE of Maine. Mr. Speaker, last week I introduced legislation to make sure that BP pays royalties on all of the oil from the Deepwater Horizon disaster. The Spilled Oil Royalty Collection Act, H.R. 5513, will ensure that BP pays royalties on every gallon of oil spilled without the administration having to determine whether BP was negligent or violating MMS regulations. Royalties on oil drilled at offshore locations are paid to the Minerals Management Service, MMS, in an effort to compensate taxpayers for the use of publicly owned resources. Under current regulations, leaseholders like BP are only obligated to pay royalties on gallons of oil sold. This legislation is part of responding to the disaster in the gulf and holding BP accountable.

We need to clean up and repair the gulf, holding BP accountable for its oil spill, enact stronger environmental, technological and spill response standards, and invest in an American clean-energy future.

BP CEO was on television saying that his company will ''make it right,'' but we should have more than just a television commercial to go on. We need the force of law to make sure they pay every penny they owe to us. I hope you will join me in supporting this important piece of legislation.

AMERICANS DEMAND A BUDGET

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

Mr. WITTMAN. Mr. Speaker, as I travel around America's First District, I hear unanimously from folks out there, and they ask this question: Rob, what's happening in Washington about our budget? Why do we continue to deficit spend? We are on an unsustainable path. When are we going to reduce the national debt?

I was just in Heathsville, Virginia, on Sunday. There folks asked, ROB, when is Congress going to adopt a budget? Why aren't you adopting a budget? We, as family members, have to adopt a budget. We have to make sure that we're responsible in spending. Why isn't Washington doing the same thing? Well, I ask the majority the same question, Why aren't we adopting a budget? Why aren't we on a path of sustainable spending, reducing this deficit and addressing this national debt?

Folks, it's incumbent for this country to do that; it's a responsibility of this Congress to do that. I challenge the majority to do their duty, put a budget on the table. Let us get to work for the American people.

BUDGET

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

Mr. CALVERT. Mr. Speaker, I rise today on behalf of the American people who deserve an answer about the out-of-control spending policies coming out of Washington. For the first time, the House has failed to produce a budget. There is no plan for how the majority will spend the American taxpayers' hard-earned money for fiscal year 2011.

For American families, if they don't get a budget and pay the bills, there are real consequences. Unfortunately, the majority continues to turn a blind eye to future consequences as they push spending to a record $3.8 trillion in fiscal year 2011 and widen the deficit to a record $1.5 trillion this year.

House Republicans stand ready to make tough choices in order to rein in spending. Recently, we introduced a measure on the House floor to freeze Federal civilian pay, which will save about $30 billion over 10 years. The program was selected by the American people through the innovate YouCut initiative. The American people have spoken: stop the spending frenzy, budget for the future, and return fiscal sanity to Washington.

WHERE'S THE BUDGET?

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

Mr. PETRI. Mr. Speaker, each and every year since passage of the Budget Reform Act of 1974, this House has managed to produce a budget resolution, a document necessary for responsible governing—each and every year except this one.

What's the problem? In addition to outlining spending for the year ahead, budget resolutions include plans for multiple years, laying out anticipated spending and revenue and calculating anticipated deficits and surpluses. If the House were to pass a 2011 budget resolution, it would establish as official House policy that we will run enormous deficits for as far as the eye can see, but several Democrats here are reluctant to associate themselves with

such an irresponsible document. Of course it's theoretically possible that the current House majority could propose a budget resolution mapping a path back to balanced budgets. But no. Substantial numbers of the Democrats here think we should be spending more, not less.

With Members in the majority party pulling in opposite directions, the majority leadership appears to have given up on finding the votes necessary to pass an official budget whether big spending or responsible. This is a failure of mammoth proportions.

□ 1245

DISASTER RECOVERY IN THE GULF

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

Mr. SCALISE. Mr. Speaker, I spent this last Friday on Grand Isle, South Louisiana, which is at the epicenter right now of this battle against the oil which is coming into our marsh. The anger and frustration I heard from official after official on the ground was that they are spending more time fighting the Federal Government and BP than they are fighting the oil. This is unacceptable.

It still goes on day after day, 57 days in, and the President continues to refuse to lead on this crisis. He has let BP be the gatekeeper for our local officials who have plans to protect our marsh. Yet they now have to go through BP instead of having the President have a real command structure that holds people accountable.

The latest plan by the President is to actually have this ban on offshore drilling that actually punishes everybody—people who haven't done anything wrong and who have much safer records than BP. Now, over 40,000 people are going to be put out of work by the President's arbitrary ban, which actually goes against the recommendations of his own scientific panel. So now he is placing politics in front of science.

When is the President going to meet his obligations under the law to lead and to be responsible for the disaster recovery with BP's paying the bill instead of allowing BP to call the shots on the ground?

WHERE IS THE BUDGET?

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

Mr. MARCHANT. Mr. Speaker, for some time now, my colleagues have come to the floor to ask the question: Where are the jobs? Now, in addition to asking that question, I am also asking: Where is the budget?

With our national debt standing at over $13 trillion, we must enact a plan to curb wasteful and reckless spending. Although Democrats in this House have not undertaken the hard work of compiling a budget plan, House Republicans have.

Under the Republican plan, we reduce the 10-year deficit by $3.3 trillion. The Democrats have no plan to do this.

Under the Republican plan, we borrow 3.6 trillion fewer dollars than the administration does. Congressional Democrats have no plan.

Under the Republican plan, we spend $4.8 trillion less than the President's bloated budget. Once again, congressional Democrats have no plan.

I call on the majority today to produce a budget so that we can have a debate on improving our fiscal condition.

DAY 57 OF THE DEEPWATER HORIZON OIL SPILL

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

Mr. PUTNAM. Mr. Speaker, today marks the 57th day of the BP Deepwater Horizon oil spill. It is estimated that up to 40,000 barrels of oil may be flowing into the Gulf of Mexico each and every day.

At this point, it is nearly impossible to even calculate the impact this spill will have on Florida's economy as well as on the other Gulf States. Oystermen, charter captains, restaurants, and hoteliers are already suffering, along with those who depend on them. The gulf fishing industry alone supports 200,000 jobs.

It is important to note that Florida remains open for business. Our beaches and restaurants continue to welcome guests from throughout the Nation and from around the world, but we must eliminate the bureaucracy that is causing delays in this recovery, from sideline volunteers to unused skimmers, to ensure that Florida's economy and vital tourism remain vibrant.

Tonight, the President will address the Nation. After 2 months of delayed promises, failures, and finger-pointing, it is time for leadership. It is time for action that addresses this crisis.

STOP THE LEAK AND PASS A BUDGET

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

Mr. TURNER. Mr. Speaker, today is the 57th day of one of the largest oil disasters in history. Today is also the 166th day this year that this Congress has failed to produce a budget.

Each day, oil continues to flow into the gulf, increasing the catastrophic damage. Also each day, this Congress continues to produce red ink, damaging the American economy. The administration was caught flatfooted, repeatedly underestimating the severity of the oil leak and slowly allocating critical Federal resources to the gulf.

While red ink is flowing out of Washington and while oil is flowing into the gulf, this administration has no plan, and this Congress has no budget. How are we going to stop the oil leak, and how are we going to stop the red ink?

Just as the President has no plan, this Congress has no budget. For the first time since 1974, when the Budget Act was enacted, this House has failed to pass a budget resolution. This is a catastrophic disaster.

Mr. President, stop the leak.

Mr. Speaker, pass a budget.

ECONOMIC RECOVERY

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

Mr. RYAN of Ohio. Mr. Speaker, I think it's time for a little bit of a history lesson.

Before President Obama even got into office, that first January, we were losing almost 800,000 jobs a month; the stock market was at 6,000, and the Republican policies had all been implemented on energy, on health care, on budget, on foreign policy, with tax cuts for the wealthiest, with borrowing the money, and with running our country and our economy off the cliff.

We are turning the country around. We now have positive job growth. The stock market went up to 11,000 and now up past 10,000. 401(k)s are returning. Jobs are coming back. We do not need to go backwards with the Republican economic policies that drove us off the cliff in the first place.

I ask my friends on the other side, Mr. Speaker:

What are you going to tell the police officers, the firefighters, and the teachers who will get laid off if this country doesn't step up to bat and reinvest back in America? What are you going to tell them? What are you going to tell them?

We have enough money for the wealthiest to get tax breaks, but we don't have enough money for police, for firefighters, and for road projects in the United States.

Good luck.

REFORMING THE EARMARK PROCESS

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

Mr. LAMBORN. Mr. Speaker, I rise today to ask my Democrat colleagues: Where is the budget?

House Democrats haven't passed a budget for next year, something that hasn't happened in the modern era. This shows that they plan to spend without any restraint or accountability. If they can't budget, can they really govern?

However, one thing we can and must do is control runaway spending by reforming the earmark process. I have agreed to ban all earmarks for 1 year

while we consider meaningful reform. I cosponsored the resolution, along with Leader JOHN BOEHNER and most of my Republican colleagues, calling for an earmark ban. I followed that up with a letter to the Democratic leadership, asking that House Democrats join me in this 1-year ban with other Republicans. I have also called for the creation of a joint select committee to come up with proposals to reform earmarks.

The American people are demanding that we get our fiscal house in order. They, too, want to know: Where is the budget?

HEALTH CARE REFORM IS LAW

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

Ms. BALDWIN. Mr. Speaker, since we have passed health care reform into law, I have received a flood of gratitude from my constituents.

Edith of Madison assures me ''the plan will bring real benefits to many people in Wisconsin.''

Beth of Verona also thanked me, saying that, for the first time, she believes someday every woman diagnosed with cancer won't have to worry about being buried by the bills.

Patrick of Madison wrote, ''Don't let negativity and fear-mongering ever lead you to question your decision,'' which was to vote ''yes.''

Mr. Speaker, since I entered public service, I have worked to enact comprehensive health care reform. Now, just 2 months after this bill has become law, we are already seeing the expansion of insurance to young adults across the country. In just a few weeks, the Federal high-risk pool will be open to individuals who have been denied medical coverage because of preexisting conditions, and seniors are already getting extra help with their prescription drugs.

With each milestone, I can feel hope grow across America.

JOBS AND THE ECONOMY

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

Mr. WU. Mr. Speaker, inside the beltway, Republicans threaten to take us back to the failed policies that created this economic crisis in the first place. They are siding with the special interests, with credit card companies, with Big Oil, and with insurance companies. These failed economic and fiscal policies created the George Bush recession—the worst financial crisis since the Great Depression, with job losses of nearly 800,000 per month.

This Congress passed the American Recovery and Reinvestment Act, which is responsible for 2.8 million jobs saved or created, including jobs for teachers, police, and firefighters. More than a third of the bill was for tax cuts for 98 percent of Americans and for small businesses—the very people who suffered through 8 years of George W. Bush.

This act is also rebuilding America with clean tech, clean energy, and 21st century jobs. Our passage of health insurance reform will create not only 4 million new jobs over the next decade, primarily in small businesses, but it will also unleash the potential of the American economy.

STEADY ECONOMIC GROWTH IN AMERICA

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I am happy to report that we continue to see steady economic growth in our country. The work that we have done here in this very Chamber and the work that our President has done to ensure our economic turnaround is making a real and positive difference for America's families.

To put this statement into real numbers, here are some statistics that indicate undeniable growth and recovery: An average of 200,000 jobs have been created each month over the last 7 months. Stocks have risen across the board since the passage of the Recovery Act. We have now seen three quarters of economic growth. There are 98 percent of families who are seeing their taxes decrease for tax year 2009. Average refunds are up 10 percent, which is around $3,000. Since January of 2009, we have restored $5 trillion of household wealth.

In my own State of Florida, I am proud to report that, for the first time in nearly 4 years, we have seen improvement in the jobs report, with the unemployment rate dropping in May.

With these numbers as proof, I can say with confidence that America is on the road to recovery.

PROVIDING FOR CONSIDERATION OF H.R. 5486, SMALL BUSINESS JOBS TAX RELIEF ACT OF 2010; AND PROVIDING FOR CONSIDERATION OF H.R. 5297, SMALL BUSINESS LENDING FUND ACT OF 2010

Ms. PINGREE of Maine. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1436 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1436

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5486) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit.

SEC. 2. (a) At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and amendments specified in this subsection and shall not exceed one hour, with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Small Business. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution modified by the amendment printed in part B of the report of the Committee on Rules. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

(b) The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Financial Services or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

(c) In the engrossment of H.R. 5297, the Clerk is authorized to make technical and conforming changes to amendatory instructions.

SEC. 3. (a) In the engrossment of H.R. 5297, the Clerk shall—

(1) add the text of H.R. 5486, as passed by the House, as new matter at the end of H.R. 5297;

(2) conform the title of H.R. 5297 to reflect the addition to the engrossment of H.R. 5486;

(3) assign appropriate designations to provisions within the engrossment; and

(4) conform provisions for short titles within the engrossment.

(b) Upon the addition of the text of H.R. 5486 to the engrossment of H.R. 5297, H.R. 5486 shall be laid on the table.

SEC. 4. The requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of June 18, 2010, providing for consideration or disposition of any Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

SEC. 5. It shall be in order at any time through the legislative day of June 18, 2010, for the Speaker to entertain motions that the House suspend the rules. The Speaker or her designee shall consult with the Minority Leader or his designee on the designation of any matter for consideration pursuant to this section.

□ 1300

The SPEAKER pro tempore. The gentlewoman from Maine is recognized for 1 hour.

Ms. PINGREE of Maine. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from North Carolina (Ms. FOXX). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. PINGREE of Maine. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

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

There was no objection.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1436 provides for consideration of H.R. 5297, the Small Business Lending Fund Act of 2010, under a structured rule, with 1 hour of general debate with 30 minutes controlled by the Committee on Financial Services and 30 minutes controlled by the Committee on Small Business.

The rule makes in order an amendment in the nature of a substitute consisting of the text of H.R. 5297, as reported by the Committee on Financial Services, with the addition of Title 3, which would establish at the Small Business Administration a program to provide equity financing to support early-stage and high-growth small businesses. It also includes a manager's amendment which makes a number of important changes to the base text.

The rule makes in order 17 amendments, which are printed in part C of the Rules Committee report accompanying the rule. The amendments are each debatable for 10 minutes. The rule provides one motion to recommit H.R. 5297, with or without instructions.

The rule also provides for consideration of H.R. 5486, the Small Business Jobs Tax Relief Act of 2010, under a closed rule. The rule provides 1 hour of debate controlled by the Committee on Ways and Means.

In addition to paying for the cost of the Small Business Lending Fund Act, it will provide a number of important tax breaks to our Nation's struggling small businesses.

The rule also provides one motion to recommit H.R. 5486, with or without instructions. The rule then provides that these two bills will be combined upon adoption before being sent to the Senate.

Additionally, the rule waives clause 6(a) of rule XIII, which would allow for same-day consideration through Friday, June 18, of a rule providing for consideration of any Senate amendment to H.R. 4213, the Americans Jobs and Closing Tax Loopholes Act of 2010.

Finally, the rule also allows the Speaker to entertain motions to suspend the rules through June 18.

Mr. Speaker, today, the House will take up two very important pieces of legislation that will directly help small businesses around the country. These bills will provide much needed support for the small businesses that make up our communities and are the backbone of our economy and our economic recovery. These bills will help small entrepreneurs grow and create jobs. As President Obama said last fall, supporting small businesses needs to be our highest priority because ''when small businesses are succeeding, America succeeds.''

In order for small businesses to succeed, we must give them the tools they need to grow. One of these tools is the ability to access capital.

When I go back to Maine each week, I hear often the same story from business owners across the State. When the credit market dried up, they were hit hard. Now as the economy has started to make a recovery, they are still unable to access the credit they need to expand, rehire, and grow. About a year ago, I hosted an event focusing on helping connect small businesses with capital. The response was overwhelming. Hundreds of small business owners showed up, in fact, so many that we need an overflow room to accommodate the demand. There were businesses of all types and sizes, and many of these small business owners had driven hours to come to the workshop. They came to this meeting because they felt they had nowhere else to turn.

As a small business owner myself, I know what a challenge it can be to make ends meet. When I started my last business before the credit crunch, I was fortunate that I had a small community bank to work with that gave me access to capital I needed to start my business. But for many who have tried to get the money necessary to start, operate, and expand a business over the past few years, it hasn't been so easy. Today, we have an opportunity to make credit available to millions of small businesses across the country.

Today, we can assist the small lenders who know firsthand the difference those businesses make to a community. Today, we can make it easier for companies to get access to the financing that will help them grow, expand, and create jobs. The Congressional Research Service estimates that the investments made by this bill will stimulate $300 billion of lending to small businesses.

Small business owners and bankers alike have told me they think this bill is a good idea. As the economy recovers, it will help increase lending by our local financial institutions in Maine. As the owner of Rumery's boatyard, a small boatyard in Saco, Maine, told me, it is imperative that we support our small businesses and ensure that they are ''ready to go once the economy fully recovers.'' The folks at Rumery's make a good point.

Although we are now seeing signs of economic recovery, economists tell us that we could still face a double-dip recession if we aren't careful. Without access to capital, I'm afraid the recovery will be limited to Wall Street and not Main Street. By investing in small businesses, we can keep the momentum going and make sure the economic recovery turns into jobs for people in my State and across the country.

Mr. Speaker, let me tell you a little bit more about what I've heard from the people who live in my State. One person in my district who helps small business owners told me recently that he is ''convinced that the inability of small businesses to access capital is the number one impediment to economic growth for our Nation.'' He also said that he works with ''successful entrepreneurs who survived the recession but are having a difficult time reestablishing their credit lines or accessing money for growth even when they have real, profitable opportunities. The banks are not necessarily lending unless you have hard collateral, and they are shutting down credit lines to customers who pay their bills on time.''

For example, over the past 17 years, one small manufacturing company in Cornish, Maine, has grown from a sole proprietorship to employing 17 people. They have borrowed money to invest heavily in the machinery and technology necessary to produce a high-quality product. But as the economy stalled out, they were facing a shortfall in receipts and needed to refinance, but have been struggling to find the capital they need. They are continuing to provide jobs and ship product all over the world and pay for their operating costs of doing their business. If they had access to capital, they could also continue to make innovative new designs. Demand for their product is increasing daily, and without financing, they are unable to grow their company and provide new jobs.

Small businesses are desperate for credit to expand and to grow. And

that's why this bill is so important. As the economy picks up, small businesses in Maine and elsewhere in this country need to have the capital to expand and grow their businesses. Without access to capital, these businesses will not be able to grow. I look forward to supporting this important legislation later today.

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

Ms. FOXX. Mr. Speaker, I thank my colleague from Maine for yielding time, and I yield myself such time as I may consume.

I will urge my colleagues on this side of the aisle to vote ''no'' on the rule and ''no'' on this bill, and I believe that my colleagues and I will be able to explain why.

In case there are some folks still listening to what my colleagues on the other side of the aisle were talking about in the last of the 1-minutes that were spoken a while ago, I need to say that they have very selective memories. They talked about what the economy was like when President Obama took office, and they blame everything on our former President Bush. But they failed to mention ever, ever, ever that they were in charge of the Congress the last 2 years of President Bush's administration, and they were the ones in charge of what was happening in terms of spending money and why our economy was in such an unfortunate situation. It's very easy to blame President Bush because he was President, but they were in charge of the Congress.

Mr. Speaker, it's unfortunate that I, again, find myself before this body amazed by the stunning arrogance of the liberal Democrats responsible for bringing this rule before us today which provides for consideration of H.R. 5297, the Small Business Lending Act, and accompanying legislation, H.R. 5486, a bill intended to offset the immense cost of H.R. 5297. Consideration of this legislation, which will cost taxpayers another $32 billion, comes at a time when the Democrats have demonstrated a complete paralysis in presenting the annual budget resolution necessary for guiding congressional spending decisions.

We all know that many small businesses have not been able to get available credit. However, the Democrat response is, unfortunately, too predictable: Borrow more money from foreign lenders in future generations and spend it on yet another in a long string of bailouts; create a lot of Federal Government jobs; and do nothing to really help small businesses.

The way we can help all businesses in this country is to lower taxes across the board and not continue to create unnecessary, inefficient government programs which don't deliver what they need to deliver.

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

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

Ms. FOXX. Mr. Speaker, I would now like to yield 5 minutes to my distinguished colleague from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentlelady for yielding.

Mr. Speaker, the supporters of this bill tell us it's going to increase lending to small businesses. To do so, they're creating a $30 billion slush fund to make loans to smaller banks, therefore encouraging smaller banks to make loans to small businesses, or so they say. I believe it is a splendid example of what I like to call McClintock's Second Law of Political Physics: The more we invest in our mistakes, the less willing we are to correct them. It has apparently escaped the supporters' attention that we are already doing precisely what the proposed new Small Business Lending Fund would do through the existing TARP Capital Purchase Program.

Now that's not just my conclusion. That's the conclusion of the Special Inspector General of TARP, Neil Barofsky. He wrote to the Financial Services Committee on May 17, and observed, ''In terms of its basic design, its participants, its application process, and perhaps its funding source, from an oversight perspective, the Small Business Lending Fund would essentially be an extension of TARP's Capital Purchase Program.''

So if this scheme actually worked, we wouldn't need this bill, would we? Banks would already be lending like crazy.

The only problem is, it doesn't work. But some Members can't bear to face the American people and admit that they have squandered billions of dollars of working families' hard-earned money. So, instead, they bring us more of the same.

Now this places an additional $30 billion of taxpayer money at risk. We're told, Don't worry; we'll get that money back.

When have we heard this song before? Oh, yes. When they bailed out Fannie Mae and Freddie Mac. And according to the Congressional Budget Office, taxpayers have now lost $145 billion, heading to $400 billion.

Don't worry; it'll be paid back.

What is likely to happen to the $30 billion put at risk by this bill? Those banks with sound finances won't touch this money. They don't need it, and they don't need the Federal entanglements that come with it. Only those banks whose finances are unsound will accept these moneys, with little chance that they will actually be paid back. In fact, by removing the Special Inspector General from oversight of these funds, that risk is further aggravated.

□ 1315

And just to be clear, there's no guarantee that a dime of this money will actually be lent to small businesses in the first place. In fact, any commercial or industrial loan will count toward the requirements of this bill, not necessarily just loans to small businesses.

Now, after a failed $700 billion TARP, $30 billion might not sound like a lot of money. But let's put it in perspective. The combined cleanup and economic costs of the gulf oil spill are currently estimated around $17 billion. So in terms of economic damage, this bill could actually cost more than cleaning up the entire mess in the gulf. It's true that small businesses are having great difficulty getting loans. So are home buyers. Why is that? I suspect one of the principal reasons is that unprecedented public sector borrowing has crowded out the capital pool that would otherwise have been available to make private sector loans to small businesses and home buyers and consumers.

Under this administration and this Congress, the government is running a $1.5 trillion annual deficit. That's roughly $20,000 for every family of four in America. Well, where does that money come from? Well, we borrow it. From whom do we borrow it? We borrow it from the same capital pool that would otherwise have been available to loan to small businesses and other employers seeking to add jobs or loan to home buyers seeking to reenter the housing market or loan to consumers seeking to afford consumer purchases. And remember, two-thirds of economic growth directly depends upon those consumer purchases. But that money now is not available to loan to employers and to home buyers and to consumers to expand the economy because government has now borrowed it in order to expand government. That is the core of the problem.

Now, I've offered an amendment to forbid the use of this TARP III money in the presence of a deficit for a very simple reason: if the government borrows that money to loan to one business, that same money won't be available to loan to another business. Government cannot inject a single dollar into the economy until it has first taken that same dollar out of that same economy. But of course this amendment was forbidden under the rule we are now considering. Therefore, I oppose the rule, and I oppose the underlying bill.

Ms. PINGREE of Maine. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. I thank the gentlelady for yielding.

I rise in strong support of this rule and the underlying legislation that provides relief to small businesses by expanding lending opportunities and offering tax incentives to help them grow. Small businesses are absolutely the backbone of the American economy, and they are especially important in my home State of Rhode Island, where they make up 97 percent of our employers.

Now more than ever, we are pursuing every possible avenue to create a job that gets this economy back on track. None of us can be satisfied that our

economy is performing where it should be, especially in my home State where we now have the fourth highest unemployment rate in the Nation of 12.5 percent. None of us can accept that status quo right now, and Congress absolutely must support the growth of these small businesses and help stimulate the real engine of our Nation's economy.

American prosperity absolutely depends upon the success of small businesses and the innovative spirit of the American people, but they need the right support. I'm committed to bringing relief to the small businesses that are struggling in our States.

I urge my colleagues to support this bill, and let's give our small businesses what they need to create the jobs that will get America back on track.

Ms. FOXX. Mr. Speaker, you know, this bill is being promoted as necessary to increase the availability for small businesses. But as my colleague from California so eloquently pointed out, it's really a bailout for banks that are in shaky positions. And what nobody has pointed out yet is, incredibly, this money doesn't have to be available for 2 years and probably will not be available for 2 years. So what is that going to do, again, to help small businesses that need help right now?

Again, as my colleague pointed out, it creates a $30 billion lending fund for banks with less than $10 billion in assets. It also is going to appropriate $2 billion to States to shore up their small business lending and guarantee programs. But we shouldn't be doing that either. We have no business going in and shoring up programs that the States have when they haven't been responsible with the use of their money. But what this bill is going to do is deepen our debt problems, duplicate the goal of the original $700 billion TARP program, as Mr. MCCLINTOCK pointed out.

We have nearly 10 percent unemployment, and the so-called economic leadership of the ruling liberal Democrats has proven to be a failure. This is TARP III, and its $32 billion price tag is not going to be any different from the previous mechanisms that they've used to try to stimulate the economy. Rather than proposing sound economic policies, like lowering taxes and reducing regulatory burdens, the Democrats continue to advocate misguided policies that expand the government's control and increase the Nation's debt. The simple truth is that taxpayers can't afford another bank bailout.

The original bailout bill, TARP I, was $700 billion. In 2009, our colleagues on the other side of the aisle rammed through a so-called stimulus bill costing $1.138 trillion—part of that is the cost of the interest—a $410 billion omnibus appropriations bill for FY09, a $3.6 trillion fiscal year 2010 budget. They increased the debt ceiling by $1.9 trillion. The national debt now stands above $13 trillion. The taxpayers lost $145 billion by bailing out Fannie and Freddie, and the CBO expects that to approach $400 billion overall.

Recently, the European Union and the International Monetary Fund pledged $145 billion to bail out the bankrupt nation of Greece. American taxpayers are on the hook for $6.8 billion in loan guarantees for the IMF. The European Union and the IMF have also announced a $1 trillion bailout plan that could put American taxpayers on the hook for $50 billion in additional loan guarantees to bail out other financially irresponsible members of the European Union. And the news today is that Spain is almost ready to go bankrupt and expects our support. Yet the ruling liberal Democrats continue to spend our Nation into a financial abyss.

I've just gone over a lot of numbers, and I want to go over them one more time to make sure the American people fully understand what these people in charge of the agenda of this Congress are doing. They have been in charge, by the way, Mr. Speaker, since January 2007, which is when most of our problems began happening. So let me go over it again: a $700 billion bailout for the megabanks, a $1.138 trillion spending bill, a $410 billion omnibus spending bill, a $3.6 trillion fiscal year 2010 budget, a $1.9 trillion debt ceiling increase, $6.8 billion to the International Monetary Fund loan guarantee program for countries in Europe—not even helping people in the United States—and an additional $50 billion in loan guarantees for bailing out other financially irresponsible members of the European Union.

Again, this bill is going to create unnecessary programs. Already under TARP I, the megabank bailout, Treasury created these programs, as Mr. MCCLINTOCK pointed out. So it's a clear indication that TARP I was a failure if the Democrats have to bring this back and create $32 billion more to do what the $700 billion TARP wasn't able to do. So what we're seeing is our friends on the other side of the aisle creating more taxpayer-funded jobs at the Federal level, not jobs for average Americans, and not money for small businesses. And yet our unemployment rate continues to stay almost at 10 percent when they have promised with the first stimulus bill that it would never go above 8 percent.

Albert Einstein is credited with defining insanity as doing the same thing over and over again and expecting different results. The American people have a right to question why our friends on the other side of the aisle are doing the same things over and over again and expecting different results from what they've gotten in the past.

With that, I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, my colleague from North Carolina has talked a little bit about the content of this bill, and I know it will be debated at great length after we have finished the debate on this rule. But I just want to mention a couple of points from my perspective, why I am here supporting this bill today, and why I somewhat disagree on her notion that we're just doing the same thing over and over again. I am not actually doing the same thing over and over again. I am a freshman Member of Congress. Unlike my colleague, I wasn't here last year.

When the President from the former administration, President Bush, proposed the TARP to Congress, many of my colleagues on the other side of the aisle actually voted in favor of that bailout of Wall Street. Many believed it was critical to reviving our economy, just as I believed it was critical to support the Recovery Act to make sure that we did, yes, in fact, send a considerable amount of money back into our home districts, whether it was for infrastructure construction or to shore up the jobs of our teachers and firefighters, to make sure that we were continuing to build projects in our own districts, continuing to make sure that we supported our education system.

I am pleased to see that the economy is making some improvement. Now, I would be the first to say it's not improving fast enough, the jobs aren't growing fast enough in my home district. We have lost too much in our manufacturing segment. We have given too many jobs away in offshoring, and we have done so many things over the last two decades, I believe, in this country that has hurt our fundamental economy.

But I will say that what I think is different about what we are doing today and what made me very pleased when I first heard the President announce this is we are finally looking after some of our small businesses. For my year and a half in Congress, as I mentioned before, I have been meeting with small businesses, meeting with the bankers that loaned them money, holding a workshop, as I did around access to capital. I was floored with the number of people who came to that workshop, with people who drove from all over my State, even outside of my district, because they were so desperate to make sure they got more information about how to access that difficult capital, whether it was someone who was ready to start a small business, even in a tough economy; or it was someone who said to me, You know, I want to do a little expansion. I want to build my own infrastructure here while I have the opportunity, or I am just trying to survive long enough until the economy improves so my business can still be there when, I hope, things get better.

Well, I desperately hope things get better. In my home State of Maine, frankly, we hope for a very sunny summer. We hope that the tourists will be busy in our State, that the lobster fishermen will harvest a lot of lobster, that all of you will come and stay in our hotels, eat our wonderful seafood, and spend a little bit of time, maybe even purchase some real estate and build a new home. For us, that is critical. For many of our small businesses,

who I hear from regularly, they still can't find the capital that they need.

We have a huge boat-building industry in our State, and we have met with the boat builders who say, The floor plan lending proposal and what we are able to access through the Small Business Administration isn't enough. Our banks aren't able to access enough capital. We sit down and meet with those very bankers that you mentioned. We meet with those bankers, many of whom are on solid footing, who give good loans to people with good credit, but they say to me, You know, we wish the SBA had a little bit more.

When you talk about the sort of government programs that don't do us any good, I just want to remind us, we are talking about the Small Business Administration. My guess is that there are a lot of my colleagues on the other side of the aisle who are very happy to go to the ribbon-cutting when a new business is opening, backed by a loan guarantee from the Small Business Administration. I am very confident that many of you meet with your bankers, and you hear your bankers say, I wish we could just access a little bit more of that support from the SBA. My guess is that many of you, while you are proclaiming that this is some kind of Democratic left-wing liberal agenda, are happy to go back to your districts and say, We want a little more SBA lending. We want to make it a little bit easier for businesses to thrive and flourish.

□ 1330

And somehow you get down here and this turns into a left-wing Democratic agenda because you are not interested in voting for it today. I have to say, sometimes I am completely confounded about exactly which party I am in. I feel pretty much like I am in the party of common sense. Like we are listening to our constituents, our small businesses, who everybody proudly proclaims is the backbone of the American economy. In my State, it is the backbone of our economy. We listen to them, and they say, We are still having a little trouble accessing the capital.

The President comes before us and he says, let us make sure that $30 billion goes to small business, not just Wall Street and big business, let's not just bail out the big banks, as was done under the Bush administration, let's direct this very money to our small businesses who have been asking for this for a year and a half.

I, frankly, am confounded about why anyone would vote against this, why anyone would say ''no'' to small businesses, why anybody would believe that this economic recession is over, that it is okay to just walk away and use all kinds of excuses about why you don't feel like voting for something anymore, why you don't want to continue helping our struggling businesses, why you don't want to continue to build jobs in this country. That is what people are desperately asking us to do, and it is my belief if we stop too soon, if we don't help our small businesses, frankly if we don't help our States that are struggling, that have loan guarantee programs themselves who have done an excellent job supporting businesses and economic growth, if we are not there to say to those entrepreneurs who have a good idea today, or who are already in business and want to expand with a creative new idea, we shouldn't be surprised that so many other economies are starting to move ahead of us in this difficult time.

Frankly, I cannot understand why anybody would not support this rule or the underlying bill. I hope that Members change their minds, think about the Small Business Administration and the small businesses we can help today, and the great good we can do to help support jobs in this country.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I realize that my colleagues on the other side of the aisle sometimes can't understand why Republicans vote against their ill-conceived legislation, but it is really because we have a very different philosophy about what makes this country successful. We believe that we should adhere to the capitalistic society that has always made us successful. It isn't the government that makes us successful. It isn't taking money from hardworking taxpayers, sending it through government bureaucracies, and then giving a small portion of that money back to the taxpayers that has made this country successful. And this bill is very misnamed. It isn't a small business bill, it is a bailout of banks, smaller banks than the megabanks that were bailed out by the Democrats primarily, with the help of President Bush. This is not a small business bill but a bank bailout bill.

I would now like to yield 3 minutes to the gentleman from Minnesota (Mr. PAULSEN).

Mr. PAULSEN. Mr. Speaker, I also rise today in opposition to the rule, and here is why. I offered three amendments before the Rules Committee and cosponsored a fourth. Sadly, none of them were made in order for today's bill.

My top concern and the concern of my constituents continues to be jobs. I believe everything Congress does should be looked at through the prism of is it helping or hurting job growth, and is it going to put Americans back to work. Unfortunately, Washington has not pursued a pro-jobs agenda over the last few years. In fact, since the stimulus was signed, we have lost about 3 million jobs, and we continue to spend and grow our Nation's debt to a larger and larger percentage of our GDP.

Mr. Speaker, small businesses have created about two of every three net new jobs in the United States since the early 1970s. Small businesses are also responsible for roughly half of the privately generated GDP in the United States. This is where our jobs are going to come from in the future. This is where our recovery is going to come from in the future. But what has Congress done in terms of focusing on small business? Unfortunately, not much.

That is why I offered a specific amendment in the nature of a substitute which would have allowed subchapter-S and LLCs to defer their income tax on any money that is reinvested in their company or their business. Instead, they would have to pay the tax only once on the money that is withdrawn from the company. If small businesses receive tax relief and they could reinvest that money in their company to hire workers, that would be a true economic stimulus to put people back to work.

More than two-thirds of all small business income is taxed at the top two individual tax rates, and now the majority party is going to let those rates rise at the end of this year, forcing small businesses to shoulder an even higher tax burden. So this amendment would have provided real incentives for small businesses to grow without creating another bailout-style fund of borrowing and spending even more government money.

I also offered an amendment that would have stricken the section of the legislation that would treat S-corporations differently. Why should a small business or a small business corporation be targeted for higher interest rates? A study that was sponsored by the SBA demonstrated that they already shoulder the highest effective tax burden of any business structure. If anything, they should be offered lower rates.

Finally, I cosponsored an amendment with the gentlewoman from Illinois (Mrs. BIGGERT), and it was also not made in order, and that amendment would have prevented any provisions of this legislation, the underlying bill, from taking effect until certain tax provisions that benefit small businesses are extended until 2012.

Mr. Speaker, the number one issue I really hear about is jobs, it is small business help, and how can we help them, and the uncertainty small businesses face right now coming from Congress. The Biggert amendment is a much better approach because it would have addressed that level of uncertainty, focusing time and attention on the needs and concerns of small businesses, and making sure that they know with certainty what they can do in terms of providing, where they are going to deploy their capital.

Mr. Speaker, these are the amendments that I think would have provided more direction to Congress to focus on true small business growth. It would be a targeted approach. It would have been smart. It would have been strategic. I urge a ''no'' vote on the rule because these amendments were not included as an option.

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

Ms. FOXX. Mr. Speaker, there are other reasons why this rule and this bill deserve ''no'' votes. The bill lacks proper oversight for the TARP III program because it would not be subject to the effective oversight of the Special Inspector General for TARP, otherwise known as SIGTARP. I believe my colleague, the gentleman from California (Mr. MCCLINTOCK), pointed out some of these concerns in his remarks.

On February 19 of this year, SIGTARP's watchdog, Neil Barofsky, sent a letter to Treasury's Assistant Secretary For Financial Stability, Herb Allison. In the letter, Barofsky expressed concern regarding Treasury's decision to remove TARP III from SIGTARP's oversight and warned that such a move would be terribly wasteful and could lead to a significant exposure to waste, fraud and abuse.

If all of this weren't enough, Americans should know that TARP III creates more uncertainty. Like the original TARP megabank bailout, the Federal Government will once again, at its discretion, be able to reach into the board rooms and pocketbooks of private sectors firms and employees. The use of the original TARP by some banks begets the use of the Obama administration's pay czar and auto task force, which closed thousands of dealerships. Also, the use of the original TARP inspired the Democrats to pursue a ''responsibility fee,'' another tax on financial firms. Through TARP III, many small and mid-sized banks may soon find the Federal Government as their new senior partner.

This approach is particularly disturbing given availability of sensible, cost-free alternatives, some of them offered by our Democratic colleagues such as Mr. KANJORSKI's bill, H.R. 3380, the Promoting Lending to America's Small Business Act which hosts a bipartisan list of 123 cosponsors, including myself.

Fortunately, the American people have a choice between the same old, tired liberal agenda or new, innovative solutions being offered by members of the GOP.

Some of the no-cost proposals offered by House Republican leadership to President Obama last December include: halting any proposed mandate or regulation expected to have an economic cost, result in job loss, or have a disparate impact on small business; eliminating job killing Federal tax increases; freezing domestic discretionary spending at last year's levels; removing unnecessary barriers to domestic energy production; providing an incentive for companies to repatriate earnings back to the United States; and increasing exports through trade agreements beneficial to domestic job creation. To that list I would add a few more items such as rescinding unspent stimulus funds, reforming the tort system to lower cost and uncertainties facing small businesses, suspending the job killing Davis-Bacon Act, and shrinking the cost of the Federal minimum wage, particularly for young and inexperienced workers seeking entry-level jobs.

Basically, Mr. Speaker, there are alternatives to the bad legislation being proposed by our colleagues on the other side of the aisle. Again, I urge my colleagues to vote ''no'' on the rule and ''no'' on the underlying bill.

I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I have to say, my colleague continues to act as though we don't have a problem out there with our economy. That somehow, as happened in the last administration, we can just take this laissez-faire attitude; we can just say it will get better on its own, we don't need to do anything or somehow this recovery has already been good enough. Well, I don't hear anybody saying it is good enough, that there is enough jobs and enough support.

I want to quote from a couple of things I recently read that reinforce this issue that there isn't enough credit and lending going on, particularly to help our small businesses who are, as I have said before, are one of the important engines to drive this economy.

A report by the U.S. Congressional Joint Economic Committee that was released in May found that small businesses have been severely hurt by the tighter lending standards that resulted from the 2008 financial crisis. I want to quote a couple of sentences from that report: The tightened credit conditions experienced by small businesses have curtailed their ability to meet payroll or produce the products and services that are in demand. In 2009, small business hiring was 20 percent below its 2001–2007 average.

As further evidence of the impact that tight credit markets are having on small businesses, hiring in mid sized and larger establishments has been increasing since the middle of 2009 while small business hiring continues to decline. I don't know how much more evidence we need than what we hear every weekend, but it is clear small businesses in our districts are still struggling.

There was some question about whether or not the bankers even wanted this to happen, whether banks already had plenty of money to lend, people were just not showing up to take it. I want to read a letter from the Independent Community Bankers of America. They say: This act would offer capital to interested community banks to use to increase small business credit. It goes on to say: Notably, leveraging the $30 billion in funds with community banks would potentially support many times that in loan volume to small businesses, as much as $300 billion in additional lending.

Well, I don't know anyone who analyzes our businesses out there who says it wouldn't be good to have more credit, more availability, more lending, more growth in our businesses. We haven't been going on that path, we haven't been growing fast enough, and we haven't done a sufficient amount to support availability of credit and growth in our small businesses.

□ 1345

Now we have done, according to this report, a fair amount for some of our bigger or midsized businesses, but yet we are always the ones who say, and now I am going to quote from Professor Campbell Harvey of Duke University, his quote, ''Small and medium-sized firms are the drivers of employment growth in the economy, and they are being squeezed.'' He went on to say, ''Results show an extraordinary 44 percent of small businesses restricted their capital spending below desired levels because of borrowing difficulties. These capital projects create jobs both today and over the longer term.'' He concludes by saying, ''Analysis suggests we need to refocus our efforts on the root of the problem. Businesses are not spending on capital projects because of borrowing difficulties. Fixing the credit problem goes a long way toward creating the conditions for robust employment growth.''

We can talk around this all we want, but it's a relatively simple problem that we have all known about ever since this economy started going bad. Banks tightened up on their lending. There hasn't been enough credit availability. Businesses have been struggling. Many of them just want to hang on. Some of them actually want to grow.

And here is Professor Harvey telling us, ''Results show an extraordinary 44 percent of small businesses restricted their capital spending below desired levels because of borrowing difficulties.'' Borrowing difficulties, that's almost half of small business reporting this, borrowing difficulties mean they can't get enough money to borrow. They want to borrow money. These are legitimate businesses, many with good credit ratings, who just can't get enough out there.

And here are the bankers saying to us, yeah, this would put potentially $300 billion in additional lending into our economy at a time when we are just starting to chug forward, where people are just starting to feel a little bit hopeful, where consumer credit is going up just a little bit, but we are not doing enough.

It's easy to stand back and say, oh, no, no, this isn't the government's job. But remember what happened before we started assisting in this terrible recession. We were going nowhere. We were losing a tremendous amount of jobs.

I don't like spending this money any more than anybody else, no matter what my colleagues on the other side of the aisle may say. Nobody likes to increase the deficit or feel we are spending more money. But are we really going to turn our backs on our small businesses and on our community

banks when they are saying to us, Almost half of us are having trouble accessing the credit we need? Couldn't you just give us a helping hand?

We helped out Wall Street. We helped out the big financial institutions. Now, we finally have a bill before us to help the backbone of our businesses and we are going to say ''no.''

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, what we need, again, are across-the-board tax cuts. We don't need more government control. It's interesting to me that our colleagues have two different tacks. One is blame everything on the previous administration. But the next to the last Democrat who spoke during 1-minutes made a speech telling us about how everything was great and how much better everything is going. So it's a little hard, I am sure, for the American people to wonder what is the policy of this group that's in charge of the Congress.

I now would like to yield 2 minutes to my distinguished colleague from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentlelady from North Carolina for yielding me this time. I don't think I will take that much time.

Each workday every Member of Congress receives a publication called Congress Daily. A few months ago, the Congress Daily had a cartoon which showed the President and his Secretary of the Treasury hollering out, ''Loan, loan, loan.'' And then it showed the banks with huge bags full of money, and then local examiners pulling back saying, ''No, no, no.'' And that is the crux of the problem. The banks have plenty of money to loan, but they have got the examiners at the local level saying, ''No, no, no.''

And this is something that both administrations have agreed on, because President Bush and his Secretary of the Treasury started this back before President Obama even came into office, urging the banks to make more loans to small businesses. But they can't do it because the examiners have turned down almost every kind of loan that they wanted to make except to people who didn't need loans.

Just the weekend before last I had a banker in east Tennessee tell me that they had turned down a $5.5 million loan. They have plenty of money to loan, but they knew the examiners would turn this down. A few months ago, the chairman of the BB&T banking chain, one of the most respected banks in this country, told a group of us that it was breaking his heart because they had plenty of money to loan, but they were having to destroy people's businesses, turning down loans that at any other time they would have made.

So we will never really correct this problem until we get the top banking regulators to get on their examiners on the local level to start giving some businesses some flexibility and start making some loans. Not only do the banks tell me this, they are in a catch-22 position. They can't complain publicly because then the examiners would come down even harder on them. But they are telling me this, and then all the small business people from all types of businesses are telling me they can't get the loans because the examiners are saying, ''No, no, no.''

Ms. PINGREE of Maine. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, as my colleague has pointed out, there are lots of different perspectives from our folks on the other side of the aisle. They change the line of talking to depend on what it is they want to point out.

I want to say again that we have major problems with our economy. We have a problem with spending. Not a problem with revenue, but a problem with spending. And I want to point out some comments and contrast positions from when our colleagues were in the minority to now.

In May of 2006, then-Minority Leader PELOSI declared, quote, ''Our national debt is a national security issue. Countries that own our debt will not only be making our toys, our clothes, and our computers, pretty soon they will be making our foreign policy. They have far too much leverage over us.'' Keep in mind that, at the time she said this, the total public debt outstanding was $8.351 trillion. Now, when they have created a debt of over $13 trillion, suddenly it's not a problem.

Or in December 2005 when she declared, quote, ''Democrats support pay-as-you-go. No deficit spending. If something is important to you, figure out how to pay for it, but do not make my grandchildren and children have to pay for it, or anybody's children and grandchildren have to pay for it.'' Again, keep in mind that, at the time she said this, the debt was $8.107 trillion. Now, when they've created a debt of over $13 trillion, they seem not to be concerned about their children and grandchildren.

The ruling liberal Democrats' pride in their fiscal irresponsibility is also a far cry from March 2005, when Minority Whip HOYER expressed outrage, declaring that, quote, ''On the Republican Party's watch, the Federal Government recorded the worst budget deficit in American history, $412 billion in fiscal year 2004. $412 billion of deficit spending . . . We ought to be ashamed of that. We ought to be ashamed to tell our children that that's what we have done to them. We ought to be ashamed to tell our grandchildren, of which I have three, that that is what we have done to them and their generation. That is the height of fiscal irresponsibility, and I suggest it is also a fiscally immoral act and is the abuse of our children and grandchildren and generations yet to come, who in their time will face a challenge perhaps like Iraq, perhaps like AIDS, perhaps a tsunami or other natural disaster, and they will look around for resources to respond to their crisis in their time and say, oh, my goodness, the resources were spent by this Congress and by the previous Congress. What a shame.''

So, apparently under Republican rule, a $412 billion deficit was considered a threat to our descendants, but a $1.42 trillion deficit under Democrats is somehow excused for some reason. What a shame indeed.

Mr. Speaker, when the liberal Democrats seized control of Congress in January of 2007, the number of unemployed persons stood at 7 million and the unemployment rate was 4.6 percent. Oh, how times have changed. Today, the numbers are more than double. Fifteen million Americans unemployed, resulting in a staggering 9.7 percent unemployment rate.

Strange how these immutable numbers from the same nonpartisan official government source tell a different story than the liberal Democrats in desperate search of a scapegoat would have you to believe.

Mr. Speaker, we do not need to continue to borrow money and put our children and grandchildren into greater debt. The evidence is in. The liberal Democrat agenda has failed. They need to go back to the drawing board and come back to the American people with real solutions to their real problems.

And do we hear from small business people? Do we hear from people who are out of work? Absolutely. Every weekend. This isn't the time to dither and blame the Republican minority for the disappointing collapse of governance we've seen since the liberal majority seized control in 2007.

I yield back the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I wish to say a few things in conclusion.

We have debated a little bit today about whether or not this bill is important, and I just want to say this is a critical need that we are fulfilling today. This bill will support small businesses when they need it most—access to the financing they need to survive, to grow, to expand and create the jobs that will drive our economic recovery.

I don't really know how anyone could oppose this. I know this is essential because I hear it from businesses throughout the 125 towns in my district, and I know this is essential because I have owned a business myself for much of my adult life. For many years, I owned a knitting company that sold our products around the country.

I grew the business, and eventually employed 10 people in a town of just 350 year-round residents. And like many women who start their own businesses, I know what it is to argue with a banker to get more access to credit, to start your business or expand your business on a credit card, or to have to go to your husband to cosign on a loan.

Now I own an inn and a restaurant that uses vegetables grown on our island and locally caught seafood, and I still know what it is to meet a payroll and argue with the bank about borrowing the money to expand.

Mr. Speaker, I have been lucky to own a business that's been an important part of my own community, but it never would have been able to survive without cooperative bankers in my community or access to the investment that the business needed to grow.

When businesses are coming to us and saying this is their problem, how could we possibly tell them no? And when facing a tough economic crisis like this one, it is vital that we do everything in our power to support the small businesses that create 64 percent of new jobs in this country, that comprise more than 99 percent of all employer companies, and that are the backbone of the communities that most of us live in.

This bill is an important step in supporting those small businesses, ensuring that they have the necessary capital to stay in business and to expand as the economy recovers. This bill is more than just simply an investment in small business. Frankly, it is an investment in American job growth. And what could be more important at this moment in time?

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

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. DOYLE). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

□ 1400

RECOGNIZING CONTRIBUTIONS OF FATHERS

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1389) recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1389

Whereas fathers factor significantly in the lives of children;

Whereas fathers play an important role in teaching their children life lessons and preparing them to succeed in school and in life;

Whereas children with involved fathers are more likely to do well in school, have a better sense of well-being, and have fewer behavioral problems;

Whereas supportive fathers promote the positive physical, social, emotional, moral, and mental development of children;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas, when fathers are actively involved in the upbringing of children, the children demonstrate greater self-control and a greater ability to take initiative;

Whereas responsible fatherhood can help reduce child poverty;

Whereas responsible fatherhood strengthens families and communities; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the millions of fathers who serve as a wonderful, caring parent for their children;

(2) calls on fathers across the United States to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children;

(3) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the mental, moral, social, academic, emotional, physical, and spiritual development of children; and

(4) encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1389 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1389, to honor and celebrate Father's Day this Sunday and to recognize the involvement of our Nation's fathers in their children's lives. This resolution recognizes the special bond between father and child by celebrating the significant and positive impacts a present, supportive, and involved father has on their child and the entire family.

Every year on the third Sunday in June, families across the country take time out to celebrate the dad in the family. New fathers and experienced fathers alike are honored for the hard work and deep love it takes to be a supportive father. Whether it be through a home-cooked meal, a card, or even a simple phone call, we stop once a year to thank fathers for everything they do in our lives.

Unfortunately, 25 million children in America today are living apart from their biological fathers. This means that one out of every three children grow up without their biological father present in their lives.

Fathers play a significant and influential role in their child's development. When supportive fathers are involved in their children's lives, their children are more likely to enjoy learning, earn better grades, and participate in extracurricular activities. We celebrate the fathers who are positive role models for their children.

By commemorating the hard work and dedication of fathers on Father's Day, we encourage responsible fatherhood and happy, successful, and stronger families and communities.

With that, I reserve the balance of my time.

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

I rise in support of the resolution before us, House Resolution 1389, recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, and really on every day.

Children with involved, caring fathers have improved educational outcomes compared with children whose fathers are absent. A number of studies suggest that fathers who are involved, nurturing, and playful with their infants have children with higher IQs, as well as better linguistic and cognitive capacities. Toddlers with involved fathers go on to start school with higher levels of academic readiness. They are more patient and can handle the stresses and frustrations associated with schooling more readily than children with less involved fathers.

The influence of a father's involvement on academic achievement extends into adolescence and young adulthood. For instance, a U.S. Department of Education study found that highly involved biological fathers had children who were 43 percent more likely than other children to earn mostly As and 33 percent less likely than other children to repeat a grade.

Fathers play a significant role in shaping the character of their children. By spending time with their sons and daughters, being stern yet fair disciplinarians, and listening to their experiences, fathers mold and shape children into the men and women they will become. They instill important values and prepare their children for the challenges and opportunities ahead by demonstrating true leadership.

On Father's Day and every day, we honor our fathers and celebrate the

special bond between a father and a child. I rise today in support of this resolution and ask my colleagues to do the same.

I yield such time as he may consume to my colleague from east Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me this time.

I come in support of this resolution because of a very meaningful time that I spent as a judge in Tennessee. I spent 7 and a half years as a criminal court judge before coming to Congress, trying the felony criminal cases, the most serious cases. I've never forgotten that the first day I was a judge, Gary Tullock, the chief probation counselor for 16 counties in east Tennessee, told me that 98 percent of the defendants in felony cases came from what he referred to as broken homes. He was not exactly right on that. It was not quite 98 percent, but it was well over 90 percent that came from father-absent households, and that's the key.

I went through over 10,000 cases in the time that I was judge because 97 or 98 percent of the people in felony cases in criminal court plead guilty and then apply for probation, and I would get 8- or 10- or 12-page reports into their family and work background and so forth. And every day for 7 and a half years, I would read, Defendant's father left home when defendant was 2 and never returned; defendant's father left home to get a pack of cigarettes and never came back. When you read that thousands of times over several years, it really makes an impression.

I know that many wonderful and many outstanding people have come from broken homes and even from father-absent households, but it's an amazing statistic that the gentlewoman from California gave a few minutes ago when she said that one out of every three children in America are living apart from their biological fathers now.

We need to get a message across some way, especially to the young men of this country, that marriage is very, very important and that the role of fatherhood is very, very important and that it is harmful to a great many young people when a father leaves and removes himself from the raising of a child. A child is really blessed to have two loving parents, and certainly we all know and appreciate the very, very important role of mothers, but the role of fathers is important as well and not just for young men.

I have read in the past that many prostitutes and many women who get in trouble have had abusive or very negative or bad relationships with their fathers. So it's important to young girls as well, but it is especially important to young boys.

The root of the crime problem in this country is father-absent households. Drugs and alcohol are involved in most crimes, but they are secondary to the problem of father-absent households. Where fathers have left the lives, we need to encourage mothers to get boys into Boy Scouts or find other good male role models within the family or within the neighborhood, and we need to encourage more men to teach in elementary schools and lead Boy Scout troops and do things like that because, unfortunately, millions of young boys are growing up without a good male role model in their lives.

I remember several years ago driving to the airport one Friday afternoon after we had finished our session, and there had been a school shooting out in I think Oregon. They had the national head of the YMCA on the national CBS news, and he said children are being neglected in this country like never before. I hope that's not true, but that is what he said. And it is a growing problem, and this resolution I hope will call attention to the great importance of fathers in the lives of their children, especially as we approach Father's Day.

Ms. WOOLSEY. I continue to reserve the balance of my time.

Mr. PETRI. I yield such time as he may consume to my colleague from Pennsylvania, JOE PITTS.

Mr. PITTS. Mr. Speaker, I rise in support of H. Res. 1389, and I commend my colleague Mr. MCINTYRE for sponsoring this resolution.

We often hear about deadbeat and delinquent dads. So it's easy to forget that millions of dads across America are striving to be good husbands and positive role models for their kids. It is important for us to recognize those dads and the tremendous importance of promoting fatherhood in America.

There's no denying the invaluable role that a father plays in a child's life. We all know that children with involved and loving fathers have a significant advantage. They tend to perform better in school, to have a healthy self-esteem, to exhibit positive social behavior, and avoid drug use and other criminal activity. But this kind of statistical research really just affirms what we already know to be true: Fatherhood is important. A loving father plays an integral role in the family, and healthy families are the foundation for a healthy society.

This is not a partisan issue, and I'm glad that Republicans and Democrats are joining together on this bipartisan effort to honor responsible fatherhood. Small communities across our country rely on the work of families to keep our neighborhoods strong. Churches, community service clubs, and school boards should remember how critical fathers are in creating stable families and, therefore, stable communities.

I urge my colleagues to recognize the importance of fatherhood and to support this resolution, H. Res. 1389, today.

Mr. PETRI. Mr. Speaker, I urge support for the resolution before us, have no further requests for time, and I yield back the balance of my time.

Ms. WOOLSEY. Mr. Speaker, I personally have the great privilege to have raised two sons, Ed Critchett and Michael Woolsey, and I have a son-in-law, Mark Pauline, who are the most wonderful fathers on this earth. I am so proud of them, and I just thought I'd take this moment right now to be able to express that.

Their children, my grandchildren, Teddy and Julia, Jake-Eddie, Carlo and Luca are great kids, but they are all the better because they have such great dads.

So, Mr. Speaker, I urge my colleagues to support H. Res. 1389, honoring and celebrating Father's Day and recognizing the involvement of our Nation's fathers in their children's lives.

With that, I yield such time as he may consume to the gentleman from North Carolina (Mr. MCINTYRE).

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

Mr. MCINTYRE. Mr. Speaker, I rise in strong support of H. Res. 1389, a resolution that recognizes the immeasurable contributions of fathers in the healthy development of children, supports responsible fatherhood, and encourages greater involvement of fathers in the lives of their children, especially with the celebration of Father's Day coming up this weekend.

On June 20, our Nation will celebrate the special place that fathers have in our country. From helping with homework to playing ball to reading a book to offering advice and support or to just listening and spending time with children, each and every day fathers of all ages contribute to the mental, moral, spiritual, and physical development of children, teenagers and, yes, adults.

According to the National Fatherhood Initiative, children with involved, loving fathers are significantly more likely to do well in school, have a healthy self-esteem, exhibit empathy and good behavior, and avoid high-risk activities, such as drug use and even criminal activity.

H. Res. 1389 recognizes the commitment of fathers and the wonderful work that both parents do on behalf of their kids, and I encourage my colleagues to join us as we all recommit ourselves to being the best fathers that we can be and honoring our fathers and grandfathers everywhere.

In conclusion, I would like to publicly thank my own father, Dr. Douglas C. McIntyre, for the great example he has been to me throughout my life and for the dedication and support he has shown in my every endeavor. Indeed, may we all intend and exemplify the type of example that we would want our own children to one day exhibit when they may have that opportunity to be a father.

Mr. Speaker, I ask for a ''yes'' vote on this important bill.

Mr. TIAHRT. Mr. Speaker, I rise today to offer my support for H. Res. 1389, and for fathers across the Nation. Nearly 50 years ago, Daniel Patrick Moynihan warned that, ". . . A community that allows a large number of

young men to grow up in broken families . . . never acquiring any stable relationship to male authority, never acquiring any rational expectations about the future—that community asks for and gets chaos.'' Moynihan's words hold a prophetic ring as we look at society today.

Fathers play a critical role in the development of their children, positively influencing everything from academic performance to mental and physical health. Children who do not live with both parents are more likely to repeat a grade, have lower grades, be diagnosed with a mental illness, experience drug or alcohol abuse problems, and commit violent crimes.

I do not mean to imply that those who grow up without both parents are doomed to failure, nor am I suggesting that children from two-parent homes are guaranteed success. But the presence of fathers in the lives of their children does have benefits that cannot be denied. This Congress, and America as a whole, are right to take time to honor the men who took responsibility for their actions, who invest in the lives of their children, who sacrifice their own wants and desires for the sake of future generations. So I urge my colleagues to join me in supporting H. Res. 1389 as it is considered today.

I would also like to take this opportunity to express my appreciation for the sacrifices made by my own father, Wilbur Tiahrt. His sacrificial leadership, during his service in the Army Air Corps during World War II, and as a father and husband has provided a tremendous example for me and my siblings. I am grateful for the blessing that he has been to me and my family, and each Father's Day, I am reminded of how fortunate I am to still have him with me.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in strong support of H. Res. 1389, ''Recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.''

This resolution commends the millions of fathers who serve as wonderful, caring parents for their children. It simultaneously calls on fathers across the United States (1) reconnect and rededicate themselves to their children's lives; and (2) express their love and support for their children, not only on Father's Day, but everyday.

Fathers all over the United States are involved in their children's lives in multitude ways that go beyond the traditional roles of economic provider. Fathers are also involved by having direct contact with their children, engagement; making themselves available to their children even when they are not in physical contact, accessibility; and taking responsibility for their children's care and welfare, again regardless of physical proximity, responsibility. For this reason and many others, I salute the millions of fathers who have embraced the attributes of fatherhood.

However, this piece of legislation also recognizes the need for fathers to take there place in their children's lives and become more involved. The statistics on children without an active father in their lives are alarming:

63 percent of youth suicides are from fatherless homes (U.S. Department Of Health/Census)—5 times the average

90 percent of all homeless and runaway children are from fatherless homes—32 times the average

85 percent of all children who show behavior disorders come from fatherless homes—20 times the average. (Center for Disease Control)

80 percent of rapists with anger problems come from fatherless homes—14 times the average. (Justice & Behavior, Vol 14, p. 403–26)

71 percent of all high school dropouts come from fatherless homes—9 times the average. (National Principals Association Report)

75 percent of all adolescent patients in chemical abuse centers come from fatherless homes—10 times the average. (Rainbows for All God's Children)

70 percent of youths in State-operated institutions come from fatherless homes—9 times the average. (U.S. Department of Justice, Sept. 1988)

85 percent of all youths in prison come from fatherless homes—20 times the average. (Fulton Co. Georgia, Texas Department of Correction)

Clearly, fathers represent a lot more than just a paycheck to a child; they represent safety, protection, guidance, friendship, and someone to look up to. This resolution urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the mental, moral, social, academic, emotional, physical, and spiritual development of children.

In conclusion, not only is this issue imperative to the development of the future of America's youth, but also to the prosperity of the country as a whole. I am diligently seeking ways to bring families back together and this resolution can be the catalyze to promote such unity; by promoting fathers who already exemplify these qualities.

I must pay tribute to my own father Ezra C. Jackson. I thank him for being a father to my brother Michael and me. For also being a grandfather to our children. He was God-fearing, funny and a great mentor to young men who were not his children. Thank you Dad for being in my life, although you are no longer with us—your guidance will always be appreciated.

Ms. WOOLSEY. Mr. Speaker, I would just like to congratulate Congressman MCINTYRE as the author of this piece of legislation.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 1389.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1415

CONGRATULATING URBAN PREP CHARTER ACADEMY—ENGLEWOOD CAMPUS

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1414) congratulating Urban Prep Charter Academy for Young Men—Englewood Campus, the Nation's first all-male charter high school, for achieving a 100 percent college acceptance rate for all 107 members of its first graduating class of 2010, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1414

Whereas in a 2009 study by the Education Research Center found that in the 50 largest cities in the United States, which have significantly higher rates of poor and minority children, only 53 percent of students graduate on time;

Whereas African-American males are dropping out of high school in the Chicago Public School district, and in cities around the country, at a rate of over 50 percent and only one in 40 Black Chicago Public School males are graduating from college;

Whereas a University of Chicago study published in 2006 reported that only one in 40 African-American boys in Chicago Public Schools eventually graduate from a 4-year university;

Whereas a 2009 report by the American Council on Education found that only 28 percent of African-American males who have graduated from high school have gone on to enroll in college, compared to 41 percent of all students;

Whereas in 2002, a group of motivated African-American civic, business, and education leaders, organized by Tim King, determined to establish a new high school in Chicago focused on providing a strong college-preparatory high school option for boys in under-served African-American communities;

Whereas Urban Prep Academies is a nonprofit organization that operates a network of all-boys public schools including the Nation's first, and the State of Illinois only, charter high school for boys;

Whereas the mission of Urban Prep Academies is to provide a comprehensive, high-quality college-preparatory education to young men that results in graduates succeeding in college;

Whereas Urban Prep Charter Academy for Young Men—Englewood Campus was founded in 2002;

Whereas Urban Prep Charter Academy has a student population that is 100 percent African-American male and 85 percent low-income, has shattered stereotypes about the ability and willingness of African-American males to meet high expectations and serves as a national example that all students can succeed and achieve academically;

Whereas Urban Prep's extended school day, rigorous curriculum, and extracurricular ''arcs'', which includes the Academic Arc, Service Arc, Activity Arc, and Professional Arc, have been acknowledged as national models for other schools serving low-income communities by a variety of educational organizations and media outlets including the Chicago Public Schools, the American School Board Journal, the Urban School Improvement Network, the Illinois Policy Institute, Education Week, the Washington Post, and the Milwaukee Wisconsin Journal Sentinel;

Whereas Urban Prep Charter Academy for Young Men—Englewood Campus, achieving a 100 percent college acceptance rate for its June 12, 2010, first ever graduating class, will convene an Inaugural ''Signing Day'' event where each senior student will stand to publicly announce the college or university he has chosen to attend and commit to that school by signing the Urban Prep ''100 Percent to College'' board and the ''Credimus Book'';

Whereas to date, more than 80 colleges and universities have admitted Urban Prep seniors to their incoming freshmen classes and these seniors will receive nearly $4,000,000 in college scholarships and grants; and

Whereas Urban Prep has been recognized in the United States and internationally for its success in improving the academic, social, and emotional development of urban young men: Now, therefore, be it

Resolved, That the House of Representatives congratulates Principal Tim King and all of the students, teachers, administrators, and support personnel at Urban Prep Charter Academy for Young Men—Englewood Campus for achieving a 100 percent college acceptance rate for its first graduating class of 2010.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous materials on H. Res. 1414 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1414, which honors and congratulates Urban Prep Charter Academy for Young Men in Englewood, Illinois and all 107 members of its first graduating class for achieving a 100 percent college acceptance rate.

Students in America often face extraordinary challenges to completing high school. In our Nation's 50 largest cities, only 53 percent of students are graduating from high school on time. In the Chicago Public School District in particular, African American males are dropping out at a rate of over 50 percent, and only one in 40 of those who finish high school are graduating from college.

The students at the Englewood campus of the Urban Prep Charter Academy for Young Men have bucked these national and local trends, Mr. Speaker. Their very first graduating class achieved a 100 percent college acceptance rate and will enroll in more than 80 different colleges and universities this fall. The graduates of Urban Prep displayed remarkable academic achievement and community engagement and received nearly $4 million in college scholarships and grants.

When nationally only 28 percent of African American male high school graduates are enrolling in college, the 100 percent acceptance rate at Urban Prep-Englewood is a remarkable accomplishment for these students, their families, and the community, as well as for the faculty and staff of Urban Prep-Englewood. The graduates serve as role models for their community and remind us that we must do more to increase America's college attendance if we are to succeed in a 21st-century economy.

Mr. Speaker, once again, I express my support for H. Res. 1414 and congratulate the seniors of the Urban Prep Charter Academy for Young Men for their academic achievement and college acceptance. I want to thank Representative BOBBY RUSH for bringing this resolution to the floor, and I urge my colleagues to pass the resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I want to thank the gentlewoman from California (Ms. WOOLSEY) for yielding time.

I also want to thank Chairman MILLER, Ranking Member KLINE, and Majority Leader HOYER for working with my office in order to bring this important resolution to the floor today.

Mr. Speaker, today, we have the chance to vote on a very important congressional resolution, congratulating Urban Prep Charter Academy for Young Men-Englewood Campus, which is the Nation's first all-male charter high school, for achieving a 100 percent college acceptance rate for all 107 members of its first graduating class of 2010. There have been over $4 million in grants and scholarships awarded to this one class, which is the first of its kind in the Nation.

At a time when only 50 percent of African American males are graduating from high school in most large, urban, predominantly black school districts, the young graduates of Urban Prep are not only shattering the stereotypes that have surrounded the issue of black male dropouts, but they are also setting a standard and are establishing a model that we hope will be replicated in other school districts all around this Nation. The accomplishments that these students, teachers, administrators, and families of this esteemed high school, Urban Prep, have achieved are extremely important, not only to my district and to the African American community, but to the Nation at large.

The Englewood district, where Urban Prep is located, has been better known for its high rates of unemployment and for its lack of opportunity, which has led to an infestation of drugs, violence, and gang activity in recent years. Today, Urban Prep stands as a national symbol of academic excellence, and within the Englewood community, the school represents pride, hope, and inspiration.

There are countless hardworking and resilient Englewood families who have the same aspirations and desires for their children that you and I and the rest of the Members of this body carry, which is to obtain quality educations and to have the opportunity to build better lives for themselves.

Mr. Speaker, as a former member of the Englewood High School Transition Advisory Council, I can recall working with Tim King, the founder, president and CEO of Urban Prep Academy, back in 2005, trying to get the Urban Prep charter approved through the Chicago Public Schools. I believed so strongly in Tim King and in his vision for building a strong, successful school in the Englewood community which would serve as a model for outstanding academic achievement and which would establish a solid foundation in the community that would make us all proud.

We received a lot of pushback from the Chicago Board of Education and even from the community as they did not believe that we could be successful in teaching our young African American males on a level rivaling any rich, affluent district in the Nation. Well, Mr. Speaker, the first graduating class has shown, beyond a shadow of a doubt, that Urban Prep is for real, that black males will learn, and that nothing is impossible if you are willing to dream and to work to make that dream come true.

A 2009 study by the American Council on Education reported that only 28 percent of African American males who graduate from high school go on to enroll in college, compared with 41 percent of all other students. Well, again, Urban Prep graduates have shattered both of those records. With their hard work, with their commitment, with their dedication, and with their expectation of high standards among their parents, teachers and overall community, they are proving again that nothing is impossible.

I am extremely proud of what Urban Prep has been able to accomplish over the last 5 years. That includes not only the students but also their families, teachers, staff, and of course, the leadership of Tim King, who is an outstanding young man and whose father I know quite well. For the sake of a strong national economy as well as for a more stabilized community around the world, we need more educated, strong, black male role models and black male leaders.

All of the students, all of their parents, all of their supporters, and all of their friends who are watching this debate today, I say to you: Congratulations on all of your hard work. You have been an inspiration to your country. May God continue to guide you and to bless you in all of your future endeavors.

The motto of Urban Prep is ''We Believe.''

Mr. Speaker, I attended their graduation last Saturday. I saw all of these young men in their graduation regalia, young men who were coming from different backgrounds—backgrounds of depravation and poverty—who have been able to transform and to transcend those barriers. I saw them walk

across the stage to receive their diplomas. Not only, Mr. Speaker, are they graduating with high school diplomas, but every last one of them has a scholarship to a 4-year college in America—to Georgetown, to Howard, to Morehouse, to the University of Illinois. All across this Nation, Urban Prep is sending its graduates to represent my community, this community, and this Nation. Some of them—most of them—will be successful. They are the leaders of tomorrow.

I would like to submit the commencement program book "The First Commencement Exercises" for the Urban Prep Charter Academy for Young Men—Englewood Campus, for the CONGRESSIONAL RECORD to be added to my remarks on the same given previously.

URBAN PREP ACADEMIES—THE FIRST COMMENCEMENT EXERCISES

URBAN PREP CHARTER ACADEMY FOR YOUNG MEN ENGLEWOOD CAMPUS

(Saturday, June 12, 2010, University of Illinois at Chicago Forum)

THE URBAN PREP CREED

We believe.
We are the young men of Urban Prep.
We are college bound.
We are exceptional—not because we say it, but because we work hard at it.
We will not falter in the face of any obstacle placed before us.
We are dedicated, committed and focused.
We never succumb to mediocrity, uncertainty or fear.
We never fail because we never give-up.
We make no excuses.
We choose to live honestly, nonviolently, and honorably.
We respect ourselves and in doing so, respect all people.
We have a future for which we are accountable.
We have a responsibility to our families, community, and world.
We are our brothers' keepers.
We believe in ourselves.
We believe in each other.
We believe in Urban Prep.
WE BELIEVE.

THE HISTORY OF URBAN PREP

Urban Prep Academies is a nonprofit organization founded in 2002 by Tim King and a group of African-American education, business, and civic leaders. Urban Prep's mission is to provide a comprehensive, high-quality college preparatory education to young men that results in graduates succeeding in college. We opened our first school, Urban Prep Charter Academy for Young Men—Englewood Campus, in 2006. Urban Prep's Englewood Campus is the country's first public charter high school for boys. In 2009, we opened our second school, Urban Prep Charter Academy for Young Men—East Garfield Park. Our third school, Urban Prep Charter Academy for Young Men—South Shore opens in the fall of 2010. The Urban Prep motto is "We Believe." Our motto is a constant reminder that Urban Prep students will not fall into the trap of negative stereotypes and low expectations. Instead, Urban Prep students believe in their potential and believe in their ability to exceed that potential. The Urban Prep family (teachers, administrators, staff, board of directors, community members and donors) also believes in these young men, and in our important and lasting role in their lives. At Urban Prep, We Believe.

URBAN PREP TRADITIONS, RELICS, & RITUALS

Urban Prep Mace

The tradition of a ceremonial mace began in Britain as early as the 14th century. In the U.S., a mace has been used in the House of Representatives since our country's founding. Today, almost all colleges and universities have a mace, which is carried at important institutional ceremonies. The Urban Prep mace was designed by Paul King III of Chicago, Illinois and carved from mahogany by architectural wood-turner Tom Boley of Red Oak Hollow in Purcellville, Virginia. It stands almost four feet tall, and is topped by a walnut medallion engraved with the Urban Prep Crest. Walnut collars, engraved with the school name, motto and founding date, also adorn the mace.

Urban Prep Creed

The Urban Prep Creed, developed by the faculty, administration and staff, articulates the schools' values, ideals and the goals we expect our students to meet and exceed; including going to college, taking responsibility for their actions, achieving academically, persevering, and living honorably. Students collectively recite the Creed daily during Community and at all Urban Prep formal events. The Creed starts and ends with the Urban Prep motto, ''We Believe.''

Credimus Book

The Credimus Book contains the register of Urban Prep graduates and the colleges they will attend. Seniors sign their names into the book as a pledge of their intention to succeed in college during a ceremony at Urban Prep's College Signing Day event. At Commencement, the book is passed from the graduating class to representatives from the rising senior class. Passing on the relic symbolizes how the graduates' success will inspire future generations to work diligently that they may one day too etch their names unto its pages.

The Passing of the Book Ceremony

At Commencement, the Credimus Book is passed from the graduating class to representatives of the Junior class. Once the book has been passed, the graduating class recites a pledge of support to the rising seniors: We are the graduates of Urban Prep, and We Believe. We Believe that our present lays the pathway for your future. We Believe that in action and in word, we are our brothers' keepers. We Believe that you will carry-on the tradition of excellence we pass to you today. We Believe that one year from now, you will reunite with us in college. We Believe that you are now the leaders of Urban Prep. We are the graduates of Urban Prep, and We Believe in you. Both the spoken pledge and the book-passing symbolize the perpetual bonds of brotherhood that unite all Urban Prep students and alumni.

Urban Prep Crest, Colors & Mascot

Like the heraldic coats-of-arms that inspired it, Urban Prep's crest is rife with symbolism. The lions, Urban Prep's mascot, evoke leadership and strength. The crowned lions face outward, independently focused on the future; but their tails entwine, illustrating brotherhood and solidarity. An open book is shown beneath them, symbolizing our foundation in academics. The eight-pointed star between the lions signifies Urban Prep's eight core values. The eight points' circular arrangement represents how Urban Prep's four 'arc' programs encircle students in a caring school community. The Crest also contains our name, founding date, and motto—Credimus, the Latin for We Believe. The crest is styled in our school colors, red and gold. Red symbolizes the shared blood of brothers. Gold symbolizes the material riches available to college graduates, as well as the personal and spiritual reward of enlightenment through education. The Urban Prep Crest was designed by Nick Zembruski of Chicago, Illinois in 2006.

URBAN PREP COMMENCEMENT AWARDS

The Medal for Academic Excellence

Awarded to the student who has achieved the highest cumulative grade point average during his enrollment at Urban Prep.

The Pride Medal

Awarded to the Pride whose members collectively demonstrated the greatest commitment to exemplifying the Urban Prep Core Values over four years at Urban Prep.

The Medal for Greatest Improvement

Awarded to the student who has improved the most academically and socially over the course of his enrollment at Urban Prep.

The Team UP Medal

Awarded to the employee (teacher, administrator, or staff) who, as selected by the students, has demonstrated excellence in their job and extraordinary commitment to Urban Prep's mission.

The Medal for Attendance

Awarded to the student who has had the fewest absences during his enrollment at Urban Prep.

The Award for Outstanding Service by a Parent or Guardian

Awarded to the parent/guardian of an Urban Prep senior who has demonstrated outstanding service to the school during the time his/her student was enrolled.

The Medal for Outstanding Participation in Athletics

Awarded to the student who has demonstrated the most significant and consistent leadership and participation in Urban Prep sports teams.

The Founder's Medal

Awarded to the individual or organization that has shown exceptional support of Urban Prep Academies.

The Medal for Outstanding Participation in Activities

Awarded to the student who has demonstrated the most significant and consistent leadership and participation in Urban Prep clubs and activities.

The Credimus Medal

Urban Prep's highest student honor, this medal is awarded to the student who has best exemplified the ideals of Urban Prep's mission, Core Values and Creed during his time at Urban Prep.

Bryant Christopher Alexander, Jr.—Magna Cum Laude

DePauw University/Alabama A&M University/Eastern Illinois University/Florida A&M University/Grambling State University/Kentucky State University/Mississippi Valley State University/North Carolina State University/Northern Illinois University/University of Arkansas—Pine Bluff/University of Louisville

Darrelle Marshawn Banks—Cum Laude

Pennsylvania State University—Hazleton/Indiana State University/Lake Forest College/Miami University (Ohio)/Philander Smith College/Southern Illinois University—Carbondale/Tougaloo College

Freeman Banks

East-West University

Cameron M. Barnes—Cum Laude

University of Illinois—Urbana Champaign/Dillard University/Kentucky State University/Mississippi State University/Southern Illinois University—Carbondale/University of Arkansas—Pine Bluff/Virginia State University

Marcus Bass

Jackson State University/Philander Smith College/University of Arkansas—Pine Bluff

Devante T. Bates

Southern Illinois University—Carbondale/Alabama A&M University/Culver-Stockton College/Indiana State University/Jackson State University/Lincoln University/Mississippi Valley State University/Roosevelt University

Tyler Beck—Summa Cum Laude

Trinity College/Arkansas State University/Clark Atlanta University/Culver-Stockton College/Dillard University/Lewis University/Lincoln University/Mississippi Valley State University/Norfolk State University/Philander Smith College/South Carolina State University/Texas Southern University/University of Arkansas—Pine Bluff

Anthony A. Bell

Chowan University/Lane College/Lincoln University/Mississippi Valley State University/Philander Smith College/Saint Augustine College

Sherman Ben

Indiana State University/East West University

Jamil Boldian—Cum Laude

Benedictine University/Kentucky State University/North Park College/University of Arkansas—Pine Bluff

Phillip Boswell

Alabama A&M University/Elizabeth City University/Lane College

Krishaun Curtis Branch

Fisk University/Kentucky State University/University of Arkansas—Pine Bluff

James Brisbon

Morehouse College/Dillard University/Fisk University/Indiana State University/Lane College/Miles College/Philander Smith College/St. Cloud State University/Tougaloo College/University of Arkansas—Pine Bluff

Jonathan Dwayne Brown, Jr.

Lincoln University/Parkland College

Nathaniel Brown

University of Arkansas—Pine Bluff/Indiana State University/Lincoln University/Philander Smith College

Justin Bryant-Warner—Cum Laude

Western Michigan University/Concordia University—Chicago/Southern Illinois University—Edwardsville/University of Arkansas—Pine Bluff/University of Central Arkansas

Shane Bryant—Magna Cum Laude

Morehouse College/Culver-Stockton College

Eugene Najee Butler—Cum Laude

Southern Illinois University—Edwardsville/Philander Smith College/DePauw University/Indiana State University/Mississippi Valley State University/Morehouse College/University of Arkansas—Pine Bluff

Milan Jarrett Byrdwell—Cum Laude

University of Rochester/Indiana State University/Kentucky State University/Northern Illinois University/Philander Smith College/Southern Illinois University—Edwardsville

Byron Lamont Caulton, Jr.—Cum Laude

Dillard University/Central State University/Eastern Illinois University/George Mason University/Indiana State University/Kentucky State University/Morgan State University/Norfolk State University/North Carolina Central University/Philander Smith College/South Carolina State University/Southern Illinois University—Carbondale/University of Arkansas—Pine Bluff University of Memphis/University of Missouri

Curtis Coleman

Chicago State University/Philander Smith College/University of Arkansas—Pine Bluff

Daniel Connell

Northern Illinois University/Mississippi Valley State University/University of Arkansas—Pine Bluff/Lincoln University

Javon Cooper

Southern Illinois University—Carbondale/Fisk University/Indiana State University/Kentucky State University/Lincoln University/Tuskegee University/University of Arkansas—Pine Bluff

Marquis D. Crawford

Denison University/Columbia College/Southern Illinois University—Edwardsville/Truman State University/University of Arkansas—Pine Bluff

Jermaine Devon Davis, Jr.

University of Arkansas—Pine Bluff

Quinton Jarmall Davis

DePaul University/Lane College/Lewis University/Northern Illinois University/Southern Illinois University—Edwardsville/Trinity Christian College/University of Arkansas—Pine Bluff

Devanté Davison

Vincennes University/East-West University/Kentucky State University/Philander Smith College/Wilberforce University

Donnell Apri Fields

Columbia College/Chicago State University/Lincoln University/Philander Smith College/Tougaloo University/University of Arkansas—Pine Bluff

Smith Joseph Francois

Oakwood University/Allen University/Benedict College/East-West University/Philander Smith College/Texas Southern University/Wilberforce University

Jermaine B. Gamble

Saint Augustine College/Miles College/Wiley College

Andrew N. Gantt

Miles College/Chicago State University

D'Angelo Gardner

Northern Illinois University/East-West University

Travon B. George—Cum Laude

Denison University/Kentucky State University/Purdue University

Marquinn Gibson

Howard University/Fisk University/Morehouse College/Saint Xavier University/Southern Illinois University—Edwardsville/University of Arkansas—Pine Bluff

Brandon Jerome Gray

Culver-Stockton College

Kijuanis Gray

Lincoln University/Allen University/Lane College/Miles University/Philander Smith College

Edward Aric Green—Cum Laude

Eastern Illinois University/Central State University/Indiana State University/Jackson State University/Kentucky State University/Southern Illinois University—Edwardsville/Tougaloo College/Trinity Christian College/University of Arkansas—Pine Bluff/Western Illinois University/Wilberforce University

Keith A. Greer

Southern Illinois University—Carbondale/Central State University/DeVry University/Miles College/Philander Smith College/Tougaloo College

Paris D. Grigsby, Jr.

Indiana State University/Columbia College/Mississippi Valley State/Saint Augustine College/Saint Cloud State University/Virginia State University/Wiley College

Clifton Hall

Southern Illinois University—Carbondale

Lawrence Hall—Cum Laude

Southern Illinois University—Edwardsville/Indiana State University/Tougaloo College/University of Arkansas—Pine Bluff/University of Kentucky/University of Louisville

Walter William Hall, Jr.

Indiana State University/Alabama A&M University/Allen University/Kentucky State University/Lincoln University/Moraine Valley University

Davonte Hammond—Cum Laude

Morehouse College/Clark Atlanta University/Lake Forest College/Philander Smith College/Southern Illinois University—Carbondale/Tuskegee University/University of Arkansas—Pine Bluff

Timothy Hankins

University of Arkansas—Pine Bluff/Fisk University/Lincoln University/Philander Smith College

Malcolm E. Harlan

DePaul University/Loyola University—Ohio/Seton Hall University/University of Loyola—New Orleans/University of Tampa

Robert Lee Henderson, III—Magna Cum Laude

Lake Forest College/Livingstone College/St. Cloud State University/University of Arkansas—Pine Bluff/Upper Iowa University/Winston Salem State University

Jerry N. Hinds, Jr.—Cum Laude

University of Illinois—Urbana Champaign/Illinois State University/Michigan State University/Northern Illinois University/University of Rochester

Rayvaughn Hines—Summa Cum Laude

University of Virginia/Denison University/Howard University/Kentucky State University/Morehouse College/South Carolina State University/Southern Illinois University—Edwardsville/Tougaloo College/Tuskegee University/University of Memphis/University of Wisconsin—Madison

Darius M. Q. Hollings

Lewis University/Miles College/Nichols College/Southern Vermont College

Anthony L. Hubbard, Jr.

Lindsey Wilson College/Indiana Tech University/Kentucky State University/University of Arkansas—Pine Bluff

Fredrick Huddleston

Miles College

Gerald Jackson, Jr.—Cum Laude

Howard University/DePaul University/Dillard University/Indiana State University/Missouri University/North Carolina A&T University/Philander Smith College/Southern Illinois University—Edwardsville/St. John's University/Tuskegee University/University of Arkansas—Pine Bluff/University of Memphis/Xavier University—Louisiana/Xavier University—Ohio

Francis Jamison

Philander Smith College

DeAndre Ricardo Jones

East-West University

Martin Luther Lavern, Jr.

Columbia College/Miles College

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Aaron Lewis

Grand Valley State University/Benedictine University/Culver-Stockton College/East-West University

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Columbia College/Miles College

Jessie Mack—Cum Laude

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Jontae McGhee

Purdue University—North Central/Dominican College/East-West University/Grinnell University/Hilbert College/St. Cloud State University

Edward H. McLachlan

Northern Illinois University/Culver-Stockton College/Lewis University/Saint Xavier University/Southern Illinois University—Edwardsville/St. Cloud State University/Xavier University

Justin Anthony McNeal

Indiana State University/Mississippi Valley State University/Southern Illinois University—Carbondale/Tougaloo College/University of Arkansas—Pine Bluff

Cum Laude: Cumulative GPA of 3.0 to 3.49/Magna Cum Laude: Cumulative GPA of 3.5 to 3.74/Summa Cum Laude: Cumulative GPA of 3.75 & Above

Andrew Dominic Mesadieu

Parsons The New School for Design/Columbia College/Milwaukee Institute of Art and Design/Otis College of Design

Tony D. Mhoon, Jr.

Lincoln University/Allen University/Miles College/University of Arkansas—Pine Bluff

Jamal Minor

Jackson State University/Indiana State University/Mississippi Valley State University/University of Arkansas—Pine Bluff

Devon M. Montgomery—Magna Cum Laude

Denison University/Hampton University/Indiana State University/Mississippi Valley State University/Morehouse College/South Carolina State University/Southern Illinois University—Edwardsville/Tougaloo College/Tuskegee University/University of Arkansas—Pine Bluff

Brandon Moore

Indiana State University/Philander Smith College

Deontae Moore—Summa Cum Laude

Northwestern University/Arkansas State University/Columbia College/DePaul University/Kentucky State University/Livingstone College/Marquette University/South Carolina State University/Southern Illinois University—Edwardsville/Trinity Christian College/University of Illinois—Chicago/University of Missouri

Elbert P. Muhammad, Jr.

Northern Illinois University/Clark Atlanta University/Indiana State University/Lincoln University/Morgan State University/Southern Illinois University/University of Arkansas—Pine Bluff

Malik Wali Muhammad—Cum Laude

Northern Illinois University/Culver-Stockton College/Livingstone College/Philander Smith College/Southern Illinois University—Edwardsville/Tuskegee University/University of Arkansas—Pine Bluff

Andrew Murphy—Summa Cum Laude

Connecticut College/Kentucky State University/Lincoln University/South Carolina State University/Southern Illinois University—Edwardsville/St. John's University/Tougaloo College/University of Arkansas—Pine Bluff/University of Illinois—Urbana Champaign

(Taiwo) Tajudeen Oshun—Cum Laude

Indiana State University/Lincoln College/Philander Smith College/University of Arkansas—Pine Bluff

Antonio Cortez Owens

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LaVince Person, Jr.

Tuskegee University/East-West University/Kentucky State University/Philander Smith College/Southern Illinois University—Edwardsville

Esko T. Peterson, Jr.—Summa Cum Laude

University of Illinois—Urbana Champaign/Ball State University/Butler University/Morehouse College/Northern Illinois University/Philander Smith College/South Carolina State University/Southern Illinois University—Carbondale/Tougaloo College/University of Arkansas—Pine Bluff

Cortae DeAngelo Pitts

Kentucky State University/Mississippi Valley State University/Southern Illinois University—Edwardsville/St. Cloud State University/Trinity Christian College

Dontaye Kawamayne Mailo Polk

Howard University/Culver-Stockton College/Kentucky State University/Northern Illinois University/Southern Illinois University—Edwardsville/St. Xavier University/University of Hawaii—Hilo/University of Hawaii—Ma/University of Tampa

Anthony Ponder—Cum Laude

Illinois State University/Culver-Stockton College

Kevin Randell

Philander Smith College/Indiana State University/Tougaloo College

Malcolm J. Reaves

Tuskegee University/Alabama A&M University/Alabama State University/Mississippi Volley State University/Tougaloo College

James Reed, Jr.

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Corey Rowe

Texas College/Central State University/Dowling College/East-West University

Gregory Ladell Sashington—Cum Laude

Tuskegee University/Southern Illinois University—Carbondale/Tougaloo University/University of Arkansas—Pine Bluff/Western Illinois University/Winston-Salem State University

Timothy Sayers, II

Savannah State University/Miles College/Mississippi Valley State University

Quentin A. Smith

University of Arkansas—Pine Bluff/Kentucky State University/Lincoln University/Tougaloo University

Tony G. Stiger, Jr.

Lane College/University of Arkansas—Pine Bluff

Maurice D. Taylor

Southern Illinois University—Edwardsville/Culver-Stockton College/Indiana State University/Mississippi Valley State University/University of Arkansas—Pine Bluff

Anthony Thomas

Saint Xavier University/Northern Illinois University/Southern Illinois University—Edwardsville/Tougaloo College

Robert C. Thomas, Jr.

Clark Atlanta University/Kentucky State University/Lincoln University/Northern Illinois University/Philander Smith College/University of Arkansas—Pine Bluff

Demetrius D. Travis, Jr.

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Justin Turner

Claflin University/Allen University/University of Arkansas—Pine Bluff

Brandon Everette Warren—Magna Cum Laude

Wheaton College/Arkansas State University—Jonesboro/Lane College/Morehouse College/Philander Smith College/Trinity Christian College

John A. Warren—Cum Laude

Morehouse College/Claffin University/Howard University/Kentucky State University/Mississippi Valley State University/Southern Illinois University—Edwardsville/Tougaloo College/University of Arkansas—Pine Bluff/Winston Salem State University

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Calvin L. Williams, Jr.

Columbia College/Tuskegee University

Lorenzo A. Williams

Southern Illinois University—Edwardsville/Iowa Wesleyan University/Kentucky State University/Lincoln University/Philander Smith College

Paris Williams—Summa Cum Laude

Georgetown University/Arkansas State University/Bradley University/Chapman University/Columbia College/Fisk University/Kentucky State University/Lincoln University/Livingstone College/Northern Illinois University/Saint Augustine College/Southern Illinois University—Edwardsville/Tougaloo College/University of Arkansas—Pine Bluff/University of Missouri/University of Santa Clara/Virginia State University

Israel Stephan John Wilson—Summa Cum Laude

Morehouse College/Northern Illinois University/University of Arkansas—Pine Bluff/Lincoln University/Norfolk State University

Christopher Winters

Indiana State University/East-West University

Rafael D. Wordlaw—Cum Laude

Indiana State University/Iowa State University/Kansas State University/Philander Smith College/Tougaloo College

Ahmad Rishawn Wright—Magna Cum Laude

Purdue University/Alabama A&M University/Bradley University/Culver-Stockton College/Indiana Tech University/Kansas State University/Kentucky State University/Lincoln University/Rutgers University

Stephen G. Wright, Jr.

University of Arkansas—Pine Bluff/Indiana State University/Lincoln University/Virginia State University

Carlton T. Yarber, Jr.

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Dionte Young

University of Arkansas—Pine Bluff/Trinity Christian College

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La-Troy Farrow, Faculty-ENG; Jermaine Ferguson, Faculty-ENG; Natasha Ferguson, Faculty-ENG; Lynn Fields, Faculty-ENG; Timmy Freeman, Faculty-ENG; Fidell George, Faculty-ENG; Jennifer George, Faculty-ENG; Benjamin Gilmore, Institutional Advancement Officer-UPA; Richard Glass, Assistant Principal-ENG; Anthony Griffin, Faculty-ENG; Reginald Hinton, Faculty-ENG; Erik Hopkins, Faculty-ENG; Damien Howard, Faculty-EGP; George Huff, Assistant Director College Counseling-ENG; Kenneth Hutchinson, Director College Counseling-ENG; Rose Jefferies, Office Manager-ENG; Tim King, Founder and CEO-UPA; Dennis Lacewell, Co-Principal for Academic Programs-ENG; Donnell Layne, Director of Information Technology-UPA; Alfred Lee, Jr., Executive Assistant to the CEO-UPA; Brandon Lenore, Director of Activities-EGP.

Evan Lewis, VP Institutional Advancement-UPA; Monice Lilly, Faculty-ENG; Othiniel Mahone, Case Manager-ENG; Dexter Miles, Faculty-ENG; Margaret Miranda, Faculty-ENG; Davidson Morales, Faculty-ENG; Roderick Muhammad, Faculty-ENG; Stanley Muhammad, Dean of Students-EGP; Mathias Muschal, Faculty-ENG; Timothy Naatz, Faculty-EGP; Adam Nissen, Faculty-ENG; Kosi Onyeneho, College Counselor-ENG; Gina Perry, Faculty-EGP; Josh Rhoad, Faculty-ENG; Paul Rivera, Faculty-EGP; Keith Robbins, Assistant Dean of Students-EGP; Natasha Robinson, Faculty-ENG; Tanya Robinson, Director of Finance-ENG; Alex Rock, Faculty-EGP; Pam Santoyo, Faculty-ENG; Will Seegars, Faculty-ENG; Eric Smith, Faculty-ENG.

Jaclyn Smith, Counselor-EGP; Juanita Smith, Faculty-ENG; Latreese Smith, Office Assistant-ENG; John Steele, Jr., Faculty-ENG; Corey Stewart, Faculty-ENG; Martha Stewart, Faculty-ENG; Tammie Tatum, Personal Counselor-ENG; Melissa Tribue, Faculty-ENG; Beverly Turner, Assistant Dean of Students-EGP; Jessica Vande-Vusse, Faculty-ENG; Henry Velarde, Faculty-ENG; Deshon Weaver, Dean of Students-ENG; Jacob Wertz, Manager of New Initiatives-UPA; E'Toyare Williams, Faculty-EGP; Jamen Williams, Faculty-ENG; Terry Williams, Office Manager-EGP; David Woo, Faculty-ENG; Tyler Yarbrough, College Counselor-EGP; Fidal Young, Faculty-ENG; Juan Carlos Zayas, Faculty-EGP.

EGP—East Garfield Park Campus
ENG—Englewood Campus
UPA—Urban Prep Academies

We are unable to list all of the people who have helped Urban Prep and our students make this day a reality. You have our sincerest gratitude for supporting us and for understanding that this is what happens when We Believe.

Thank You!

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

Ms. WOOLSEY. Mr. Speaker, I am pleased to yield such time as she may consume to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS of Maryland. I thank the gentlewoman for yielding.

Mr. Speaker, I rise today in support of this resolution to congratulate the Urban Prep Charter Academy on the wonderful accomplishment of sending every one of their 107 graduates on to college this year. For some students, getting an education is a simple feat, but for many students in our urban centers, that is not true, and this is the focus community, the population, that is served by Urban Prep.

Now, I knew Urban Prep some time ago. Their motto is ''We Believe.'' I want to say here that I believe in Urban Prep and in the phenomenal work that they do to reverse troubling graduation and completion rates among African American men in Chicago's urban centers. We can learn many lessons from the Urban Prep experiment, and indeed, that experiment is being looked at across the country, even in communities like the one I represent in Maryland's Fourth Congressional District.

I know firsthand that the caliber of educators at Urban Prep plays an important role in the lives of their students. I want to speak today about one of those educators because in no one is this more prevalent than in Urban Prep's Dr. Derrick Brooms.

Dr. Brooms is an amazing and dynamic educator, mentor, and high school teacher who makes history come alive. He is a Ph.D. recipient from the University of Chicago, the director of athletics at Urban Prep, and he was a mentor to my son and to one of my staff members when he lived right here in Prince George's County, in Maryland, when he taught and coached at the Field School.

Dr. Brooms was excited to join the start-up Urban Prep because he wanted to mentor African American men to their fullest potential. He is just one of the many reasons Urban Prep is able to create an environment that not only educates but that also teaches students the importance of striving for success and in contributing to our communities.

Mr. Speaker, I join Mr. RUSH in wholeheartedly supporting this resolution and in the shared belief that this country needs more educators like those at Urban Prep, educators like Dr. Derrick Brooms, and that the country needs more schools like the Urban Prep Charter Academy.

Now, for some of our young people, for some of our young African American men, education can come from a charter school or it can come from a private school. For the overwhelming majority of them, it can come from a regular public school. Yet the fact is, if we are to succeed as a nation, we have to begin to educate some of our most vulnerable and most challenging communities, and that is exactly what Urban Prep does. It doesn't matter what the school is. It matters that it educates our young people.

So I salute the 107 graduates of Urban Prep who aren't going to just finish high school but who are going to go on to college and who are going to make a contribution to their communities in the way that so many of their mentors have made contributions to them.

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

I rise today in support of the resolution before us, House Resolution 1414, congratulating Urban Prep Charter Academy for Young Men-Englewood campus for achieving 100 percent college acceptance rate for all 107 members of its first graduating class of 2010.

In 2002, a group of motivated African American civic, business, and educational leaders, organized by former Hales Franciscan High School president Tim King, determined to establish a new high school in Chicago focused on providing a strong college-preparatory high school option for boys in underserved African American communities. African American males have been and continue to be the lowest performing demographic in Chicago's public schools. A recent University of Chicago study published in 2006 reported that only one in 40 African American boys in Chicago public schools eventually graduates from a 4-year university.

The Chicago Board of Education approved Urban Prep Academy's charter application in 2005, and Urban Prep opened its first school, Urban Prep Charter Academy for Young Men-Englewood campus, the subsequent September. It is the first charter high school for boys in the country and currently enrolls 550 students in grades nine through 12. Urban Prep's second school opened in the East Garfield Park community in 2009, and the third will open this fall in the South Shore community.

The mission at Urban Prep Academies is to provide a comprehensive,

high-quality, college-preparatory education to young men that results in graduates succeeding in college. Urban Prep's first graduating class, the class of 2010, is well on its way to fulfilling the school's mission. The entire graduating class has been accepted to more than 80 colleges and universities and will receive nearly $4 million in scholarships and grants.

The students' 8-hour day consists of a heavy math and science course load, an emphasis on studying a foreign language, plus two periods of English every day. In addition, students spend more than an hour a day with a mentor. The school fosters an environment where students can thrive. Failure is not an option.

A 100 percent college acceptance rate is clearly phenomenal. The Urban Prep Academy students should be commended for all their hard work and ability to beat the odds.

In addition, today we recognize Tim King, the president and CEO, the faculty and staff for providing these students with the support and encouragement they needed to succeed. I support this resolution and ask my colleagues to do the same.

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

Ms. WOOLSEY. Mr. Speaker, I urge my colleagues to support H. Res. 1414, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 1414, as amended.

The question was taken.

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

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

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

The point of no quorum is considered withdrawn.

CELEBRATING 20TH ANNIVERSARY OF ALBERT EINSTEIN DISTINGUISHED EDUCATOR FELLOWSHIP PROGRAM

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1322) celebrating the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program and recognizing the significant contributions of Albert Einstein Fellows.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1322

Whereas the Albert Einstein Distinguished Educator Fellowship Program was established in 1990, and formalized by law in 1994;

Whereas Einstein Fellows are selected through a highly competitive process from among the best science, technology, engineering, and mathematics teachers in the field, and represent diverse geographic regions and communities;

Whereas the Albert Einstein Distinguished Educator Fellowship Program places these exceptional teachers in positions within Federal agencies and on Capitol Hill where they contribute to advancing the fields of education, science, technology, engineering, mathematics, and public policy;

Whereas the Department of Energy through its Office of Workforce Development for Teachers and Scientists, and the Triangle Coalition for Science and Technology Education have nurtured and grown the Einstein Fellowship Program;

Whereas over 190 Einstein Fellows have served professionally at the Department of Education, the Department of Energy, the National Aeronautics and Space Administration (NASA), the National Institutes of Health (NIH), the National Institute of Standards and Technology (NIST), the National Oceanic and Atmospheric Administration (NOAA), the National Science Foundation (NSF), the President's Office of Science and Technology Policy (OSTP), the U.S. Senate, and the U.S. House of Representatives;

Whereas the Einstein Fellowship Program fosters a spirit of cooperation between Federal agencies by placing a network of fellows at these different agencies;

Whereas Einstein Fellows provide practical perspectives on the application and impact of education policy;

Whereas Einstein Fellows have made invaluable contributions to the formulation of educational policy with their advice to Members of Congress and officials in Federal agencies, by developing legislation, and by creating innovative educational programs and interventions;

Whereas Einstein Fellows have experienced unique opportunities for professional growth and development, expanding their skills and knowledge;

Whereas Einstein Fellows learn valuable leadership skills to advance the fields of education, science, technology, engineering, mathematics, and public policy; and

Whereas the contributions of the Einstein Fellows during their service and later upon the continuation of their professional careers, serve as role models and examples of dedication and commitment for past, current, and future generations of educators and public servants: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the significance of the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program;

(2) recognizes the value of having current science, technology, engineering, and mathematics teachers directly engaged in the policymaking process;

(3) recognizes the sacrifices made by teachers who interrupt their careers to serve as Einstein Fellows;

(4) supports continuation of the Einstein Fellowship program;

(5) encourages Federal Agencies and congressional offices to host Einstein Fellows, and to leverage the expertise of former Einstein Fellows; and

(6) recognizes the contributions of Einstein Fellows, past, present, and future.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H. Res. 1322 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in recognition of the important role of science, technology, engineering and math—known as STEM—educators in our schools and in our country. The Albert Einstein Distinguished Educator Fellowship Program recognizes kindergarten through 12th grade teachers as critical voices in the national conversation on education policy. The program acknowledges excellence in teaching and the value of a teacher's service to the community.

This program brings outstanding teachers to the Washington, D.C. area so they can be immersed in and help shape Federal policy. Fellows combine their teaching and their fellowship experience for the betterment of students across the country. This year commemorates the 20th anniversary of the Einstein Fellowship Program.

Over the course of the past 20 years, 173 fellows have served in this important program. This year, there are 24 fellows representing math, science, technology, career and technical education, special education, and engineering teachers. They have come from 47 States, the District of Columbia, and Puerto Rico with a diverse range of experience and background.

The Einstein Distinguished Educator Fellowship provides Congress direct access to teachers who come straight from their classrooms and bring with them a firsthand understanding of how school works. Einstein fellows have also served in most of the Federal agencies, including the Department of Energy, the Department of Education, the National Institutes of Health, National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, National Science Foundation, National Institute of Standards and Technology, and Office of Science and Technology Policy.

In these agencies, fellows are directly involved with educational outreach activities, curriculum development, teacher training, grant proposal review, program analysis and improvement, and other activities where the experience of a STEM educator provides practical insight and vital input.

These teachers serving in our Nation's Capital lend another important voice for the students who will be tomorrow's leaders. These students are

entering a world that requires the concrete skills, creative thinking, and innovation that STEM education provides. Alumni of the program maintain leadership roles in STEM education, which amplifies the value of the fellowship.

Einstein fellows who return to their classrooms and communities bring a wealth of new skills, knowledge, and an enhanced perspective for how their teaching fits into the larger picture of our country's education policy. These teachers renew their efforts to inspire their students and encourage them to pursue STEM pathways. Einstein fellows have also gone on to teach and mentor teachers in university programs, coordinate statewide efforts on STEM curriculum initiatives, and continue serving in the administration and in Congress.

Congressman HONDA, who is not here today, wanted me to express his strong support for the Einstein fellowship program, but he is feeling under the weather and can't be here. So I will submit a statement by Congressman HONDA in support of the resolution into the RECORD.

Mr. Speaker, once again I express my support for the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program. I want to thank Representative HONDA for bringing this resolution to the floor, and I urge my colleagues to pass the resolution.

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

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

Mr. Speaker, I rise in support of the resolution, H. Res. 1322, celebrating the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program, recognizing the significant contributions made by Albert Einstein fellows.

The Albert Einstein Distinguished Educator Fellowship Program offers current public or private elementary and secondary mathematics, technology and science classroom teachers who have demonstrated excellence in teaching an opportunity to serve in the national public policy arena.

□ 1430

Einstein fellows are selected, through a competitive selection process, to spend a school year in a congressional office or in one of a number of Federal executive branch departments. Einstein fellows provide policymakers and Federal agencies with a real-world perspective. Their invaluable contributions help to provide practical insight and a unique knowledge base in the formulation, application, and implementation of Federal policy. Some of the contributions of Einstein fellows include creating Web-based science education programs and establishing and evaluating national and regional programs on school reform and teacher preparation.

As educators who are working to provide the Nation's students with a high-quality education, Einstein fellows enrich students' educations in a twofold manner: by educating them in the classrooms and by guiding the policy that will direct their educations in the future.

I encourage my colleagues to support this resolution.

Mr. HONDA. Mr. Speaker, I rise today in support of House Resolution 1322, celebrating the 20th anniversary of the Albert Einstein Distinguished Educator Program and recognizing the significant contributions of Albert Einstein Fellows.

For 20 years, Albert Einstein Distinguished Educator Fellows have worked in the Senate and House, and Federal agencies, drafting legislation and creating innovative educational programs and interventions. Einstein Fellows are selected through a highly competitive process from among the best science, technology, engineering, and mathematics teachers in the field, and represent diverse geographic regions, backgrounds and communities.

Over 190 Einstein Fellows have played a critical role in helping to advance the fields of education, science, technology, engineering, mathematics in the United States by applying their classroom experience to shape public policy. Their deep understanding of both science and pedagogy has provided practical insights and "real world" perspectives to policy makers and program administrators.

Teachers who are chosen to be Albert Einstein Fellows demonstrate exceptional expertise in teaching in elementary or secondary schools and have an interest and willingness to be involved in public policy. Many are recognized for excellence through the Presidential Awards for Excellence in Mathematics or Science Teaching and other prestigious awards. These dedicated teachers interrupt their careers and leave their homes and classrooms behind to spend a school year in a Congressional Office, the Department of Education, the Department of Energy, NASA, NIH, NIST, NOAA, NSF, OSTP, applying their classroom experience to shape public policy while expanding their valuable skills.

The Einstein Fellows, during their service and later upon the continuation of their professional careers, serve as role models and example of dedication and commitment for past, current and future generations of educators and public servants:

I have had the benefit of having Einstein Fellows in my office for the past four years and I can personally attest to the tremendous contributions they have made to science education throughout the nation. For example, Luke Laurie, a middle school science teacher from California, worked on Global Warming Education legislation and an effort to congratulate Vice President Al Gore on his Nobel Prize; Ed Potosnak, a secondary school science teacher from New Jersey, who developed the Enhancing Science, Technology, Engineering, and Mathematics Education Act and the Educational Opportunity and Equity Commission Act; and Eduardo Guevara, a secondary school science teacher from Texas, who is working on the One America, Many Voices Act, which would appropriately compensate Federal workers with multilingual skills, on legislation to establish prizes for educational technology innovation, and on equity in educational opportunities for Bilingual Learners (ELLS).

President Obama himself experienced the benefits of having an Einstein Fellow in his office when he was a freshman Senator.

In conjunction with the 20th Anniversary of the program, on June 28th and 29th the Einstein Fellowship Summit will be held here in Washington, where former and current fellows will address issues related to STEM education. Members have been invited to the Congressional reception to be held at the Rayburn Gold Room, and I encourage my colleagues to attend that event to meet current and former fellows and celebrate the 20th Anniversary of the Albert Einstein Distinguished Educator Fellowship Program.

I urge my colleagues to support this resolution and the Einstein Distinguished Educator Fellowship Program.

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

Ms. WOOLSEY. Mr. Speaker, I urge my colleagues to support this resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution, H. Res. 1322.

The question was taken.

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

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

The yeas and nays were ordered.

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

WORK-LIFE BALANCE AWARD ACT

Ms. WOOLSEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4855) to establish the Work-Life Balance Award for employers that have developed and implemented work-life balance policies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4855

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 "Work-Life Balance Award Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) EMPLOYER.—The term "employer"—

(A) means any person (as defined in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 202(a))) engaged in commerce or in any industry or activity affecting commerce; and

(B) includes any agency of a State, or political subdivision thereof.

The term does not include the Government of the United States or any agency thereof.

(2) WORK-LIFE BALANCE POLICY.—The term "work-life balance policy" means a workplace practice which supports the ability of employees to balance their work and family lives.

(3) SECRETARY.—The term "Secretary" means the Secretary of Labor.

SEC. 3. ESTABLISHMENT OF AWARD.

(a) IN GENERAL.—There is established in the Department of Labor an annual award to be known as the Work-Life Balance Award (hereinafter referred to as the ''Award'') for employers that have developed and implemented work-life balance policies.

(b) PLAQUE.—The Award shall be evidenced by a plaque bearing the title ''Work-Life Balance Award''.

(c) APPLICATION.—

(1) IN GENERAL.—An employer desiring consideration for an Award shall submit an application to the Work-Life Balance Advisory Board established under section 4, at such time, in such manner, and containing such information as such Board may require.

(2) REAPPLICATION.—An employer may reapply for an Award, regardless of whether the employer has been a previous recipient of such Award.

(d) DISPLAY ON WEB SITE.—The Secretary shall make publically available on its Web site the names of each recipient of the Award.

(e) PRESENTATION OF AWARD.—After receiving recommendations from the Board established under section 4, the Secretary (or the Secretary's designee) shall present annually the Award to employers that meet the criteria developed under section 4(b)(1).

(f) ANNUAL REPORT.—The Secretary shall submit annually to Congress and the public a report describing the type of work-life balance policies being offered to and utilized by employees, as evidenced by data collected through the award process.

SEC. 4. WORK-LIFE BALANCE ADVISORY BOARD.

(a) ESTABLISHMENT.—There is established within the Department of Labor a Work-Life Balance Advisory Board (hereinafter referred to as the ''Board'').

(b) DUTIES.—The Board shall—

(1) subject to the approval by the Secretary, not later than 180 days after the initial meeting described under subsection (f)(1)(B), develop criteria to determine recipients of the Award. In developing such criteria, such Board may—

(A) consider those work-life balance policies which—

(i) provide employees access to a variety of flexible work arrangements and other work-life balance policies of the employer, regardless of wage levels, job positions, or number of hours worked;

(ii) ensure that employees can avail themselves of such policies without risk of being penalized or losing opportunities for advancement; and

(iii) allow employees to exercise these policies with regard to a broad range of family members;

(B) evaluate other factors affecting the quality of the workplace, including other benefits and policies for employees of the employer, and the compliance with State and Federal labor and safety and health laws; and

(C) seek input from all interested parties, including input from stakeholders;

(2) develop a process for receiving and processing applications;

(3) recommend recipients of the Award from among those applications submitted to the Board in accordance with section 3(c);

(4) present to the Secretary the names of the employers that the Board recommends as recipients of the Award in accordance with the criteria developed under paragraph (1); and

(5) set an annual timetable for fulfilling the duties described under this subsection.

(c) REVISIONS.—The Board, subject to the approval of the Secretary, may make revisions, as appropriate, to the criteria developed under subsection (b)(1) from time to time.

(d) MEMBERSHIP.—

(1) NUMBERS AND APPOINTMENT.—Subject to paragraphs (2) through (5), the Board shall be composed of 9 members appointed by the Secretary as follows:

(A) 1 member, who shall serve as Chairperson of the Board, representing the public.

(B) 1 member representing a State or local government.

(C) 1 member representing a nonprofit employer.

(D) 2 members representing private industry or industry organizations.

(E) 2 members representing labor organizations.

(F) 2 members representing families and children.

(2) RECOMMENDATIONS.—In appointing any member of the Board under paragraph (1) who is not the chairperson of such Board, the Speaker and the minority leader of the House of Representatives, and the majority leader and minority leader of the Senate, each shall submit to the Secretary recommendations with the names of proposed members of the Board, and from such submissions the Secretary shall appoint the members of the Board in accordance with such paragraph.

(3) LIMITATION.—The Secretary may not appoint any Member of Congress to the Board.

(4) POLITICAL AFFILIATION.—Not more than 4 members of the Board appointed under paragraph (1) may be of the same political party.

(5) QUALIFICATIONS.—Members of the Board shall be individuals with knowledge of and experience with work-life balance policies.

(e) TERMS.—

(1) IN GENERAL.—Except as provided under paragraphs (2) and (3), each member of the Board shall be appointed for 2 years and may be reappointed for one additional term.

(2) TERMS OF INITIAL APPOINTEES.—As designated by the Secretary at the time of appointment, of the members of the Board first appointed, 4 shall each be appointed for a 2-year term and the remainder shall each be appointed for a 3-year term.

(3) VACANCIES.—Any member of the Board appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

(f) OPERATIONS.—

(1) MEETINGS.—

(A) IN GENERAL.—Except for the initial meeting of the Board under subparagraph (B), the Board shall meet at the call of the Chairperson or a majority of its members.

(B) INITIAL MEETING.—The Board shall conduct its first meeting not later than 90 days after the appointment of all of its members.

(2) VOTING AND RULES.—A majority of members of the Board shall constitute a quorum to conduct business. The Board may establish by majority vote any other rules for the conduct of the business of the Board, if such rules are not inconsistent with this section or other applicable law.

SEC. 5. REGULATIONS.

The Secretary may prescribe regulations to carry out the purposes of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. WOOLSEY) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WOOLSEY. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 4855, as amended, into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today to support the passage of H.R. 4855, as amended, the Work-Life Balance Award Act, a bill introduced with Chairman MILLER.

I thank Chairman MILLER for his hard work in bringing this legislation forward.

I also want to thank my Republican colleagues—Ranking Member KLINE and Representative CATHY MCMORRIS RODGERS, who is the ranking member of the Workforce Protections Subcommittee—for their support and for their hard work.

H.R. 4855, as amended, establishes an award at the Department of Labor to be presented annually to employers of any size which have exemplary work-life policies. The bill also sets up an independent board, appointed by the Secretary of Labor, based on recommendations from Congress, to develop the application process and to establish criteria for evaluating the work-life balance policies of applicants. The board is also charged with providing awardee recommendations to the Secretary. The board will consist of representatives from children and families' groups, from State and local governments, from business or business organizations, and from labor.

The Workforce Protections Subcommittee held a hearing on the introduced bill in April. Our witnesses testified that the bill could be improved by establishing broad guidelines for the board to consider in establishing its criteria.

As a result, H.R. 4855, as amended, provides, in determining the criteria, that the board may consider those work-life policies which provide access to employees regardless of wage level, job position, or the number of hours worked; two, which ensure that workers can use the policies without risk of penalty; three, which allow workers to exercise the policy with regard to a broad range of family members. In addition, the board may also evaluate other factors affecting the quality of the workplace, including employee benefits and compliance with labor and health and safety laws.

Finally, the bill requires the Secretary to collect data from the application process. This data is important because it will tell us not only what policies are being offered but also what policies are actually being utilized by workers and employers.

Working Mother Magazine and the Alfred P. Sloan Foundation, Mr. Speaker, also give out awards to companies with outstanding work-life balance policies. They are great programs, and this award is not intended to supplant these or other awards but to

complement ongoing efforts. Creating an award at the U.S. Department of Labor is important for a number of reasons.

□ 1445

Outside of the Family and Medical Leave Act, which provides unpaid leave for qualifying employees, there is no national policy to support work-life balance. This award will send a strong message that the Federal Government supports and encourages work-life balance.

With that, I reserve the balance of my time.

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

H.R. 4855, the Work-Life Balance Award Act, establishes an annual award within the Department of Labor to recognize employers with exemplary work-life balance policies. This bill represents a bipartisan effort to highlight the positive policies currently being used by employers to help their employees meet the competing demands of family and work. H.R. 4855 would highlight best practices by employers and encourage innovation in the adoption of work-life balance policies, which we hope will encourage other companies to adopt similar programs.

It's important to note that the bill does not create any mandates or new requirements. Many employers accommodate employee requests for greater workplace flexibility without the use of government mandates, which can increase the cost of employment and stifle creative arrangements. If employers want to pursue this award, they will do so voluntarily and with no penalty if they choose not to do so, nor will this award confer any specific government procurement or tax advantage on the recipients. The only advantage will be related to the employer being able to market themselves as winning this award and providing these types of flexibility in their workplaces.

It's appropriate that the bill sets out a process by which the criteria for receiving this award will be determined. For us in Congress to claim that we know best about what constitutes appropriate flexibility in the workplace and to lock that in so that it could not be changed without another act of Congress would be, frankly, presumptuous and ensure that this award would lose its relevancy over time as new concepts of flexibility emerge and employers respond to employee needs in new ways.

This award would complement similar private-sector awards and showcase public and private organizations that maintain and utilize policies to help their employees to find ways to maintain productivity, while providing workplace flexibility. The award program would be housed at the U.S. Department of Labor, and funding for the program would come out of existing funds at the Labor Department.

I'd like to thank the sponsors of the bill, particularly the main sponsor, Congresswoman WOOLSEY, for working to craft this bill in a bipartisan manner and for maintaining an open dialogue with interested parties throughout this process.

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

Ms. WOOLSEY. Mr. Speaker, I am pleased to yield such time as he may consume to the chairman of the Education and Labor Committee, the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding.

I would like to commend Congresswoman WOOLSEY for her leadership on the work-life balance issues in her capacity as Chair of the Workforce Protection Subcommittee. Her commitment on these important issues is a great asset to the Education and Labor Committee in this Congress. I am pleased to serve with her and support her legislation before us today to recognize family-friendly workplaces. The Work-Life Balance Act will recognize employers of any size for their exemplary work-life balance policies. Not only will the award set a standard for best practices, it will shine a much-needed light on the concerns of working families.

Over the past 40 years, America's working families have changed dramatically. While once a single breadwinner could support a middle-class family, today that situation appears to be a relic of the past. Women now make up half of the workforce and share a greater responsibility for financially supporting the family. While women now are full partners in providing for families, many remain the primary caregiver for their children and other family members. Balancing the career and family responsibilities can seem impossible at times. But in today's economy, achieving balance is necessary.

Women are not doing this alone. Increasingly, men are becoming more involved with child care and elder care responsibilities. Good employers recognize this and understand the importance of providing flexibility to their employees. They have rightly revamped family leave policies to attract and retain best workers. Employers understand that family-friendly policies not only help workers balance work and family, but also improve employers' bottom line. These policies increase retention rates, decrease absenteeism, improve productivity and morale.

What's good for the modern family is good for business. Businesses that are doing the right things to promote a better work-life balance should be recognized. It goes to the heart of our Nation's competitiveness and how we value our Nation's families.

Parents should never have to choose between their paycheck and taking a day off because their child needs to see a doctor. This is precisely why I am a strong supporter of the bill before us today, the Work-Life Balance Award Act. This award will serve as a benchmark for companies who wish to improve their current policies so that they can be more accommodating to the needs of their workers. It will also give prospective employees a leg up when they're looking for family-friendly workplaces to go to work.

The proof will be in the results. When employers choose to implement pro-family policies, they reap the benefits of a healthier, more productive workforce. I urge my fellow colleagues to vote ''yes'' with me today on this important and necessary bill. Thank you very much, again, to the author of this legislation, Congresswoman WOOLSEY.

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

Ms. WOOLSEY. Mr. Speaker, many years ago, when my children were not parents themselves, I was working full time outside of the home, with four children. It was a struggle to meet both the needs of my family as well as the responsibilities of my job. And as the human resources manager of a startup electronics company about 30 years ago, I was aware that many of my employees were going through the very same struggles that I was. Unfortunately, some 30 years later, nearly every single parent is under these pressures—men as well as women. And they are desperate for work-life balance.

One of the main reasons I ran for Congress over 18 years ago was to fight for working families. I was a new Member when we passed the Family and Medical Leave Act, and I knew what an important step we were taking, particularly for working women, to provide job-protected family and medical leave for certain workers, even though it was unpaid.

But the benefits provided by FMLA are not sufficient. While more than 100 million leaves have been taken under the Family and Medical Leave Act, nearly two in three workers are not covered by the Act. And even if they are, most can't take advantage of its provisions because they simply cannot afford to take unpaid leave.

Sadly, the United States lags far behind the rest of the world in providing work-life benefits to their employees. It is unacceptable that our country, which is the number one economy in the world, can barely compete with developing nations in this arena. Workers should not have to choose between work and family, and ultimately we in Congress need to do much more.

However, the effort for work-life balance must be waged on all fronts, and currently, many in the business world are leading the way. These companies know that providing work-life benefits increases retention, decreases absenteeism, and increases productivity and loyalty.

The award created by H.R. 4855, as amended, will recognize these employers for their efforts and create an incentive for others. It will also set

standards for best practices and shine a light on the needs of working families.

Mr. Speaker, I hope we will vote for the second step after the Family and Medical Leave Act that this Congress will take to support working Americans, men and women, and help them balance the challenges they meet in doing a good job for their families and a good job for their employer, because it must be possible. And we can help make that happen.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 4855, the Work-Life Balance Award Act.'' Thank you to my colleagues: Congresswoman WOOLSEY and Congressman MILLER for introducing this important legislation that establishes, in the Department of Labor, an annual Work-Life Balance Award for employers that have developed and implemented work-life balance policies.

We are all aware of the benefits of holding a job, but too little attention has been paid to the dangers associated with stressful working conditions. Long hours have a significantly negative impact on life satisfaction and time-related stress, which in turn have a negative effect on wellbeing.

Non-standard work hours, and stressful workplace environments cause health problems, higher levels of stress, psychological distress, greater relationship conflicts for dual-income couples, less time spent with children and lower life satisfaction.

A peer-reviewed study of 10,000 Londoners tracked since 1985, published in the European Heart Journal, found that rates of angina, nonfatal heart attacks and death from heart-related conditions were 60 percent higher in people who worked at least three hours beyond ''the normal, seven-hour day'' compared with those who didn't work that amount of overtime. The study notes that overtime work ''has increased in recent years'' and that the U.S. is one of the countries that is well above average in percentage of people working overtime.

A Canadian study found that ''people experiencing time pressure have lower levels of satisfaction, higher levels of stress, lower self-reported physical and emotional wellbeing, and greater insomnia. Work-life conflicts can lead to higher levels of anxiety and depression; sleep disturbances and a host of other ailments.''

The World Health Organization (WHO) highlights recent research in the domain of occupational health psychology shows that many stressful experiences are linked to being offended—for instance, by being offended or ridiculed, by social exclusion, by social conflict, by illegitimate tasks. According to the WHO, ''Such experiences of being treated in an unfair manner constitute an 'Offence to Self,' and this may have quite far reaching consequences in terms of health and wellbeing.''

In the United States, the Centers for Disease Control (CDC) is greatly concerned with the health effects of workplace stress. According to the CDC, ''evidence is rapidly accumulating to suggest that stress plays an important role in several types of chronic health problems—especially cardiovascular disease, musculoskeletal disorders, and psychological disorders.''

Mr. Speaker, although some employers create unhealthy work environments, other employers now recognize that staff who feel able to balance the demands of work and home are more engaged, productive and motivated. These trendsetters deserve to be recognized for their compassion and leadership. This is why I support the Work-Life Balance Award Act.

Research has identified organizational characteristics associated with both healthy, low-stress work and high levels of productivity. According to the National Institute of Occupational Safety and Health (NIOSH), examples of these characteristics include: recognition of employees for good work performance, opportunities for career development, an organizational culture that values the individual worker, and management actions that are consistent with organizational values.

Mr. Speaker, widespread workplace stress is costly to our citizens and our nation. Stressful work environments ruin lives and are costly to our healthcare system. It is often said that prevention is the best medicine; establishing a balance between work and life is a vital disease prevention measure.

Once again, I urge my colleagues to support this important legislation.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I yield myself as much time as I may consume. I rise in support for H.R. 4855, the Work-Life Balance Award Act, a bill that would establish an annual award in the Department of Labor recognizing the efforts of employers to implement exemplary work-life balance policies in the work place.

I would like to take this opportunity to thank the Chairwoman for her ongoing efforts in this area.

It's clear that the biggest concern for workers in this struggling economy is job security. And without a doubt, work-life balance issues play into these concerns—particularly as the needs of families are changing.

I know firsthand, being a wife and the mom of a three year old, that one of the biggest struggles working parents face is how to balance work and family responsibilities. Employees need flexibility to get their jobs done while still making the school play, staying home with a sick child, or supporting an aging parent.

At the same time, employers are finding that they have to meet these needs in innovative ways in order to remain productive and profitable.

The good news is that employers are rising to the challenge—recognizing that flexible work policies are effective and necessary. The bill that we are considering today will highlight those employers who are already creatively meeting the needs of their workers.

In addition, it is my hope that this award will continue the national discussion that has been started on the benefits of flexible work arrangements and will encourage more employers to invest in them.

Again, I would like to thank the Chairwoman for her efforts on this important area and urge my colleagues to support this bill.

Ms. WOOLSEY. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and pass the bill, H.R. 4855, as amended.

The question was taken.

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

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Suspending the rules with regard to House Resolution 1383;

Adopting House Resolution 1436; and

Suspending the rules with regard to H.R. 4855.

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

HONORING DR. LARRY CASE ON HIS RETIREMENT AS NATIONAL FFA ADVISOR

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1383) honoring Dr. Larry Case on his retirement as National FFA Advisor, 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 Alabama (Mr. BRIGHT) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 358]

YEAS—409

Ackerman	Bono Mack	Chandler
Aderholt	Boozman	Childers
Adler (NJ)	Boren	Chu
Akin	Boswell	Clarke
Alexander	Boucher	Clay
Altmire	Boustany	Cleaver
Andrews	Boyd	Clyburn
Arcuri	Brady (PA)	Coble
Austria	Brady (TX)	Coffman (CO)
Baca	Braley (IA)	Cohen
Bachmann	Bright	Cole
Bachus	Broun (GA)	Conaway
Baird	Buchanan	Connolly (VA)
Baldwin	Burgess	Conyers
Barrow	Burton (IN)	Cooper
Bartlett	Butterfield	Costa
Barton (TX)	Calvert	Costello
Bean	Camp	Courtney
Becerra	Campbell	Crenshaw
Berkley	Cao	Critz
Berry	Capito	Crowley
Biggert	Capps	Cuellar
Bilbray	Capuano	Culberson
Bishop (GA)	Cardoza	Cummings
Bishop (NY)	Carnahan	Dahlkemper
Bishop (UT)	Carney	Davis (AL)
Blackburn	Carson (IN)	Davis (CA)
Blumenauer	Carter	Davis (KY)
Blunt	Cassidy	Davis (TN)
Boccieri	Castle	DeFazio
Boehner	Castor (FL)	DeGette
Bonner	Chaffetz	Delahunt

DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellsworth
Emerson
Engel
Eshoo
Etheridge
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 (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (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
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
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
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—23

Barrett (SC)
Berman
Bilirakis
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buyer
Cantor
Davis (IL)
Deutch
Ellison
Fallin
Gohmert
Hodes
Hoekstra
Honda
Hunter
Inglis
Lynch
Miller (FL)
Myrick
Pallone
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1523

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.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, on rollcall No. 358 I was unavoidably detained. Had I been present, I would have voted "yes."

MOMENT OF SILENCE IN MEMORY OF FORMER REPRESENTATIVE FRANK EVANS OF COLORADO

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

Mr. SALAZAR. Mr. Speaker, on behalf of the entire Colorado delegation, I request a moment of silence today to pay tribute to a dedicated public servant from the State of Colorado.

Former Congressman Frank Evans passed away on Tuesday, June 8, 2010. Colorado and the city of the Pueblo have lost a tremendously respected leader.

Congressman Evans led a remarkable life. A Pueblo native, Congressman Evans served in the Navy, flying planes in the Pacific theater of World War II. He returned to Colorado to get his law degree from the University of Denver, before being elected to represent Pueblo in the State Assembly in 1960. Named ''Outstanding Freshman of the Year,'' his colleagues and constituents alike were inspired by his dedication to public service.

The tremendous impact his leadership has had on our district can still be felt to this day. Congressman Evans was responsible for bringing in the Government Printing Office Distribution Center to Pueblo, and he was the mastermind behind the popular Payment in Lieu of Taxes program that has brought Federal dollars for Federal lands to States like ours.

When serving in Congress, Congressman Evans was a fervent advocate for the people and western way of life in the Third District of Colorado. Never losing sight of issues important to Coloradans, he was also a true gentleman.

In the often contentious atmosphere of today's politics, Congressman Evans was an example to those of us who strive to serve the public. His close friend said of him: That was Frank, always a gentleman. He wanted the facts. He wouldn't go after somebody just for partisan reasons.

Congressman Evans never forgot where he came from and he lived to serve others so that they could have a brighter future. I am proud to serve in his former seat, and grateful for his legacy.

Our condolences go out to his family during this difficult time. He will be missed, but his memory will live on through all the lives he touched in western Colorado.

The SPEAKER pro tempore. Members will rise and observe a moment of silence.

PROVIDING FOR CONSIDERATION OF H.R. 5486, SMALL BUSINESS JOBS TAX RELIEF ACT OF 2010; AND PROVIDING FOR CONSIDERATION OF H.R. 5297, SMALL BUSINESS LENDING FUND ACT OF 2010

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 1436, 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 resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 228, nays 186, not voting 18, as follows:

[Roll No. 359]

YEAS—228

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

NAYS—186

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd
Brady (TX)
Bright
Broun (GA)
Buchanan
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cao
Capito
Cardoza
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Dahlkemper
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Halvorson
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Hunter
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kline (MN)
Kratovil
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McMorris Rodgers
Melancon
Mica
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy (NY)
Murphy, Tim
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
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
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Space
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Barrett (SC)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buyer
Cantor
Davis (IL)
Deutch
Fallin
Gohmert
Hodes
Hoekstra
Honda
Inglis
Miller (FL)
Myrick
Pallone
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1536

Mr. McINTYRE changed his vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WORK-LIFE BALANCE AWARD ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4855) to establish the Work-Life Balance Award for employers that have developed and implemented work-life balance policies, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 249, nays 163, not voting 20, as follows:

[Roll No. 360]

YEAS—249

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

NAYS—163

Aderholt
Adler (NJ)
Akin
Alexander
Arcuri
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cardoza
Carter
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Costa
Crenshaw
Culberson
Davis (KY)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett (NJ)
Gerlach
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Himes
Hunter
Issa
Jenkins
Johnson, Sam
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lungren, Daniel E.
Mack
Maffei
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McIntyre
McKeon
Melancon
Mica
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Neugebauer
Nunes
Olson
Owens
Paul
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions

Shadegg	Sullivan	Upton
Shimkus	Tanner	Walden
Shuler	Taylor	Westmoreland
Shuster	Terry	Whitfield
Simpson	Thompson (PA)	Wilson (SC)
Smith (NE)	Thornberry	Wittman
Smith (NJ)	Tiahrt	Wolf
Smith (TX)	Tiberi	Young (FL)
Stearns	Turner	

NOT VOTING—20

Barrett (SC)	Castor (FL)	Honda
Brown (SC)	Davis (IL)	Inglis
Brown, Corrine	Deutch	Miller (FL)
Brown-Waite, Ginny	Fallin	Myrick
	Gohmert	Pallone
Buyer	Hodes	Rahall
Cantor	Hoekstra	Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 1 minute remaining.

□ 1544

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

□ 1545

SMALL BUSINESS JOBS TAX RELIEF ACT OF 2010

Mr. LEVIN. Mr. Speaker, pursuant to H. Res. 1436, I call up the bill (H.R. 5486) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1436, the bill is considered read.

The text of the bill is as follows:

H.R. 5486

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

TITLE V—TAX PROVISIONS

SEC. 500. SHORT TITLE; ETC.

(a) SHORT TITLE.—This title may be cited as the ''Small Business Jobs Tax Relief Act of 2010''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this title is as follows:

Sec. 500. Short title; etc.

Subtitle A—Small Business Tax Incentives

PART 1—GENERAL PROVISIONS

Sec. 501. Temporary exclusion of 100 percent of gain on certain small business stock.

PART 2—LIMITATIONS AND REPORTING ON CERTAIN PENALTIES

Sec. 511. Limitation on penalty for failure to disclose certain information.

Sec. 512. Annual reports on penalties and certain other enforcement actions.

PART 3—OTHER PROVISIONS

Sec. 521. Increase in amount allowed as deduction for start-up expenditures.

Sec. 522. Nonrecourse small business investment company loans from the Small Business Administration treated as amounts at risk.

Sec. 523. Benefits under the Small Business Borrower Assistance Program excluded from gross income.

Subtitle B—Revenue Provisions

Sec. 531. Required minimum 10-year term, etc., for grantor retained annuity trusts.

Sec. 532. Crude tall oil ineligible for cellulosic biofuel producer credit.

Sec. 533. Time for payment of corporate estimated taxes.

Subtitle A—Small Business Tax Incentives

PART 1—GENERAL PROVISIONS

SEC. 501. TEMPORARY EXCLUSION OF 100 PERCENT OF GAIN ON CERTAIN SMALL BUSINESS STOCK.

(a) IN GENERAL.—Subsection (a) of section 1202 is amended by adding at the end the following new paragraph:

''(4) SPECIAL 100 PERCENT EXCLUSION.—In the case of qualified small business stock acquired after March 15, 2010, and before January 1, 2012—

''(A) paragraph (1) shall be applied by substituting '100 percent' for '50 percent',

''(B) paragraph (2) shall not apply, and

''(C) paragraph (7) of section 57(a) shall not apply.''.

(b) CONFORMING AMENDMENTS.—Paragraph (3) of section 1202(a) is amended—

(1) by striking ''after the date of the enactment of this paragraph and before January 1, 2011'' and inserting ''after February 17, 2009, and before March 16, 2010''; and

(2) by striking ''SPECIAL RULES FOR 2009 AND 2010'' in the heading and inserting ''SPECIAL 75 PERCENT EXCLUSION''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to stock acquired after March 15, 2010.

PART 2—LIMITATIONS AND REPORTING ON CERTAIN PENALTIES

SEC. 511. LIMITATION ON PENALTY FOR FAILURE TO DISCLOSE CERTAIN INFORMATION.

(a) IN GENERAL.—Subsection (b) of section 6707A is amended to read as follows:

''(b) AMOUNT OF PENALTY.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the amount of the penalty under subsection (a) with respect to any reportable transaction shall be 75 percent of the decrease in tax shown on the return as a result of such transaction (or which would have resulted from such transaction if such transaction were respected for Federal tax purposes).

''(2) MAXIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any reportable transaction for any taxable year shall not exceed—

''(A) in the case of a listed transaction, $200,000 ($100,000 in the case of a natural person), or

''(B) in the case of any other reportable transaction, $50,000 ($10,000 in the case of a natural person).

''(3) MINIMUM PENALTY.—The amount of the penalty under subsection (a) with respect to any transaction for any taxable year shall not be less than $10,000 ($5,000 in the case of a natural person).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to penalties assessed after December 31, 2006.

SEC. 512. ANNUAL REPORTS ON PENALTIES AND CERTAIN OTHER ENFORCEMENT ACTIONS.

(a) IN GENERAL.—The Commissioner of Internal Revenue, in consultation with the Secretary of the Treasury, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate an annual report on the penalties assessed by the Internal Revenue Service during the preceding year under each of the following provisions of the Internal Revenue Code of 1986:

(1) Section 6662A (relating to accuracy-related penalty on understatements with respect to reportable transactions).

(2) Section 6700(a) (relating to promoting abusive tax shelters).

(3) Section 6707 (relating to failure to furnish information regarding reportable transactions).

(4) Section 6707A (relating to failure to include reportable transaction information with return).

(5) Section 6708 (relating to failure to maintain lists of advisees with respect to reportable transactions).

(b) ADDITIONAL INFORMATION.—The report required under subsection (a) shall also include information on the following with respect to each year:

(1) Any action taken under section 330(b) of title 31, United States Code, with respect to any reportable transaction (as defined in section 6707A(c) of the Internal Revenue Code of 1986).

(2) Any extension of the time for assessment of tax enforced, or assessment of any amount under such an extension, under paragraph (10) of section 6501(c) of the Internal Revenue Code of 1986.

(c) DATE OF REPORT.—The first report required under subsection (a) shall be submitted not later than December 31, 2010.

PART 3—OTHER PROVISIONS

SEC. 521. INCREASE IN AMOUNT ALLOWED AS DEDUCTION FOR START-UP EXPENDITURES.

(a) IN GENERAL.—Subsection (b) of section 195 is amended by adding at the end the following new paragraph:

''(3) INCREASED LIMITATION FOR TAXABLE YEARS BEGINNING IN 2010 OR 2011.—In the case of any taxable year beginning in 2010 or 2011, paragraph (1)(A)(ii) shall be applied—

''(A) by substituting '$20,000' for '$5,000', and

''(B) by substituting '$75,000' for '$50,000'.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

SEC. 522. NONRECOURSE SMALL BUSINESS INVESTMENT COMPANY LOANS FROM THE SMALL BUSINESS ADMINISTRATION TREATED AS AMOUNTS AT RISK.

(a) IN GENERAL.—Subparagraph (B) of section 465(b)(6) is amended to read as follows:

''(B) QUALIFIED NONRECOURSE FINANCING.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'qualified nonrecourse financing' means any financing—

''(I) which is qualified real property financing or qualified SBIC financing,

''(II) except to the extent provided in regulations, with respect to which no person is personally liable for repayment, and

''(III) which is not convertible debt.

''(ii) QUALIFIED REAL PROPERTY FINANCING.—The term 'qualified real property financing' means any financing which—

''(I) is borrowed by the taxpayer with respect to the activity of holding real property,

''(II) is secured by real property used in such activity, and

''(III) is borrowed by the taxpayer from a qualified person or represents a loan from any Federal, State, or local government or instrumentality thereof, or is guaranteed by any Federal, State, or local government.

''(iii) QUALIFIED SBIC FINANCING.—The term 'qualified SBIC financing' means any financing which—

''(I) is borrowed by a small business investment company (within the meaning of section 301 of the Small Business Investment Act of 1958), and

''(II) is borrowed from, or guaranteed by, the Small Business Administration under the authority of section 303(b) of such Act.''.

(b) CONFORMING AMENDMENTS.—Subparagraph (A) of section 465(b)(6) is amended—

(1) by striking ''in the case of an activity of holding real property,''; and

(2) by striking ''which is secured by real property used in such activity''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to loans and guarantees made after the date of the enactment of this Act.

SEC. 523. BENEFITS UNDER THE SMALL BUSINESS BORROWER ASSISTANCE PROGRAM EXCLUDED FROM GROSS INCOME.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by adding at the end the following new section:

''SEC. 139F. BENEFITS UNDER THE SMALL BUSINESS BORROWER ASSISTANCE PROGRAM.

''(a) IN GENERAL.—Gross income shall not include any amount paid on behalf of a borrower by the Administrator of the Small Business Administration under the Small Business Borrower Assistance program established under section 402 of the Small Business Assistance Fund Act of 2010 (as in effect immediately after the date of the enactment of such Act).

''(b) DENIAL OF DOUBLE BENEFIT.—Notwithstanding any other provision of this subtitle, with respect to the person for whose benefit a payment described in subsection (a) is made—

''(1) INTEREST.—No deduction shall be allowed for interest to the extent the liability for such interest is covered by such payment.

''(2) PAYMENTS OF PRINCIPAL.—If any payment is applied to reduce the principal of the loan to which such payment relates—

''(A) ALLOCATION AMONG FINANCED EXPENDITURES.—Such payment shall be allocated pro rata among the expenditures financed with such loan.

''(B) CREDITS AND DEDUCTIBLE EXPENSES.—No deduction or credit shall be allowed for, or by reason of, any such expenditure to the extent of the amount of the payment allocated to such expenditure under subparagraph (A).

''(C) ADJUSTMENT OF BASIS.—The adjusted basis of any property acquired with such expenditure shall be reduced to the extent of the amount of the payment allocated to such expenditure under subparagraph (A).''.

(b) CLERICAL AMENDMENTS.—The table of sections for part III of subchapter B of chapter 1 is amended by adding at the end the following new item:

''Sec. 139F. Benefits under the Small Business Borrower Assistance Program.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments made after the date of the enactment of this Act.

Subtitle B—Revenue Provisions

SEC. 531. REQUIRED MINIMUM 10-YEAR TERM, ETC., FOR GRANTOR RETAINED ANNUITY TRUSTS.

(a) IN GENERAL.—Subsection (b) of section 2702 is amended—

(1) by redesignating paragraphs (1), (2) and (3) as subparagraphs (A), (B), and (C), respectively, and by moving such subparagraphs (as so redesignated) 2 ems to the right;

(2) by striking ''For purposes of'' and inserting the following:

''(1) IN GENERAL.—For purposes of'';

(3) by striking ''paragraph (1) or (2)'' in paragraph (1)(C) (as so redesignated) and inserting ''subparagraph (A) or (B)''; and

(4) by adding at the end the following new paragraph:

''(2) ADDITIONAL REQUIREMENTS WITH RESPECT TO GRANTOR RETAINED ANNUITIES.—For purposes of subsection (a), in the case of an interest described in paragraph (1)(A) (determined without regard to this paragraph) which is retained by the transferor, such interest shall be treated as described in such paragraph only if—

''(A) the right to receive the fixed amounts referred to in such paragraph is for a term of not less than 10 years,

''(B) such fixed amounts, when determined on an annual basis, do not decrease relative to any prior year during the first 10 years of the term referred to in subparagraph (A), and

''(C) the remainder interest has a value greater than zero determined as of the time of the transfer.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers made after the date of the enactment of this Act.

SEC. 532. CRUDE TALL OIL INELIGIBLE FOR CELLULOSIC BIOFUEL PRODUCER CREDIT.

(a) IN GENERAL.—Clause (iii) of section 40(b)(6)(E) is amended—

(1) by striking ''or'' at the end of subclause (I),

(2) by striking the period at the end of subclause (II) and inserting '', or'',

(3) by adding at the end the following new subclause:

''(III) such fuel has an acid number greater than 25.'', and

(4) by striking ''UNPROCESSED'' in the heading and inserting ''CERTAIN''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to fuels sold or used on or after January 1, 2010.

SEC. 533. TIME FOR PAYMENT OF CORPORATE ESTIMATED TAXES.

The percentage under paragraph (2) of section 561 of the Hiring Incentives to Restore Employment Act in effect on the date of the enactment of this Act is increased by 7.75 percentage points.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. LEVIN) and the gentleman from Michigan (Mr. CAMP) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. LEVIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material in the RECORD.

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

There was no objection.

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

This bill, H.R. 5486, the Small Business Jobs Tax Relief Act of 2010, is, in a few words, a continuation of our work to spur job creation and to really improve the quality of life in all of our communities. Since the beginning of this year, our economy has created 982,000 jobs. That is a reversal of 22 straight months of job losses, a very long stretch indeed. But we all know that far too many people today are out of work and the unemployment rate remains at a very unacceptably high 9.7 percent. So something considerable has been done, but we have to do more.

According to the SBA—and I think we all know this—small firms created 64 percent of the net new jobs between 1993 and the third quarter of 2008. So small businesses help lead job creation in a recovery, but today, small firms are having difficulty accessing capital.

So what does this bill do? It provides a total of $3.588 billion in tax cuts to help American small businesses. It is part of the partnership between the public and the private sector, relying on the private sector to do the job creation. And I want to emphasize, this bill does not add a dime to our deficit. It doesn't even add a penny to our deficit.

So let me explain the provisions in H.R. 5486. First of all, relating to business stock, small business stock, and capital gains, presently there's an exclusion of 75 percent because of the Recovery Act, and I emphasize that. This would increase the exclusion to 100 percent. It provides relief for small businesses from tax penalties when that is indeed appropriate. It also increases the deduction for startup costs for expenses not related to capital or equipment. It increases it from $5,000 to $20,000. So these are important stimuli for small business to help them create more jobs.

As I said earlier, this is offset. It will not add a dime or, indeed, a penny to the Federal deficit. It includes two provisions that have already passed this House. One relates to what is sometimes called a grandchild of black liquor. It relates to essentially a byproduct. What this does, building on the work that we did in earlier bills, is to prevent people from receiving a windfall from unintended application of renewable fuel credits.

The second part relates to what are called grantor retained annuity trusts, and I want to just say a quick word about this. This is clearly a loophole. This is clearly an abuse. Here's what happens, to try to put it in the simplest terms: A short-term trust usually is created by someone for a child. Then the person who created the trust takes back the value, let's say, in a few annual payments. So there's no gift tax for the grantor. The way it works today, all of the increase in the value of the stock is also outside of the gift tax.

So, essentially, what is happening here is a paper transaction that leads to escape of taxation, and this provides in our bill that there has to be a 10-year term for the trust to be sure that the trust has actual substance. This change raises $5.297 billion over 10 years. So what this means, breaking it down in simple terms, is that about $500 million per year from taxpayers is lost today through paper transactions, and we close the loophole. So, again, because of this, there is not any added cost.

We also, if I might say so and will be discussing this I guess tomorrow, it provides money for the small business lending package, H.R. 5297. So that is also budget neutral, and that provides some additional important small business loan help so badly needed. It's

hard to understand why people would vote against this. Plus, a provision that is $2 billion worth, and it goes to States and local governments, and they have written us, urging that we provide some assistance so that they can increase the flow of loans to small businesses in their States.

So, in a word, we have a bill that is essentially a two-fer. It provides needed assistance for job creation by small business, and it's paid for. So I urge very much that somehow the other side can cross the bridge and join together instead of creating obstacles and vote for this bill and then its partner bill tomorrow.

I reserve the balance of my time.

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

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

Mr. CAMP. Mr. Speaker, this bill contains many positive features but also some negative ones, and thus, I reluctantly plan to oppose it.

Like my friend on the other side of the aisle, I'm pleased to see that it does include some tax relief, albeit limited, for small businesses, including provisions championed by both Republicans and Democrats. I'm also pleased, unlike earlier versions of this legislation, the most objectionable revenue raiser, a provision that could provoke retaliation by other countries and that even the Obama administration officials warned would violate our international treaty obligations, has been dropped from this bill. But despite those positive features, I will be voting against this bill for several important reasons.

First, while the tax relief in here is welcome, it's not enough and won't actually help small businesses create the jobs we need to reduce our stubbornly high unemployment rate. While I would certainly support further lowering taxes on small businesses, the last thing they need is higher taxes, which is exactly what they are facing from this Congress.

Just last month, the majority pushed through an $11.2 billion tax hike on certain small businesses that would subject their profits to employment taxes, and at the end of 2010, all individual income tax rates, as well as taxes on dividends and capital gains, are scheduled to rise dramatically. Because so many small businesses pay taxes at the individual level, the fear of these increases is chilling expansion and hiring and, therefore, job creation. So the majority's record on tax policy affecting small businesses is spotty at best.

Second, this bill, like others before it, provides a stark reminder of the majority's view of the Ways and Means Committee as an ATM machine to fund other spending. Here, the majority is seeking to generate $7.1 billion in additional tax revenue but would only provide $3.6 billion in tax relief over the next decade. The rest of the money raised will be used to offset the cost of another bill, H.R. 4297, which was reported by the Financial Services Committee, that creates another TARP-like program. Some might call it TARP III.

While I'm glad the majority found offsets that are less economically damaging than some that have previously passed the House, the practice of using permanent changes in tax receipts to fund temporary spending is disappointing and portends further and larger tax hikes in the future, perhaps as soon as the end of this month when the majority hopes to complete action on a financial system reform bill.

Mr. Speaker, especially with the unemployment rate continuing to hover near 10 percent, our small businesses, the engine of economic growth and job creation, need help, but this bill isn't enough, and it takes us further down the dangerous road of higher spending our Nation cannot afford.

I reserve the balance of my time.

Mr. LEVIN. Before I yield, I just want to say to Mr. CAMP, I listened intently, and I can't understand your opposition. You like the provisions. You don't like what we once passed. If you don't like what we passed before—and I disagree with you—it's even more of a reason to vote for this bill.

You complain about permanent changes. We're closing a loophole permanently. You want us to close it temporarily? And we're preventing a provision coming into effect that should never come into effect.

So I just urge people to listen to the quality of this discussion, and I think, so far, it all points to everybody on both sides of the aisle voting for this bill. It helps small business. That's been acknowledged, and you don't challenge the tax cuts in terms of their merits. You talk about another tax cut in another bill you didn't like. I think you find it hard to find anything you like.

I now yield 2 minutes to another member of our committee, our distinguished colleague from Massachusetts (Mr. NEAL).

Mr. NEAL. I thank Mr. LEVIN for yielding.

Mr. Speaker, I stand in support of this small business bill before us today. In addition to the several tax breaks that Mr. LEVIN has pointed out, the bill will create a lending fund for our community banks to crop into. That's perhaps the most salient part of this proposal, to get capital flowing, to get capital back into the marketplace so that there's an opportunity for small businesses across the country to take advantage of what heretofore has become a dried up resource, and that is the availability of capital.

□ 1600

While the data tells us the economy is improving, our small businesses back home are still struggling, and much of that is due to the fact that lines of credit have tightened up or in many instances simply gone away. Now, those businesses are doing their best to keep everyone on the payroll even though sales are slow in an attempt to climb back, but the regulators have kept a strong hand and hold on banks that otherwise might be lending.

Now, conceptually, I don't know how you can be opposed to this legislation. Community banks provide more than half of the small business loans in America that are less than $100,000. In Massachusetts alone, commercial bank lending to small businesses through the SBA guarantee program has doubled over the last year. This legislation will help even more.

If you really care about small businesses and entrepreneurship and growing the economy, the essential argument here is how do we get these small business people back on their feet. The proposal here is to provide some tax relief. Greater lending possibilities with the prospect of encouraging small businesses to grow and invest is a very important part of what's incorporated in this very piece of legislation.

Now, always we would find amongst the 435 of us in this institution a different way to do it, but that's not the proposal in front of us.

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

I just want to respond to my friend from Michigan, the chairman, and say it's really about the reality of this legislation, not just the rhetoric. And while excluding capital gains on the sale of small business stock is a great provision, the problem is this is drafted so narrowly that the small businesses have to be C corporations. And as we know, only a fraction of small businesses will be considered qualified small businesses to take advantage of this provision. This is the largest piece of this so-called ''small business relief'' bill. And while it's great to talk about, the reality of it is going to be very limited.

As I said in my statement, there are some positive things in this bill. Obviously, closing the Black Liquor 3 loophole is something I support, but on balance, because the bill isn't really going to do anything to create jobs, A, and, B, because there are, again, going to be temporary provisions that are paid for with permanent tax increases, and, third, the revenue raiser on the estate tax area on the Grantor Retained Annuity Trust is really one that ought to be reserved for when we have to deal with estate tax reform. As you know, the law has expired. There are bills moving through the Congress to reinstate the estate tax. This really is appropriate to that area.

I think it is absolutely unconscionable that we've gone all this time with no estate tax, with everyone understanding that the majority is going to create a retroactive death tax bill that's going to try to come back through the beginning of the year. This is where that provision should be.

So, again, I reluctantly oppose this bill. I think there are some good things

in it; unfortunately, they don't go far enough.

I now yield 2 minutes to the distinguished member of the Ways and Means Committee, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank Mr. CAMP for yielding.

Chairman LEVIN said a minute ago that it's hard to find anything that the minority likes. I'll tell you a few things, Mr. Speaker, that we would like. We would have liked a stimulus that worked. We would have liked a stimulus where unemployment actually peaked at 8 percent as long as our children and grandchildren were being foisted with a $1 trillion obligation. We would have liked it if last month's unemployment numbers weren't goosed up by simply census employees joining the ranks. We would have liked it, Mr. Speaker, if during the health care debate a thoughtful approach had been put forward that wasn't going to cost employers like Caterpillar in my home State $100 million in the first year or John Deere $150 million in the first year. We would have like those things, Mr. Speaker.

I think what the majority is laying out is kind of a happy life of low expectations. That's not a bad way to go through life, but I think that we can do so much more than this. And to Mr. CAMP's point, there are some things that are here that are decent and that are marginally okay and slightly better, but is that how dim the lights are in this Chamber that that's our expectation, that something is just sort of okay? I mean, this is an increase in government spending, after all, so I think we can do so much better. Why is it, Mr. Speaker, that we are halfway through the tax year and the research and development tax credit isn't resolved by this majority in this Congress? Why is it that the death tax is a complete ambiguity?

So in answer to the chairman, I have a lot of respect for him and for his work and his sincerity, but I think I want to echo Mr. CAMP's observation, that this is so narrowly crafted and so de minimus and being proclaimed by the same folks that promised us great things in the stimulus that I think we can do better.

Mr. LEVIN. You say do better; you won't vote for anything.

I yield 2 minutes to the distinguished gentleman from New York (Mr. RANGEL) to explain why this is more than de minimus, a bill that needs to be voted on on a bipartisan basis.

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

Mr. RANGEL. Mr. Speaker, sometimes when life gets rough for me, I try to put myself in the shoes of the other guy. What a rough time to be in the minority. We have so many people whose hopes and dreams have been shattered, they're out of work, they're angry, the economy has been blown wide open, and we find that the order of the day with the opposition is that they just have to say no. It must be awkward to say what I would do if this bill was defeated. It must be terrible to talk about the past things that haven't worked when someone has just lost their home or can't pay their rent or put food on the table or get clothes for their kids.

It's a rough time for all Americans, and anybody who believes that Democrats always get it right, well, it's difficult to do, but for crying out loud, we have to do something. The $787 billion we voted on trying to get us out of this economic mess, and all the money just floated on the top for the big banks. Now we're trying to see what really works. Listening to the calls of small business people, trying to make certain they have capital to get the inventory, to provide the goods and services, to hire people, and as everyone admits, this is where the major jobs come.

For crying out loud, sometimes the late John Kennedy said, The party just asks too much of you. These people are out of work. They're not Democrats and Republicans; they're American people. They work hard for their dignity. They're the ones that supported our country during good times. And now that times are rough, they've got to listen to debates between Republicans and Democrats as to, gee, this is what I would do if I was in charge? I don't think that's fair. And I really believe that the voters are not going to believe that all we can do is come up with ideas, have them ridiculed, and then just say no.

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

Mr. LEVIN. I yield the gentleman 1 additional minute.

Mr. RANGEL. Thank you so much, Mr. Chairman.

I know from time to time when my party asked me to carry too much weight that morally I don't believe I can do it, that somehow there are people on our side of the aisle that take the risk and being able to say I did it not because my party asked me to do it, I did it not to be opposed, I did it because it's the right thing to do.

Now you have to find the issue; if it's not health care, if it's not education, if it's not national security, how about the opportunity to work, to make a living, to have the dignity, to have the pride, to raise your family, and indeed to pay taxes?

This is going to be our last opportunity for this year. Maybe next year there will be a change in the philosophy—if you want to call it that—of the minority and they will work together; but I do hope this idea that on everything we come up with to improve the quality of life for the people of this great Nation, that the opposition can come up with something except ''just say no.''

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

This bill is going to spend taxpayers' money. I believe we have an obligation, if we're going to spend taxpayers' money, that we do it effectively. On Friday night, the Treasury released a report that in 2015 our debt will exceed the gross domestic product of this country. We've had expert testimony before the Debt Commission that said when your debt gets to 90 percent of GDP, you lose 1 percent off economic growth, which translates into 1 million jobs.

This bill, because of how narrowly focused it is, how narrowly drafted it is, virtually no small businesses will take advantage of the exclusion of capital gains because they have to be C corporations. And if there is one trend we've seen, it's that businesses are being organized as passed-through entities now. That's how America, particularly small business America, is being organized. So while this is great rhetoric, this bill isn't going to be effective in doing anything.

And let me just say, I heard the former chairman say that Republicans just say no. On the health care bill, we had a viable alternative. In fact, I will say the vote on the health care bill was bipartisan opposition, only majority partisanship support for that legislation. Whether it's been stimulus or health care or energy, we have had viable alternatives on the floor that we have brought forward. On this particular bill, I think that better work could have been done, more effective work could have been done. And, frankly, in this era of the highest debt ever this country has seen, I think we have an obligation that if we're going to spend taxpayers' dollars, it's done in an effective way and a way that gets results, and this bill falls short.

I reserve the balance of my time.

Mr. LEVIN. I yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), member of the Ways and Means Committee.

Mr. BLUMENAUER. Mr. Speaker, this legislation is personal for me. We've watched our country come back from the brink in the fall of 2008. In my State of Oregon, helped by Recovery Act funds of about $6 billion, we've been able to stabilize and make some progress. Is it enough? Absolutely not. But I've had a steady parade of people coming to my office thanking me for the investment that was made in terms of infrastructure, in terms of health care, in terms of making sure that we didn't have layoffs of public employees.

Now we have a provision here that is an opportunity to focus on small business. It is a package, as the chairman mentioned, with two pieces. It's ironic that our friends are telling us that it's just not enough. These are small pieces, yet they were saying, on the other hand, the legislation we had that CBO has scored over 1.2 million jobs to as much as 2.8 million saved or created was too big. Well, we ought to be chipping away as we can on this. Having $30 billion for a small business lending fund, being able to provide a couple billion dollars of tax exclusion for small

business capital formation are positive items.

□ 1615

You know, one of the things that strikes me as ironic is that our friends on the other side of the aisle ignore the fact that the Recovery Act legislation that we had previously, 42 percent of it, was for tax cuts and for preventing the impact of the alternative minimum tax from hitting middle and upper middle-income families. Every family in America which made under $250,000 a year got tax cuts last year, and they are getting tax cuts this year. We have tried tax cuts to help move things forward. Now, this is small business lending.

The SPEAKER pro tempore (Mr. SERRANO). The time of the gentleman has expired.

Mr. LEVIN. I yield the gentleman an additional 2 minutes.

Mr. BLUMENAUER. This is part of an ongoing effort which is making a difference. The job losses peaked the month that President Obama took office—not his fault. They had been building for 22 months. Now we are making some progress. Is it enough? All of us agree that it is not, but I would suggest that dismissing this because they think it doesn't solve everything would be, I'm afraid, disingenuous. I don't think it's helpful.

I strongly urge the support of this legislation and then for us to continue with the task of rebuilding and renewing America, of reforming the Tax Code, and of coaxing the most out of these investments.

Mr. CAMP. At this time, I yield the customary 1 minute to the distinguished minority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. I want to thank my colleague for yielding.

Mr. Speaker, the bill before us today is supposed to be about helping small businesses. We do need to help small businesses as they are the engines of economic growth in our country. When you look at the jobs report that came out last month, there were only 41,000 private-sector jobs created.

Yet, if we really want this bill to work and if we really want small businesses to be able to begin hiring once again, what we really need to do is to repeal the job-killing health care law that was passed in this Chamber on March 21. The heart of that law is something that is called the ''individual mandate.'' The individual mandate forces Americans to buy health insurance whether they want to or not, whether they can afford it or not. For small businesses, if they don't provide health insurance, guess what? The government is going to tax you. This is preventing small businesses from hiring additional people.

Twenty States and the Nation's leading small business organization agree that this law is unconstitutional, and they are fighting to overturn it. The Federal Government shouldn't be in the business of forcing you to buy health insurance and of taxing you if you don't.

If we really want to help small businesses get back to creating jobs, we should repeal the job-killing health care law, and we should replace it with reforms that will lower the cost of health insurance and that will help protect American jobs.

My colleague from Michigan will be offering a proposal tonight to repeal the unconstitutional individual mandate, which is at the heart of this new law. His idea is posted right now on AmericaSpeakingOut.com. Americans are speaking out on it, and I hope my colleagues will get engaged and will see what the American people have to say about this individual mandate and about the taxes associated with it, but it is pretty clear.

When we get to the motion to recommit, we will offer a motion that will eliminate the individual mandate, and every Member of this House will have an opportunity to stand up for their constituents or to look the other way.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to a member of our committee, the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise in strong support of H.R. 5486.

That is exactly correct. We should stop looking away. Let's focus on what the subject really is.

The gentleman just left the floor, but in the final months of the last administration, on average, we had a loss of 725,000 jobs. This is the first increase that we have had in the private sector in over 2 years. So you are the party of ''no.'' There are no two ways about it. Ever since we hit 750,000 in January of 2009, we have had an improvement every month, and now we are finally in the plus area. It took us 8 years to get into the mess. It is going to take us more than a year and a half to get out of it.

This legislation is incredibly important because it will help this country's small businesses, both new and already existing, by making the Tax Code work for them. After years of misguided tax policies from the previous administration, which only helped extraordinarily wealthy individuals, the Ways and Means Committee is focusing its efforts on the real engine of the American economy: one-third tax cuts in the stimulus, one-third investment in the infrastructure, one-third investment in informational technology, energy jobs, and tax credits. That record is unparalleled. The tax cuts of this year and last year are the largest in the history of this country for any 2-year period because we help the middle class. That is what our party is all about.

According to the Small Business Administration, small businesses have generated 64 percent of the new jobs over the past 15 years, and they must be at the forefront of the economic recovery today.

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

Mr. LEVIN. I yield an additional 1 minute to the distinguished gentleman.

Mr. PASCRELL. How dare someone come before this body and talk about their alternative to the health bill. Their alternative to our health bill would have started the dismantling of Medicare. Read the language of their alternative.

While our economy is growing stronger, unemployment is still too high, which is why we are directing aid to our small businesses. The bill assists already established small businesses by building on the Recovery Act's exclusion of 75 percent of business capital gains to now temporarily exclude 100 percent of capital gains from qualifying stocks, thereby encouraging investment in small businesses, which create jobs but which are encountering problems with restricted access to credit. The bill also helps people who want to start new businesses by quadrupling deductions and by increasing the cap for start-up expenses.

This legislation is imperative in recovery. I ask that we all vote for it.

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

Mr. LEVIN. I yield 2 minutes to the distinguished gentlewoman from Pennsylvania, ALLYSON SCHWARTZ.

Ms. SCHWARTZ. I thank the chairman for his good work on small business and on the economic recovery.

Mr. Speaker, I rise in support of the Small Business Jobs Tax Relief Act, which, when merged with the Small Business Jobs Credit Act, will increase lending to small businesses, will expand entrepreneurship, and will put Americans to work.

The bill offers small businesses additional capital through capital gains tax cuts, relief from onerous tax penalties, and expanded deductions for start-up costs. It provides funding to create a small business lending pool which will make loans available to small businesses through our smaller community banks. This pool will provide small business access to much needed capital to acquire new equipment, to renovate, to make energy-efficiency improvements or for other business growth opportunities. It is hard to overstate how important access to capital is for small business, so this action is critically important.

Last week, during a Budget Committee hearing, Ben Bernanke responded to me when I outlined our actions to help our small businesses. He said he was ''glad the Congress is exploring these different programs for making credit available to small businesses.'' He talked additionally about the need to be particularly attentive to new and start-up companies, all critical to our economic recovery and job growth.

All of these comments demonstrate the wisdom of the action that we are taking today to support small business growth. I urge my colleagues to vote ''yes'' on this latest initiative to work with business owners in the private

sector to strengthen our economy, to spur innovation, and to create jobs.

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

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the very distinguished Member from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank the chairman for yielding.

Mr. Speaker, it is axiomatic in American politics and on this floor that Members come to the floor and praise small business to the heights. People frequently cite statistics which state that small businesses create most of the new private-sector jobs. They're right. They praise small business men and business women, and they are right to praise them. Though, I think, after all the words, it is time that we took some action that actually benefits small business people in the country. This bill provides such action.

It provides access to credit for small businesses which desperately need it. I think Americans are frustrated—and small business people share in the frustration—that, after advancing hundreds of billions of dollars to banks, many of those dollars haven't seemed to find their way into loans to small businesses. The underlying bill begins to address that problem in a very significant way. It extends a practice that this chairman and his predecessor began of extending tax cuts to small businesses. A small business that buys a laptop or a truck or some other piece of equipment can expense that. Businesses can, in effect, cut their taxes by investing their businesses in the economy.

Then we have the ironic statement by the minority leader that, in order to help small businesses, he wants to repeal a law that helps small businesses, for the first time, buy health care. What the new health care law says is that a person running a small software company or a restaurant or a delicatessen should be able to buy health insurance with the same volume discount that Lockheed Martin or General Electric gets. Small business people have been asking for that opportunity for a very long time. The law the President signed provides that.

It is very important to understand that, with all due respect, the minority leader did not correctly state the impact of the bill on small business, so let the record correctly reflect the state of the new law.

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

Mr. LEVIN. I yield the gentleman an additional minute.

Mr. ANDREWS. If a small business person has 50 or fewer full-time employees, there is no mandate on that business to do anything. Businesses which choose to provide health insurance to their employees will have the same abilities that huge companies have to buy health insurance at a discount if they choose. Companies with fewer than 50 full-time employees don't have to do anything. Many of the small businesses which do choose to insure their employees will get significant tax cuts to help them do that.

After all of these words, isn't it time we had some loans for small business? Isn't it time we had some tax cuts for small business and some affordable health care for small business? If you want words, take the minority's approach. If you want action, support this bill.

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

The SPEAKER pro tempore. The Chair will note the gentleman from Michigan has 10 minutes remaining, and the gentleman from Michigan has 6 minutes remaining.

Mr. LEVIN. I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

□ 1630

Ms. JACKSON LEE of Texas. I thank the gentleman for his leadership, and I thank the full Committee on Ways and Means for being a lifeline for small businesses. And I ask my colleagues on the floor of the House to join them.

Without this effort, small business doors across America will close. And, frankly, I believe it is important. As my colleague just said, let us walk the walk and talk the talk. For it is now time to invest in small businesses, which, in actuality, create the backbone of the economy of America and provide for employment in our rural and urban areas across this Nation. In fact, I think it is important to note this bill is paid for. By closing the black liquor loophole and the gift loophole, it will create $8 billion to ensure that we can do the right thing for our small businesses.

I come from an area that is now being impacted by a major oil spill. I visit businesses whose doors are closing for lack of assistance. And I'm glad that we have a President who realizes who is important and is ready to sign this bill.

Small businesses are in need. And so what we have here is an opportunity for banks to refocus their lending policies and give startup credit and access to dollars to help build these small businesses.

Many of us heard of the redirection of the moneys that we lent to big banks in order to help them help America. Well, unfortunately, they couldn't find the doors of small businesses, many of my constituents. And so I am eager to have this legislation passed that's paid for to provide startup costs for small businesses that always have had a major impediment in getting in the door of these banks. Therefore, any relief for small startups is a plus by increasing the amount allowed to be deducted from the bottom line. And the capital gains issues as well that will be very important.

I believe, finally, we need to hold these banks accountable by asking them to provide a plan to ensure that they are providing lending to these businesses. I ask for support of this legislation.

I rise in support of the Small Business Jobs Tax Relief Act of 2010, H.R. 5486. I also want to thank Chairman SANDY LEVIN and the members of the Committee on Ways and Means for their hard work on this legislation. The bill amends the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

This bill provides targeted relief for the Nation's small businesses. Without this relief, many small businesses will close, adding to the U.S. unemployment rate, still historically high at 9.7 percent. The tax relief in this bill will begin to address a number of issues confronting the owners of small businesses:

(1) Start-up costs for small businesses have always been a major impediment to their success. Therefore, any relief for small businesses start-ups is a plus. By increasing the amount allowed to be deducted from the bottom line, a small business can then use the additional resources to grow and to expand his or her business. The bill would increase the deductible amount for start-up costs from the current $5000.00 to $20,000.00 for 2010 and 2011.

(2) The bill also eases restrictions on real estate holdings where qualified Small Business Investment Company (SBIC) loans are involved.

(3) This bill will increase, from 50 percent to 100 percent, the exclusion from gross income of the gain from the sale or exchange of qualified small business stock acquired after March 15, 2010, and before January 1, 2012. By reducing the tax liability related to gains on the sale of small business stock, this will free resources to be used for other business purposes in this tight economy.

(4) Another important provision in the bill will exclude from gross income any amount paid under the small business borrower assistance program. Again, tax relief in any shape or form for small businesses is critical to sustained economic growth and economic recovery.

In addition to these tax reliefs, the bill also requires the Commissioner of the Internal Revenue to provide annual reports to Congress on penalties relating to tax shelters and other transactions. Any additional measure designed to promote transparency and accountability must be supported. Again, this bill is a timely measure that will grant relief to a major segment of the Nation's business sector, suffering from the lasting effects of the worst recession in our history. I urge my colleagues to support H.R. 5486.

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

I agree with much of what some of the speakers have said today about the importance of small business and the job creation that small business has been responsible for. You can see statistics where 80 percent of the job creation in recent years has been because of small business. Certainly, if we're going to recover as an economy, small business will lead the way, and needs to recover. And we've seen over the past few years the way small business has been organized. Increasingly,

they're pass-through entities. The vast majority of small businesses are pass-through entities.

So what does the majority do? They pass a small business bill that doesn't apply to the majority of small businesses. This provision here, which is the bulk of the bill that excludes capital gains on the sale of certain small business stocks, only applies to qualified small businesses. Well, what is a qualified small business? A C corporation. That's how most large businesses are organized. So this bill won't do anything.

Again, while we have record debt, the largest in the history of this country, well over $13 trillion and an estimate from the Treasury Department that, in 2015, the debt will exceed the size of the entire economy of the United States for the first time in history—before we spend taxpayer dollars, we ought to do it in a way that's effective.

There are things that we could do for small business. I will say the majority has made this bill better than it was the first time by dropping some of the controversial provisions that would have potentially caused our trading partners to retaliate against us. Obviously, closing the black liquor provision is something that I think every Republican supports as well. That's a good thing. But the fact that this legislation is not where it should be doesn't mean that we should just look the other way and pass it, because it doesn't meet the standard that this Congress should be meeting in this difficult economic time.

I yield 1 minute to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I thank the gentleman for yielding.

I know that our leader was just down here speaking a moment ago with regard to what is going to be coming shortly, which is the MTR, and I just want to take a moment in regard to that as well, a motion to recommit that will reduce the uncertainty and reduce the regulatory burdens facing who? The small businesses, by repealing the so-called individual mandate from the recently passed health care bill.

Why do we talk about that now? Well, I have a bill that basically does the exact same thing. I introduced H.R. 4999, the Reclaiming Individual Liberty Act, which would also repeal that mandate. Because as we come to the floor right now, it's granted the authority to regulate various aspects of our economy is broad but is not that broad to be able to impose an individual mandate on what we know is, by doing so, we will hurt not only the individual and the family but also the economy of this country as well.

So I commend the gentleman for his work in this regard. I commend the gentleman for the MTR that we're about to see in a few moments. Because in that MTR, just as in the Reclaiming Individual Liberty Act, we recognize that the Constitution prohibits the expansion of government authority in those areas. If we had that ability to do that here, wouldn't we have already done that last year with regard to the auto industry and said, we can mandate people to buy automobiles in that area? We can't do it in that area. We can't do it in this area. And I commend the gentleman for it.

Mr. CAMP. I thank the gentleman for those comments. He makes a very important point.

In closing, I just want to say that we look at the costs that the individual mandate particularly is going to hit hard on small businesses and how difficult that's going to make it for them to continue to be able to expand and hire workers. And we know that the small business health care tax credit is virtually a fraud; that 90 percent of small businesses won't be able to qualify for that because, again, that's so narrowly drafted that there's the rhetoric of being able to say, Aren't we doing all these great things? But the reality is there's nothing there.

Let me just say that at the end of 2010, when all the individual income tax rates increase, as well as on dividends and capital gains, that's going to hit small business particularly hard because most small businesses file as individuals. And that's going to make it much more difficult for them to expand. It's going to make it much more difficult for them to hire and much more difficult for job creation to occur.

Also, I would say that another difficult problem is that this bill, while it generates $7 billion in tax revenue, it only provides about $3.5 billion in tax relief. So, again, taxes are being raised permanently for temporary spending in other parts of our economy, and it's my understanding that most of that extra revenue will be used to help pay for another TARP-like program—TARP III as some call it—that's going to be coming our way.

So, again, with our unemployment rate continuing to be at a lingering 10 percent, the difficulty our small business, the engines of economic growth and job creation are facing, the help they need, this bill is not enough. Again, it takes us down a road of higher spending that our Nation cannot afford at this time.

With that, I yield back the balance of my time.

Mr. LEVIN. I think anybody who has listened to this debate, if they're at all objective, will be completely puzzled by the arguments of the minority. They say this bill won't do anything. But then they say there are tax increases to pay for it that are permanent. That's worse than a lame argument. It's completely without merit and is vacuous. The bill is scored for small business in terms of the exclusion from capital gains tax over 10 years at almost $2 billion. That's nothing. It provides relief from penalties. Over $175 million to small business. That's nothing. It provides an increased deduction for startup expenditures that provides over half a billion dollars, as scored. That's nothing.

Now what's nothing are your arguments. And so you come here, I think, afraid to vote ''yes'' because it will blur your political message. You say you agree with these provisions, but then you're going to vote ''no.'' You just don't apparently want to be caught being bipartisan. It's going to blur a political message.

I don't understand your argument that the tax provisions are permanent. You don't argue these aren't loopholes. They're loopholes. And you criticize us for closing a loophole permanently, and then you say it's for spending, but you don't really challenge the validity of the spending. We do pay for some moneys for the second bill that's coming up because it provides loans to small businesses, and it also provides States that have written us supporting this bill, including your State, Mr. CAMP, saying that they will use this money well to help collateral support for small businesses.

So it's worse than puzzling. I think it's a pathetic effort to find an excuse to vote ''no.'' So then you come up with the argument you have a motion to recommit.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their comments to the Chair and not to other Members.

Mr. LEVIN. I'll be glad to do that, Mr. Speaker.

So then there's a motion to recommit to repeal an individual mandate. All I can say is that the individual mandate was the basis of the Republican health care proposal in 1993 and 1994. And now you come up and say you want to eliminate it. This is another entangled position of yours. You're tying yourselves into knots trying to oppose a bill that will provide help for small business. Maybe it's useless to appeal for bipartisanship to the other side.

I close asking for support.

Mr. Speaker, in conjunction with today's consideration in the U.S. House of Representatives of H.R. 5486, the ''Small Business Jobs Tax Relief Act of 2010,'' I have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of the provisions included H.R. 5486. This technical explanation reflects the Ways and Means Committee's understanding and legislative intent behind those provisions. It is available on the Joint Committee on Taxation website at www.jct.gov and is listed under document number JCX–31–10.

Mr. DAVIS of Illinois. Mr. Speaker, as we rebound from the greatest recession that has ever plagued this nation, it is important that we continue to support legislation that creates jobs and refurbishes the economic stability of American families—supporting small businesses, taxpayers and building a solid foundation for economic recovery.

Small businesses are the life blood of American communities, creating two-thirds of the new jobs over the last 15 years. However, these entrepreneurs are stifled in their efforts

to boost the American economy in that they are frequently denied loans and face tight lending standards. Some of the most impoverished citizens in this nation live in the 7th Congressional District of IL. While the national unemployment rate in October 2009 rose to 9.8 percent, these communities experienced unemployment rates of up to 40 percent. We must do all that we can to provide jobs for American citizens and boost the economic stability of this nation. For this reason, I strongly support H.R. 5486—spurring investment in small business, providing for small business penalty relief, and increasing the deduction for business start-up expenses.

These provisions are critical. They provide performance-based incentives to make sure that banks lend to small businesses and avoid what happened in 2009 when 45 percent of small businesses seeking loans were denied credit. Most importantly, as the nation continues its effort to create jobs and overcome high rates of unemployment, these provisions increase the deduction for start-up expenditures and allow entrepreneurs to focus on hiring workers and strengthening the economic stability of their businesses.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 5486, Small Business Jobs Tax Relief Act. Small businesses form the backbone of our economy, and this bill helps them grow and create jobs.

H.R. 5486 incentivizes people to invest in small business by increasing the capital gains tax cut. In addition, this bill would make it easier for entrepreneurs looking to start their own small business. H.R. 5486 would quadruple the tax deduction for your start-up and allow more businesses to qualify for the maximum deduction. These entrepreneurs can recover more startup expenses, and then work towards growing, expanding, and hiring new workers.

I have always been a supporter of budget discipline, and the investments we make in this bill are fully paid for. These small business tax measures are paid for by tightening rules for claiming the biofuels tax credit and the estate and gift tax rules. I am pleased that we are able to help grow our economy and reduce the national budget deficit.

While there is solid evidence that the economy is beginning to rebound, the recovery is on shaky footing. Across North Carolina, unemployment is still in the double digits and some counties in the Second District still have unemployment rates of up to 13 percent. Helping private industry create jobs needs to be our top priority, and small businesses are responsible for as many as two out of every three jobs created in our country. This bill provides tax relief to help small businesses create the jobs that we desperately need, and helps them help Main Street America.

As a Member of the House Committee on Ways and Means, I support tax cuts that help small businesses contribute to our economic recovery. This should be a bipartisan effort, and I urge my colleagues to join me in voting for its passage.

Mr. VAN HOLLEN. Mr. Speaker, for every American seeking a job, and every small business trying to expand so they can hire them, I rise in strong support of the Small Business Jobs and Credit Act of 2010 and the Small Business Jobs Tax Relief Act of 2010. These two pro-growth initiatives illustrate very clearly that jobs continue to be job one in the 111th Congress.

Small businesses are the engines of our economy, and timely, affordable credit is very often the fuel that helps them grow. Since 45 percent of small businesses currently report inadequate credit to support their needs, the Small Business Jobs and Credit Act establishes a new $30 billion fund for community banks, which will leverage up to $300 billion in new private sector lending to small businesses. Importantly, this new lending facility includes performance-based incentives to encourage near term lending by reducing borrowing costs to participating banks that increase their lending over 2009 levels and increasing borrowing costs when lending activity is reduced. The result will be a timely infusion of fresh credit to cash-strapped small businesses looking to create jobs in our growing economy.

To make it easier for entrepreneurs to attract capital and launch new companies, today's legislation also provides a zero capital gains rate on equity investments in qualifying small businesses made between March 15, 2010 and the end of the year—and it quadruples from $5,000 to $20,000 the deduction small businesses can take for start-up expenditures in their first year of operation.

Mr. Speaker, this legislation is broadly supported by the National Small Business Association, the Small Business Majority, the Conference of State Bank Supervisors, the Independent Community Bankers of America, the American Bankers Association and the National Bankers Association. It is fully paid for and deserves my colleagues' support.

Mr. BLUMENAUER. Mr. Speaker, I rise today in support of H.R. 5486, the Small Business Jobs Tax Relief Act and H.R. 5297, the Small Business Lending Fund Act of 2010. These bills will help small businesses grow, create wealth in our communities, and create new jobs. As we often hear, small businesses drive our economy and create the most jobs.

I have heard from businesses across my district that have had trouble accessing capital to expand their businesses, to weather this economic storm that Oregon faces, and to add to their workforces. Thousands of jobs have been lost, millions of dollars of savings have evaporated, and dreams have been cast aside or deferred for far too many Oregon families.

The legislation that we will pass today will ease these challenges. The legislation establishes a $30 billion fund to boost lending to small businesses by community banks. To ensure that the additional funding is deployed, the recipient community banks will owe the US Treasury a variable dividend. The more they lend to small businesses, the less they will owe to the Treasury. If they fail to lend, then the dividend obligation increases.

The legislation also makes important tax changes that will benefit the small business community.

The legislation reduces capital gains taxes on the small business community. Under the Recovery Act, Congress excluded seventy-five percent of capital gains tax on the sale of small business stock during 2009 and 2010. This legislation continues and expands that policy by increasing the exclusion to one hundred percent for 2010 to 2012.

The legislation also improves the ability of small businesses to deduct start up costs. Under current law, a start up may deduct $5,000 of start up costs; this legislation will expand that deduction to $20,000. These costs include market surveys, initial advertisements, training costs and other costs associated with starting up a business.

Oregon is still struggling with a near record unemployment rate of 10.6 percent, a percentage point above the national average. In April 2010, over two hundred thousand Oregonians remained unemployed. It is imperative that we do all that we can to improve the economy and to put Oregonians back to work.

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

The SPEAKER pro tempore. Pursuant to House Resolution 1436, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 5486 is postponed.

RECOGNIZING CONTRIBUTIONS OF FATHERS

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

The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1389) recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 16, as follows:

[Roll No. 361]

YEAS—416

Ackerman	Blumenauer	Capps
Aderholt	Blunt	Capuano
Adler (NJ)	Boccieri	Cardoza
Akin	Boehner	Carnahan
Alexander	Bonner	Carney
Altmire	Bono Mack	Carson (IN)
Andrews	Boozman	Carter
Arcuri	Boren	Cassidy
Austria	Boswell	Castle
Baca	Boucher	Castor (FL)
Bachmann	Boustany	Chaffetz
Bachus	Boyd	Chandler
Baird	Brady (PA)	Childers
Baldwin	Brady (TX)	Chu
Barrow	Braley (IA)	Clarke
Bartlett	Bright	Clay
Barton (TX)	Broun (GA)	Cleaver
Bean	Brown-Waite, Ginny	Clyburn
Becerra	Buchanan	Coble
Berkley	Burgess	Coffman (CO)
Berman	Burton (IN)	Cohen
Berry	Butterfield	Cole
Biggert	Buyer	Conaway
Bilbray	Calvert	Connolly (VA)
Bilirakis	Camp	Conyers
Bishop (GA)	Campbell	Cooper
Bishop (NY)	Cao	Costa
Bishop (UT)	Capito	Costello
Blackburn		Courtney

Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
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 (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (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
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
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
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—16

Barrett (SC)
Brown (SC)
Brown, Corrine
Cantor
Deutch
Fallin
Gohmert
Hodes
Hoekstra
Inglis
Linder
Lynch
Miller (FL)
Myrick
Pallone
Wamp

□ 1714

Messrs. KRATOVIL and HUNTER changed their vote from ''nay'' to ''yea.''

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.

□ 1715

SMALL BUSINESS JOBS TAX RELIEF ACT OF 2010

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, proceedings will now resume on the bill (H.R. 5486) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

The Clerk read the title of the bill.

MOTION TO RECOMMIT

Mr. CAMP. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CAMP. I am, in its present form.

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

The Clerk read as follows:

Mr. Camp moves to recommit the bill H.R. 5486 to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

At the end, add the following:

Subtitle C—Health Provisions

SEC. 541. REPEAL OF INDIVIDUAL HEALTH INSURANCE MANDATE.

Section 5000A is amended by adding at the end the following new subsection:

''(h) TERMINATION.—Subsections (a) and (b) shall not apply with respect to any month beginning after the date of the enactment of this subsection.''.

Mr. CAMP (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

Mr. LEVIN. I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan is recognized for 5 minutes in support of his motion.

Mr. CAMP. Mr. Speaker, with the unemployment rate stuck at nearly 10 percent, far too many Americans and small businesses are struggling to get by. While the bill before us contains some very limited benefits, it does little to help small businesses create the jobs so many Americans desperately need.

The motion to recommit the underlying bill keeps the underlying bill intact and provides real help to Americans by repealing one of the most onerous provisions of the new health care law, the individual mandate that, while exempting illegal immigrants, forces Americans to buy government-approved health insurance or pay a tax if they don't.

The Federal Government has never required its citizens to purchase a particular product before, and doing so with health insurance violates the basic principles of freedom and individual choice. No American should be forced to buy or purchase health insurance they don't want or can't afford.

This provision is so controversial that 20 States and the Nation's leading small business organization, the National Federation of Independent Business, have filed a lawsuit questioning its constitutionality. While legal experts will soon start arguing that case, we already know that the individual mandate tax penalty will fall hardest on middle- and low-income Americans.

According to the Congressional Budget Office, in 2016, nearly 75 percent of the Americans who pay this tax will have household incomes below 500 percent of the Federal poverty level. That's roughly $73,000 for a married couple with no children. CBO also tells us that the Democrats' health care law will increase premiums for millions of Americans by up to 13 percent. That's a premium increase of about $2,100.

As the Democrats' health care bill drives up the cots of health care premiums even higher, it will become more and more unaffordable for American families to comply with the mandate. Repealing this mandate will directly benefit millions of Americans and uphold the freedoms upon which this Nation was founded. It has the added benefit of eliminating the need for the IRS to hire thousands of additional employees, possibly as many as 16,000, just to enforce the new health care law.

The recently enacted health care law is bad for workers, bad for employers, and bad for America. Clearly, we need to repeal and replace this law with commonsense reforms that will actually lower health care costs and let Americans keep the plan they have and like.

And let me remind my colleagues of a quote from then-Presidential candidate Barack Obama. And I quote, ''A mandate means that in some fashion everybody will be forced to buy health insurance. . . . But I believe the problem is not that folks are trying to

avoid getting health care. The problem is they can't afford it.''

This health care law increases premiums by $2,100 for millions of American families and requires them to buy this government-approved insurance that they cannot afford.

I urge my colleagues to stand with the American people and vote for the motion to recommit.

I yield back the balance of my time.

Mr. LEVIN. Mr. Speaker, I withdraw my reservation of the point of order, and I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Michigan withdraws his reservation.

The gentleman is recognized for 5 minutes.

Mr. LEVIN. Colleagues, individual responsibility is a cornerstone of health reform to ensure that every American has affordable health insurance coverage, and that's why it was included in the GOP 1994 reform. So this is nothing more, nothing more than a disingenuous political stunt to undermine health reform.

Without individual responsibility, it would mean that we could not eliminate exclusions for preexisting conditions. We could not prohibit insurers from refusing to cover someone when they apply. We could not prohibit insurance companies from charging more when you get sick. And according to the CBO, if this were to pass, it would result in the loss of coverage for more than 16 million Americans: 6 million of the most needy among us, 5 million who would lose their insurance from their employers, 5 million who would lose individual insurance. It would raise health insurance premiums for every American buying coverage through the exchange by nearly 20 percent.

This is a small business bill, and it would hurt small business. It would reduce assistance to them to provide health care to their workers, and it would increase taxes on individuals and employers who failed to cover their workers. This is misguided, period. We should defeat this in a round fashion.

Now I yield to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, this amendment, this motion is a guaranteed increase in middle class health insurance premiums for all Americans. If that's what you want, you should vote for it. But you know, when a person goes to the emergency room and is uninsured, doesn't have health insurance, they get health care. The question is who pays the bill.

The provision that is before us from the minority party says that insured middle class Americans should pay the bill. The law the President signed in March says something very different. It says that everyone has the responsibility to earn and pay for, at a reasonable price, their own health insurance.

The question is not whether uninsured people get care; the question is whether insured middle class people pay for it or not. The question is whether when someone has breast cancer or asthma and is turned away because of a preexisting condition that we will be able to insure that person at regular premiums. If you don't have nearly everyone insured, you can't do that.

So if you think that middle class people paying other people's bills is the right way to go, this is your motion. If you think that we should no longer provide health insurance coverage for those with a preexisting condition, then ''yes'' is your vote.

Our opponents talk of freedom. I think it's time that middle class Americans were free from paying other people's bills and paying for the insurance company mandates. So if that's your version of health care reform, and I believe that's the majority of Americans, then your vote is ''no.''

Mr. LEVIN. I urge a resounding ''no'' vote, and therefore I happily yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

Mr. CAMP. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 5486, if ordered, and suspension of the rules with regard to House Resolution 1322.

The vote was taken by electronic device, and there were—ayes 187, noes 230, not voting 15, as follows:

[Roll No. 362]

AYES—187

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

NOES—230

Ackerman
Adler (NJ)
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boswell
Boyd
Brady (PA)
Braley (IA)
Butterfield
Cao
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Garamendi
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires

Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NOT VOTING—15

Barrett (SC)
Brown (SC)
Brown, Corrine
Cantor
Deutch
Fallin
Gohmert
Hodes
Hoekstra
Inglis
Linder
Miller (FL)
Myrick
Pallone
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1744

Messrs. SHERMAN and OBEY changed their vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. LEVIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 247, noes 170, not voting 15, as follows:

[Roll No. 363]

AYES—247

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

NOES—170

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Berry
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Boyd
Brady (TX)
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Capito
Carter
Cassidy
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Crenshaw
Culberson
Davis (KY)
Diaz-Balart, L.
Diaz-Balart, M.
Djou
Dreier
Duncan
Edwards (TX)
Ehlers
Emerson
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Goodlatte
Granger
Graves (GA)
Graves (MO)
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Herseth Sandlin
Hunter
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McMorris Rodgers
Mica
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Neugebauer
Nunes
Olson
Paulsen
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
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)
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Barrett (SC)
Brown (SC)
Brown, Corrine
Cantor
Deutch
Fallin
Gohmert
Hodes
Hoekstra
Inglis
Miller (FL)
Myrick
Pallone
Putnam
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1751

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CELEBRATING 20TH ANNIVERSARY OF ALBERT EINSTEIN DISTINGUISHED EDUCATOR FELLOWSHIP PROGRAM

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution (H. Res. 1322) celebrating the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program and recognizing the significant contributions of Albert Einstein Fellows, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. WOOLSEY) that the House suspend the rules and agree to the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 405, nays 5, not voting 22, as follows:

[Roll No. 364]

YEAS—405

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cao
Capito
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers

Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
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 (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
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Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Hunter
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)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (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)
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
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
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
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
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—5

Campbell
Conaway
Flake
Lummis
Neugebauer

NOT VOTING—22

Barrett (SC)
Bilbray
Bishop (GA)
Boehner
Brown (SC)
Brown, Corrine
Cantor
Capps
Deutch
Dicks
Fallin
Gohmert
Hodes
Hoekstra
Inglis
Kingston
Miller (FL)
Myrick
Pallone
Putnam
Wamp
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1759

Mr. POE of Texas changed his vote from ''nay'' to ''yea.''

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.

Stated for:

Mrs. CAPPS. Mr. Speaker, on rollcall No. 364, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mrs. FALLIN. Mr. Speaker, I was unavoidably detained and missed the following votes. I would have voted the following ways: For rollcall vote 361 I would have voted "yea." For rollcall vote 362 I would have voted "yea." For rollcall vote 363 I would have voted "nay." For rollcall vote 364 I would have voted "yea."

□ 1800

HARRISON HIGH SCHOOL

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

Mr. GINGREY of Georgia. Mr. Speaker, I want to offer my congratulations to Cobb County, Georgia's Harrison High School baseball team, managed by Mark Elkins, who defeated Lassiter in the Class AAAAA State championship series. Harrison triumphed over Lassiter with a 3–1 victory in the title-clinching game of a very exciting and well-played series. Harrison's remarkable defense was on display throughout the entire series, with their fielding skills pacing them to the title.

A few highlights included a diving catch by outfielder Michael Hodorowski to save a run in the opening game. In game two, outfielders Preston Neely and Matthew Allen gunned down runners at home, preventing Lassiter from scoring go-ahead runs. Harrison also pulled off three double plays in the last game, ensuring their pivotal victory.

This is Harrison's first State title since 1998, making this a very special achievement. They are one of two schools from Georgia's 11th Congressional District to win State baseball championships this year, and I am very proud of their accomplishments.

Congratulations, Harrison.

ROLL BACK THE SIZE OF GOVERNMENT NOW

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

Mr. GRAVES of Georgia. Mr. Speaker, this administration has borrowed more money than all other administrations in the Nation's history combined, and they've only been at this for just over a year. The change we were promised has not turned out to be what all had hoped for.

The unemployment rate is nearly 2 percent higher than what the Democrats promised with their first stimulus package. America's debt is at $13 trillion now. Now we learn that the administration wants another $50 billion bailout. When will it end? Washington cannot create jobs no matter how much money is thrown out there. We know that jobs can only be created when you expand the private sector and not expand the government.

So, as we look forward to getting Americans back to work, I stand here today to say it is time for Washington to get about the business of expanding the private sector and of promoting sustainable job creation, which will come from that, and not of expanding government.

I know Georgians are tired of what is going on here in Washington, and I know most Americans are, too. Let's end the bailouts, the buyouts, and the stimulus bills.

□ 1145

COMMEMORATING TROOPER FIRST CLASS WESLEY BROWN

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today with a heavy heart to commemorate the life of Maryland State Trooper First Class Wesley Brown. Just 24 years old, Trooper Brown of Seat Pleasant, Maryland, was fatally shot last Friday. Trooper Brown was a brave Maryland State police officer, and a rising leader in our community.

The youngest of nine children, Trooper Brown overcame a challenging childhood to serve Maryland and better the lives of the youth in Prince George's County through a mentoring program he founded, Young Men Enlightening Younger Men. In his own words, Trooper Brown wrote that he founded the program to ''show the young men in the community that there is a bigger and brighter future ahead of them with unlimited potential.''

Indeed, he had unlimited potential. A son of Prince George's County, a graduate of Crossland High School and an

accomplished student of criminal justice, he was a testament to his own words, and a shining light to all whom he encountered.

I join the Maryland State Police family and all those with whom he served in grieving the loss of Trooper Brown. He exemplified the best in our communities and, having spoken with his family, I know he was a wonderful son, brother and soon-to-be husband. His death is a tragic reminder of the perils our law enforcement officers face every day, and the bravery they show to ensure our safety.

I honor the life and memory of Trooper First Class Brown, and our thought and prayers are with his family and friends.

YOUNG MEN ENLIGHTENING YOUNGER MEN

ABOUT OUR ORGANIZATION

Welcome,

My name is Wesley Brown and I am the founder of Young Men Enlightening Younger Men (YMEYM). In September, 2007, my friends and family and I came together to show the young men in the community that there is a bigger and brighter future ahead of them with unlimited possibilities. YMEYM meets together as a group at least once a month to take a field trip somewhere outside of our community and spend time bonding and mentoring. Between field trips, the mentors stay in touch with the young men and encourage them to stay in school, do the best they can in school and in extracurricular activities, respect themselves and each other, and to talk out any conflicts instead of resorting to violence.

All of the mentors have committed much of their personal time and finances during this formation period. YMEYM's meeting location was my residence, where we would sit back and talk about whatever was on the boys' mind. Our goal is to listen and understand their problems and issues. Then we talk together to reach positive solutions to solve the problems. This way, the young men can think before they act, which sometimes results in unjustified punishment.

So, what we created is more than a mentoring program, a tutoring program, or a community service program. This is now a brotherhood of more than 20 young males with distinct personalities and different goals in life who are coming together to be a part of something positive. After researching some of these issues, we found that the majority of today's young men just want to be a part of something and that is why gang violence in the neighborhood is growing so rapidly.

The school system requires that students have a 2.0 GPA in order to play sports. What happens to those who try, but who just don't make it because of poor school systems or a lack of support from home? Where does he go? Who can he turn to? We believe that if a young man is trying to make himself a better man and a productive member of society, then we are PROUD of him—and we tell our young men that. We are proud of them and are here to push them to reach their full potential.

As a young man myself, some may wonder why I am trying so hard to reach these young men, as if I am their parent. Well, I believe that if the community is not encouraging our youth to stand tall and become someone special, what makes us think that the outside world will? After they are exposed to the world outside of their immediate community, reality hits them. They must be prepared and they must be shown the importance of responsibility and accountability and then they will go far in life.

During these teenage stages is when young men develop different characteristics which will continue to live within him during his entire adult life. Too often young men underestimate their own capabilities and greatness. It is our responsibility to step up to the plate and make a positive change. One young man at a time.

WESLEY BROWN,
Founder Young Men Enlightening Younger Men, Inc.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BOCCIERI). Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

(Mr. POE of Texas 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 OFFICE OF CONGRESSIONAL ETHICS AND THE DIGNITY OF THE HOUSE

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

Mr. FLAKE. Mr. Speaker, recent press reports indicate that the House leadership is considering a rules change which would diminish the scope and authority of the Office of Congressional Ethics, or OCE. This is an apparent response to the OCE's decision to forward information gathered during its investigation of the PMA Group to the Justice Department, bypassing the Committee on Standards of Official Conduct in the process. The narrative seems to be that this is just another example of the OCE's succumbing to mission creep or of its growing beyond its intended purpose.

In the interest of full disclosure, I voted against the creation of the OCE in 2007. I felt at the time that the House should be able to establish appropriate standards and to police its behavior through the Standards Committee. I still believe that we should be able to do so, but this controversy over the OCE has effectively shown that, when it comes to removing the cloud that hangs over this body relating to earmarks and to campaign contributions, this body is unwilling, through the Standards Committee, to take the necessary action to uphold the dignity of the institution.

After an investigation lasting more than a year, during which some 200,000 pages of documentation were accumulated, the OCE concluded ''there is evidence that some of the commercial entities seeking earmarks from Members of Congress believe that a political donation to the Member has an impact on the Member's decision to author an earmark for that donor.''

This information was forwarded to the Standards Committee, which agreed with the conclusion drawn by the OCE. The Standards Committee summarized the OCE's findings as follows: ''There is a widespread perception among corporations and lobbyists that campaign contributions provided enhanced access to Members or a greater chance of obtaining earmarks.''

Then, quite inexplicably, the Standards Committee dropped the matter, stating that to address the problem is ''not within the jurisdiction of the committee.'' Let me state that again. The Standards Committee said that it lacks the authority to establish a standard that will address what they conclude is a widespread perception of a link between earmarks and campaign contributions. This defies reason.

At the beginning of the 110th Congress, the House adopted rules requiring Members of Congress to certify that they have no ''financial interest'' in an earmark's being sponsored. ''Financial interest'' has been defined by the Standards Committee to include a direct or a foreseeable effect on the pecuniary interest for the Member or his or her spouse. The relevant section of the House Ethics Manual then states, ''Campaign contributions do not necessarily constitute financial interest.''

How can the Standards Committee lack the authority to set standards or to interpret rules? This is particularly confusing when one considers that the Standards Committee can address the issue by simply amending the interpretation of ''financial interest'' it has already promulgated in the House Ethics Manual.

One need not read very far into the Standards Committee's summary of the OCE's PMA investigation before realizing that Members, through their campaign committees, derive significant benefit from the ''widespread perception'' of a link between earmarks and campaign contributions. To pretend that this benefit does not constitute ''financial interest'' is no longer a viable option. We are no longer acting in ignorance. The ''wink-wink-nod-nod'' game, which we have all known to exist with regard to earmarks and campaign contributions, is now well documented, and the Standards Committee's definition of ''financial interest'' needs to be updated to reflect these findings.

So where do we go from here?

We can shoot the messenger, as press reports indicate many Members are inclined to do, but the problem with this approach is that the message about the link between earmarks and campaign

contributions has already been delivered.

What we do with the OCE at this point is very much beside the point. It's little more than a sideshow. We need to concern ourselves with the dignity of the House. That is our collective responsibility. It does not fall outside of our jurisdiction.

As I have said many times before, Mr. Speaker, the PMA cloud that hangs over this body rains on Democrats and Republicans alike. We are in this swamp together, but we can't grab a shovel while we are covering our eyes and plugging our ears.

IMMEDIATE NEEDS FUNDING FOR FEMA

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

Ms. BALDWIN. Mr. Speaker, I rise today to bring the voices of my constituents in Jefferson County, Wisconsin, to the floor of the people's House.

In 2008, homes along the northern shore of Lake Koshkonong and within the surrounding community were absolutely devastated by a record-setting flood. This was a 500-year flood event. It is the same one that ravaged much of the upper Midwest and, in particular, Wisconsin and Iowa.

During that storm, I knew that the damage was going to be devastating and that many of the houses in our community would be beyond repair. What I didn't know was that, almost 2 years after the floods, the agency upon which they relied would be leaving these hardworking Americans behind. You see, in February of this year, FEMA instituted what it calls ''immediate needs funding.'' Basically, they are freezing already approved funds to folks in Wisconsin and in other disaster areas across the country.

A couple of weekends ago, I had the chance to visit with property owners from my district, of whom I have the privilege of representing, who have been affected. They are survivors of the 2008 floods. I wanted to hear their stories. Many brought photos and letters. They brought their own unique stories. They brought their anger and their frustrations.

I met with Gene and Marie Harris at their home on Lamp Road, one of the most extensively damaged neighborhoods in this flood. The damage was so extensive that their house was absolutely uninhabitable and has been since the flood. They showed me photos of before, during, and after, and we talked about the tangle of bureaucratic red tape that they waded through in order to get approved for the FEMA dollars. They were approved for the FEMA money, but they haven't received a penny because of the funding freeze. When I asked Marie to recall what they had gone through back in June of 2008, not surprisingly, she welled up with tears.

Mr. Speaker, our hearts go out to the victims of the recent floods and of natural disasters. Yet I fear we suffer from that old adage, ''Out of sight, out of mind.'' Once the cameras are packed away and the news crews leave for the next breaking story, what happens to the victims and survivors of these natural disasters? Will the families in Tennessee or in Arkansas suffer the same fate as Wisconsinites and Iowans? Will they see their funding from FEMA freeze even after it has been approved?

One would hope that the system of emergency response would keep on plugging away, assisting the families in need across this country, but we have seen that system completely break down. This is unacceptable.

It has been 2 years since their homes were devastated, and my neighbors are still living in temporary housing, and they are enduring financial chaos. One man is homeless. Another family is on the verge of bankruptcy because of the situation that FEMA has left them in.

I know this is wrong. My constituents know this is wrong. The Federal Government has to do better.

□ 1815

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.)

ENERGY INDEPENDENCE

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

Mr. DUNCAN. Mr. Speaker, this Nation has sent millions of good jobs to other countries over the last 30 or 40 years because of environmental rules, regulations, and red tape. This has hurt millions of poor and lower-income and working people by destroying jobs and driving up prices on everything.

The BP oil spill in the Gulf is a terrible thing, and we need to do all we reasonably can to see that something like this does not happen again. However, some extremists want us to stop offshore oil production entirely. Talk about wrecking our economy. Talk about killing countless numbers of jobs. And all this at a time when our unemployment is far too high and underemployment is even higher.

John Engler, the former Governor of Michigan, wrote a column 5 days ago in the Washington Times under the headline, ''Drilling Moratorium is a Jobs Moratorium.'' Governor Engler wrote, ''Our country cannot afford to use this accident as an excuse for an overbroad moratorium that stops progress to the detriment of our economic and national security. We do not need to choose between energy security and environmental safety. We need to continue to strive for both.''

Charles Krauthammer, the TV commentator and columnist, is respected even by people with whom he disagrees as one of the smartest men in this city. He recently wrote a column asking why we were drilling in 5,000 feet of water in the first place. He wrote, ''Environmental chic has driven us out there. Environmentalists have succeeded in rendering the Pacific and nearly all the Atlantic Coast off limits to oil production. And, of course, in the safest of all places, on land, we've had a 30-year ban on drilling in the Arctic National Wildlife Refuge.''

Mr. Krauthammer is right. For many years, we have tried to allow drilling on about 2,000 or 3,000 acres of the Arctic Wildlife Refuge. ANWR is 19.8 million acres, some 35 times the size of the Great Smoky Mountains National Park. The Smokies get over 9 million visitors a year, and people think it is huge. They cannot humanly comprehend how big ANWR is, yet it is home to only a couple hundred people in the village of Kaktovik and gets a couple of hundred visitors each year. Yet radical environmentalists, who almost always come from very wealthy or upper-income families, oppose oil production almost everyplace. They want gas to double or triple in cost so people will drive less. They can't relate to people who cannot afford gas that costs $7 or $8 or $10 a gallon like it does in some other countries.

Not only would shooting the cost of gas way up cause the loss of huge numbers of jobs, it would put the final nail in the coffins of many small towns and rural areas. People in rural areas generally have to drive longer distances to get to their jobs. Already, two-thirds of the counties in the U.S. are losing population. Yet, once again, radical environmentalists see nothing wrong with this. Most of them are city people, anyway. They probably think it would be good if everyone was forced to live in 25 or 30 urban areas, with the rest of the country left totally empty and people could be bused to a national park or wilderness area every couple of months, under government supervision, of course, so they would not harm the land.

Everyone pays lip service to energy independence, but we already had 84 percent of our U.S. oil off limits even before the President imposed this latest moratorium. Environmental radicals will say they, too, want energy independence. But, then, environmental groups oppose drilling for oil, cutting any trees, digging for any coal, or producing any natural gas because of the pipelines and the refineries. And, heaven forbid, they certainly don't want more nuclear power.

The opposition varies from group to group and geographic location, but the environmentalists are always there to fight any kind of energy production except for solar and wind. But then some oppose the windmills, too. And solar energy, despite mega billions in government subsidies over the last 30

years, only produces one-seventh of 1 percent of our energy, and adding wind power only brings it up about 1 percent more.

If we limit this Nation to wind and solar, we might as well just shut the country down economically. And all these young people with degrees who are working as waiters and waitresses or in other low-paying jobs can thank the environmentalists. I told my wife as we were eating out last Saturday night, the American people used to work in factories and eat out just occasionally. Now, most of the factories have gone to other countries and restaurants have replaced the factories as our biggest employers other than government.

Now, a slight majority of our people get most of their income from Federal, State, or local government. When a country passes that threshold, it is on the way down. We need to wake up and realize that the worst polluters in the world have been the socialist and communist countries. And we need to realize that only a free market, free enterprise system can generate the money to do the good things for the environment that everybody wants done.

Charles Krauthammer wrote in another column a few months ago that, ''socialism having failed so spectacularly, the left was adrift until it struck on a brilliant gambit: metamorphosis from red to green. The cultural elites went straight from the memorial service for socialism to the altar of the environment. The objective is the same: highly centralized power.''

Once again, Mr. Krauthammer is right.

We certainly need to clean up the BP oil spill, but we should not let misguided radicals shut down our economy and hurt many lower- and middle-income people in the process.

PROSPECTS FOR PEACE IN THE MIDDLE EAST

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

Mr. GARAMENDI. I was going to speak on a subject, and I will, but after listening to the previous speaker, I think a few comments are in order.

I think it was that great socialist, Richard Nixon, that happened to sign the Environmental Protection Act and the Clean Air Act. So maybe that's what you're talking about.

But to make the argument that somehow the environmental movement is responsible for the demise of American industries is just fallacious. It's a stretch of the imagination. In fact, there are many, many things involved, including free trade acts and international competition that's coming our way.

And if my colleague on the Republican side was so interested in this, he would have voted on the bill last week that would have brought back foreign earnings and closed the tax loopholes on those American corporations that have gone offshore—instead, bringing those back. I think, if I recall correctly, we didn't get one Republican vote on closing those loopholes that have allowed American corporations to offshore jobs. But I really wanted to take up another issue, and I will do so now.

I rise today to express my support for the right that all nations have to secure their borders in self-defense. Our close ally, Israel, shares a border with Gaza, a region controlled by the terrorist organization Hamas. Since 2001, thousands of rockets have been launched from Gaza into Israel, killing more than a dozen Israelis and wounding hundreds and terrifying that nation. We also know that Hamas receives material support from Iran, an international pariah that oppresses its own citizens while funding terrorist organizations throughout the region. For all these reasons, Israel has chosen to restrict imports to the Gaza Strip, insisting that all deliveries must be inspected to make sure that weapons are not smuggled into the territory.

Today, I call on Hamas leadership to reject their past support for terrorism, renounce violence, and embrace the two-state solution so that Israelis and Palestinians can live their lives freely, in peace, and security.

I also call on all powers in the Middle East to value human life and to do everything to avoid bloodshed. The loss of life in the flotilla incident was tragic, and I look forward to the findings of the recently formed Independent Public Commission, which will examine such issues as the naval blockade of Gaza, actions taken by the commandos during the flotilla incident, and the identities and conduct of the organizers and participants in the flotilla.

In the meantime, we must focus on avoiding escalation, preventing more violence, and continuing the peace process. The greatest tragedy would be to allow the flotilla incident to end the region's prospects for peace.

SUPPORT FOR ISRAEL

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

Mr. BROUN of Georgia. Mr. Speaker, in Genesis, chapter 12, verses 1 through 3, God tells Abraham that he will bless the nation that blesses his people, and curse the nation who curses his people.

God says in that verse, starting at verse 1, The Lord had said to Abraham, ''Leave your country, your people, and your father's household and go to the land I will show you. I will make you into a great nation, and I will bless you. I will make your name great, and you will be a blessing. I will bless those who bless you, and whoever curses you, I will curse. And all people's on Earth will be blessed through you.''

Mr. Speaker, God gave the land in Israel to the Israelites, to the Jewish people. They're a sovereign nation. They have a sovereign right to protect their borders, to protect their lives, to protect their country, to protect their valid claim to the land that God gave them.

Mr. Speaker, our Nation has supported Israel since it was reestablished in 1947 by an act of the United Nations. This country has supported Israel ever since then. We've been blessed as a Nation since then. But I'm very fearful that this administration is turning its back upon Israel. I'm very fearful that God's blessing that has been on this land, as promised in Genesis, chapter 12, verses 1 through 3, will cease if we cease supporting the nation of Israel.

Israel is a sovereign nation that's protecting itself. It has an absolute right to do so. Mr. Speaker, if we turn our back upon Israel, as I'm fearful that we're doing as a Nation through this administration, not only will we cease to have God's blessings, but we will also start receiving the curses from God that he promised in Genesis, chapter 12.

Mr. Speaker, if we don't support Israel, and just by being silent, just by turning our back upon Israel, then we're supporting Hamas. We're supporting Hezbollah. We're supporting Iran. President Ahmadinejad has stressed over and over again that he wants to annihilate Israel from the face of the Earth. We have to support Israel, Mr. Speaker. The consequences for our Nation are too dire not to.

God has put his blessings upon this country. And I think a big part of that is because this country was founded on the Judeo-Christian principles that have made this country so powerful, so rich, and so successful as a political experiment. But that blessing will cease if we ever turn our back upon Israel. We must not. We cannot. America must support Israel. Our administration must support Israel. And I call upon our country to continue to do so.

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.)

A TRIBUTE TO GOOD BREAD AND A FAMILY OF ENTREPRENEURS

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

Mr. SABLAN. The people of the Northern Mariana Islands love rice. Pre-contact with the West, the Marianas were the easternmost extent of the cultivation of rice. For us, a meal without rice is no meal.

Yet, ironically, one of our most cherished local businesses processes that

great competitor of rice: Wheat bread. Pan mamis and Pan toasta. These baked goods bring back mouthwatering memories for all of us in the Marianas. And the source of this goodness we most recall is Herman's Modern Bakery.

Perhaps, our devotion to Herman's has to do with the roots of that business in the ashes of war. Like the people of Israel beset by the Babylonians, as the people of the Marianas emerged from the trauma of World War II, ''the famine was sore, so that there was no bread.'' We were starving and stored together in an internment camp in the days and months following the U.S. victory over the Japanese in 1944.

But the U.S. forces quickly began reorganizing society and reestablishing the ability of our community to care for itself. The occupying forces tapped the young Herman Reyes Guerrero to bake. Herman had previously apprenticed as a baker during the Japanese administration of the Northern Marianas, and he quickly agreed to return to this calling. He began baking bread for the U.S. troops, for Japanese prisoners of war, and for the Chamorro and Carolinian people of Saipan housed by the military in Camp Susupe.

As often happens after war, much materiel is left behind, cheaper to abandon than to return home. So it was at the close of World War II in the Pacific that the United States Navy simply gave Herman Guerrero the baking equipment the military had supplied for him to use.

□ 1830

With those ovens and mixers and the customer base he had already established, Herman opened Herman's Bakery. Not only was this the first bakery, this was the very first company founded in our postwar economy.

As the years went by, from that base of bread and baked goods, Herman's business grew. He opened the first hotel on the island of Saipan, a retail store, a laundromat, and a travel agency. In the early 1980s, following extensive expansion and upgrading, the bakery became known as Herman's Modern Bakery, and its products became ubiquitous throughout Micronesia. Today, the company's distribution chain includes several international franchises. You can even find Herman's cookies for sale on the Internet.

One of Herman Guerrero's fondest memories of his early baking career was a visit to the shop by Admiral Chester Nimitz, and throughout the following 65-plus years of growth, the close relationship between the United States military and the bakery continued. Today, as the U.S. build-up commences on Guam, Herman's has contracted as an authorized supplier, opening up a distribution facility and considering a bakery there. Herman's also regularly supplies the U.S. naval vessels that dock in Saipan for R&R. For just as many residents like to make Herman's our last stop on the drive to the airport—to take pan mamis, guzuria and crocks of cookies away as gifts and comfort foods from home—so, too, the sailors of the U.S. fleet enjoy pulling away from the dock with Herman's sweets stocked in the galley.

From a humble one-man beginning, today, Herman provides jobs for over 110 individuals. A leading corporate citizen, Herman's is a strong supporter of civic, charitable, educational, and religious organizations, including the American Red Cross, the Commonwealth Health Center, the Rotary Club, the Northern Marianas College Foundation, the Saipan Chamber of Commerce, and nearly every school, church, and village fiesta on the islands of Saipan, Tinian, and Rota. The company piloted our school lunch program and has provided technical expertise to individuals on other islands in Micronesia who are opening or improving their own bakeries. With the recent establishment of the distribution center on Guam, the company has begun to expand its charitable support to that island, too.

Always, the bakery remains the heart of the family of companies and of the family of Herman Guerrero himself. All of the surviving children of Herman and his wife, Maria Tenorio Guerrero—Jesus, Agnes, Herman Jr., Juan, Florencio, Margarita, Anna, Rudolfo, Joseph, and Leonora—have worked at the bakery during significant portions of their adult lives. Herman was so identified with the bakery business that he came to be called by the nickname ''Pan,'' which in the Chamorro language means ''bread.'' Indeed, to this day, many of his children carry the ''Pan'' honorific as part of their own everyday names. For most of us in the Northern Mariana Islands, when we hear the word ''pan,'' it's a tossup which comes first to mind: Herman Reyes Guerrero—Herman ''Pan''—and his wonderful bakery, or just the wonderful baked goods that ''Pan'' produced.

Dangkulo na si yu'us ma'ase.

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.)

PLEADING THE 10TH

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

Mr. BISHOP of Utah. Mr. Speaker, I rise today to plead the Tenth. Earlier today, this body voted on H.R. 4855 that would establish in the Department of Labor an annual work/life balance award for employers that have developed and implemented work/life balance policies. The bill would also establish an advisory board to administer the award. Now although I oppose this legislation, I want to make clear that I actually think that the ultimate goals of this bill are good ones. The sponsors had the best intentions. I want to repeat that. The goals and objectives of this bill are respectable, even noble ideas. No one questions that a proper work/life balance is extremely important. But just because something is important doesn't mean Washington has to write a law to protect it, or create a bureau to encourage it, or really have anything else to do with it. In fact, it's simply not the job of the Federal Government to promote good work/life balance.

Now there will be many more egregious bills in the future that will mandate by the Federal Government to States and locals and to the people behavior in certain circumstances, but not the incredibly worse bills that are out there withstanding. This Constitution makes the principle very clear: the Constitution gives Congress here in Washington certain powers that are limited. And in case we weren't clear on the concept or we didn't get it, it includes the Tenth Amendment which states: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.'' In other words, if a power is not assigned to the Federal Government in the Constitution, then it must be automatically assumed to be assigned to States, localities or to no government entity at all.

So just imagine that, Mr. Speaker. A problem in America not being solved with the involvement of the Federal Government. Some in this Chamber cannot envision such a world, but it can exist.

So I rise today to say that I do believe in the Constitution and the Tenth Amendment. I remain hopeful that the Congress will remember our limitations, begin to return the consideration of life's most important elements back to the States and local governments and churches and private groups and families where they really should be handled. Therefore, Mr. Speaker, on this particular issue, I plead the Tenth.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

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

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 Arkansas (Mr. BOOZMAN) is recognized for 5 minutes.

(Mr. BOOZMAN 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.)

REPUBLICAN CONFERENCE BILLS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentlewoman from Wyoming (Mrs. LUMMIS) is recognized for 60 minutes as the designee of the minority leader.

Mrs. LUMMIS. Mr. Speaker, tonight's discussion will be about bills that Members of the Republican Conference have sponsored that have not yet gotten a hearing that we still think are very good ideas for our country at this time of high debt, high deficits, and when regulation is being heaped on businesses that actually need the chains to be broken so they can pursue the American Dream of hiring people, creating jobs and fulfilling our role in the country and the world, which is to feed people, clothe people, create jobs, create wealth, create opportunity and so that all Americans have the opportunity to do so without being shackled by the Federal Government.

With me this evening is BOB LATTA, who is from one of the most diverse districts in the entire United States. It has everything from agriculture to manufacturing, and it has experienced every up and down that is possible for one district to experience. During the course of this evening, Mr. LATTA and I hope that we will have the opportunity to refer you frequently to www.americanroadmap.org, which is a draft of the Budget Committee on which we both serve, an opportunity that provides Americans the chance to get out of debt and to eliminate the deficit, and to comprehensively do so without raising taxes.

It takes a long time, but it creates a very smooth landing for our country. And we also want to refer you to www.americaspeakingout.com. Americaspeakingout.com is an official function of the Republican Conference here in the U.S. House which allows you to weigh in on ideas that you have for our country that will make it stronger, safer, more efficient, more cost effective and will unshackle this Nation's economy in a way that will allow us to once again pursue our role as a global leader in terms of innovation and jobs.

So at this time I would like to yield to my colleague, the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I would like to thank the gentlelady for yielding. This is a very important issue that we are talking about: jobs, small businesses, and how we can get this country moving. I rise tonight to discuss a bill that I have sponsored, H.R. 1763, which is the Responsible Reinvestment Act of 2009. But before I do, I would just like to make a couple of comments, as the gentlelady just said, about the uniqueness of my district.

I have the number one manufacturing district in the State of Ohio. I also have the number one agricultural district in the State of Ohio. And about 2 years of this time, according to the National Manufacturers Association, I had the ninth largest number of manufacturing jobs in the United States House of Representatives. But because of the recession that we've seen happen across the country, I have dropped to about 20th, which is totally unacceptable because last summer we had unemployment rates raging across our district and across the State and the country. Two of my counties had over 18 percent unemployment. I had four others over 16 percent. So we have to do something in this country to get this country moving.

It's kind of interesting. We talk about having a district that's number one in manufacturing and also a district that's number one in agriculture. So how did that work? Well, I have so many of my farmers that work full time off the farm, but they work full time on the farm. So like my relatives who also live in my district, you know, they're working a lot more than 40-hour weeks, and they are making sure that the American economy keeps moving, they are making sure that Americans are fed, but they are also making sure that we don't have to rely on foreign countries for our food, like we have to do when it comes to oil, relying on foreign countries for our needs.

So we need jobs. We need jobs that are created by the private sector. We don't need any government jobs that are really just make-work jobs out there. Small businesses continue to bear the burden of this economic slowdown, and they need relief to be able to survive and continue to remain in business. Currently, small businesses employ over half the private sector workers in America. To assist small business owners, I introduced the Responsible Reinvestment Act. Specifically, this bill focuses on the following areas that I believe will not only help small businesses grow throughout the country but also help put our neighbors back to work.

The bill does the following: a 20 percent tax cut for small business is equal to 20 percent of the total income of the business. It permanently repeals the estate tax, or the death tax. You know, we have to do something in this Congress because if we do not act by the end of this session, the death tax will revert to where it was 10 years ago without any adjustment to inflation, and that will hit small businesses and farmers alike. So, again, this bill repeals the death tax; it increases the expensing for small businesses to $500,000; a full first-year expensing for farm and manufacturing equipment; and the full deductibility for the self-employment tax in relation to health premiums, which is extremely important for small businesses across this country.

The items in this bill will also be very beneficial to small business owners by freeing up capital for them to use to reinvest in their business. And through doing that, it will bring stability back to the communities in which they exist.

The future of our country depends on a proactive approach to creating viable solutions for small business owners to exceed and remain profitable. Small businesses are the lifeline and the heartbeat of our Nation's economy, as these are the companies that we rely on for products and services. As a Congress, we must absolutely stop passing legislation that contains massive spending and, instead, pass legislation like H.R. 1763 that will help small businesses rather than hurt them.

President Obama submitted his administration's fiscal year 2011 budget proposal with a record-breaking cost of $3.8 trillion. This budget proposal includes a $2 trillion tax increase over the next 10 years and projected record deficits. This proposal will double our Nation's debt in 5 years and triple it in 10 years from fiscal year 2008 levels.

The Congressional Budget Office has stated that under current spending levels, by 2020 American taxpayers will be paying $2 billion a day in interest on the national debt alone. And, again, let me reiterate that—$2 billion a day. I think we have to understand what this is going to do. It hasn't been all that long ago that we look back to the late seventies and early eighties when we had 21.5 percent interest rates in this country. And it wasn't very long ago I was talking with some small business owners in my district, and they said, Well, we even had problems getting a loan at over 26 percent interest.

Now, if the Federal Government is borrowing over $2 billion a day—and you know, when you are talking about that, you are looking at the Federal deficit or, I should say, the debt going to $20.3 trillion by the year 2020, and now the U.S. Treasury is coming out and saying that that could be at least $26 trillion, that $2 billion a day is going to be much higher, and businesses out there are going to have to do one thing—compete against government to borrow. That means the interest rates are going to skyrocket again, and how are we going to get small businesses moving again in this country?

Mrs. LUMMIS. Will the gentleman yield briefly?

Mr. LATTA. Absolutely. I yield to the lady.

Mrs. LUMMIS. That $2 billion a day you just mentioned, that would only

take either 3 or 4 days for the entire budget of the State of Wyoming for 2 years. That covers our whole budget. It's a stunning number. That's how much money we're talking about.

And I yield back.

Mr. LATTA. I thank the lady for yielding back. Because again, you know, when you are looking at these staggering numbers—I'm sure Wyoming, like the State of Ohio, in our Constitution we have to balance our budget. I was a county commissioner for 6 years when I was first elected to public service. We went through the '91-'92 downturn at that time. And what did we have to do? Well, we had to cut back. We didn't just say we have to spend more. We had to cut.

Mrs. LUMMIS. Will the gentleman yield?

Mr. LATTA. I yield to the lady.

□ 1845

Mr. LATTA. Well, what we had to do was when we did our budget for the year, there are certain things in Ohio that the commissioners are responsible for. You looked at things. You thought, we have to budget for things like bad weather because you have to have more overtime.

One of the things that we always hoped we never have happen was a capital murder case because we know how much that would cost. We had to sit down with all of the other elected officials and say, We have to make cuts across the board and scale back. If we didn't, we were going to be in trouble. Again, our Constitution says you shall balance your budget.

Mrs. LUMMIS. Are you aware of any circumstance since you have been in Congress where the Members of Congress in the leadership have been called to the White House to sit down and talk about how we are going to cut spending?

Mr. LATTA. Again, this is a problem we are facing. Instead of saying we are going to increase certain budgets by 12 percent over the year before, we have to go back maybe a budget before that and say that is where we need to start the cuts. One of the things that is happening with small businesses across the country, or large businesses, when I go across my district and when I have the opportunity, I try to go to as many factories and businesses as I can. And when I am talking to these individuals, I like to find out what is happening to them.

But they like to ask this one question: We have cut way back to keep our doors open; what have you done in the Federal Government to help along these lines?

I think one of the interesting trips I was in was at a factory in my district. I went into the plant and they had to scale back. They had to unfortunately cut employees. But at the same time they were in there saying we had to reduce the number of hours people were working. So maybe it was not 40-plus hours, but it was a 32-hour work week. Then they said we have to make sure that management does their share. They were cut 10–20 percent in their salary. And management was cleaning the restrooms in the factory to try to help do anything to scale back on costs that they would pay someone else to do.

Mrs. LUMMIS. Is there any instance where the Federal Government has done the same thing? Has the Federal Government gone to its employees and said, We need to cut you back to 32-hour weeks so we can keep you employed, keep you on your benefits so you don't lose your health care, but we need to save some money. Are you aware of that?

Mr. LATTA. Again, I think we would have heard it if something like that would have happened. But at this stage of the game, the Federal Government has a trump card some people think, and that we control the printing presses for putting out money. The big problem is we watch dollars being put out, but at the same time the United States Treasury is out there at an auction, and at that auction you have the Federal Reserve buying it, and all of a sudden we are monetizing our debt. We are moving one IOU from one pocket to the other. We are not accomplishing anything. We are not cutting anything. And we watch expenses keep rolling up.

The American people understand that what we do at home when we sit around our kitchen tables and you get out the family budget and say these are the things that we are going to have to pay for. It is the question of wants and needs. There is a big difference between what I want and what I absolutely need. I think the Federal Government has got to go to what is needed, and we are going to have to start scaling back immediately.

I am sure you have students and constituents who come here. When I had a group of students here today on the Capitol steps, and I look at these kids, juniors or seniors in high school, I look at what their future is for the next 10 years, and I don't care if it is $20.3 trillion in debt or $26 trillion in debt, according to the Treasury, we are in trouble.

Mrs. LUMMIS. What do you hear from your constituents? Do they believe that they are ready for the kind of reforms that you believe are necessary to save our country?

Mr. LATTA. I thank the gentlelady. I think what you are looking at is from the small business owners. They understand right off the bat that something has to be done. They understand that they have had to make deep, deep cuts.

Until recently, I served on the Budget Committee, and you are still a member. Sitting through those hearings with the Congressional Budget Office director or the Office of Management and Budget director or Secretary Geithner or when we heard from Mr. Bernanke, we heard the same thing: we are on an unsustainable growth of spending in this country. It has got to be stopped. They don't offer a solution, but it is a very simple solution: you don't spend what you don't have.

I was one of 19 grandkids on my maternal side. I will never forget my grandmother, the good German farm woman she was, she had a simple saying, that he who goes a borrowing goes a sorrowing. She pretty much made sure that all 19 of us understood that. Again, you don't spend what you don't have because we cannot spend our way out of this mess. If we are going to be doing that, all we are doing right now, and have been doing, is mortgaging the future of the next generation of Americans.

You know, the question when you talk to parents out there and say are your kids going to be better off than you are, most parents don't believe it. They think that their kids are going to have a harder time of it than they have, and that is a bad sign for America's future.

Mrs. LUMMIS. The chart I have to my left, the viewer's right, is exactly illustrating what the gentleman has just been discussing. If you look at the spread between spending and taxes that occurs on the far side of the dotted line, that shows you what is projected into the future. That spread between spending and taxes going into the future is enormous and consistent. And if you look at what that produces in terms of deficits, look at the bottom line, the red line again on the far side away from me from the dotted line, and you can see that deficits are projected into the future. When we say unsustainable, that's what we mean. The long-term consequences to this country is that our children and grandchildren will inherit the consequences of our reckless behavior. How do we resolve this?

Mr. LATTA. Well, when you look at these budget projections, you have to have people working. When we are looking at an unemployment rate of 9.7 percent in this country and a little under 11 percent unemployment in the State of Ohio, and we all know what is going to happen later this summer when all of those people who were hired to be census takers, working for the census are going to be back on unemployment, these numbers are going to go right back up because it kind of is a false data time that we are in right now when we are looking at these numbers.

Of course we saw what happened when the unemployment numbers came out and only 41,000 jobs had been created in the private sector, what Wall Street thought of that. They are looking at things are not going well for this economy.

I know you heard these same statements that were projections from the Congressional Budget Office director when he was before the Budget Committee. We are looking at probably 2014 or 2015 before we get back to, and I don't care if you want to say normal employment or normal unemployment

in this country. The question is for areas that are hard hit like a lot of parts of Ohio and a lot of parts of the Midwest where manufacturing takes place, what are we going to do in our areas for the next 4 or 5 years with these high unemployment rates? Where are people going to go?

Mrs. LUMMIS. This chart illustrates exactly what the gentleman is discussing. If you look at the blue line, that is private sector employment. That is employment in the entrepreneurial economy. This is employment that comes from the employer class of Americans. If you look at the red line, the skyrocketing government employment, that is just that. It is the Federal Government attempting to replace the private sector with public sector jobs. The only problem is a public sector employee pays the same taxes that a private sector employee does. However, the public sector employee's salary comes entirely from private sector employment and the taxes generated by it. There is no way that we can sustain an economy of totally government employees when we have lost the private sector jobs, the kinds of jobs that Mr. LATTA has been referring to this evening in his district.

Mr. LATTA. One of the things that we are talking about, those jobs, and it goes back years ago when I was a county commissioner. You wanted to make sure you had as broad a tax base as possible in your county or State or country. It is like a pyramid. You want as big a base on that as possible. But the thing we were worried about, what happens if? We were losing jobs and we had fewer and fewer people. All of a sudden that starts shifting that base, and pretty soon you have a very small tax base out there of individuals, and you have a lot of other people up on top. It doesn't work.

What we can't have in this country is killing the entrepreneurs. When you look at all of these different scenarios out there, the bills that have come before this Congress, and these are the same people that I talk to in my district. And again, when you are dealing with the largest manufacturing district in the State, 20th largest in the Nation, they are concerned. I hear all the time about the issues out there that will help bring them down, is about the best way to say it.

You know, we have the second highest corporate tax rate in the world. What are we doing about that here? When we talk about the health care costs, a lot of them are saying when they hit that certain magical number, when they get above it, they are asking why do I want to expand if I will be paying more. It won't work. Folks in business understand it. It gets to the point of economics 101 from your first year of college which is the law of diminishing returns. It is the more I work, the more I get taxed, and the less I have; why do it? People aren't going to do that. It is against human nature to do something like that.

Mrs. LUMMIS. Would you recommend reducing the corporate tax rate?

Mr. LATTA. We have to go across the board. If we are going to compete against our foreign competitors, and that is who is out there today. Because when we look at a lot of these regulations that are coming down on businesses, you look at the corporate tax rate and you look at what has happened here with health care, we have seen these numbers coming out today of what is going to happen on the health care side. They are saying you get to keep what you want; well, that is not going to happen for a lot of individuals.

When you look at the regulations, companies are saying we don't have to worry about that if we are someplace else. I have had companies that are located in a village or city, and when the EPA puts a mandate in for water or sewer, but the parent company is some place outside the State, and they are told if their rates go up to a certain amount and they are no longer profitable in their area, well that company is going to be moved. When you are looking at losing 300 jobs or 400 jobs or 600 jobs, that is totally unacceptable.

Mrs. LUMMIS. Are you aware of any employers in your manufacturing district that have pulled up stakes and moved their businesses elsewhere?

Mr. LATTA. That happens all of the time, unfortunately. We have situations where we are competing. I know years ago when I was a county commissioner, we were competing against many other parts of the State of Ohio or maybe someplace in southern Michigan or eastern Indiana. In a short 20-year period, now we are competing with somebody 8,000, 12,000 miles away. If they are in a situation where they have lower labor cost, and if they have lower cost for their electricity or other fuel costs, and we are all for clean air and clean water, but if they are in certain areas where there is no concern for that, and we have heard under the cap-and-trade legislation, if we did everything that was asked for under this piece of legislation that passed out of the House, in 8 years there would be absolutely no difference in CO_2 emissions. Why, because China and India would be making that amount up. But at the same time, we would have lost all of those jobs in this country. Those jobs would have moved someplace else.

□ 1900

Mrs. LUMMIS. Are you aware of any manufacturer that has moved into your district from a foreign country, saying this is a better place to do business? It's more economical here? I can make a better profit here?

Mr. LATTA. I thank the lady for yielding.

This is the problem you run into. In my opinion, I truly believe that the United States has the greatest workforce in the world. We have the best trained workforce. We have the best educated workforce, but we just need to be put on an equal footing. And when companies understand that—you know, it's just like with that small entrepreneur.

If they toil day after day—I knew somebody that, to get their company started, they had a small bed that could roll up in their office. And his wife would come in and help work, and she slept on the couch. But, you know, they put hours and hours and hours into that business, first of all, to get it off the ground, to grow it, and then to make it successful.

But if you put the roadblocks in front of these people, you know, some folks aren't going to be as steadfast as they were, and they are going to say, You know what? It's just not worth it. Why kill myself? And I think that, again, it's the spirit of entrepreneurism in this country that makes this country work.

It's like when I talk to these kids on the Capitol steps. You know, why did a lot of our relatives ever get on—some people's relatives came on the Mayflower. Most of ours came on the Poorflower. And when people got off that boat, and my relatives came down by barge on the Ohio River, and they came up the canal system, and they cleared the land, and they started farming in Putnam County in Ohio. They had a desire. They wanted land. They wanted to grow that land. They wanted to make sure that they had something not only for themselves but for their kids. They wanted a future. And I think that's what we are losing track of in this body and in this Congress, that what's happened is that it's no longer about the future, but too many are thinking, ''It's about me.'' And the problem with ''me'' is we are not growing it. And we have to grow the ''we'' and the ''us'' to make this country successful.

Mrs. LUMMIS. My daughter did a study for an economics professor about externalities, meaning decisions you don't necessarily see in black and white on a business plan, that might affect a Wyoming rancher's decision to stay in agriculture or leave agriculture. Because we know that in Wyoming agriculture, especially beef production agriculture—of course, there are no subsidies in beef production agriculture in Wyoming, and other States as well.

So the largest group in Wyoming are those that make from 0 to 4 percent profit. The second largest group are those that make from 0 to minus 4 percent profit. And after looking at many factors of what would motivate a person to stay in a business where the profit margin is that low, the answer for especially second, third, and fourth generation ranchers was the ability to pass it on to my children, to give my children a better life, to give my kids the ranch.

Now, Mr. LATTA has mentioned two things that are of concern if a person's motivation is to give their children a

better standard of living, a better life, an opportunity, a shot that maybe they didn't have or that they have enjoyed and they just want their children to have as well. You mentioned that next year the estate tax is going to go back up to a maximum amount of 55 percent of the value of the estate, with only a $1 million exemption; whereas, this year there is no estate tax whatsoever.

Think about that and how that will affect you if you have spent your entire life building something with the one motivation of giving that to your children or your grandchildren. That is going to be devastating. Many people I know would accept a smaller estate tax with a higher exemption, but no one I know is going to be satisfied that a 55 percent tax on your life's work that you wish to pass on to your children is anything but a taking. And takings are unconstitutional under our Fifth Amendment. I mean, that's how people look at it.

And, you know, if you worked your whole life for something 7 days a week, not 5 days a week, not 40-hour weeks, but every minute of every day that you are awake, growing your family, growing your business, growing their opportunities, creating a community, creating the kind of American Dream that so many people came here with nothing and then built over their lifetimes or their parents built over their lifetimes and want to pass on to their children.

The other point you made that I think is going to affect that American Dream is our debt, is these running deficits that are unsustainable over time. Because if we mount our children and our grandchildren with debt, it will crowd out private investment. If we are spending the entire Federal budget, all of our tax dollars on the combination of entitlement programs and interest on the national debt, we have crowded out the opportunity for private investment as well as for discretionary spending within our economy.

I yield back to the gentleman to tell us more about the consequences of these bad policies and the kinds of bills that he has proposed to change all that.

Mr. LATTA. Well, you have touched on something when you are talking about the death tax, the estate tax. And, you know, when you are talking about something going from having zero death tax this year, which won't ever happen because, you know, there will be a retroactive clause put in somewhere saying that they are never going to let people off the hook, and they are going to say anybody that passed away this year, somehow they will try to bring them back up, and I am sure the lawsuits will begin.

But you are right about a couple things right off the bat. You know, family businesses, family farms, I know it's difficult for some folks when you are only looking at a very small percentage of about less than 2 percent of Americans now that make their livelihoods from the farm. And when you go to your local county fairs and you go to look at these implements and the costs, and when you are talking about a $425,000 combine with one head, or you are looking at a couple hundred thousand dollars for a tractor, and you start adding all these pieces of machinery up. People say, well, if you have got a couple million dollars you are rich. Well, most farmers that I know are land rich and cash poor.

And what happens in a lot of cases or a small business, what do they have to do? Well, number one, okay, they have to start doing estate planning early on. And I am an attorney by trade. But when you start talking about that we have to tell the American people they have to expend millions and billions of dollars when it comes to estate planning or doing the taxes every year, we should simplify this. But, also, we shouldn't be taking what they have worked hard for. And when people are out there thinking, Is it going to be worth it in the end?

Because this will be—you know, if we get to a point in this country, people are going to say, You know what? If the government's going to take it in the end and I can't pass it on, what are they going to do? Either, A, I am not going to work that hard, or, B, I am just going to spend it. And if they spend it, what's going to be the result of that? They are going to say, Government, you take care of me now. I am not going to worry about my livelihood or I am not going to worry about down the road when it's time for me to retire. Just have the government take care of me. And that's not going to work.

So, you know, we have got to keep this entrepreneurship. We have got to make sure that people in this country have the ability and the thought that they can succeed. You know, a lot of people sometimes are jealous of people that come here as new immigrants to this country, but the thing that they know is they come to this country like a lot of our ancestors did. They want to make something of themselves. They want to make something of their future. They want to have something for their kids. But when you kill that entrepreneurial spirit, that's when the beginning of the end becomes.

And you know, it's kind of interesting. There used to be a saying years ago before the fall of the Soviet Union that the people pretended to work and the government pretended to pay them. And we never want to have that happen in this country, where people get to the thought that there is this hopelessness, that there is no reason to do it. We want to make sure that the people have the ability in this country to get ahead.

And I yield to the lady.

Mrs. LUMMIS. The gentleman has mentioned a couple of things that are important to recreating a vibrant economy and to taking the shackles off of American business, and tax policy is high on the list. The fact that we could have an estate tax that is much smaller in terms of its impact on a family, and the American people would accept that is in fact the case. I hear it over and over in this country. We have also heard that it would be helpful in terms of American competitiveness for us to reduce our corporate tax so we are more globally competitive.

Among the provisions that anyone can read about is in americanroadmap.org, and that is the proposal to create a flat income tax. That would be a rate, such as 10 or 11 percent, that you would pay on all of your income, regardless of source, regardless of whether it's active or passive, whether it is capital or income from a job, whether it is rental income, royalty income, or, again, active income. All sources of income would be taxed at 10 or 11 percent.

So you take all your income annually times 10 percent or 11 percent. Maybe you have a deduction of $20,000, so your first $20,000 worth of income isn't taxed. And then whatever that amounts to, you just write a check and send it in to the IRS. You don't need to have CPAs help you fill out your tax returns. And I can tell you, if we did that, it would save the American people a lot of money. We would garner a lot of tax revenue that we aren't collecting now because of the efforts and machinations that people go through to try to protect as much of their income as they can from being taxable because, A, there is no way to avoid it, whether you are rich or poor; and, B, it's predictable. You know that the person across the aisle from you at work or at church is also paying 10 or 11 percent, whatever it is, of their paycheck.

That sounds so fair to me. It sounds so logical. And yet that is something that is so hard to change with all of the interest groups that affect the appearance and shape of our Tax Code.

I do want to encourage, as we go along, everyone to go into AmericaSpeakingOut.com and weigh in on ideas that we have proposed to reduce the Federal debt and deficit and stimulate the economy and take the shackles off the American entrepreneur. And also to just weigh in and give your own thoughts about how we might do it.

I would like to talk about one of the bills that I have sponsored, and it's a way to reduce the number of Federal employees without firing anybody. It is a bill that would provide that if you look at the curve off here to my left, your right, you will see Federal employment in the year 2010, which is the farthest bar away from me, has absolutely skyrocketed. And this is Federal Government employment full-time equivalents excluding the Postal Service. So it has just grown leaps and bounds.

Now, how do we soften the landing for those people that were hired in a way that will allow our economy to return to normal so we can begin to reduce all this deficit spending? And the

answer is for every person who retires or voluntarily vacates a position, that vacated position, that vacant position would be moved into a position pool, and only half of the positions would be moved in the position pool. Then the executive branch of government, run out of the President's office, would have to determine whether that position was essential to that agency and needed to be placed back in that agency and then filled with an employee, or whether that position should be moved to another agency that had a more impactful mission on our American economy and on our government regulatory needs.

So it's a way over a 10-year period to reduce the number of Federal employees through attrition. They leave. Their position becomes vacant. Half of those positions go away. That saves about $70 billion. Not a small amount of money.

Some of the other ideas that Republicans have filed go way back to the stimulus package. We sponsored a bill that would have stimulated economic growth; in fact, it would have created twice as many jobs at half the cost of the majority party's $787 billion stimulus package. How did we do it? We did it by investing in infrastructure instead of earmarks and by cutting taxes. This is something I believe, Mr. LATTA, that you and I both supported.

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Mr. LATTA. Thank you very much for yielding, and again, you go back to the Responsibility Investment Act again, you were talking about cutting taxes here and what we can do to really get things moving. Again, if you get rid of and make permanent the repeal of the death tax, well, what happens? People are going to say, now I can invest that money back into the business instead of going out saying, how am I going to try to soften the blow when the taxes finally come, you know, through buying insurance or, you know, going to multiple years of tax planning on how you're going to get this thing done?

And I'm sure everybody this year is going crazy with the thought that the death tax comes screaming back at the $1 million level at the end of this year, and you have a lot of folks with their A and their B trusts already funded where they're supposed to be, and they're going to say, now what am I supposed to do? So it's right back doing what? You know, it's not just the money that people invest, it is also the time. If you think how much time is invested by businesses to try to figure out how they have to cope with all these taxes and regulations out there, I think that that's one of the important things out there.

Again, in a piece of legislation that I have on the Responsibility Investment Act, again, repealing that death tax, we're talking about what we can do on the small business side. You know, if we're doing a 20 percent cut for small businesses and 20 percent tax cut for businesses, that's going to allow those businesses to take up to a 20 percent deduction equal to their income. And it's regardless of whether they're paying corporate or personal income tax.

So those are things we have to do to try to make sure that we get businesses back moving in this country again, and again, we just can't expect folks out there to say, you know what, I'm going to work like a dog 24 hours a day, 7 days a week for X number of years to try to get this off the ground and then have to watch it all be taken away from me.

Mrs. LUMMIS. You know, among the other pieces of legislation that Republicans have sponsored includes reducing our salaries or freezing our salaries, freezing government salaries, reducing spending across the board. There have been Republican proposals, anything from 1 percent to 5 percent to 10 percent. There have been Republican proposals that would take spending, as Mr. LATTA referred to earlier, back to 2008 levels or even 2006 levels. You know, we had enough government then. There were not a lot of complaints that, my gosh, we don't have enough government; we need to spend more on government.

So we could take spending back to 2006 or 2008 levels, and I don't believe the American people, other than those who have benefited specifically by being employed by those Federal agencies and Federal programs, would notice the absence of that money, and in fact, they'd probably benefit mightily because it would save so much money that interest payments on the debt and the deficit would be reduced, and we would not have to borrow so much money.

A couple weeks ago here in Washington, some U.S. Treasuries were issued. They are issued every day that we are working, Monday through Friday. There's a sale of U.S. Treasury bonds because we are going into debt so much we have to sell Treasuries every day. This particular issue was undersubscribed. That means there were not enough buyers for the money that we attempted to sell, and the reason is that for the risk that the buyers were taking, they wanted a higher rate of interest. They wanted a better return. When you take more risk on an investment you're purchasing, you want a higher rate of return.

As soon as we have to start paying higher interest in order to attract buyers to our debt, we are ensuring that our children and grandchildren are going to be saddled with higher interest payments once again, crowding out other investments in our economy. These are the kinds of things that absolutely stifle economic growth in our country and encourage some businesspeople, as was mentioned by Mr. LATTA, to move their businesses elsewhere.

We do know that, for example, in the Gulf of Mexico right now, with the moratorium on drilling and no end in sight to when it might be lifted, that there are drill rigs that are considering moving to that tremendous oil and gas find off the coast of Brazil. If one of those enormous rigs is moved off to the coast of Brazil, it will be 5 years before it comes back. It's not going to move back at a moment's notice. That takes so many thousands of jobs away from workers in Louisiana. So they're doubly punished. They're punished because their shores are polluted by oil from the Deepwater Horizon rig which exploded, destroying the fishing industry and retarding the tourism industry. And then they're adding insult to injury; the oil and gas employees lose their jobs in areas where you could drill at a shallower depth or a medium depth in a much more safe and well-understood manner. This is the wrong reaction.

You know, the President is speaking later this evening about the situation in the Gulf, and what I would note about that is, we can't legislate our way out of the damage and the devastation to the Gulf. We have to clean it up, and we have to make BP pay for it. Those are our alternatives: Clean it up; make BP pay for it.

The President, if he had had executive experience, would likely have called the head of BP within 48 or 72 hours of that oil spill and said, I want you on a conversation with me every single day at a specific time. I want you and me and the Coast Guard and the Governors of the affected States and anyone else who is able to help us clean up this mess, and they could get on the call every day at the same time. The President could have opened a call, and he could have said, I'm not going to stay on this call for more than a minute, but I'm going to tell you that the people on this call are responsible to the people of this Nation to make sure that that oil does not get to our shores, and I want you to do everything possible. BP has said they will pay for it. BP is on this call, and are you assuring us you will pay for it? I mean, under which circumstances, they would have said, yes. And it could have proceeded that way every day with the President's full support for the Governors' requests, for the Coast Guard's requests, for repealing the effects of the Jones Law, which inhibited our ability of getting other countries to help us in the response. All of that could have been handled if it would have begun earlier enough.

But the fact that there was an effort to run away and avoid the problem and deal with it not until it was just completely out of control is, I believe, an indication of someone who had legislative skills and not executive skills. There is such a difference. We cannot legislate our way out of the situation, and we should not have a cap-and-tax bill as a response to a devastating accident that may be the worst ecological disaster we've ever had, because taxes are not going to change it.

BP has said they're going to pay the bill. To do otherwise would be to impose taxation on the people in this country who can least afford it, those of low and moderate income who are trying to make ends meet at a time when unemployment is still 9.7 percent, at a time when we should be helping them find jobs, not imposing a moratorium on safe drilling, that takes jobs away from them. The Gulf is just one example of where that's true.

And I yield back.

Mr. LATTA. I thank the gentlelady for yielding and a couple of your earlier points, you know, you were talking about pay here in Washington. I've got a bill that hasn't had any hearings, and what that bill says is that there are no COLAs anymore for Congress. If you think you deserve a pay raise, then you should introduce a piece of legislation saying that, and what this bill would do is say no more COLAs, period. We wouldn't have a 1-year freeze or a 2-year freeze; this bill would say no more COLAs.

Again, going back to what you said on that interest on that debt, and I mentioned a little bit earlier about going back to the early 1980s, with that 21.5 percent interest rate that people experienced. I was first starting to practice law that year, and I'll never forget, we had to do land contracts. And what a land contract, of course, is, say you want to buy my house, well, you couldn't go to the bank and get a loan because you couldn't borrow any money. So I would have to, as the owner of the home, would sell you the house. We would have a contract that you pay me the principal and interest over about a 3-year period of time, and hopefully, at the end of that 3 years, then you would find a bank that you could go out to and get a loan from.

We don't want to see this go back, like I said, to where we had 21.5 percent interest. We don't want to go back to have some businesses out there at over 26 percent. When the Federal Government is out there, as you said, you know, if they have to start raising the interest rates to make it more profitable or for either the country—of course, right now, we know $3.7 trillion of our debt is owned by foreign countries, and you know, we're only seeing that only grow, where they will control more of our public debt than anybody else.

So it's important that we get this under control because we cannot have interest rates that high into future. Businesses will stagnate. Businesses will not have the ability to go out and borrow money. And that's what we're going to be looking at. We'll be staring that in the face in a very short period of time, and what we need to make sure is that businesses can go down to that local bank on the corner, that people can go down to that bank on the corner and draw money and also loan money from that bank because, again, if we're in a situation that we were, you know, having learned that a lifetime ago already, not too many years, but back in a situation that we would be in where we were before, we can't compete.

And something else I guess we're kind of forgetting, when you look back on some of these statistics, maybe 10, 20, or 30 years ago, the United States was pretty much at the top of the heap. We could make some odd, dumb mistakes along the line, but we could correct them pretty quick because we controlled about everything. Not anymore. When you're looking where the Chinese want to be in the next 10 to 15 years and where other global competitors are, we're not going to be there. So that's why the United States and this Congress cannot misstep at any time, from now or into the future, because our future, not only for this generation but the generations to follow, are at stake.

Mrs. LUMMIS. Mr. LATTA has announced a call to action for all Americans, and we are attempting as a Republican Conference to solicit ideas and priorities from all Americans, regardless of party affiliation.

Please visit americaspeakingout.com.

This will provide an innovative online forum for policy debate and idea generation. It gets us outside of Washington to talk about policy solutions at town hall meetings across the Nation. It allows us to discuss how our principles of freedom and smaller government could be applied to the priorities of the American people.

In time, we will produce a new governing agenda for America guided by this open process and built on our conservative principles, and we want to demonstrate that Congress should pursue different policies and operate this House more responsibly than both Democrats and previous Republican majorities. And if I hear something all the time on the Republican side of this room, it is that we don't want to treat the Democrats the way we used to treat them, and we don't want to be treated the way the Democrats have treated us.

I really believe that the 112th Congress that begins in January could be a new beginning for our country. It will only be so if the American people say it will be so because the American people are the ultimate governors of this country, and they govern with their vote, and they will have an opportunity in November to vote.

So please visit americaspeakingout.com. Give us your ideas. We want to know. We want to build a working, bipartisan majority with the American people so we are legislating what the American people want, not what liberals want, not what conservatives want, what the American people want.

So americaspeakingout.com is a state-of-the-art Web site that allows individuals to suggest ideas of their own or weigh in on ideas offered by others. Everyone can see the ideas that are on the table, make comments on them, and register their approval or disapproval.

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This Web site brings the Halls of Congress into American homes and uses the best of social media to allow America's many voices to be heard.

And we would conclude by saying, to change the way Washington works and the policies it pursues, it will require Washington to listen when America speaks out, and we hope all Americans will join us in this unprecedented process of engagement.

For concluding remarks, I yield back to the gentleman from Ohio.

Mr. LATTA. I would just like to conclude on a statement that was made as you talk about Americans getting reinvolved.

Again, when I speak to the students on our steps here at the United States Capitol, I can't think of a better place to tell kids what they have to do. But one of the interesting things, especially when I have seniors in high school and I say, how many of you are registered to vote, I remember one day we had about 100 students out there, and I probably had maybe 20 percent of the kids sheepishly start trying to raise their hands. They were going to put them down and I said, wait a minute, leave your hands up. I said, I want everyone to look at who has their hands up because they're going to be making the decisions for you. I said, if you want to participate in this great experiment, you have got to be registered, you have got to be involved.

It kind of goes back to what Benjamin Franklin said. It was reported when he left the Constitutional Convention—it was very contentious—a lot of people think it was just fine and dandy. They showed up in Philadelphia starting in May of 1787 and they wrote this great document. But it was hard-pressed, hard work, and they got it done. And when Franklin left, a woman asked him as he left, she said, Mr. Franklin, what have you given us? And he said, ''A republic if you can keep it.''

I yield back.

Mrs. LUMMIS. I thank the gentleman from Ohio for joining me this evening.

I look forward to hearing the remarks of the next group. They are our Democratic colleagues from across the aisle. This group will be led by Representative WASSERMAN SCHULTZ, who I had the privilege of visiting Israel with earlier this year. She led a congressional delegation to Israel. And for this neophyte in international policy, it was a fabulous experience. We had the opportunity to meet Israeli President Shimon Peres. We visited with Benjamin Netanyahu, with the minority leader, Tzipi Livni, and also with Palestinian Authority leaders. We visited Jerusalem, the Golan Heights, and some of the fabulous farming communities near the Sea of Galilee.

For someone who had never visited Israel—in fact, I had never seen the Mediterranean Sea in my entire life, and to get to visit it with people who are steeped in the history, the politics, and the worldwide consequences of our relationship with Israel, it was a tremendous experience. So I want to thank the gentlewoman from Florida, Representative WASSERMAN SCHULTZ, for including me on the congressional delegation that she led to Israel.

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

THE ECONOMY

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, first, before she departs the Chamber, let me just say what an absolute pleasure it was to travel to the Middle East with the gentlelady from Wyoming. Mrs. LUMMIS was a pleasure to have as a companion. She was inquisitive. The purpose of that trip was particularly to bring Members who had not been to Israel before so that we could learn about the importance, not just strategically, the importance of Israel in terms of its relative location to its neighbors so that Members like Mrs. LUMMIS could see and understand just how important it is that we continue to be supportive of Israel as a Jewish and democratic state.

Everyone I know that travels to Israel comes back a stronger supporter and a stronger pro-Israel advocate; and I commend you, Mrs. LUMMIS, for doing just that. It was an absolute pleasure. We began a friendship that I know will continue many years into the future, so thank you very much.

With that, Mr. Speaker, I am thrilled to be joined by my colleague, the gentleman from New York (Mr. TONKO), this evening. We're going to spend some time talking about our economy and talking about the evolution of our economy. There certainly has been some ebb and flow in that regard, but we are here tonight to talk about the success that we have had in turning the economy around and beginning to see progress. Inch by inch, month after month, there is more and more progress as we move forward.

This evening I want to highlight, Mr. TONKO, the fact that if you look back—and I know we have a chart on this which I would love to go get in a minute—but if you look back to just before President Obama took office in January, at that point, for the months leading up to his inauguration, we were bleeding, the United States was bleeding 700,000-plus jobs a month, and we weren't able to stanch those losses. The Bush administration handed President Obama the largest deficit in history, and one which they created after being handed a significant surplus from President Clinton.

And to have to deal with the amount of problems that our economy was facing when President Obama was inaugurated was astonishing and appalling, Mr. TONKO, because to have been left a mess and to have the economy driven off a cliff as it was was just absolutely irresponsible and it was avoidable.

It was avoidable because during the Bush administration, instead of focusing exclusively on the wealthy and having a tax-cutting policy that was focused exclusively and irresponsibly on the wealthiest 1 percent of Americans, instead what should have been done is there should have been a focus like there has been every single month since President Obama took office; there should have been a focus on broadening that tax-cutting policy and focusing on targeting tax cuts for the middle class. That wasn't done, and so the economy essentially was careening out of control.

Now you fast forward to a year and a half after he first took office, you fast forward to a little more than a year after we passed the American Recovery and Reinvestment Act, which invested $787 billion into our economy to jump-start the economy, to create jobs, to provide 98 percent of taxpayers in this country a tax cut. Where you had the wealthiest 1 percent get tax cuts under the previous administration, 98 percent of Americans got a tax cut last year. And we actually have the lowest tax rate now that we've ever had. It is just really amazing the way things have been turned around, and we should be very proud of that.

Today, in terms of job creation, from bleeding 700,000-plus jobs, we are now adding an average of 200,000 jobs a month since the beginning of this year. That is a really incredible accomplishment. I'm going to toss it to you in a second and go get those charts so we can have an illustration of what we're talking about, but we have a lot to be proud of. We have a long way to go. I mean, granted, we certainly aren't out of the woods yet, but we have turned things around and are beginning to see that in the economic indicators that I know we will talk about tonight. So it is a pleasure to be with you this evening.

Mr. TONKO. Thank you, Representative WASSERMAN SCHULTZ. And thank you for bringing us together for this Special Order which obviously will speak to the wisdom of sound policy that breaks from the failed policies of the past.

What is startling is that we should have learned from decades ago that the trickle-down theory simply does not work. It does not work because there wasn't a benefit felt by the working middle class, a large group of people across this country who in many situations live paycheck to paycheck, putting aside money for their mortgage payment, putting aside savings for college for their children, putting aside some reserves for unexpected expenses. That kind of situation must be responded to. And I think the fact that you talk about 98 percent of Americans getting what was now recorded to be historically the largest middle income tax cut in this Nation's history was a big part of the Recovery Act. It is what started to circulate the dollars.

When we look at the economic advice that we got, not only as the House of Representatives, but the United States Senate and the White House, with President Obama and Congress being advised by a team of economists that ranged over the broad spectrum of philosophy in the world of economics, and from the far-right thinking to the far-left thinking, from more conservative viewpoints to the more liberal viewpoints, there were recommendations made by this panel of economists who spoke to the priorities that needed to be embraced by this Nation. The time had more than passed to invest in the recovery for America, and the results are astounding.

When we look at the Recovery Act, we can witness that the bleeding has stopped. The telltale indicators suggest in many cases that there is slow and steady progress, that the bleeding has stopped, and the Recovery Act can be credited for that.

The investments that were made were in three categories: tax cuts, as the representative, the gentlewoman from Florida indicated, a historically large impact, a historic largest middle income tax cut for this Nation. That was shared with the middle income community, the working families of this country.

Next, an effort made for issues like FMAP and education aid that went to States. I know that my home State of New York did extremely well with the Medicaid relief monies, did extremely well with the education investments so that we are able to keep some of the public sector employment situations, from educators to public safety, alive and well, and to allow for those families who were in need of assistance to receive some of the Recovery Act monies. And the unanimity with which the economists spoke in this situation simply was driven by the very forceful thinking that these entitlement situations—the need for food and clothing and shelter in tough times where people were finding themselves without a job through no fault of their own were allowed then to, with dignity, continue forward in these tough times; and they reinvested in the local regional economies. That got the local economies circulating and began the work, the progress of pulling ourselves out of this recession, which was, again, a historic situation as was witnessed by the previous speaker.

And then finally, investments, investments in a way that went to projects that were back-burnered, investments in technology, technology and education, in energy situations, in health care, in all sorts of activities, in transportation and infrastructure, utilizing technology in a way that could

take those issues that were displaced, put onto the back burners were now brought forward by the Obama administration and by the leadership of this House with Speaker PELOSI and others leading us in the votes for recovery. And what happened was that, for instance, in the area of energy, we're creating jobs.

Now, the Representative from Florida, Representative WASSERMAN SCHULTZ, told us that we're now seeing hundreds of thousands of jobs this year added to the recovery, 84 percent of which, I would point out, are private sector. So that's the way we want to grow the jobs. But how is it happening? It's happening with investment in technology, investment in smart meters, smart thermostats, smart grids that enable to us have more control over our destiny as energy consumers.

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That is not only job growth, private-sector job growth, but it is also investing in a way that allows us to be cutting-edge competitive and to provide for a stronger quality of life and for a more competitive edge for our business community.

We also invest in health care with technology, making certain that duplication and mistakes and inefficiencies in the health care system are avoided, and we can go forward with a stronger outcome—a savings, again, for consumers who would have to pay for this duplication and for these mistakes.

Then there is the investment in education so that students are now able to have a stretching of the education resources in the classroom and where they can have a first-class opportunity to think outside their neighborhoods in which they live, where they can be more worldly in the classroom, through technology, in order to witness some of the great things that are happening out there.

This is a great opportunity for us to, this evening, talk about the differences, to contrast the differences out there—the failed policies of the past, Representative WASSERMAN SCHULTZ, that brought about 8 million jobs lost in a recession. That outdoes the Great Depression. Many of my constituents out there will tell me that they recall the Great Depression, and 8 million jobs surpass that situation.

So we started out in a very difficult situation, and I know that, with the Recovery Act, we are beginning to make progress. We are going to continue to stay on this slow and steady course that will enable us to come back from what was a very deep hole.

Representative WASSERMAN SCHULTZ, I know that we are joined now by our friend and colleague from the State of Pennsylvania, Representative KATHY DAHLKEMPER, who, like me, is a member of the freshman class here in this great House of Representatives, who is one of those great additions to the House and who is an enjoyable force with whom to work.

So, Representative DAHLKEMPER, I know that you wanted to jump in and share your thoughts on our recovery here.

Mrs. DAHLKEMPER. Well, thank you. I thank the gentleman from New York, a fellow freshman who has been a good friend of mine since I came to this House.

I also want to thank Congresswoman DEBBIE WASSERMAN SCHULTZ for bringing us all together tonight. It is a great opportunity to talk about the progress we have made and about the progress that we are continuing to make. We know we are in a recession, that we are digging out of a very, very deep recession, but the signs are positive.

You know, as is Mr. TONKO, I am very much from a manufacturing-based economy, and I look at those manufacturing numbers always with great interest to see exactly where we are going from my district. What I find, actually, to be very encouraging is that our American manufacturing base has grown not just in the last month, not just in the last 3 months, not just in the last 5 months, but for 10 straight months the manufacturing base has grown in this country, and that pretty well correlates with the passing of the American Recovery and Reinvestment Act. We have created more than 125,000 manufacturing jobs over the last 5 months.

Now, I know people back home talk to me about how we can move our country forward. They say we've got to get back to making things, and I completely agree with that. For so many years, our economy has become an economy of paper, and we have been more concerned about what has gone on with Wall Street than what has gone on in the factories throughout our great Nation. As I say, particularly for those of us in the Northeast, we've seen many manufacturing jobs go. So what I find very encouraging is that we are getting back to making things in this country.

With that, we have seen a couple of things. One is consumer confidence, which is another great indicator. It rose in June to the highest level in more than 2 years. That is from the University of Michigan, a consumer confidence survey. That's not from us here in the House. That comes from an outside source, which was just on the 11th of this month, just a few days ago. Consumer confidence is rising for the third straight month and to its highest level in more than 2 years. This was way before Mr. TONKO and I were in Congress, so that is very, very encouraging news, along with retail sales rising for the seventh straight increase and the 12th gain in 13 months. So there are a lot of very encouraging signs.

Now, I know this is still a problem for those who are out of jobs, and obviously we are still very, very concerned about that, but we have some signs that this economy is recovering. It really has had to do with what we have done here in the House, with so many of the good policies that we have passed here which have helped move this economy forward.

Here we will show you retail sales, which are on the rebound. When people start buying again, they have confidence, confidence that we are recovering. So here is what happened in the red during the Bush administration:

As you can see, we were going along pretty well until the recession began, which was going into 2008. Then, of course, it takes a very big dip right before I and Mr. TONKO took office. That was in November–December of 2008. Then you can see what happened after we passed the Recovery Act back here in March of 2009, and the numbers continued to steadily go up. Here we are in April of 2010, and we are getting almost back up to where we were, well, about 4 years ago, actually. So great news in terms of the retail sales on the rebound. Great news on consumer confidence going up. Great news on the manufacturing.

Of course, we want even better news. We want to continue to work on this economy and to help businesses create jobs. We are providing, as Mr. TONKO said, so many of the, I think, road maps that need to be there to create those new jobs. Whether we're talking clean energy, whether we're talking broadband, whether we're talking health care, you know, we need to move into this new century. We're doing that, and we did many of those investments through the American and Recovery Act, and I always like to talk about the recovery and reinvestment side. The reinvestment is what we don't talk enough about, and I know Mr. TONKO loves to talk about that, too. We are talking about where we are today, and so these are just some of the numbers that, I think, need to be brought out, and the American people are feeling that confidence level going up.

I now yield back to the gentlelady from Florida.

Ms. WASSERMAN SCHULTZ. Thank you very much.

First of all, let me just say that it has been such a breath of fresh air. I know Speaker PELOSI likes to say that each new Congress breathes in new life from the trenches, new people who have just come from having their fingers on the pulses of their communities. Both of you, Mrs. DAHLKEMPER and Mr. TONKO, reflect that statement really to a T. I know that you're in your districts, constantly working hard to make sure you can come up here and can fight for the things that the people in your districts care about.

Particularly, I know I never tire of hearing you talk over and over about how important it is that we restore that manufacturing base and that we be supportive of an economy that makes sure that we can make things again. I have heard that refrain from you and from your industrial, you know, rust belt colleagues for many

months now, and now we are seeing the fruits of that effort with the increase in manufacturing.

Also, it is really exciting that you can actually point back, Mr. TONKO, to a point in time and to a policy decision that we made, to a vote that we cast, which made a difference. I mean it's hard, you know, to gauge sometimes whether or not what we are doing is working, you know, whether a policy decision has had the desired outcome, but you can see. I mean the proof is in the pudding. I mean here are retail sales that Mrs. DAHLKEMPER just talked about. Now let's just look at consumer confidence in general, because the consumer confidence numbers did just come out, as you talked about.

Every month for, I think, the last 7 months, we have had consumer confidence on the rise. We have had another jump in consumer confidence. This is a chart that talks about the increase in household wealth and how American household wealth is beginning to recover. $17.5 trillion of household wealth was wiped out under President Bush. Under President Obama, we have already recovered $5 trillion of that household wealth.

When people have their wealth restored, when they have resources again, they start spending money. That's why those retail sale numbers are going up. When you have your wealth restored, you gain more confidence in your ability to make some spending decisions that you might not have made. So, ultimately, we are going in the right direction.

Really, I have to laugh at some of our friends on the other side of the aisle. You know, with the expression ''your glass is half full or your glass is half empty,'' that's sort of the determining factor of whether someone is an optimist or a pessimist. I don't even think it's half. I think their glass is just empty. I think they broke the glass, because, to be honest with you, it's really shocking how they can see only gloom and doom with positive economic numbers like this. I mean what is so sad is sometimes I think they wish that this were not the direction that our economy was moving in because, sadly, for so many of our colleagues on the other side of the aisle, it's about regaining power rather than about seeing the American people regain some power, some power in the purse. So I just thought I would point that out.

Before I flip it to you, Mr. TONKO, some really exciting and interesting poll numbers came out this week. In these hours, we like to make sure that we don't just have people taking it from us. I mean, you know, obviously, I'm a Democrat. I'm, you know, supportive of my party's agenda, of our leadership's agenda and of moving the country in a new direction, so we try to talk about third party validators on the House floor.

The ABC News/Washington Post poll was released just this past week, and it showed that Democrats are favored over Republicans to handle the Nation's biggest problems. Six in 10 who were polled are dissatisfied with congressional Republicans' ideas. In terms of the individuals polled, we were supported by a 12-point margin. By a 12-point margin, Americans trust Democrats over Republicans to handle our Nation's biggest problems 44 to 32 percent. That is a pretty significant indicator that Americans are happy with the direction that we are going.

I think no matter what district you go to, whether it's to a progressive district like mine or to a moderate district like Mrs. DAHLKEMPER's—and you're probably halfway in between Mrs. DAHLKEMPER's and mine, Mr. TONKO, as far as the philosophical spectrum in your district—our constituents would tell us we are cautiously optimistic, that things are moving in the right direction but that we're not out of the woods yet. You need to keep pushing. You need to keep innovating. You need to keep passing legislation that is going to jump-start and spark this economy and be an engine of job creation. That's what we're keeping our nose to the grindstone on.

Mrs. DAHLKEMPER. Will the gentlelady yield?

Ms. WASSERMAN SCHULTZ. I'd be happy to yield.

Mrs. DAHLKEMPER. You talked about other people weighing in with some of these surveys, and I just wanted to mention a few things that have been in the news just in the last week.

We have Melanie Holmes, the vice president of Manpower, Incorporated, who knows a lot about whether people are working or not. A very interesting thing about this result is that the positive trend is very broad-based. That was out of CNNMoney, again, just a few days ago.

Mark Zandi, the chief economist for Moody's, just a few days ago, said that nearly two-thirds of metro areas are flashing signs of growth. He said a tracking tool that is forecasting firms is showing this upturn, and it is the best showing since mid-2008.

Then we have from CNNMoney.com the title of ''Bosses More Bullish on Hiring.'' For the third straight quarter, more U.S. employers said that they will add jobs instead of cut them, according to a survey released Tuesday. The survey found that 18 percent of employers intend to increase staff, up from 16 percent the previous quarter.

These are people who are not associated with us here in the House of Representatives. These are independent groups out there, media outlets, who are seeing what we're seeing in these numbers here, and they're telling the American people the true story of what is going on in the economy.

I yield back.

Mr. TONKO. If the gentlewomen will yield, it's interesting. You know, you talk about these observations that have been shared in publications, but as early as April 16, I believe, Fortune Magazine talked about the Recovery Act's working, that the President's policies were having their presence felt. They talked about it as a sharp turn.

Interestingly, if we see the pattern of the retail sales that you presented in chart format, the household wealth recovery chart and this GDP scaling, they all had that same graphic. It's this sharp V formation, that precipitous dive, straight-line dive, from early 2008 into the beginning of 2009. Here is another one on the path to economic recovery and then that slow and steady straight line of recovery.

So, to me, it's blatantly obvious there was this continuation of decline, and you can't help but wonder what would have happened if we had allowed the failed policies of the past to continue or if this President and if this Congress had not stepped up to the plate.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. TONKO. Absolutely.

Ms. WASSERMAN SCHULTZ. Since you asked the question rhetorically, I'll actually jump in and answer it with an answer from Mark Zandi, Moody's economist who Mrs. DAHLKEMPER just referred to.

As to what would have happened without the Recovery Act, without the TARP legislation, and without making sure that we grabbed a hold of the tiller of this economy, what he says would have happened is we absolutely would have sunk into a depression, that literally the policies of President Obama and of the Democratic leadership in the House and the Senate steered our ship of fate away from a depression.

□ 2000

Mr. TONKO. So we can see these V formations; that downward straight line impact that could have kept going, but we changed directions. And now, we're told by our colleagues in the House on the other side, It's not quick enough. We've made a wonderful recovery here. We have stopped the bleeding, and we're climbing upward. The analogy used by the President, where they drove the car into the ditch, and then it took a tough bit of effort to pull that car out of the ditch, and they're saying, Give us back the keys.

Well, I think the public is now understanding that very failed policies were governing our economy. It brought America to her knees. And we saw the lack of regulation with big business, big banks, Wall Street, credit card companies, big oil. Gosh, we see what is happening in the Gulf. All sorts of big special interests that had a heyday. No regulation. No watchdog in the equation. Let us run free. Let us be in a situation of laissez-faire. Government is bad. No restriction. Let it just run free.

Well, capitalism works, but you also need guidance. You need some sort of measurement, some sort of discipline that errs on the side of the consumer,

the taxpayer, whomever, the small business. And the recovery here is about smart policy. It's about progressive policy. It's about taking what was broken and fixing it.

And, you know, don't stand on the sidelines and say, We're watching you mop; you're not mopping quick enough.

No. Pick up a mop and help us clean up what has been messed up here.

I think the public now is understanding. They're seeing this big oil company that got us into trouble now, is harming the environment, is impacting the economy of the Gulf States. They're understanding now that regulation for certain big groups out there is essential. Regulation for Wall Street was essential. Our work, to make certain that we help the small business community by assisting them with loan opportunities, working with community banks to open up the credit lines; the backbone of our economy, the springboard to our recovery is through small business.

And this was an era that preceded us that was about special interest, big companies, big industries getting all sorts of favorable review and treatment while small business and middle-income America struggled. Struggled to live paycheck to paycheck while greed—greed—predominated on the scene and really brought this economy to its knees and caused undue hardship, unnecessary hardship to folks, ranging from those in their senior years, who had retirement accounts destroyed.

And what do our folks say here on the other side? Privatize Medicare. Privatize the situation for Social Security.

This is a choice here. It's a contrast. It's a difference. Big oil companies, big banks, Wall Street, special interests, give them free rein; or assist the small business community, work for incentives and relief, tax relief for middle-income Americans. There's a contrast here. And it's that V formation. Just as that line went precipitously south, we're now going north. So is the contrast. Sharp and clear. And I think, more and more, the general public is saying, No, you don't get back the keys. You don't deserve to get back the keys to the car.

Ms. WASSERMAN SCHULTZ. You're absolutely right. And I want to jump off what you just talked about, related to the choice that Americans will have. Over the next few months, we are going to get closer and closer to an election, and in November, I think Americans will have a very clear choice. They can go back to the failed policies of the past. They can backslide toward the Bush era, in which we will be in a situation where we will be led by people who think that we should exclusively focus on big business, big corporations, the wealthiest Americans, and that tax-cutting policies should only be targeted towards that group of people and use the whole trickle-down notion that has been proven time and again not to be effective, in fact, proven to be detrimental to the economy.

Or we can continue to move in the direction that the Obama administration and Democratic leaders in the House and Senate have been taking us, which is slow and steady progress so that we can reestablish the balance that we need in our economy, particularly, as you mentioned, the balance in terms of regulation. We allowed the fox to guard the henhouse for 8 long years in industry, particularly in the financial services area, which we're debating and discussing this week. And it's high time that we reestablish some order and balance.

Mr. TONKO. Well, I don't get to watch TV too much. All of us know we're out in the districts working all the time. But I do understand the concept of a show called, ''Are You Smarter than a Fifth-Grader?'' So we will put it out to the fifth-graders and say, Would you prefer 8 million jobs lost, or would you prefer over a half million, over perhaps three-quarters of a million jobs returned, 84 percent in the private sector category? I think the fifth-grader would say, Give me the job growth, not the job loss. And you go down that list, and I think the fifth-grader is going to tell us that this is pretty clear. It's a contrast that I understand. And it's important. I think it's about choices.

Is it fast enough? We would all love instant response. We would love millions of jobs in one quarter. But after we witnessed $18.5 trillion lost to household incomes over an 18-month span during the Bush recession—that's about a trillion dollars per month lost to household income—to now recover $6 trillion, a 30 percent recovery of that loss, is a move in the right direction. Again, a fifth-grader would say, I'd rather take a $6 trillion gain than an $18.5 trillion loss for households.

So it becomes more and more apparent that the Recovery Act isn't working; that it's about small business incentives, tax relief for small businesses investing in basic research, research and development, embracing science and technology, building a clean energy economy, growing an innovation economy, supporting emerging technologies. These are all dynamics of strength. And the confluence of these dynamics of strength mean a growing economy and one that can base itself on cutting edge in design and format. I think it's a strong comeback, and we need to maintain the course of recovery.

Ms. WASSERMAN SCHULTZ. Mr. TONKO, as the parent of twin fifth-graders, I can tell you that my fifth-graders often scratch their heads and wonder, Mom, what the heck are your colleagues on the other side of the aisle doing? They wonder why they only focus on the most narrow view.

Mr. TONKO. I, by the way, had lunch with one of those.

Ms. WASSERMAN SCHULTZ. Yes, you did. You did, as a matter of fact. And my fifth-graders and first-grader will be back tomorrow. I'm looking forward to that. Maybe we can send them over to the other side of the Chamber, and they can shake things up a little bit.

With that, we've been joined by our colleague from Ohio (Mr. BOCCIERI) who is doing a fantastic job representing his community and is a real fighter for the values of the Midwest.

Mr. BOCCIERI. Well, thank you, Congresswoman DEBBIE WASSERMAN SCHULTZ of Florida and PAUL TONKO, for setting up the challenge of setting the record straight.

Just as an aside, a few years ago, as a State legislator, I remember sitting in my room watching C–SPAN, and you and Congressman RYAN were speaking a few years ago. And I thought, Wow, how neat would it be to stand next to them and talk about the same things we're talking about today.

Well, here we are. So it's an honor to share this stage with you to talk about how we get our country back on track and we get our economy moving again.

I agree with so much that has been said here tonight; that America has to be the producers of wealth, not just the movers of wealth. We have to build things here in this country. We have to invest in our workforce. We have to invest in things that are going to make us different than the rest of the world. And we have that here.

You look at the computer. You look at our space program. You look at things that have been invented here. Things don't happen by accident in America. Things happen because we have some of the greatest entrepreneurs. We have the great entrepreneurial spirit, we have great mind, great thinkers. We also have a great form of government that works on behalf of the American people.

However, what we hear from the other side, Mr. Speaker, what we hear from our colleagues on the Republican side, is that ''no'' has been the standard answer here for the last year and a half. The party of ''no.'' The ''just say no'' crowd. Say, No ideas. No solutions. No interest in helping America move back and move to higher places.

Look, we're elected to do things, not just to win elections but to do things and put the country back on track. When you run for office, you make all these promises. But when you govern, it's about choices. And we have to a choice to make. Do we work together as Democrats and Republicans to put America first, to put America back on track, and to put our country moving forward? Or do we participate in this partisan exercise here where all we get is stiff arms?

We have worked very hard to try to bring our colleagues on the other side, Mr. Speaker, to the middle and to govern from the middle and to work hard to make sure that we incorporate some of their ideas. In fact, in the health care debate, there were over 150 Republican amendments. The final version of

the bill reflected the version that was introduced in 1993 by Senator Bob Dole. So while it had a lot of Republican ideas, it had zero Republican votes.

And that is not leadership, Mr. Speaker. Because leadership is about action, not just position. Not just position.

And what we hear is this constant drumbeat about how they want the keys back, as you said, Congressman TONKO. They want the keys back.

Well, the American people remember that they drove us into this ditch by bending over to Big Oil, by bending over for credit card companies and big Wall Street banks and the big insurance companies.

Our political philosophy is this—I know all of us share this—that the government should set the out-of-bounds markers. They should set the goal posts, and let the free market operate in between. But be a good referee. When someone goes out of bounds, you throw the flag. When big oil companies don't have redundancy built into their systems, the referee should be throwing the flag. When private insurance companies are dumping people because they paid their insurance but committed the sin of getting sick, we should throw the flag. Now we could have a debate all day about where those markers and where those out-of-bounds markers are set and where those goal posts are set. But make no question, the government should be the referee.

Mr. TONKO. If the gentleman from Ohio would yield.

Mr. BOCCIERI, you struck something in me when you talked about the party of ''no.'' Even the party of ''no,'' it was not good enough to say ''no'' to an issue like America COMPETES. On this very floor, we had the opportunity to create millions of jobs through an investment in manufacturing; an investment in STEM, science, technology, engineering and math, for our students out there to train the workforce of the future; to invest in basic research; R&D; to do all sorts of incentives for business. Not only was it not enough to say ''no,'' because we had the votes with the ''no'' votes from the other side. We still had many more votes favorable. But then it was a game of politics to just drop the progress, kill the progress of America COMPETES to the point where the issue had to be resolved through all sorts of negotiations over a couple of weeks. So it held back progress.

Ms. WASSERMAN SCHULTZ. Would the gentleman yield on that example? Because let's tell them how they slowed that process down. It's not only that they were not voting for the America COMPETES Act, which by any measure will create literally millions, potentially, of new jobs and definitely tens of thousands of jobs. They added an unrelated, irrelevant pornography amendment to that legislation to try to catch Members on our side of the aisle in a vote for or against pornography. And what they did was they ran an amendment that said that we would vote on whether or not Federal employees would be able to be paid if they viewed pornography on work hours.

Mr. TONKO. It was an intentional game of ''gotcha.'' Here sat in the balcony representatives of labor and representatives from the United States Chamber of Commerce, a broad spectrum of support for a bill that takes America to the cutting edge, allows her to invest in smart manufacturing, and to compete effectively in a global marketplace, to invest in science and technology, to make certain that we're state-of-the-art, that we're investing in research and development, which translates into jobs. All of that activity thwarted by a game of politics on this floor.

It didn't matter—it didn't matter—that nearly 2 million jobs could be created; that we could become a more competitive Nation. That didn't matter. And ''no'' wasn't enough of a force to stop it. So we resort to political games. That's the sort of record that the public will scrutinize, and they will say, Look, we see the slow and steady progress. We believe in this.

To your point, Representative BOCCIERI, about setting up the goalposts, setting up the parameters for this program, yes, allowing the capitalist model to work but making certain that there's discipline, discipline in the situation and the scenario, so that we go forward and invest and know that we recover with lucrative dividends.

Mr. BOCCIERI. Well, what do we invest in, Congressman TONKO? We invest in our greatest asset in America, and that's our people. We want to invest in our people, workforce retraining, investing in jobs in our economy, putting people back to work.

Putting the private interests of our citizens over public interests is what we see, Mr. Speaker, from the other side. They want to put private interests ahead of our good public interest.

We've seen the unregulated greed. We've seen what happens when things go unchecked on Wall Street. What we've seen when we've taken office just in the 111th Congress, I mean you and I are both freshmen, and we were handed a $3.5 trillion deficit. The record is very clear.

Look at this chart here, Congressman TONKO and Congresswoman WASSWERMAN SCHULTZ. I mean, the last three Republican Presidents have given us tremendous debt to our Nation. And what we have heard, Mr. Speaker, from the previous speakers on the other side just a short time ago was how the government is out of control and we're spending. Well, look, it was Republican Presidents who were doing the spending.

□ 2015

The last surplus that America had was a $5.6 trillion surplus handed over to us by President Clinton. So, you know, for them to come over here and lecture Democrats about spending is pretty ironic, considering the facts here that this chart shows.

Now look, we have got to get our spending under control in Washington. Democrats and Republicans both agree on that point. We've got to make sure that we can pay for the wars that we're paying for, these two undeclared wars that we find ourselves in. We need to make sure that we live within our means like working people have to. But let's be clear, a $3.5 trillion deficit handed to us day one when Congressman TONKO and Congressman BOCCIERI walked through the doors is almost insurmountable in an economy that was on such downward spirals, as you had talked about.

So let's get this straight. This is the deficit that was handed over to us with a trillion-dollar tax cut to the wealthiest Americans, another trillion-dollar tax cut to the top 1 percent of our country, a prescription drug plan that left a huge doughnut hole for our seniors that was $500 billion, and two undeclared, unfunded wars in Iraq and Afghanistan. Those are the facts.

Ms. WASSERMAN SCHULTZ. And add to that, on top of that, the Republicans allowing the PAYGO statute and the PAYGO rules to expire. A big part of the reason—under the budget that was passed by President Clinton, we adopted under a Democratic administration, Democratic leadership a pay-as-you-go rule that said that we're not going to spend more than we take in. I mean, just like people have to do in their own households. And when we came back into the majority, we readopted those rules. And now we have the PAYGO statutes reestablished. And what we need to make sure we continue to do—except for emergency spending, which in an economy that's as dire as this one, we've had a number of different emergency situations.

But making sure that other than emergency situations, we pay for the legislation that we're passing, whether it's including the war costs in the budget and actually having it be real numbers instead of pretending that we don't have an ongoing obligation when it comes to war funding. We included the costs of the Iraq war in the Appropriations Act, in the budget, unlike the Republicans who just pretended year to year that we weren't going to actually have that expense.

So we have been trying to be responsible. We have been trying to make sure that we can get things back on track, and that, like you said, we can establish some parameters. Unfortunately, our colleagues on the other side of the aisle think that government is always an obstacle; government can never be a solution. I don't think government is the be all and end all solution to all of our world's problems either. But government certainly can be part of the solution. Governments can help make sure that we can establish

some fairness and some balance and also make sure that there is someone minding the store, that there is not an unchecked industry. We have about 60,000 barrels a day gushing out of the ocean floor right now because no one was paying attention.

Mr. TONKO. I think mismanagement and bad government are totally unacceptable.

Ms. WASSERMAN SCHULTZ. Absolutely.

Mr. TONKO. But effective government, sound government where you're investing in a way that will grow back the economy, where you're creating the discipline that was so essential. Just looking at the gulf today, understanding that all of this heartache could have been avoided had there been some sort of discipline where you weren't taking shortcuts to perhaps grow that profit column, where you weren't—as the 97 percent report required, you weren't investing in technology.

And so all across the board we see these situations where it was just, like, run on your own. Don't let anybody control you or discipline you. We will be there. We'll be your friend. You are a big special interest. Now it's like bringing it back, reining it in, and saying, My gosh, look at that $11.5 trillion deficit. That red bar goes so deep on that chart. When we look at that chart, it's so obvious to the naked eye that something had to be done differently. You couldn't continue the failed policies of the past. We would have been in such a deep hole. Again, it was tough pulling that car out of the ditch, but we got it out of that ditch, and I think the contrast now is, Do you give back the keys to the people who drove the car in the ditch? Or do you allow them to go forward and continue the progress? I think that it's a very stark contrast.

Mr. BOCCIERI. Instead of giving the keys back, we should revoke the license, quite frankly, because these numbers are stark. And I have children who are going to have to pay for this. You have children who are going to have to pay for this. Let's revisit this, a $1.4 trillion deficit under President Reagan, a $3.3 trillion deficit under President H.W. Bush, a $5.6 trillion surplus under President Clinton, an $11.5 trillion deficit under George W. Bush.

I mean, the numbers are stark, and every answer or every solution that they tried to come up with is about giving more tax breaks to the wealthiest Americans and taking the stripes off the referee. This is not the answer. We need to come together as a country to address this. But certainly the facts are presented here, and that is why it is so important that we have got to invest in the greatest asset in our country, and that's our people. And you know, by doing that with the Recovery Act, investing in workforce investment, retraining workers—because some of these trade deals have been good for the Ports of Galveston and California and the Port of New York, but they haven't been good for the Midwest. Congresswoman WASSERMAN SCHULTZ and I understand that by reinvesting in our workforce, helping those workers transition from manufacturing jobs that have left is very important to me.

And while I'm encouraged that we've seen now 10 consecutive months of manufacturing increase in our country, we have got to be the producers of wealth in this Nation, not just the movers of wealth.

I'm happy to report that small businesses in my community are beginning to grow again. The NuEarth Corporation in Alliance, they have just created 60 new jobs in our small town. Medline Industries, a manufacturer and distributor of medical products, has just created dozens of jobs and will be adding jobs over the next 3 years, they have announced. Nationwide Insurance just announced another 600 new jobs in Ohio. They have a facility in my district, an office building in my district. One of the best news reports that we have heard was that Rolls-Royce, who has invested in fuel cell technology, an alternative energy source that even our military is beginning to use, just announced that they're moving their research headquarters from Singapore to Stark County, Ohio, in the 16th Congressional District. They're going to invest $3 million in equipment and are creating up to 60 new jobs and are retaining 32 that are there already. And it goes on and on.

The statistics are showing that we are improving this economy. We're growing—certainly not fast enough for the million of jobs that have been lost under the previous administration and what we were handed day one when we walked in the office, but we are doing our best to turn this economy around and invest in our people.

Ms. WASSERMAN SCHULTZ. And we're doing it without our friends on the other side of the aisle, which is really just so incredibly disappointing. I mean, I have seen our leadership reach across the aisle time and again and ask our Republican colleagues to come to the table, sit down. We're not going to agree on everything, but let's sit down and try to hammer out areas of agreement where we can find some common ground. Let's try to pass bipartisan legislation. As you said, we passed health care reform with over 150 amendments that were offered by Republicans, accepted and included into the bill. We had a bipartisan bill without a bipartisan outcome, and that's been their choice repeatedly. They have made a choice, whether to either sit with us and try to work something out—and you know there's times where you have to—look, politics can be a contact sport.

This is a situation where they have different ideas than we do, but I've been in office for 18 years. I spent 12 years in my legislative body. You were in your legislature as well. I have never been in a situation—and I come from a State that is controlled by Republicans for the majority of the time that I have served in office. But I was always able to reach across the aisle and find some common ground. And we were always able to, on many things, pass bipartisan legislation. They have no interest in that.

So the choices that they are making are, I think, going to result in the American people being presented with a choice to either embrace hyperpartisanship, embrace individuals who are bent on power and bent on controlling the direction that this country moves, and only doing it their way, or Members like our Members who have their fingers on the pulse of their communities, who understand intuitively what the needs are in their district, and who aren't reflexively just voting with their party.

I mean, just look at the diversity of our caucus. We have been able to pass some significant legislation: the Recovery Act, the health care reform legislation. We've passed the Credit Cardholders' Bill of Rights. We have some significant pro-consumer economic recovery legislation, and we haven't passed it unanimously out of our caucus. We have a diversity of ideas, but our ideas and our diversity reflect America because some Members are able to be supportive and some Members aren't.

You would think that there would have to be some people on the other side of the aisle that would have the nerve, that would have the backbone to step up and say, You know, I'm going to put aside my quest for power, and I'm going to sit down, and I know we can work something out. And each of us has had private conversations with other colleagues on the other side of the aisle, and they whisper, Debbie, I really wish we could be with you on this. I really agree with you, but you know, my hands are tied. Really? Your hands are tied? I don't see any rope actually binding your hands or a gag binding your mouth. It's sad.

Mr. BOCCIERI. Well, leadership is about action, not just political position, as I have said before. And we can win elections by taking comfortable votes and maneuver, but that's not real leadership. We come here to get things done. The American people want leadership. They want us to do things. They don't want us to just have a career. They want us to invest in the country. They want us to serve. They want us to do the right thing, do what we think is right, and move the country forward.

You know, I think that at least our Democratic majority has attempted to reach across the aisle and pull people in and say, Give us some ideas. I have sponsored legislation with Members. CHRIS LEE from New York and I have sponsored an investment tax credit so that we can keep our research and development here in America instead of outsourcing it and giving folks an

extra bonus if they manufacture their products in America. This is the type of leadership we're asking for. The HIRE Act that I reached across the aisle and worked on with Congressman ROONEY from Florida, this just became a law.

So we have good ideas, and we can share them together; but on the big issues that confound our Nation, we need their leadership as well as ours. A stiff arm is not the solution to any of these big problems our Nation is facing. So the question becomes, Are we going to invest in America? Are we going to invest in the working middle class and champion the values of the middle class here in legislation that we pass? You know, in just simple votes that we have taken for people who have lost their jobs under no fault of their own, to give them an unemployment check, to make sure that they have COBRA insurance so that they can keep their family going to the dentist or the doctor, keep bread on their table. I mean, these are simple things. Investing in the future of our kids, like the COMPETES Act.

I mean, I just don't understand. I share the collective value with you and others, and I know that there are some of my Republican colleagues over there who want to invest in small families and strong communities, but their hands are tied because of partisan politics. And the American people are watching, and I think the poll numbers that you read earlier are very true.

Ms. WASSERMAN SCHULTZ. That is the choice they are making.

Mr. BOCCIERI. The choice that they are making is not to lead. So I think that when it comes to the matter of the economy, we are trying to put our country back on track, and I think we have passed some very good measures here. So setting the fair rules of the road, making sure that we understand that we are going to invest and expand our economy, grow our economy by manufacturing, and becoming the producers of wealth is very important.

You know, nearly 87 percent of the world's economic growth over the next 5 years is going to take place out of the United States. We have a tremendous opportunity with Ohio to export our goods, to invest in our workforce and our manufacturing sector to export some of not just our jobs, but export our goods. We don't want to see any more jobs exported out of this country. And that's what we've seen with some of these trade deals that have been championed by previous administrations.

But certainly when we invest in our economy, and we invest in a big opportunity for us like energy, when you build a new nuclear reactor, you can't outsource it. When you build a new solar array, you can't outsource those jobs. When you build a wind turbine that has 8,000 manufactured parts, 200 tons of steel, the roller bearings are made of Timken, a manufacturer in my congressional district. Those are real jobs. You can't outsource that wind turbine. So we can invest in our future and help us become energy independent in the long run. And that's what we've done with taking these big steps and investing in energy policy that makes sense.

Now, you will hear from my friends on the other side of the aisle who want to identify our legislation, our national energy policy and our legislation that's going to end our dependence on foreign oil in the Middle East, make our economy more secure in the long run because $1 billion leaves America every day and goes over to the Middle East where we are funding Ahmadinejad and so many others. We're funding both sides of this war just by our consumption habits.

□ 2030

So investing in our workforce, creating jobs that can't be outsourced, ending our dependence on foreign oil, these are traditional values, American values that we should all champion. But what are they talking about? Cap-and-trade. Well, come up with a better free market idea, because it was a Republican idea. JOHN MCCAIN has three times introduced a cap-and-trade bill.

Because in 2007, AEP and Connecticut were in this court battle, and the Supreme Court said that the EPA was allowed to curb pollution under the Clean Air Act. Well, we decided to have a free market approach, one that's proven. Because cap-and-trade's been in existence since the 1990s. It curbed acid rain, reduced sulfuric acid, and drove innovation and creativity in that market. So it's a free market approach, a proven one. So if you have a better idea, let's hear one. But it was your idea. So by championing your idea, now they are demagoguing our energy policy as cap-and-trade.

Ms. WASSERMAN SCHULTZ. And using that free market base for innovation and investment in alternative energy is going to take us right through the 21st century. We are risking, without passing that legislation and making sure that we can spark those significant corporate investments in those technologies, we are risking giving over our leadership in this area to China and India. I mean, because that's what's going to happen. They are certainly not sitting around waiting for us to decide whether or not to pass alternative energy and climate change legislation. They are focused on making sure that they can be leaders in innovation and technology in the area of alternative energy.

We have so many opportunities to create tax incentives and to help create jobs through that legislation. Again, it would be nice if we weren't being stiff-armed.

And, Mr. Speaker, I see you rising and wanted to thank my colleague from Ohio for joining me tonight. Mr. Speaker, we among House Democrats really spend quite a bit of time interacting with our constituents. We do it in many ways. We do it in live town hall meetings, in telephone town hall meetings, as well as through social media networking and interaction. And I know that I really encourage people who are listening to this and encourage our colleagues to reach out to me and provide me with feedback on my Facebook page, which is RepDebbieWassermanSchultz. So anyone interested in giving us some feedback on our Facebook page, that's welcome.

And Mr. BOCCIERI, I don't know if you want to promote your own. We do have a contest going on in the House Democratic Caucus, and so we are all interested in adding folks to our Facebook and Twitter accounts.

Mr. BOCCIERI. Absolutely. And our Web site is Boccieri.house.gov. That's B-o-c-c-i-e-r-i.house.gov. Please join our Facebook there and leave us your comments as well.

I enjoyed this conversation and dialogue we had. Let's work together to put America back on track. We can do this. America has played second place to no one. And we can invest in our future, invest in our greatest asset, our workforce, and we can do it together.

Ms. WASSERMAN SCHULTZ. That's exactly right. We look forward to repeatedly inviting our colleagues on the other side of the aisle to join us in moving this country in a new direction, continuing to jump-start the economy, create jobs, and aggressively restoring the prosperity that Americans have enjoyed for our entire history.

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

NATIONALIZING THE ECONOMY

The SPEAKER pro tempore (Mr. MAFFEI). 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 the privilege of being recognized to address you here on the floor of the House, and I have only a short privilege to look at some of the data that's been presented by my colleagues on the other side of the aisle in the previous hour.

I did look at the poster that says here's the economy as we know it in a very short snapshot in billions of chain GDP dollars. I don't know what chain dollars is. I have never discussed an economy within chain dollars. But I have also not discussed it within trends that are compressed down within the very few quarters that are presented in this graph that's been presented here before us on the floor of the House tonight, Mr. Speaker.

Here is what I would present. Let's just back up a little bit. Let's back up all the way to October of 1929 and think about what's really happened. This Nation has been challenged over and over again to come forward and determine where we are with our economy.

What kind of an economy are we? Are we the managed economy proposed by the Democrats on the other side of the aisle that believe that the President of the United States, the Cabinet, and the Pelosi Congress and the Harry Reid Senate should be the ones to make these economic decisions to manage the nationalized economy? Are we the kind of people that should be nationalizing even more of our economy? And I have gone through this list so many times I can almost recite it by rote in my sleep.

This Federal Government, albeit started under President Bush, with the support of Barack Obama all the way through and most of it picked up by him, has nationalized—and when I say ''nationalized,'' I mean owned, managed, or controlled—sectors of the economy that have to do with three large investment banks, and that's Citigroup, Bank of America, and Bear Stearns. Those three have been taken over by the Federal Government. AIG nationalized by the Federal Government, the insurance company. Fannie Mae and Freddie Mac. The entities that the chairman of the Financial Services Committee, BARNEY FRANK, said he would never support a Federal bailout of Fannie and Freddie. No, he supported the takeover, the Federal takeover of Fannie Mae and Freddie Mac.

We have also watched General Motors and Chrysler be taken over by the Federal Government, and a bankruptcy proposal pitched by the administration to the chapter 11 bankruptcy court that dictated the terms of bankruptcy, and among those terms were: Hand over shares of the automakers to the automakers union. And while that was going on, the only bidder before the chapter 11 bankruptcy court with the case of Chrysler, where I actually have the data and probably have it in my hand here, the only bidder was the Federal Government. The structure of it going into chapter 11 was the Federal Government, set up for a bidder. The only bidder was the Federal Government. It was the Federal Government on both sides of that equation. Unprecedented.

A Federal takeover dictating to the bankruptcy court the terms of the resolution of Chrysler and handing over, in the case of General Motors, 17.5 percent of the shares in General Motors over to the automakers union, to the United Auto Workers. That's all taken place, including the takeover of the student loan program in the United States by the Federal Government.

Now, if we add this up, three large investment banks, AIG, Fannie Mae, Freddie Mac, General Motors, and Chrysler, according to Professor Boyle of Arizona State University, that's one-third of the private-sector activity of America swallowed up over the ownership, management, or control of the Federal Government.

Then you add to that the student loan program, and then you add to that the financial services that are being regulated right now that are being negotiated in the conference committee that's been named between the House and the Senate, that would put the Federal Government in the position to regulate every single credit transaction in America.

Now, I don't just mean one of the large bailed out, federally owned investment banks is doing business with one of the other large federally owned investment banks, that the Federal Government regulates that. I don't just mean that when a small community bank is doing transactions with people that are coming in to borrow money for operating capital or for a mortgage that the Federal Government regulates that. I will take it right on down to this question that was posed by the dentists. Would their transactions that are set up where they set up monthly payments for the parents to pay for the braces on the teeth of their children be regulated by the Federal Government and by the White House? Answer, yes.

Under this bill that's coming at us under the language we are dealing with, yes, the Federal Government would regulate the transaction, the credit transaction between the dentist and the parents who would want to finance the braces on their children's teeth. Uncle Sam injects himself into that equation.

Do you think that's to the point, Mr. Speaker, where we can't tolerate Federal intrusion any deeper? I think it's gone beyond where we can tolerate Federal intrusion any deeper. But it goes deeper yet. Not just into the cavities into our children's teeth or the braces on them, but right down into a neighborhood, friendly poker game.

And I had them analyze the language for this purpose. I just asked the question: Where does this stop? What are the restraints? What are the constraints on the legislation that would give the Federal Government the authority to regulate every credit transaction in America? And I asked specifically: Will you analyze the language in the bill and tell me could the Federal Government, if they chose to do so, regulate the credit transaction that's embodied in an IOU that could be put in the middle of the pot in a poker game in a neighborhood or a friendly or a family poker game? It might even be an IOU for toothpicks. Yes, the language allows the Federal Government to inject themselves into every credit transaction in America.

So we have the nationalization of one-third of the private-sector activity in the form of three large investment banks taken over by the Federal Government, AIG, the insurance company taken over by the Federal Government, Fannie Mae and Freddie Mac, and General Motors and Chrysler. That's eight. That's one-third of the private sector activity according to the Arizona State professor, Boyle. One-third. And you add to that student loans, which I don't know what percentage of the overall economy that that is, and I don't want to speculate without some basis of knowledge on that.

But we have got 33 percent of the former private sector activity nationalized, taken over by the Federal Government, by the Obama administration now in control and the management or ownership or control of these private sector entities. And now we are at 33 percent. ObamaCare has passed. That's, by a consensus of accounts, right at 17.5 percent of the overall economy that goes into health care under the ownership, management, or control of the Federal Government; 17.5 percent. Where do you round that to, anybody in sixth grade math? Up to 18. Eighteen percent plus 33 percent is 51 percent of the former private sector activity under the ownership, management, or control of the Federal Government; 51 percent.

And what did Alexander Tytler tell us out of Scotland back as a contemporary of Adam Smith? And in summary terms, when the public understands that they can vote themselves benefits from the public treasury, on that day democracy ceases to exist. That was Alexander Tytler in about the year 1776, a long time back.

Here we are. We are seeing data that shows that only 47 percent of the households don't pay taxes; 47 percent. We don't have a number that shows us the percentage of individuals. But if 47 percent of the households don't pay income tax, and that means Federal income tax, that tells us that we are only 3.0001 percent away from the majority of American households that don't pay income tax. Now, we are within the margin of error.

Who could think that the public hasn't figured out, with the tutelage of President Obama, that they should game the system? Because if you are a marginal employee individual, are you better off to game the system and put yourself on the public dole and tap into a myriad of the 72 different Federal welfare programs that are out there or are you better off to go to work every day?

If we default back to the statement made by Jimmy Carter back in 1976 in Iowa as he campaigned for President of the United States, impressed me—I didn't support him, Mr. Speaker; I want that to be clear in the CONGRESSIONAL RECORD—but he did impress me with a statement that he made. He said the people that work should live better than those that don't. I don't think Jimmy Carter lived by that, but he said that. And that impressed me that it was a simple, clear logic, the logic of clarity that should be delivered in this floor more often than it actually is.

Of course the people that work should live better than those that don't. But Jimmy Carter had a lot of trouble following through on that. But by today's standards, no, he wasn't. He was a piker by today's standards. Anybody that doesn't live up to an average standard of living can go to the public welfare rolls and expect that they are

going to have their rent subsidized, their heat subsidized. They are going to have food stamps. They are going to have 69 other Federal programs that they can have access to.

We have become a welfare state. And that works pretty good for the people that want to create a dependency class in America. And that is clearly what's going on with the Obama administration, establishing and expanding the dependency class in America, because they understand that people who are dependent want to make sure that they go vote for the people who require them to be dependent before they will send more benefits their way.

Independent people say, I want less government. I want less taxes. I want a smaller role in our Federal Government. I want the States to have their constitutional right to all the powers that are not enumerated to the Federal Government devolve back to the States or the people, respectively. That's what I want.

Because I know that when people are responsible for their own activities and they are rewarded for positive behavior and the markets and the conditions of a just society provide disincentives for people who are lazy, who are not industrious, who don't take care of their families, who are dishonest, who might be indulging in substance abuse, those negative indicators for a society are punished in a just society, and positive behavior is rewarded in a just society.

□ 2045

You don't have to rule or regulate a just society if you have the financial structures in place, the moral foundation in place and if you're not afraid to stigmatize negative behavior.

But this administration has capped off the effort so far of previous, shall I be nice and call them progressives, their effort, their effort to expand the dependency class in America. And whenever that happens, if this Congress expands the dependency class, it is the equivalent of taking a jackhammer and chiseling away at those beautiful marble pillars of American exceptionalism, chiseling them away, breaking down the very foundation that created American exceptionalism.

We're not a Nation that's created for greatness built upon dependency. The dependency class is anathema to the American people and the American spirit.

Independence is our spirit. Self-reliance is our spirit. Our vigor, our unique vigor is our spirit. Our liberty, our freedom is our spirit. That's who we are.

And how do we get to be in this great Nation? What are these pillars of American exceptionalism that are under assault by the active left in this Congress every single day, jackhammering away at those beautiful marble pillars of American exceptionalism? What are they?

Well, they're easy to find. You look in the Constitution of the United States, take a look into the Bill of Rights. Go right down through the list: freedom of speech, religion, and the press; the freedom of assembly; to petition the government for redress of grievances. Boy, that is beautiful.

Are those marble pillars, Mr. Speaker? Of course, they are.

Freedom of speech, to speak outward and openly of the things that we believe in without restraint or punishment, knowing that the State can't come in and crush us for our opinions, the freedom with a full-throated objection to our government if they're going down a path that we object to or a full-throated support for a President or a Congress or a judiciary branch of government or any of the agencies within the government that's serving our people in a Constitution and a just fashion. That's freedom of speech.

Freedom of religion. Freedom of religion, to worship in the church of our choice or not to worship or worship in our home or under a tree or out in the pasture or while we're in the traffic jam and any way we choose. Freedom of religion. Freedom for a pastor or anyone in the congregation whom he might accept to come up and step behind the podium to preach to the Word and preach the law of God and do so without fear, without fear that the IRS might come in and rule that these words were somehow political or partisan and to take away the 501(c)(3) not-for-profit status that exists for our churches within this country.

The IRS has intimidated pastor after pastor, congregation after congregation. The core of our faith in this country has been eroded because of IRS intimidation of our preaches and our pastors. Even though that speech is guaranteed in the Constitution, it doesn't guarantee that you get a tax deduction if you speak out too openly. So I tell my pastors, preach the Word, preach the law, preach your convictions and your faith to your congregation in a full-throated way, and if the IRS comes in and threatens to take away your 501(c)(3) status, tell them STEVE KING stands with you. I stand with you figuratively. If you need me to stand next to you literally, I will do so, and if you still don't have the courage to preach the Word and stand next to me, then I will come and I will preach the Word.

And if that doesn't give you enough conviction, remember this: Not in the history of this country has any church lost its 501(c)(3) status because a pastor spoke from his faithful religious heart and preached the Word, the gospel of the Lord to the congregation that has gathered together to hear that message. Not once, not ever, not in the history of America has a church lost its 501(c)(3) not-for-profit status because of preaching the Word from the pulpit.

The threat goes out continually, and when a conservative Christian takes a position that has impact, then you hear from the people like, well, let me see—to avoid controversy, let me just say liberal United States Senators who would like to use the IRS to intimidate their opposition. They aren't all alive today, but there's a history of these liberal United States Senators who have done so. None have been successful in removing the 501(c)(3) status. But the truth needs to be preached.

That's just the First Amendment. Freedom of speech, religion, and the press; freedom to peaceably assemble; and petition the government for redress of grievances, first amendment.

Second Amendment, the right to keep and bear arms, the right to own and control our guns and not have the Federal Government take them away or confiscate our guns. Now, I've been a Second Amendment defender for a long time, and I will be for as long as the Lord grants me breath in this life, but Mr. Speaker, many of the people that defend the Second Amendment seem to think that it's about owning and keeping firearms so we can target shoot, recreational shooting, hunt, or for self-defense. And I will take the position here, Mr. Speaker, that those three things that I've talked about, hunting, self-defense, target shooting, are all residual benefits, kind of like extra benefits that come with the Second Amendment.

We would have the Second Amendment whether or not there was target shooting, whether or not there ever was hunting, and whether or not there was self-defense because our Founding Fathers understood that we needed to have an armed populace to defend against tyranny. They understood that a tyrant would come and confiscate our guns and subjugate us to his armed forces, and we would have to knuckle under, and thereby would go our freedom. That was understood by our Founding Fathers, and they put the Second Amendment in so we could defend our freedom and our liberty and be an armed populace to defend against the tyrant.

And the good stuff that comes from that is we get to also hunt, target shoot and defend ourselves. Pretty simple concept. But you look around the world, I don't know of a country or a civilization that has registered firearms that has not confiscated them. When a Nation has confiscated firearms, that suppresses our freedom of speech, that suppresses our freedom of religion, that suppresses our ability to assemble and peaceably petition our government for redress of grievances because we would be intimidated by an all-powerful state. We need a state intimidated by the people.

That's what this country is about. The power in our government comes from God. Our rights come from God. They're vested in the people, and the people confer that authority into their elected Representatives. That is the very definition of a constitutional republic.

And so we have these rights: freedom of speech, religion, and the press; freedom of assembly; and Second Amendment, right to keep and bear arms, because that is a deterrent for tyrants

that might want to subjugate us as a people, that might want to take away our God-given rights that we have vested in our elected Representatives. That's just the First and Second Amendment.

Those are all pillars of American exceptionalism. No other country has these kind of rights. They have politically correct laws in places like Canada and Great Britain, and those places are freer than many other places in the world, but we provide a full-throated defense of whatever our particular position happens to be.

We're American. We aren't people that cower. We don't shrink from conflict. We don't shrink from disagreement. I had a lady approach me on the street a couple of months ago, about the time when ObamaCare passed, and she said to me, you have to find a way to get along. It's kind of a Rodney King statement: Can't we all get along? Can't we compromise? Can't we get away from all of this friction and this tension that's going on here over ObamaCare?

And I listened to her. I'd seen the lady on the Hill for several years, actually, and I'd never had a conversation with her. And she impressed me with her deep conviction and commitment to following what was honest, especially in Judiciary Committee. I don't know her name. Only time I ever talked to her.

But I said to her, you know, we have these arguments here, we have this tension, we have this disagreement, and I think we do so because we're called to come to Washington to have these debates, to have these arguments, to have the disagreements so we don't have to come to blows in the streets of America, so we don't have to clash with each other. All the way across from sea to sea, we bring our conflict here. We have these debates here. We test each other in this battle of ideas here, and it's even more effective, and I will say significantly more effective, than it was in the era of the Founding Fathers because we have real-time communications.

Mr. Speaker, we have C–SPAN. We have live radio. We have Internet. We have podcasts. We can have real-time interactive town hall meetings that interact all the way across America. We can carry this message all across this country. This constitutional republic is more effective today from a communications standpoint than it was in the era of our Founding Fathers, and we should be grateful for that. It's our job to use it and utilize it and to continue to build upon this.

So let's have the debate. Let's have a nationwide debate. Let's get after this, and we're doing it, and come November, the American people will decide whether this path of the Federal takeover of first one-third of the former private sector activity of our economy; then adding ObamaCare to this, another 18 percent of our economy going to 51 percent; then, sitting in conference committee right now being deliberated and debated by the conferee, another 15 percent of our economy, the financial sector of our economy, roughly 15 percent by some estimates, you add that onto the 51 percent, and we get up there to 66 percent of our economy; and then we have the cap-and-trade argument, roughly around 8 or 9 percent of our economy.

Now, if cap-and-trade is 8 percent of our economy, then that means, in case anybody wonders, cap-and-trade is about this: It's about capping carbon emissions and trading the carbon credits that you get. So if you are an electrical generating plant and you're burning coal like crazy in 2005, that's the measure, capping at 2005 levels of CO_2 emission, and you're burning all kinds of coal and you're belching this CO_2 out into the atmosphere, which doesn't alarm me, by the way, Mr. Speaker—I still don't think there's a scientific foundation for their hypothesis—but that's going on; the measurement of the emissions of the CO_2 will be capped at 2005.

Now, let's presume that that same electrical generator takes half of his coal consumption down, replaces it with a nuclear generating plant—actually a new plant that will come online in 2017 in South Carolina. It will be the first one in probably 30 years by then. So you get carbon credits for taking the coal generation, the burning of the coal off line, that CO_2 that's not emitted, and replaced it with the nuclear, just the tool that reduced the CO_2 emissions. Now that coal-fired generating operation, which might be an entire utility network, will have half their CO_2 emissions that have been cut now because of the replacement of nuclear become their carbon credits. Carbon credits that, what do they have now? They have something that has value.

They can take their carbon credits, and they can sell them through an exchange on the board in Chicago—there are two exchanges that exist as far as I know right now—and any organization, any entity, any utility that has to burn let's say more coal or more natural gas or more diesel fuel and emit more CO_2 than they did before to supply more demand for electricity would have to buy the carbon credits from the entity that had created them by replacing the CO_2 emissions with say nuclear or wind or solar or some other source. So these exchanges go on.

Carbon credits are expensive when they start, and as they dial this down, the idea is to reduce the CO_2 emissions from the standard, the cap, that's the cap at 2005 emission levels, and trade the carbon credits, dial them down by 17 percent by a certain year, which seems to me is 2013, way too soon. And then from two thousand and whatever that year is, a 17 percent reduction, on out to 2050, reduce the CO_2 emissions by 83 percent.

The vision is, by the time we get to 2050, we'd only be emitting 17 percent of the CO_2 that we're doing today. I'm going to expect we're going to use the same amount of energy, and do you expect, Mr. Speaker, that these carbon credits are going to be worth more or less as the cap gets dialed down year by year, until the year 2050, where 83 percent of the CO_2 emissions are shut down by the economics of this?

□ 2100

Now, it doesn't just shut down the CO_2 emissions and give us the same amount of kilowatt hours, or some other type of energy for that matter, or consumption, that could be diesel fuel or gas or anything. No, Mr. Speaker, it doesn't do that. What it does is it shuts down some of the emissions, but the economics of it require that the cost of power goes up. As the cost of power goes up, the consumption of power goes down. That means we use less energy between now and 2013 or 2017 and 2050.

If we use less energy, why? Do we turn the air conditioner, set it on 80 degrees—reminds me of Jimmy Carter when he said set your thermostat at 60. Remember? Dial the thermostat down to 60, buy a cardigan sweater, button that sweater up and sit in your living room and put a shawl over yourself and sit there and shiver because, after all, we have an American malaise, and we will never be the Nation that we were before, and we will never be the Nation again that we are today. That was Jimmy Carter's message. It also fits pretty close to Barack Obama's message, who, Mr. Speaker, has said that electricity costs would ''necessarily skyrocket'' under his plan of cap-and-trade.

So what are we doing? We have an administration, and the opportunists in the Senate and the House that are looking at the oil slick over the gulf coast, which is an environmental tragedy, and seeking to capitalize on that environmental tragedy by pushing cap-and-trade legislation which will cripple American industry. For example—and I don't think, Mr. Speaker, that I can give the data on this, but I would just suggest that those that are interested should take a look at the American kiln industry and understand that where we have kilns, it might be a really simple thing, it might be like a dryer where you heat up asphalt and you crank it through a barrel that's got heat in it and it brings it through the other side, kind of like a cement truck cylinder, and comes out the other side hot mix asphalt. It takes a lot of heat to do that, takes a lot of energy; there's a lot of CO_2 emissions.

There are a number of other processes that are far more energy-intensive, including the production of aluminum. We have a lot of aluminum in America, but it takes a lot of energy and emits a lot of CO_2. This would about take the aluminum industry out of America to look at the cap-and-trade proposals that are out there.

Industry after industry in America would be crippled by cap-and-trade legislation. The cost of our electricity would ''necessarily skyrocket,'' to quote the President. The cost of our gas would go up, our diesel fuel, our kerosene, our jet fuel; I said our electricity. All energy gets more expensive. It just changes the proportionality of the cost per Btu from energy source to energy source. So we would, as a Nation, then make our energy more costly.

Now, what the cap-and-trade legislation does is it taxes everything that moves. It takes energy to move anything. Just moving my hand back and forth, you can count that in calories how much energy is consumed by that—not a lot, but it's some. If you would take a 200-pound man and run him up the stairs to the top of the dome in the Capitol and back down again—we have people that could calculate how many calories would be consumed by that effort to go up and down—you could turn that into and calculate it back down through Btus of energy. How could you replace that energy with gasoline or electricity with a motor that would take them up and down? This is energy. Anything that moves takes energy. You can't get something done without energy.

So this administration is for taxing everything that moves and a cap-and-trade scheme that would cripple America's economy and put us at a significant disadvantage from the developing countries in the world, in particular India and China—other developing countries, but India and China in particular—it chases our industry over there. And then what would we do? They produce things in countries where they have cheaper energy and cheaper labor. They ship it back to us and we buy it. Well, what do we buy it with? Right now we're buying it with credit, and we are running up the debt against the Chinese. Their holdings of U.S. currency—or U.S. debt, excuse me—are approaching $1 trillion in U.S. debt today.

We lament the cost when a young person finishes their college education, receiving their degree—and there's a number out there, this is not a survey number, it's a general ballpark number that has a consensus to it—roughly a $40,000 debt for a young adult that receives a college degree, $40,000 to move into adulthood to pay off that student loan. Now, whatever that real number is, I'm working with 40, which I think is in the ballpark, and we worry about that student loan being paid off by that young person that has a college degree and is entering into the job market.

I'm not so worried about that $40,000 student loan, Mr. Speaker, because the baby born in America today owes Uncle Sam, the Federal Government, their share of the national debt, $44,000. You can go into the nursery and be there when they bring a new little baby out and put them in the nursery in the hospital. There might be one or two or six or 10 of these new little miracles laying there wrapped up in blue or pink, with their parents proudly looking through the glass or going in to hold their babies. These little babies, every one of them laying in the nursery today, their share of the national debt—not their student loan, which when they get a degree that helps them earn the money to retire that debt, but these little babies' share of the national debt, $44,000. $44,000, Mr. Speaker, for the privilege of being born in the United States of America.

Well, I guess it's probably not the case for an anchor baby that gets citizenship along with it, at least that's an extra bargain that goes along—and I disagree with that. But that same little baby that's born today and owes the Federal Government $44,000, by the time that little baby goes on and learns to tie their shoes and goes off to kindergarten, works their way up through elementary school and walks into their fifth grade class—now, I pick that because that's 10 years, we have 10-year budgets here and we have 10-year budget windows and we calculate our costs over a 10-year period of time.

$44,000 in debt, welcome to America. This is the gift of life for being born in America, and you owe $44,000. A lot of them aren't going to pay their share, so if it's half of them, those other babies are going to owe $88,000. But the share for everyone who walks into fifth grade, according to this President's budget, by the time those $44,000 indebted children start fifth grade, they will owe Uncle Sam $88,000. That's the number, Mr. Speaker.

We should be very worried about a country that can't pass a budget, that for the first time since there have been budget requirements put into the rules here in the Congress itself, since 1974 when this began, this Congress doesn't have the will or the conviction to pass a budget because it is so abysmal, because the overspending is so atrocious, because the spending that they are conducting cannot be defended and they can't defend and vote against the amendments that would surely be attempted to be brought against a budget.

Now, there is a legitimate debate going on in this Congress and there is a legitimate amendment process going on in this Congress, but we don't have a budget and we're not going to have a budget. This Congress doesn't want to take responsibility for a budget.

We're going to see them package up a continuing resolution of some kind, a modified continuing resolution that pays off the political favoritism that they will need in order to go on in November, and we're going to get to the other side of the elections in November, kick the can down the road, and we'll be here on the floor of Congress sometime after election day in November; and this Congress will, by order of the Speaker, bring a huge omnibus spending bill to the floor.

If it's like the last one, 3,600 pages, several hundred billion dollars issued the night before, dropped on the floor with roughly 60 minutes to debate the issue, no amendments, voted up or down, and the government shuts down if we voted down. I will vote ''no.'' I would love to shut the government down for that kind of irresponsibility. It's unlikely that that will happen, however, because the Speaker has the votes and can do what she will.

So here we are, Mr. Speaker. This is a country that is built upon the rights that come from God, our liberty and our freedom. It's built upon this foundation that I declare to be the pillars of American exceptionalism. We are the unchallenged greatest Nation in the world, and we derive our strength from these pillars of exceptionalism, from free enterprise capitalism, from the rights that come from God, from our religious faith and foundation, this core of Judeo-Christianity that is America, and yet we're afraid to say so. We shy away and we shrink away from basic, simple utter truths.

I happen to have just heard a speech from, in town, the president of the NRA, Wayne LaPierre. He doesn't know I'm coming here to say this, but I was listening as he delivered his speech, and I wrote this down. He said, If you know the truth is on your side, say it and shout it as long as you can—excuse me. It might be say it and shout it as loud as you can. Stand up, shout them down, and don't you back down. Wayne LaPierre, president of the NRA, a man who has for a lifetime defended our Second Amendment and many of our other rights and freedoms, impressed me with the depth of his conviction and the clarity of his delivery tonight.

And now I take us to a subject matter that is on my mind to some degree, Mr. Speaker, and it has to do with what's going on from the White House and the Presidency through the Justice Department.

Now, the Attorney General, Eric Holder, came before the Judiciary Committee sometime in late May, right before we broke for the Memorial Day period of time, and he testified under oath that the Justice Department is not a partisan agency, that they don't operate on a partisan basis, that they are driven by the law. Well, I look at the President and the Attorney General and a number of the other representatives of this administration, it's hard for me to accept that statement on face value as being truthful because here's what I see and what I know: the President of the United States spoke out openly and plainly about the Arizona immigration law and made a case that in his view there was a built-in prejudice or bias or profile in the Arizona law because he said that if a mother were taking her daughter out to get some ice cream, they could find themselves having to produce their papers because of, presumably, their race. Arizona law forbids such a thing, but the President alleged such a thing.

Now, either the President misinformed the American people knowingly and willfully, or, Mr. Speaker, he hadn't read the bill. I'll opt to the side of he hadn't read the bill. I hope that's the case, and actually I believe that's the case.

Then we had Eric Holder, the Attorney General, who also alleged that there could be a profile take place under Arizona's immigration law that would bring about discrimination against people. It turns out that even though I asked Eric Holder before the Judiciary Committee, you have been charged by the President of the United States to use the force of the Justice Department to go against the Arizona law and seek to invalidate Arizona's immigration law, S. 1070, that bill that was drafted and put together by the fine and stellar State Senator, Russell Pearce of Arizona, that legislation—that has been signed into law and was enacted on the last day of July of this year—Eric Holder contends could bring about profiling.

Now, when someone says profiling in American Society today, they don't mean profiling according to, oh, let me say, whether you're a member of MENSA or whether you're a member of the Sierra Club. This is racial profiling whenever they say—when I say ''they,'' I mean the administration, people on the left, the self-professed progressives. They mean racial profiling. So the President implies, if not alleges, racial profiling, empowered by Arizona's immigration law, S. 1070. The Attorney General does the same thing. The Attorney General concedes that the President has ordered the Justice Department to seek to invalidate Arizona's immigration law.

□ 2115

When I asked the Attorney General, under oath, before the Judiciary Committee, Point to me in the Constitution where you believe Arizona's immigration law has violated the United States Constitution, the Attorney General could not do so. In the alternative, I said, Then point to me to a Federal statute that you believe preempts Arizona's immigration law. The Attorney General could not do so. So, when I said, Point out then for me a case precedent, case law, that you believe is controlling, which would indicate that Arizona's immigration law might be unconstitutional or could be invalidated by a Federal court, the Attorney General could not point to a single case precedent either.

So he failed to be able to point to the Constitution, to a Federal statute that could preempt or to case law that controls, the Attorney General of the United States, but he is still using the resources and the authority of the Attorney General's office and the entire Justice Department of the United States to seek to invalidate Arizona's immigration law, which, for the record, Mr. Speaker, mirrors Federal law and is at least as constitutional as Federal immigration law. The Attorney General can't point to any place where that might violate, but he is still willing to pour in the resources and testify that his department is not political, and he admits that the President ordered him to use the department for what I believe to be political purposes.

For each of them to essentially imply or to confess that they didn't bother to read the Arizona law—but they wanted to tell the American people what to think about it—is political. It is unjust, and it is not consistent with the Constitution, with Federal statute, or with case law. That, Mr. Speaker, is what is going on.

In addition to this, on Arizona's law, we have other people who have weighed in on this. We have other people who have similar levels of, let me say, information to work with. The President doesn't read the bill, and he speaks out against it, and he seeks to drive a wedge based on race. The Attorney General is the one who is on the record saying the American people are cowards when it comes to race. Well, I'm not, but some are, and I understand why—because they turn their PC minyans against people who would speak out openly on these issues.

I think we should talk about race. I think we should talk about people who use race for political benefit—people like the President of the United States when he was informed of the incident of Professor Gates and Officer Crowley, in Cambridge, when Officer Crowley conducted himself consistent with, let me say, the rules of engagement for a peace officer in that community. When there was a call for him to come because someone was breaking into a residence in the neighborhood, Officer Crowley came and applied himself to that task as he had, I'm sure, a dozen times before, but Professor Gates objected to having law enforcement there to help protect his property. That message got to the President, and what does the President do? He sides with Professor Gates.

Barack Obama was wrong on the Gates issue, and all of the American people know it, and he could not bring himself to apologize to Officer Crowley or to clarify the issue. He was looking for a way out. That's why the President had the beer summit on the South Lawn. That's why Professor Gates and Officer Crowley came and sat down out on the South Lawn. It seemed odd to me that they brought one beer alone, on a single tray. They delivered it and went back and got another one. That seemed a little odd to me. That's what happened.

But, in a just world, the person who conducts himself in a just fashion is the one who receives the apology from the people who did not conduct themselves in a just fashion. I will argue, Mr. Speaker, that the President and Professor Gates had an obligation to apologize to Officer Crowley because, first, the President had prejudged that situation. His knee-jerk reaction defaulted in favor of the African American professor and against the Irish cop. That's what happened. I don't think anybody who watched this incident could think otherwise.

We have the President of the United States who defaulted in favor of alleging that there would be racial profiling taking place in Arizona because of their immigration law, and he perpetuated a flat-out misinterpretation, and it may well have been willful, of Arizona's immigration law to the rest of America.

Now, we should be able to look up to the President of the United States and to trust that he is properly briefed and that he is factual when he presents a position to the American people. That is American executive branch policy. We should be able to trust the President for that. The President should have people around him whom he trusts, who would go back and read the law and would brief the President.

Well, it's obvious to all of us who have watched this and who have read the law that the President spoke about Arizona's law and had not read it. If he were briefed, it was off of the MoveOn.org Web site. He is surrounded by people who read those Web sites, who believe them, and I'm not sure that the President has access to the objective truth given the people around him and given the way he has responded.

So you have two cases where the President's default reaction falls in the favor of an individual because of skin color as opposed to individuals because of the rule of law—or let me just say truth, justice, and the American way. There is a default mechanism in place. He has an Attorney General who follows that same path, who lectures the American people and who says that the American people are cowards when it comes to race. Well, he has not been a coward when it comes to race.

His administration, his agency—the Justice Department—has cancelled the most open-and-shut voter intimidation case in the history of America, which is the case of the New Black Panthers in Philadelphia, who much of America has seen on videotape—let me say YouTube. They are paramilitary uniformed individuals, the members of the New Black Panthers, who were standing there in berets, with big, old billy clubs, smacking them in their hands as white people came to vote, calling those people crackers and telling them, We're taking over this country. We're going to be in power after that.

That's a generalization of their statements, but the accuracy of that record is out there on YouTube for all the world to see. That case was open and shut. The case was made by the Justice Department under President Bush. As the handoff took place and went over to the Eric Holder Justice Department under President Obama, what happened, Mr. Speaker? Loretta King, in the Justice Department, cancelled the most open-and-shut voter intimidation

case in the history of America because it would have brought about convictions on those New Black Panther party members. Assistant Attorney General Thomas Perez came before the Judiciary Committee and testified that they got the highest punishment allowed under the law—negotiated.

Mr. Speaker, it was not true. It's not true today. The statement that he made to the Judiciary Committee was false—he knew it the day he said it—and it was to misinform because he was under some pressure and needed to get off the hook. That's a matter of the CONGRESSIONAL RECORD. He was under oath. It is something that we should pursue. It's unlikely that we can get anywhere with it. That's Tom Perez. So the administration has cancelled the most open-and-shut voter intimidation case in the history of America. It was a done deal. They cancelled it.

The administration and Loretta King in the Justice Department cancelled also the will of the people in Kinston, North Carolina. That's K-I-N-S-T-O-N. They dropped the ''G'' because they didn't want to be another Kingston, North Carolina. They voted by referendum the will of the people. The number that I remember—and it's generally memorized but not specifically accurate—is 70–30, a significant landslide majority. They voted to end the partisan local elections in Kinston, North Carolina, and to no longer label the candidates with an ''R'' or a ''D'' for ''Republican'' or ''Democrat'' by their names. That was the will of the people.

Though, because Kinston is a covered district, controlled by the Voting Rights Act, if they are going to move a voting booth 10 feet down the hallway, they have to get the permission of the Justice Department under Federal law. So, under the Justice Department, Loretta King, apparently, is the one who speaks for the Justice Department, who speaks for Eric Holder. She issued a letter that cancelled the election results of Kinston, North Carolina, and she declared that they would have partisan elections—and the city council and the mayor of Kinston, North Carolina—because African Americans wouldn't know who to vote for if a candidate didn't have a ''D'' beside his name.

Mr. Speaker, that is fact. That is the letter that was written and issued by our Justice Department under the pen and the signature of Loretta King, under the guidance and control of Attorney General Holder. Now, when we talk about things that have a racist flavor to them, when presuming that African Americans can't figure out who to vote for unless they have a ''D'' beside their names, I guess you could make the argument that you would want to profile all the African Americans and declare that they're all Democrats. Therefore, it makes it simple if you just label the people they want to vote for with a ''D.''

I think that has all kinds of racial implications. I don't think those implications have any place in the application of the laws or in the application of the Constitution of the United States. There should be equal justice before the law. This Lady Justice needs to be blindfolded and needs to stay blindfolded. Everybody should be subjected to the same level of law and enforcement without regard to race, creed, color, ethnicity, national origin, and a number of other indicators, but I've listed most of them that are in Title VII of the Civil Rights Act right now.

Now, this goes on. This is a Justice Department that can't find a dollar or an individual to commit a minute, let alone a career or a team and a few million dollars, to investigate ACORN—ACORN, the corrupt, criminal enterprise that everybody knows today is a corrupt, criminal enterprise. It has been undermining the very foundation that sits underneath our Constitution, itself, which is, Mr. Speaker, legitimate elections. Legitimate elections, the faith in the legitimacy of our elections, is what keeps this constitutional Republic functioning and alive and gets us back to well. ACORN has damaged all of that. ACORN has threatened all of that. ACORN has diminished our liberty and our freedom, and it has undermined the very foundation for our Constitution.

Any Justice Department worth its salt would investigate ACORN, but Eric Holder can't touch that—whether it's an order of the President, who used to work for ACORN, I don't know. We should remember that the President of the United States worked for ACORN. He represented them in court. He represented them pro bono in court. Can you imagine being an attorney and representing somebody in court pro bono and not agreeing to their agenda? He also worked for them in the form of Project Vote, which was when President Barack Obama made his reputation for organizing communities and politics in Chicago. Project Vote is, part and parcel, ACORN.

The President of the United States is ACORN. He is identified with ACORN. He made his reputation with ACORN. He has worked for and with ACORN, and he has trained ACORN workers. When he said during the campaign to his supporters to ''get in their face,'' it is pretty consistent with the message that they train ACORN activists, which is to ''get in their face.'' Go intimidate some bankers while you're at it and see if you can get them to make more bad loans in bad neighborhoods. Let ACORN be positioned to judge whether lenders are making enough bad loans in bad neighborhoods.

This became a big component of what has undermined our economy and what has caused this downward spiral. The President was involved and complicit in the effort that brought about the undermining of our financial institutions in America by his involvement of working with, for, and in promoting and representing ACORN.

Then, when he was elected President of the United States, he sought to move the United States census from the Commerce Department into the White House. He could manage the census, the counting of the people—real or imagined—from the White House. The public uproar over ACORN caused him to back away from that and to sever the relationship that he had that ACORN was to be working as a contractor with the Census Department. Now, it doesn't mean because they decided not to have a formal contract with ACORN that ACORN wasn't going to be involved in the census. We know that people are policy. We know that there are a lot of ACORN people involved in the census. How could there not be with nearly a half a million people working to count the 306 or so million people who we are?

When we follow the money, when we track ACORN, the path leads us to the White House. ACORN should be investigated by any legitimate Justice Department. Kinston, North Carolina, didn't need to take place. The voice of the people said, We don't want partisan elections. We want to vote for the candidate. We don't want to vote for their political party. This was cancelled by Loretta King and the Justice Department.

□ 2130

We don't need to have voter intimidation with new Black Panthers out there with billy clubs and a Justice Department that would cancel the prosecution that was open and shut. We need no voter intimidation in America.

And where could you better send the message than putting those people that are the new Black Panthers, that are clearly wide open guilty, under the heaviest penalty allowed by law?

This is all part of the character and the makeup of this administration; this administration, who plays the race card; this administration, who defaults in favor of whichever minority they think might be the one that would most likely support their political party and their agenda. And I point to the new Black Panthers. I point to the President's remarks on the mother and the daughter going to get ice cream in Arizona. I point to the Justice Department canceling the prosecution, the open-and-shut case, by then almost closed case, of the new Black Panthers in Pennsylvania, in Philadelphia; of the city and their municipal referendum on no partisan elections in Kinston, North Carolina; the failure of the Justice Department to investigate ACORN; and the fact that the President spoke out—now this moves into a little bit different subject area, but it also ties, in my view, together—and the President demagoguing Arizona's immigration law, not having read it; the Attorney General doing the same thing, and finally admitting that he'd not read the bill. Janet Napolitano, the Secretary of Homeland Security, demagoguing Arizona's immigration law, not having read it, and having admitted that to Senator JOHN MCCAIN.

And, let me see, the Assistant Secretary of State Michael Posner taking Arizona's immigration law all the way to the Chinese and saying, Well, we brought it up early and often.

Apparently, we're a sinful Nation because we believe in the rule of law, Mr. Speaker.

And let me see, who's left out of this? Oh, yes. John Morton, the Assistant Secretary, who is the head of ICE, Immigration and Customs Enforcement, who remarked that he wasn't committed to handling all the people that might be picked up by Arizona immigration or by Arizona's law enforcement officers in enforcement of Federal immigration law.

So this whole picture of this administration paints something that makes it really hard for government teachers to get this message down to their students. We have students that are juniors or seniors in high school, and you're teaching them government. They might be younger than that, but juniors and seniors in high school. They might read the paper and watch the news, and they sit in the classroom, and the teacher will say, We have a separation of powers. We have the legislative. We have the executive. And we have the judicial branches of government. These are three separate powers. Some teachers will teach they're separate but equal. That's another hour to talk about it. I don't believe they're equal. But they are separate.

To argue that they're separate and having students watch the news and hear that the President doesn't want to enforce immigration law because he doesn't agree with it; that he wants to hold law enforcement hostage until the American people accept his form of amnesty. The President doesn't get that kind of discretion. The President's job is to enforce the law. The Attorney General's job is to enforce the law. John Morton's job as head of ICE is to enforce the law. And the Secretary of Homeland Security Janet Napolitano's job is to enforce the law. Because you disagree with the law means nothing. You enforce that law whether you agree with it or not because you're not a policy maker. You're a law enforcer.

That's how our Constitution is set up. That's the power that's invested in them. If our Founding Fathers had wanted them to be legislators, they would have written it into the Constitution. If the people of this country wanted them to be legislators, I can tell you what they would have done. They would have amended the Constitution and had the power to change Federal law over to John Morton, Janet Napolitano, Eric Holder, for the President of the United States, or maybe even Michael Posner, the Assistant Secretary of State. Who knows.

That's not who we are. That's not the way it is. We must defend the rule of law. It is an essential pillar of American exceptionalism. We cannot sustain our greatness as a Nation if we're going to allow the discretionary—discretionary—enforcement of the law to come from executive branch people. And for a President of the United States, who taught constitutional law, albeit as an adjunct professor at the stellar University of Chicago School of Law, to think that that's the case, that he doesn't understand this any better, he thinks he can get away with it.

Well, I am here to say, no, the American people know better. We can read the Constitution. We can read our history. And we have access to the information necessary to keep an educated populace, coupled with an armed populace, coupled with the people that have enough self-confidence to be in a full-throated way to stand up and defend our liberty and defend our freedom. That's who we are, Mr. Speaker. That's who we must remain. That's the character that we must maintain. And we cannot allow ourselves to be diminished by a people who happen to find themselves right now sitting in controlling positions within this government that don't understand or willfully defy our values as a Nation or our Constitution.

Mr. Speaker, I couldn't have picked a better moment to yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CORRINE BROWN of Florida (at the request of Mr. HOYER) for June 14 and today 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 Ms. BALDWIN) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Ms. BALDWIN, for 5 minutes, today.

Mr. GARAMENDI, for 5 minutes, today.

Mr. SABLAN, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Mr. BOOZMAN, for 5 minutes, today.

Mr. POE of Texas, for 5 minutes, June 22.

Mr. JONES, for 5 minutes, June 22.

Mr. FLAKE, for 5 minutes, today.

Mr. DUNCAN, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. BROUN of Georgia, for 5 minutes, today.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 33 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 16, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

7886. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Tomatoes From Souss-Massa-Draa, Morocco; Technical Amendment [Docket No.: APHIS-2008-0017] (RIN: 0579-AC77) received May 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7887. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Coat Protein of Plum Pox Virus; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2008-0763; FRL-8826-9] received May 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7888. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act by the Department of the Navy, Case Number 09-01, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

7889. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Capacity Building Program for Traditionally Underserved Populations—Technical Assistance for American Indian Vocational Rehabilitation Services Projects Catalog of Federal Domestic Assistance (CFDA) Number: 84.406 received May 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7890. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Research and Training Centers (RRTCs)—Employer Practices Related to Employment Outcomes Among Individuals with Disabilities Catalog of Federal Domestic Assistance (CFDA) Number: 84.133B-3 received May 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and Labor.

7891. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Acquisition Regulation: Subchapter E—General Contracting Requirements, Subchapter F—Special Categories of Contracting, and Subchapter G—Contract Management (RIN: 1991-AB88) received May 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7892. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revocation of Significant New Use Rule on a Certain Chemical Substance [EPA-HQ-OPPT-2009-0668; FRL-8819-3] (RIN: 2070-AB27) received May 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7893. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Nonprocurement Debarment and

Suspension [NRC-2010-0005] (RIN: 3150-AI76) received May 21, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7894. A letter from the Director, Defense Security Cooperation Agency, transmitting various reports in accordance with Sections 36(a) and 26(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7895. A letter from the Secretary, Department of Commerce, transmitting Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for August 26, 2009 — February 26, 2010; to the Committee on Foreign Affairs.

7896. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

7897. A letter from the Chief Executive Officer, Millennium Challenge Corporation, transmitting proposed amendments to the Millennium Challenge Act of 2003; to the Committee on Foreign Affairs.

7898. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's semiannual report from the office of the Inspector General for the period October 1, 2010 through March 31, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

7899. A letter from the Principal Director, Office of Diversity Management and Equal Opportunity, Department of Defense, transmitting the Department'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.

7900. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Teledyne Continental Motors (TCM) 240, 346, 360, 470, 520, and 550 Series and Rolls-Royce Motors, Ltd. (R-RM) IO-240-A Reciprocating Engines [Docket No.: FAA-2009-1156; Directorate Identifier 2009-NE-38-AD; Amendment 39-160309 AD 2010-11-04] (RIN: 2120-AA64) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7901. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France (ECF) Model AS332L1 and AS332L2 Helicopters [Docket No.: FAA-2010-0489; Directorate Identifier 2009-SW-78-AD; Amendment 39-16294; AD 2010-10-15] (RIN: 2120-AA64) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7902. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model AS332L2 Helicopters [Docket No.: FAA-2010-0419; Directorate Identifier 2009-SW-64-AD; Amendment 39-16293; AD 2010-10-14] (RIN: 2120-AA64) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7903. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron (Bell) Model 205A, 205A-1, 205B, 212, 412, 412EP, and 412CF and Agusta S.p.A. (Agusta) Model AB412, AB412EP Helicopters [Docket No.: FAA-2009-0294; Directorate Identifier 2010-SW-032-AD; Amendment 39-16295; AD 2009-10-16] (RIN: 2120-AA64) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7904. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF34-1A, -3A, -3A1, -3A2, -3B, and -3B1 Turbofan Engines; Correction [Docket No.: FAA-2007-27687; Directorate Identifier 2000-NE-42-AD; Amendment 39-16144; AD 2009-26-09] (RIN: 2120-AA64) received June 3, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7905. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International, S.A. CFM56-5B1/P, -5B2/P, -5B3/P, -5B3/P1, -5B4/P, -5B5/P, -5B6/P, -5B7/P, -5B8/P, -5B9/P, -5B1/2P, -5B2/2P, -5B3/2P, -5B3/2P1, -5B4/2P, -5B4/P1, -5B6/2P, -5B4/2P1, and -5B9/2P, Turbofan Engines [Docket No.: FAA-2008-1353; Directorate Identifier 2008-NE-46-AD; Amendment 39-16279; AD 2010-09-14] (RIN: 2120-AA64) received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7906. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Corporation Model DC-10-10, DC10-10F, DC-10-15, DC-10-30, DC-10-30F, (KC-10A and KDC-10) DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes [Docket No.: FAA-2010-0032; Directorate Identifier 2009-NM-213-AD; Amendment 39-16277; AD 2010-09-12] (RIN: 2120-AA64) received May 24, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7907. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — 2011 inflation adjusted amounts for Health Savings Accounts (HSAs) as determined under Section 223 of the Internal Revenue Code [Rev. Proc. 2010-22] received May 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7908. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Phase-out of Credit for New Qualified Hybrid Motor Vehicles and New Advanced Lean Burn Technology Motor Vehicles [Notice 2010-42] received May 27, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7909. A letter from the Director, Office of Personnel Management, transmitting legislative proposal to amend chapter 55 of title 5, United States Code, to permit certian General Schedule (GS) Department of the Navy (Navy) employees to earn an overtime rate that exceeds the overtime hourly rate cap; jointly to the Committees on Oversight and Government Reform and Armed Services.

7910. A letter from the Secretary, Department of Transportation, transmitting results of a study required by Section 6206 of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246); jointly to the Committees on Transportation and Infrastructure and Agriculture.

7911. A letter from the General Counsel, Department of Defense, transmitting a legislative proposal to be a part of the National Defense Authorization Bill for Fiscal Year 2011; jointly to the Committees on Armed Services, Oversight and Government Reform, Foreign Affairs, and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WAXMAN: Committee on Energy and Commerce. H.R. 3993. A bill to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services; with an amendment (Rept. 111–507). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. REHBERG (for himself, Mr. BISHOP of Utah, and Mr. BROUN of Georgia):

H.R. 5523. A bill to protect the right of individuals to bear arms on Federal lands administered by the United States Forest Service and the Bureau of Land Management; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AKIN:

H.R. 5524. A bill to amend the Tariff Act of 1930 to prohibit the importation into the United States of plastinated human remains from the People's Republic of China; to the Committee on Ways and Means.

By Mr. OLSON (for himself, Mr. PENCE, Mr. BARTON of Texas, Mr. MCCAUL, Mr. SMITH of Texas, Mr. BRADY of Texas, Mr. GOHMERT, Mr. POE of Texas, Mr. BOUSTANY, Mr. HARPER, Mr. NEUGEBAUER, Mr. MELANCON, Mr. PAUL, Mr. CUELLAR, Mr. CULBERSON, Mr. SHADEGG, and Mr. CASSIDY):

H.R. 5525. A bill to terminate the moratorium on deepwater drilling issued by the Secretary of the Interior; to the Committee on Natural Resources.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, and Mr. WU):

H.R. 5526. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Natural Resources.

By Mrs. CAPPS (for herself, Mr. LATOURETTE, and Ms. GINNY BROWN-WAITE of Florida):

H.R. 5527. A bill to amend title XVIII of the Social Security Act to provide for patient protection by establishing safe nurse staffing levels at certain Medicare providers, and for other purposes; to the Committee on Energy and Commerce, 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. CARNEY (for himself and Mr. BILIRAKIS):

H.R. 5528. A bill to enhance the integrity of the United States against the threat of terrorism; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, 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. CARTER (for himself, Mr. KING of New York, Ms. GRANGER, Mrs.

McMorris Rodgers, Mr. McCaul, Mr. Olson, Mr. Critz, Mr. Wilson of South Carolina, Mr. Gohmert, and Mr. Rogers of Kentucky):

H.R. 5529. A bill to amend the Internal Revenue Code of 1986 to exempt survivor benefit annuity plan payments from the individual alternative minimum tax; to the Committee on Ways and Means.

By Mr. FALEOMAVAEGA:

H.R. 5530. A bill to require the Secretary of the Interior to ensure that the flags of the several States, the District of Columbia, and the territories of the United States encircle the Washington Monument; to the Committee on Natural Resources.

By Mr. HERGER:

H.R. 5531. A bill to amend the Endangered Species Act of 1973 to enable Federal agencies responsible for the preservation of threatened species and endangered species to rescue and relocate members of any of those species that would be taken in the course of certain reconstruction, maintenance, or repair of Federal or non-Federal manmade flood control levees; to the Committee on Natural Resources.

By Ms. ZOE LOFGREN of California:

H.R. 5532. A bill to amend the Immigration and Nationality Act with respect to adopted alien children; to the Committee on the Judiciary.

By Ms. McCOLLUM:

H.R. 5533. A bill to strengthen the partnership between nonprofit organizations and the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Education and Labor, and Science and Technology, 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. MEEKS of New York (for himself, Ms. Fudge, Ms. Norton, Ms. Kilpatrick of Michigan, Ms. Herseth Sandlin, and Mr. Teague):

H.R. 5534. A bill to authorize the Science, Engineering, Math, and Aerospace Academy Program in the National Aeronautics and Space Administration; to the Committee on Science and Technology.

By Mr. BERMAN (for himself and Ms. Ros-Lehtinen) (both by request):

H.J. Res. 88. A joint resolution providing for the approval of the Congress of the proposed agreement for cooperation between the United States and Australia pursuant to the Atomic Energy Act of 1954; to the Committee on Foreign Affairs.

By Mr. CONAWAY:

H. Res. 1441. A resolution amending the Rules of the House of Representatives to curtail the growth of Government programs; to the Committee on Rules.

By Mr. DUNCAN:

H. Res. 1442. A resolution supporting the goals and ideals of United States Military History Month; to the Committee on Oversight and Government Reform.

By Mr. MEEKS of New York (for himself, Mr. Scott of Virginia, Mr. Sablan, Ms. Jackson Lee of Texas, Mr. Grijalva, Ms. Norton, Ms. Richardson, Ms. Clarke, Mr. Towns, Mr. Davis of Illinois, Mr. Payne, Ms. Eddie Bernice Johnson of Texas, Ms. Corrine Brown of Florida, Mr. Grayson, Mr. Israel, Mr. Bishop of New York, Ms. Lee of California, Ms. Zoe Lofgren of California, Mr. Hinojosa, Mr. Cohen, Mr. Kucinich, Mr. Ellison, Mr. Hastings of Florida, Mr. Ackerman, Ms. Edwards of Maryland, Mr. Arcuri, Mr. Driehaus, Ms. Moore of Wisconsin, Mr. Crowley, Mr. Shuler, Mr. Wu, Mr. Lewis of Georgia, Mr. Moore of Kansas, Mr. Weiner, Mr. Miller of North Carolina, Mr. Carson of Indiana, Mr. Johnson of Georgia, Mr. McMahon, Mr. Watt, Mr. Butterfield, Mr. Chandler, Mr. Klein of Florida, Mr. Sires, and Mr. Gutierrez):

H. Res. 1443. A resolution recognizing the achievements of the Nation's high school graduating class of 2010, promoting the importance of encouraging intellectual growth, and rewarding academic excellence of all United States high school students; to the Committee on Education and Labor.

By Mr. PALLONE (for himself and Mr. Shimkus):

H. Res. 1444. A resolution recognizing the 60th anniversary of the National Institute of Diabetes and Digestive and Kidney Diseases; to the Committee on Energy and Commerce.

By Mr. ROONEY:

H. Res. 1445. A resolution expressing support for designation of July 17, 2010, as ''National Bladder Cancer Awareness Day''; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

309. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 220 memorializing Congress to reauthorize the funding for the TANF Emergency Fund program; to the Committee on Ways and Means.

310. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2005 urging the Congress to reauthorize Section 1011 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; jointly to the Committees on Energy and Commerce and Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 21: Mr. Meeks of New York.
H.R. 45: Mrs. Christensen.
H.R. 197: Mr. Grayson.
H.R. 442: Ms. Herseth Sandlin and Mr. Larsen of Washington.
H.R. 634: Mr. Donnelly of Indiana and Mr. Camp.
H.R. 708: Mr. Tim Murphy of Pennsylvania.
H.R. 1034: Mrs. McCarthy of New York.
H.R. 1074: Mr. Grayson.
H.R. 1126: Ms. Moore of Wisconsin and Mr. Sires.
H.R. 1272: Mr. Djou.
H.R. 1362: Mr. Heinrich.
H.R. 1409: Mr. Deutch.
H.R. 1443: Mr. Watt.
H.R. 1751: Mr. Cuellar and Mr. Al Green of Texas.
H.R. 1806: Mr. Olver and Ms. Kosmas.
H.R. 1990: Mr. Rahall and Mr. Thompson of Pennsylvania.
H.R. 2103: Mr. Himes.
H.R. 2189: Mr. Akin.
H.R. 2240: Mr. Conyers.
H.R. 2296: Mr. Kind.
H.R. 2381: Mrs. Christensen and Mr. Rothman of New Jersey.
H.R. 2412: Mr. Djou.
H.R. 2413: Ms. Eshoo, Mr. Pierluisi, Mr. McNerney, and Ms. Pingree of Maine.
H.R. 2455: Ms. Zoe Lofgren of California, Ms. McCollum, Mr. Lynch, and Mr. Tierney.
H.R. 2603: Mr. Djou.
H.R. 2890: Ms. Hirono.
H.R. 3024: Ms. Moore of Wisconsin.
H.R. 3053: Mr. Kucinich.
H.R. 3077: Mr. Price of North Carolina, Mr. Cleaver, and Mr. Carnahan.
H.R. 3108: Mr. Weiner.
H.R. 3181: Mr. Kucinich, Mr. Wilson of South Carolina, and Ms. Fudge.
H.R. 3328: Mr. Butterfield.
H.R. 3359: Mr. Larsen of Washington, Mr. Carney, Mr. Berry, and Ms. Norton.
H.R. 3421: Ms. Baldwin.
H.R. 3670: Mr. Price of North Carolina.
H.R. 3924: Mr. Culberson and Mr. Garrett of New Jersey.
H.R. 3943: Mr. Connolly of Virginia.
H.R. 4024: Mr. Djou.
H.R. 4037: Mr. Cohen, Mr. Connolly of Virginia, Mr. Loebsack, and Ms. Richardson.
H.R. 4116: Mr. Clay, Mr. Smith of Washington, and Mr. Neal of Massachusetts.
H.R. 4150: Mr. Edwards of Texas.
H.R. 4175: Mr. Cohen.
H.R. 4223: Mr. Kirk, Mr. Filner, and Mr. Loebsack.
H.R. 4241: Mr. Minnick.
H.R. 4278: Mr. Peters.
H.R. 4306: Mr. Rooney.
H.R. 4347: Mr. Honda and Mr. Larsen of Washington.
H.R. 4371: Ms. Titus.
H.R. 4386: Mr. Maffei.
H.R. 4420: Mr. Jones.
H.R. 4443: Mr. Edwards of Texas.
H.R. 4477: Mr. DeFazio.
H.R. 4505: Mr. Roe of Tennessee.
H.R. 4645: Mr. Ellison.
H.R. 4662: Mr. Loebsack, Mr. Price of North Carolina, and Ms. Zoe Lofgren of California.
H.R. 4733: Mr. Royce and Mr. Hinchey.
H.R. 4787: Mr. Frank of Massachusetts.
H.R. 4788: Mr. Boswell, Mr. Kildee, Mr. Johnson of Georgia, and Ms. Norton.
H.R. 4836: Ms. Norton.
H.R. 4888: Ms. Woolsey.
H.R. 4919: Mr. Broun of Georgia.
H.R. 4925: Mr. Rahall.
H.R. 4926: Mr. Filner.
H.R. 4943: Mrs. McMorris Rodgers and Mr. Rogers of Kentucky.
H.R. 4947: Ms. Baldwin.
H.R. 4958: Mr. Conyers.
H.R. 4959: Ms. Castor of Florida.
H.R. 4993: Mr. Price of North Carolina.
H.R. 5000: Mr. Gonzalez.
H.R. 5012: Ms. Norton and Mr. Lewis of Georgia.
H.R. 5016: Mr. Shuster, Mr. Akin, Mrs. Schmidt, Mr. Rooney, Mr. Luetkemeyer, Ms. Granger, Mr. Calvert, and Mr. Bachus.
H.R. 5034: Mr. Minnick.
H.R. 5037: Mr. Foster.
H.R. 5081: Mrs. Maloney.
H.R. 5096: Ms. Norton.
H.R. 5121: Mr. Conyers.
H.R. 5141: Mr. Edwards of Texas and Mr. Calvert.
H.R. 5143: Mr. Hill.
H.R. 5177: Mr. Fortenberry.
H.R. 5189: Mr. Hall of New York, Mr. Filner, and Mr. Mica.
H.R. 5214: Mr. Honda, Mr. Israel, Mr. Kildee, Mr. Johnson of Georgia, and Ms. Giffords.
H.R. 5243: Mr. Burgess.
H.R. 5255: Mr. Cooper.
H.R. 5268: Mr. McNerney, Mr. Oberstar, and Mr. Sires.
H.R. 5276: Mr. Turner, Mr. McClintock, and Mr. Schock.
H.R. 5312: Mr. Sherman.
H.R. 5318: Mr. Edwards of Texas.
H.R. 5319: Mr. Inglis.
H.R. 5324: Ms. Roybal-Allard.
H.R. 5354: Ms. Norton.
H.R. 5371: Mr. Calvert.

H.R. 5409: Mr. MCINTYRE and Mr. BISHOP of Georgia.

H.R. 5425: Mrs. BLACKBURN, Mr. OLSON, Mr. BARTLETT, Mr. BARTON of Texas, Mr. GOHMERT, Mr. BISHOP of Utah, Mrs. LUMMIS, Mr. ROONEY, Mr. LUETKEMEYER, Mr. POSEY, and Mr. PAUL.

H.R. 5429: Mr. WAXMAN, Mr. SCHIFF, Mr. BERMAN, Ms. RICHARDSON, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 5430: Mr. KUCINICH.

H.R. 5431: Mr. KUCINICH.

H.R. 5434: Mr. LOBIONDO and Mr. PATRICK J. MURPHY of Pennsylvania.

H.R. 5441: Mr. CONYERS.

H.R. 5447: Mr. BERRY.

H.R. 5462: Ms. MATSUI.

H.R. 5467: Mr. BISHOP of New York.

H.R. 5477: Mr. HINCHEY.

H.R. 5478: Mr. EDWARDS of Texas.

H.R. 5487: Mr. SALAZAR, Ms. NORTON, Mr. Luján, Ms. BORDALLO, Mr. GARAMENDI, and Mr. OBERSTAR.

H.R. 5501: Mr. LAMBORN, Mr. ROONEY, Mr. DJOU, Mr. BOEHNER, Mr. ROE of Tennessee, Mr. SCHOCK, Mr. MANZULLO, Mr. AKIN, Mr. KINGSTON, Mr. MICA, Mr. REHBERG, Mr. ROYCE, Mr. FRELINGHUYSEN, Mr. KLINE of Minnesota, Mr. MCHENRY, Mrs. SCHMIDT, Mr. WESTMORELAND, Mr. LUETKEMEYER, Mr. HASTINGS of Washington, Mr. FLEMING, Mr. PLATTS, Mr. LATOURETTE, Mr. WALDEN, Ms. ROS-LEHTINEN, Mrs. BIGGERT, Mr. MCCOTTER, Mr. TIBERI, Mr. BILBRAY, Mr. GRAVES of Missouri, Mr. KING of Iowa, Mr. LANCE, Mr. POE of Texas, and Mr. GERLACH.

H.R. 5513: Mrs. MALONEY and Mr. HOLT.

H.R. 5515: Mr. PETRI.

H.R. 5519: Mr. DUNCAN, Mr. BROUN of Georgia, Ms. JENKINS, Mrs. LUMMIS, Mr. REHBERG, Mr. WESTMORELAND, Mr. GINGREY of Georgia, Mr. ROE of Tennessee, Mr. LUETKEMEYER, Mr. BISHOP of Utah, and Mr. SAM JOHNSON of Texas.

H.R. 5520: Mr. ROTHMAN of New Jersey, Mr. HINCHEY, Mr. BRALEY of Iowa, Mr. QUIGLEY Ms. LINDA T. SÁNCHEZ of California, Mr. HIGGINS, Mr. PASCRELL, Ms. WOOLSEY, Ms. HIRONO, Mr. KENNEDY, and Mr. ELLISON.

H.J. Res. 86: Mr. CAO, Mr. CUELLAR, Mr. PETERSON, Mr. ROYCE, Mr. DONNELLY of Indiana, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HALL of New York, Mr. BERRY, Mr. LARSON of Connecticut, Mr. LARSEN of Washington, Mr. GORDON of Tennessee, Mr. OWENS, Mr. SHUSTER, Mr. KISSELL, Ms. SCHWARTZ, Mr. SKELTON, Mrs. DAHLKEMPER, Mr. SABLAN, Mr. MCMAHON, and Ms. KOSMAS.

H. Con. Res. 279: Mr. MCCLINTOCK and Mr. WITTMAN.

H. Con. Res. 284: Mr. NEUGEBAUER, Mr. BROUN of Georgia, Mr. WALDEN, Ms. NORTON, Mrs. MALONEY, Mr. BISHOP of Georgia, Ms. FUDGE, and Mr. ORTIZ.

H. Con. Res. 286: Mr. NUNES, Mr. MCHENRY, Mr. SPACE, Mr. DJOU, Mr. WOLF, Mr. GERLACH, Mr. MARSHALL, and Mr. GOODLATTE.

H. Res. 111: Mr. TOWNS.

H. Res. 173: Mr. POSEY, Mr. DONNELLY of Indiana, Mr. BISHOP of Utah, Mr. EDWARDS of Texas, and Mr. DEUTCH.

H. Res. 203: Mr. CRITZ.

H. Res. 252: Mr. HELLER.

H. Res. 308: Mr. RUSH, Ms. WATERS, Mr. TOWNS, Mr. ELLISON, Mr. FILNER, Ms. WASSERMAN SCHULTZ, Ms. RICHARDSON, and Ms. CLARKE.

H. Res. 771: Mr. AUSTRIA, Mr. SHULER, and Mr. HONDA.

H. Res. 1035: Mrs. MYRICK.

H. Res. 1219: Mr. CONYERS and Mr. ROHRABACHER.

H. Res. 1241: Mr. BUCHANAN, Mr. CONAWAY, Ms. FOXX, and Mr. LATOURETTE.

H. Res. 1350: Mr. WILSON of South Carolina, Mr. MANZULLO, and Mr. ISSA.

H. Res. 1393: Mr. MCGOVERN.

H. Res. 1394: Mr. PASCRELL and Mr. OLSON.

H. Res. 1395: Mr. MCINTYRE.

H. Res. 1401: Mr. WESTMORELAND, Ms. CORRINE BROWN of Florida, Mr. BISHOP of New York, Mr. HALL of New York, Mr. NADLER of New York, Mr. MCMAHON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. CUMMINGS, Mr. HASTINGS of Florida, Ms. BERKLEY, Mr. DEUTCH, Ms. ROS-LEHTINEN, Mr. WALZ, Mr. SIRES, Mr. ROONEY, Mr. CARNAHAN, Ms. ROYBAL-ALLARD, Mr. PERRIELLO, and Mr. LINCOLN DIAZ-BALART of Florida.

H. Res. 1405: Mr. HONDA and Ms. RICHARDSON.

H. Res. 1406: Mr. GALLEGLY, Mr. HERGER, and Mrs. LUMMIS.

H. Res. 1412: Mr. CARNAHAN and Mr. SCOTT of Virginia.

H. Res. 1419: Ms. FUDGE, Mr. Austria, Ms. KILROY, Ms. KAPTUR, Mr. RYAN of Ohio, Mrs. SCHMIDT, Mr. SPACE, and Mr. TIBERI.

H. Res. 1426: Ms. ZOE LOFGREN of California.

H. Res. 1429: Mrs. BIGGERT, Mr. AUSTRIA, Mr. WOLF, Mr. SKELTON, Mr. DJOU, Mr. AKIN, Mr. TIBERI, Mr. DANIEL E. LUNGREN of California, Mr. MCCOTTER, Mr. FORTENBERRY, Mr. JONES, Mr. SPRATT, Mr. ETHERIDGE, Mr. MCHENRY, Mr. GINGREY of Georgia, and Mr. BOUSTANY.

H. Res. 1439: Mr. MOORE of Kansas, Mr. FARR, Mr. CONNOLLY of Virginia, Mr. SHULER, Mr. BACA, Ms. WATSON, Mr. COHEN, Mr. BLUMENAUER, Ms. NORTON, Mr. POLIS, Ms. DEGETTE, Mr. MURPHY of New York, Mr. SNYDER, Ms. MOORE of Wisconsin, Ms. TITUS, Mr. PETERS, Mr. KAGEN, Mr. LUJÁN, Mr. PASCRELL, Mr. LEWIS of Georgia, Ms. Linda T. SÁNCHEZ OF CALIFORNIA, MR. PETERSON, Mr. WALZ, Mr. MCDERMOTT, Mr. ROTHMAN of New Jersey, Mr. BISHOP of New York, Mr. ELLSWORTH, Mr. CARSON of Indiana, and Mr. TEAGUE.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

146. The SPEAKER presented a petition of American Bar Association, Illinois, relative to Recommendation 102C urging federal, state, territorial and local governments to undertake a comprehensive review of the misdemeanor provisions of their criminal laws; to the Committee on the Judiciary.

147. Also, a petition of American Bar Association, Illinois, relative to Recommendation 102B urging federal, state, territorial and local legislative bodies and agencies to support the development of simplified Miranda warning language for use with juvenile arrestees; to the Committee on the Judiciary.

148. Also, a petition of California State Lands Commission, California, relative to Resolution supporting the Lake Tahoe Restoration Act of 2010; jointly to the Committees on Transportation and Infrastructure, Natural Resources, and Agriculture.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156 WASHINGTON, TUESDAY, JUNE 15, 2010 No. 89

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Spirit of God, descend on our hearts, for apart from You, life is sound and fury signifying nothing.

Make our lawmakers great enough for these momentous times. Deliver them from pride and prejudice as they seek to live worthy of Your great Name.

Lord, transform common days into transfiguring and redemptive moments because of the power of Your presence and the wisdom of Your words. Cleanse the fountains of our hearts from all that defiles and make us fit vessels for Your honor.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SCHEDULE

Mr. REID. Madam President, following leader remarks, there will be a period of morning business until 11:30 a.m., with Senators permitted to speak for up to 10 minutes each. The majority will control the first 30 minutes, the Republicans will control the next 30 minutes, and the remaining time will be equally divided.

Upon the conclusion of morning business, the Senate will proceed to executive session to consider several district court nominations: Tanya Pratt, of Indiana; Brian Jackson, of Louisiana; and Elizabeth Foote, of Louisiana. There will be up to 20 minutes of debate equally divided and controlled between Senators LEAHY and SESSIONS or their designees prior to a series of rollcall votes, which could be as many as three.

Upon disposition of the nominations, the Senate will recess until 2:15 p.m. today for our weekly caucus meetings.

At 2:15 p.m., we will resume consideration of the House message with respect to H.R. 4213, the tax extenders legislation. We currently have six amendments pending. We hope to reach an agreement to dispose of several of the pending amendments today.

As a reminder, cloture was filed on the motion to concur with an amendment with respect to the tax extenders legislation. The only applicable filing deadline in this situation is for second-degree amendments. Under the rule, second-degree amendments must be filed 1 hour prior to the cloture vote tomorrow.

Madam President, I have spoken to the Republican leader on a number of occasions—the latest just a few minutes ago—to see if we can work out an orderly system to not have to have a vote on cloture tomorrow. We are working on that, and hopefully we can conclude that with an agreement sometime in the near future.

RECOGNITION OF THE MINORITY LEADER

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

GULF OILSPILL

Mr. MCCONNELL. Madam President, the President will speak to the American people from the Oval Office tonight about a crisis in the gulf that is now in its ninth week. If early reports are accurate, the President will use his remarks not as an occasion to unite the Nation in a common effort to solve the immediate problem but to make his case for a new national energy tax commonly known as cap and trade. If true, this means the President plans to use this justifiable public outrage over an explosion that killed 11 people and the oilspill that followed as a tool for pushing a divisive new climate change policy even as hundreds of thousands of gallons of oil continue to spill into the gulf each day.

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

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Most Americans are baffled by all this. The crisis, as they see it, is a broken pipe at the bottom of the ocean, miles-long oil slicks, and threatened coastlines. The first thing they want to know is what the administration plans to do to plug the leak, clean up the oil, and mitigate the spill's effects on the livelihoods of those affected. Yet day after day, as the oil continues to flow, what we hear from the administration is how tough they plan to be with BP and now, apparently, how important it is that we institute a new tax which will raise energy costs for every single American but which will do absolutely nothing to plug the leak. Never has a mission statement fit an administration as perfectly as Rahm Emanuel's ''never allow a crisis to go to waste.'' Climate change policy is important, but first things first.

Americans are saying two things at the moment: Stop this spill and clean it up. So with all due respect to the White House, the wetlands of the bayou, the beaches of the coast, and our waters in the gulf are far more important than the status of the Democrats' legislative agenda here in Washington. Americans want us to stop the oilspill first, and until this leak is plugged, they are not in any mood to hand over even more power in the form of a new national energy tax to a government that, so far at least, hasn't lived up to their expectations in its response to this crisis.

Republicans are happy to have an energy debate. Like most Americans, we support an all-of-the-above agenda that seeks to produce more American energy and use less. But while American livelihoods are in immediate danger and we watch oil gush into our waters and wash up on our beaches, now is not the time to push ideology; it is the time to fix the problem.

But if the White House insists on using this event as an opportunity to push the same kind of government-driven agenda that got us the health care bill, then they will need to answer some questions. Since the outset of this crisis, they have clearly been more focused on identifying a scapegoat than in taking charge. But questions persist about the administration's response. Here are just a few:

First, the administration acknowledges that it took BP at its word early on about its ability to respond to a crisis such as this. The question is, Why? Why? Why did the Minerals Management Service under this administration accept BP's word that it was prepared to deal with a worst-case spill such as the one we are now experiencing in the gulf?

Second, why were the inspections MMS performed on the Deepwater Horizon, and presumably on other rigs as well, unable to detect the problems that eventually became so apparent? What changes need to be made to make these inspections effective?

Third, the law requires the President to ensure the effective cleanup of an oilspill when it occurs. Specifically, it requires the President to have a national contingency plan in place, and that plan is supposed to provide for sufficient personnel and equipment to clean up a spill. Clearly, the administration's National Contingency Plan was not up to the task. Why not? Did it rely too much on the oil companies to perform the cleanup?

Also, why, as has been widely reported, has the administration been slow to accept offers of assistance from countries that have offered skimming vessels and other technologies to help clean up the spill? Since the cleanup is clearly not going as planned, shouldn't we be accepting legitimate offers of assistance wherever we can get them?

The first priority, as I have said, is plugging the leak. Then we must turn our attention to questions such as these and to a thorough investigation of what went wrong on the Deepwater Horizon and how we can prevent anything like it from ever, ever happening again. That will be a monumental, months-long job, as there were so many failures at so many levels. Once that process begins, perhaps the administration can work to unite the country in the aftermath of this crisis in a way that, frankly, it has failed to do up to now.

Legislation to respond to this oilspill should be an opportunity for genuine bipartisan cooperation of the kind the President so frequently says he wants and of the kind that has been sorely needed and sorely lacking in the midst of this calamity.

Madam President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period of morning business until 11:30 a.m., with Senators permitted to speak for up to 10 minutes each and with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

The Senator from Washington.

GULF OILSPILL

Mrs. MURRAY. Madam President, as we close in now on 2 months since the deep water explosion that set off the gulf oilspill, the toll of this disaster is continuing to mount—from the oil-soaked pelicans we see on the front cover of each newspaper everyday, to the tar balls that dot a previously pristine coastline, to the closed fishing grounds and half-empty hotels. The human impact is felt in Louisiana, Mississippi, Florida, throughout the gulf coast region. This disaster has reached into our economy, our environment, and the way we see our energy future. But there is one place it also threatens to reach and that is into our pocketbooks.

When it comes to BP's promises to cover all the costs associated with this disaster, I am sorry but I am not ready to take them for their word. That is because as a Senator from the Pacific Northwest, Washington State, I have seen firsthand what happens when big oil is allowed to make promises and not required to take action. When the *Exxon Valdez* oilspill happened in 1989—I remember it so well—that company assured the public that the economic and environmental damage would be paid for. Then I remember them fighting tooth and nail all the way to the Supreme Court, to deny fishermen and families from my home State the compensation they were due.

So I am not impressed by BP's promises and I am not ready to take the word of a company with a track record of pursuing profit over safety. Instead, I believe it is time for us to answer some very fundamental questions, such as who should be responsible to clean this up? Who is going to bear the burden of big oil's mistake? Should it be the taxpayers or families and small business owners who paid such a high price already or should it be the companies that are responsible for this spill, including BP, which, by the way, is a company that made a $6.1 billion profit in the first 3 months of this year alone?

I cosponsored the Big Oil Bailout Prevention Act because the answer is clear. I believe BP needs to be held accountable for the environmental and economic damages of this spill and I am going to fight to make sure our taxpayers do not wind up losing a single dime to pay for this mess. To me, it is an issue of fairness. If an oil company causes a spill, they should be the one to clean it up, not our taxpayers. This bill eliminates the current $75 million cap on oil company liability so taxpayers will never be left holding the bag for big oil's mistakes. This is straightforward, common sense, and fair.

I have to say, I am extremely disappointed that this commonsense bill continues to be blocked by the Republicans every time we have tried to bring it up. But I want everyone to know I am going to keep fighting for the Big Oil Bailout Prevention Act until we get it passed.

That alone is not enough in response. This week I also signed on to a letter to BP's CEO, asking them to back up the promises they are making to pay with action by requiring them to set up a $20 billion fund to begin covering the damages we will see.

It is also why I am working to make sure this never happens in any other part of our country. I have always been opposed to drilling off the coast of my

home State of Washington and this tragedy is just one more painful reminder of the potential consequences of opening the west coast to drilling. The economic and environmental devastation caused by the *Exxon Valdez* disaster is still impacting people and families and businesses in my State. Washington State's coastal region supports over 150,000 jobs and it generates almost $10 billion in economic activity—all of which would be threatened if drilling were allowed to happen off our west coat.

I am going to keep fighting for legislation that bans drilling off the west coast and makes sure big oil companies are never allowed to roll the dice with Washington State's economy and environment.

We need to hold big oil accountable. We need to make sure that disasters such as this never happen again. We also need to remember the workers who were killed and injured in this horrific tragedy. We cannot forget that this is an issue that is larger than this one tragedy. The entire oil and gas industry has a deplorable record of worker and workplace safety. We have to make sure that every worker is treated properly and protected, and that companies that mistreat their workers are held accountable.

We know the oil industry is able to operate under stricter safety standards and regulations because they are already doing that—in Europe, in Australia, and even in Contra Costa County in California, where that county has a set of stricter guidelines that have reduced their injuries and fatality rates for their workers.

But we also know worker safety should not be measured just by injury rates. We should be working at reducing the dangerous conditions that exist such as fires and hazardous spills and release of toxic gases. When accidents do happen, we have to record them, learn from them, and build on a program to prevent them from ever happening again. We have to make sure our workers are treated with respect and their rights are protected. Like a lot of people, I was appalled last week to read reports in the Washington Post about BP's history of worker safety violations and numerous reports of worker intimidation. No workers should ever believe that reporting safety violations could endanger their job and no company should ever pursue its bottom line in a way that endangers its workers.

The Senate deserves answers from BP on worker safety conditions and how suppressing worker complaints could have contributed, actually, to this disaster. So I was extremely disappointed last week when I held a hearing in my subcommittee to examine worker safety issues in the oil and gas industry and representatives of BP failed to show up—failed to even show up.

Workers everywhere have to feel confident that their employers are putting their safety first and companies that betray that trust have to be held accountable. I am going to keep working to make sure that happens. I look forward to having future hearings that I hope BP will come to in the coming weeks so we can get to the bottom of this. Meanwhile, I am going to continue fighting to keep drilling away from the Washington State coastline and I am going to keep pushing to make sure our taxpayers do not have to pay for the mistakes big oil makes.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Madam President, would you please advise me when I have spoken for 9 minutes.

The ACTING PRESIDENT pro tempore. The Chair will so advise the Senator.

Mr. DURBIN. I thank the Senator from Washington because she brings back an experience that I had 21 years ago, when I went to Prince William Sound in the beautiful State of Alaska. It is one of the most beautiful places on Earth but at that moment it was a sad situation. The *Exxon Valdez* tanker had run aground and spilled literally thousands and thousands of barrels of black, sludgy, crude oil on this beautiful, pristine area. I went out in a Coast Guard cutter to one of the tiny little islands in the middle of Prince William Sound, which is otherwise as beautiful as God ever made this Earth, and there, covered in oil, was this rock-strewn island, and men and women, dressed in yellow slickers, were taking big cotton cloths and trying to scoop up the oil and put these cloths into bags to be carted away. I asked one of the workers, after the television cameras were off, I said, Do you think we are doing any good? He said, If we didn't do anything it would take 10 years for God to clean up this mess. For all we are doing, it might take 9 years and 6 months.

It was a pretty cynical view, but I tell you, 21 years later Prince William Sound is paying the price for that one tanker that ran aground.

Senator MURKOWSKI of Alaska told us some species of fish have all but disappeared. Herring can't be found in this area anymore. Yes, some of it is recovering, but it is slow, painfully slow. It takes generations for that to happen.

We decided at that moment in history that we had to have an oilspill liability fund. In other words, we say to the oil companies, when you produce a barrel of oil we want 8 cents from each barrel to go into an oilspill liability fund so if there is another spill in the future and you cannot pay for it as a company, there will at least be this fund collected from your industry to try to repair the damage—8 cents a barrel.

Let me tell you what the price of oil is today according to the Wall Street Journal. It is over $75 a barrel. So 8 cents represents about one-tenth of 1 percent of the cost of a barrel of oil. Keep that in mind because I want to tell you about an amendment that is coming to the floor this afternoon.

In the bill pending on the floor, we increased that 8 cents to 41 cents. The idea is to have enough money in this oilspill liability fund that if in some future crisis you do not have a deep-pocket, big-time oil company such as BP, we will at least have enough money collected from the industry to repair the environmental damage from tankers running aground or drilling in the gulf or other places that goes awry. We raise it from 8 cents to 41 cents. It is one-half of 1 percent of the cost of a barrel of oil.

Why do I bring this up? JOHN THUNE, Republican Senator from South Dakota, is going to offer an amendment this afternoon. Most people will not get a chance to read it in its entirety. It is 210 pages long. Let me tell you several features that are worth noting, particularly as President Obama speaks to the American people tonight about what is going on in the Gulf of Mexico, with this bill. JOHN THUNE offers the Republican substitute amendment, and what JOHN THUNE does for the Republicans is to eliminate the increase in this tax on a barrel of oil. Of course, big oil doesn't want to spend this money. They don't want to pay this tax. They don't want to create this oilspill liability fund. And the Republican substitute says they do not have to. Even though we know and see every single minute of every day the damage being done in the gulf, the Republican substitute amendment eliminates the increase in the tax on a barrel of oil.

That is not all. In our bill we also increased the liability for oilspills. Now it is at $1 billion. We increase it to $5 billion. Is there anyone who thinks that we can escape with only $5 billion in damages from what is going on in the Gulf of Mexico? I don't. Sadly, I think it is going to be much more. We tried to change the underlying law to say in the future, for any for oilspills, there will be liability up to $5 billion in our underlying bill. The Republican substitute eliminates the increase in liability for the big oil companies.

This is a dream come true for big oil, but it is not a dream come true for America, where we are so dependent on oil today and where we need to make certain if there is another environmental disaster tomorrow, we are prepared to take care of it.

What is the alternative if the Thune Republican substitute passes? If the damage occurs in Prince William Sound, in the Gulf of Mexico, who will be expected to bail out the damage? American taxpayers. So the Republican substitute takes the burden off the big oil companies and puts it on the taxpayers of this country. That is wrong. It is fundamentally wrong. If for no other reason I hope the Senate rejects the Republican substitute, that they would have the nerve to stand up in the Senate today, standing up for big oil under these circumstances. How can

they possibly defend that? They will try, and you will hear it on the floor.

There is one other provision that ought to be noted in the Thune substitute and here is what it says. It eliminates the language in the underlying bill that creates incentives in America's Tax Code for American businesses to relocate their production facilities overseas. Think about it. We have incentives in our Tax Code rewarding American businesses that build production facilities overseas. Does that make any sense in this economy, with 8 million people out of work and 6 million who have given up looking for jobs, that we would eliminate the provisions that stop companies from moving overseas? We need to keep good-paying jobs right here in America.

The Republican substitute does not agree. The Republican substitute wants to continue to incentivize American companies so they will move production facilities overseas. We give them a break in the Tax Code now in terms of the taxes they pay on the income they earn overseas, but the bill before us eliminates it and the Republican substitute defends it.

How can they do this? In one amendment they defend big oil companies and stop us from collecting money to protect taxpayers if there is another environmental disaster. Then they turn around and try to protect the loopholes in the Tax Code so that American businesses can move their production facilities overseas. It is the clearest definition of the difference between the two political parties I have seen in a long time.

Earlier, the Senate Republican leader came forward, Senator MCCONNELL, and said we need more government in the Gulf of Mexico. I think we do have an important responsibility here as a government to make sure the damage that has been done by British Petroleum is in fact taken care of and repaired—and there will be a lot of it, unfortunately. It is interesting to hear these speeches from the Republican side of the aisle about how we need an expanded role of government. It seems as though some of my colleagues are suffering from political amnesia. It was not too long ago that they were coming here crying that government was too big and had too big a hand in our economy, but we have learned through the recession brought on through the greed of Wall Street, through this terrible environmental disaster in the Gulf of Mexico, there is a legitimate and important role of government.

Tonight the President of the United States will address the American people and tell us about what we are doing and what we need to do. It will go beyond this terrible environmental disaster and challenge us to look to the big picture, the picture about the future of energy and the American economy. There are some people who do not want to talk about this, but it is fundamental. We need to move our nation forward—with cleaner, renewable, sustainable sources of energy.

We need to have more efficient cars and trucks that burn less fuel for the same mileage. We need to have fewer emissions into the environment which damage our lungs and the Earth on which we live, and we need to have a policy that is forward looking. When I listen to the other side of the aisle, they are looking in the rearview mirror. We cannot afford to do that anymore. America can move forward together when we accept our responsibility to the environment and to provide clean, renewable energy for the growth of our economy.

I reserve the remainder of my time and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, there is no doubt that the vivid images we see every day of economic and environmental tragedy unfolding in the gulf are unprecedented, if not apocalyptic in nature. They have opened our eyes to the need for a fundamental redirection in our policy and the need for definitive action now to hold big oil accountable. The images are horrific, and they have made Americans realize the dirty fuels of our industrial past and the environmental and human toll they are taking in the gulf as we speak should now give way to a consensus on a real, meaningful investment in clean energy and increased oversight of corporate polluters.

The time has come for change and this Congress needs to stand up for all those families in the gulf, for the rich habitats of marshes and estuaries that are being destroyed. The time has come to make the big polluters pay. But the time has also come to look ahead and plan for a smarter, greener, safer, cleaner future.

No one—no one—can look at what is happening in the gulf and think we should not call big oil to task. No one can look at the images of brown pelicans drowning in a tide of crude oil and not wonder how to stop it and, at the same time, how to move to a comprehensive energy policy that will take us beyond our reliance on fossil fuels and toward clean energy independence. No one can look at Louisiana shrimpers and oystermen, fishing fleets idle, businesses closed, and not feel for those families wondering how they will get their lives back.

This is not the time to shield big oil from full responsibility, as our colleagues on the other side seem to favor. This is not the time for excuses. Two things are clear. Those who are at fault must be held accountable. We need to embrace this tragedy as an opportunity to formulate a new American energy policy that creates American jobs and ultimately invests billions of dollars that we spend on foreign oil at home on clean energy sources. Our friends on the other side of the aisle have said no to that approach. They have said no to energy reforms and favored big oil. They said no to every effort to hold big business accountable for its failures. They said no to Wall Street reform and favored big banks. They said no to environmental oversight and favored corporate polluters. They have said no to even commonsense economic recovery legislation to put people back to work and save the economy from the disaster 8 years of their policies have created. They said no to families denied health coverage and favored big insurance companies. They have also continuously blocked my Big Oil Bailout Prevention Act that would hold BP accountable for damages, lifting the liability cap from the ridiculous $75 million worth of liability—less than 1 day's profit for BP—and lifting it to an unlimited liability since they have created unlimited damages in the gulf. No, they come up with proposals that basically are to protect big oil.

Let's index it to their profits regardless of how much damage they have created. Let's worry about the ''smaller driller'' even if they cause unlimited consequences to our environment. Is there a difference between a $100 billion company and a $10 billion company when both of them create the same environmental damage that has been created in the gulf? I don't think so.

The question is, Whose side do we stand on. Do we stand with the taxpayers to make sure they don't reach into their pockets for big oil's consequences, or are we going to defend big oil? If we were to bring to the floor a bill to invest in a clean energy future and create clean energy American jobs, they would say no to that as well.

It seems to me it is time to say yes to American-made clean energy, yes to the millions of jobs it would create. It is time to also end tax loopholes for big oil companies, such as BP, that are avoiding paying billions of dollars in taxes. They are getting huge tax breaks for drilling activities and revenues, and they are concocting foreign tax schemes, all of which amount to more than $20 billion over the next 10 years.

That is why I have introduced a bill to end tax loopholes for big oil. It seems to me the flow of revenues to the oil companies is like the gusher at the bottom of the Gulf of Mexico. It is pretty heavy and constant. There is no valid reason for these multibillion-dollar international corporations to shortchange the American taxpayer. They certainly are not using the extra money they get from exploiting tax loopholes to bring down the price of a gallon of gasoline for New Jersey families.

Unlike the gusher in the gulf, we can topfill these loopholes and shut them down quickly and permanently, if we pass this legislation. But my colleagues on the other side continue to say no to commonsense reforms. We could use the billions of dollars and giveaways to big oil for an alternative fuel program. We need to look at the

economic potential for modern, safe, renewable energy rather than to take the risk of another environmental and economic disaster. Instead of doubling down on 19th century fossil fuels, we should be investing the money we have been giving to big oil in the clean, limitless, 21st-century energy that would create thousands of new jobs, significantly reduce the burden of energy costs, and help clear the air we collectively breathe. It is time we close those loopholes and move forward on alternative fuels and embrace the future rather than cling to the ways of the past and pay the oil companies to continue those ways of the past.

Specifically, the legislation I have introduced recoups royalties that oil companies avoided paying for oil and gas production on public lands. It prevents big oil from manipulating the rules on foreign taxes to avoid paying full corporate taxes in the United States. It ends tax deductions and giveaways to big oil such as deductions for classifying oil production as manufacturing, deductions for the depletion of oil and gas through drilling, and the deductions for the cost of preparing to drill. That is right. Big oil actually gets a deduction for preparing to drill.

Among other provisions, it recoups royalty revenue with an excise tax on oil and gas produced on Federal lands and on the Outer Continental Shelf to pay back taxpayers for contract loopholes. That would save an estimated $5.3 billion. It ends big oil's abuse of foreign tax credits, saving another $8 billion.

While the Close Big Oil Tax Loopholes Act stops giving big oil tax breaks, it protects refineries and oil companies with yearly revenues of less than $100 million and lets them retain certain tax credits and deductions. It repeals big oil's expensing of drilling costs. In the President's budget, this saved $10.9 billion, but we are exempting smaller companies that would lower that estimate. It repeals big oil's depletion allowance for oil and gas wells estimated to save $9.6 billion. It is time to close these big tax oil loopholes, time to stem the flow of revenue to the oil companies, and invest in smart, alternative fuels for the future.

The fact is, oil companies make up 4 of the top 10 spots on the Fortune 100 list of the largest corporations. In the first 3 months of this year alone, in the first quarter of 2010, the top 5 oil companies made over $23 billion in profits—not revenue, profits.

They can afford to do business without American taxpayers subsidizing them. It is time for action. Millions of Americans are out of work. Families are hurting. Communities are hurting. People everywhere are feeling the pinch, and big oil companies are raking in the profits.

At the same time, some of them, such as BP, are creating enormous environmental disasters in our country. That is why I am proud of my colleagues in the Senate Democratic caucus who sent a letter to BP saying: Put $20 billion down in an escrow account administered independently so we can make sure those in the gulf begin to have the relief they so desperately need.

To my colleagues on the other side, it is time to stop saying no and do what is right, what makes sense, and what keeps us secure. It is time to stop saying no to commonsense policies that end tax loopholes that benefit big oil. It is time to protect American taxpayers by lifting the liability cap so big oil, which made the spill, messed up, should clean up, be responsible for it, instead of American taxpayers. It is time to use those tax breaks from big oil and close them to invest in clean energy solutions that create greener, better, more secure American jobs for the 21st century. It is time to hold big oil accountable and invest in the future.

Those are the choices. I hope we will make the right ones.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. How much time remains?

The ACTING PRESIDENT pro tempore. There is 3 minutes 45 seconds remaining.

Mr. NELSON of Florida. Madam President, I just came back from Pensacola. I saw the oil not only out in the gulf, I saw the oil in Pensacola Bay. It is also in Perdido Bay. There are tar balls in the bay. They are slipping underneath the booms. Those tar balls are getting into the wetlands, into the marsh grass. But out there in the bay, there is this reddish orange gunk. Sometimes it is in streamers. Sometimes it is in hamburger-sized patties. Sometimes it is in quarter, dime-sized patties. It looks awful. That is what we are facing. We are going to face it for a long time, especially if the oil continues to gush into the gulf for the rest of the summer.

We have to have a command-and-control structure. After talking to all of our people in Pensacola at the emergency operations center, it is getting better. But it had to get better because when the oil entered Florida waters in Perdido Bay, the emergency operations center in Florida was not even informed by the EOC in Pensacola. So it has to be tightened up more, like a military chain-of-command structure, so when things need to get done they can get done immediately.

The problem in the past has been the Coast Guard is here. BP is there. BP is doing its thing. We can't do that for the long term, as much as we will be facing.

Secondly, we have to set up a trust fund because we are going to be in this for the long haul. Think of the restaurants and their livelihood that is at stake—not just the fishermen, the restaurants because people are not coming. What about the hotels? What about the lessened revenue for local governments and the school boards as a result of people not having the economic activity due to our fishing, our oystering, our beaches, our tourism, and all that? It is humongous. We need a trust fund.

Fifty-five of us sent a letter 2 days ago saying we want a trust fund set up by BP, operated by an independent group, that would be on the magnitude of $20 billion. Let's get it now. I don't think BP is going to be going broke. But on the basis of the experience with the Exxon Valdez, a lot of those claims, there were questions about whether they ever got paid when there were legitimate claims.

Third, tonight is the time for the President to say: We are going to declare that this Nation is getting on a road rapidly to make our independence from our dependency on oil.

That is a report straight from the Gulf of Mexico on the Florida coastline.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the Senator from Florida for his comments. All of us are deeply concerned about his State, the coast, and those others on the gulf coast. I know he is working hard to see that the Federal Government makes the appropriate response.

Tonight the President of the United States speaks to the Nation from the Oval Office about the oil spill. The oil spill is in its 57th day. I would like, with respect, to suggest what I hope the President does not do tonight and what I hope he does do, because the entire Nation's attention is focused on this tragic spill, the consequences for the people in the gulf, the consequences for the people of this country, and the consequences for our energy and economic future.

What I hope the President does not do tonight, No. 1, is use the oil spill as an excuse to pass a national energy tax, collecting hundreds of billions of dollars from Americans and driving jobs overseas looking for cheap energy. The so-called cap-and-trade national energy tax is not appropriate here because it has nothing to do with cleaning up this oil spill. Not only does it drive jobs overseas, it also does not work when applied to fuel. We have had plenty of testimony before the Environment and Public Works Committee. It would simply raise the gasoline tax but it is not going to change behavior enough to reduce the amount of gasoline consumed or carbon emitted. Finally, when applied to utilities, is premature because we have not yet found ways to recapture carbon from coal plants cost effectively or in a way that would enable coal plants to make money from the carbon rather than raising the price of everybody's electric bill.

So, No. 1, I hope the President stays focused and does not follow the advice of the White House Chief of Staff, who

has been so often quoted: Never let a crisis go to waste. This is a crisis, but do not try to mislead the American people into thinking the cure for the oil spill is a new national energy tax that drives jobs overseas looking for cheap energy.

No. 2, I would hope the President—while helping us figure out what to do about the oil spill and making sure it never happens again—does not destroy the rest of the gulf coast economy in the meantime. The Senators from Louisiana, Ms. LANDRIEU and Mr. VITTER, have both spoken eloquently on behalf of the livelihoods of so many in that area. We do not stop flying after a terrible airplane accident, and we are not going to stop offshore drilling after a tragic spill such as this one. What we need to do is to find out why it happened and to make sure it does not happen again.

Thirty percent of the oil and twenty-five percent of the natural gas we produce in the United States comes from thousands of wells in the Gulf of Mexico. If we were to shut them down, natural gas prices, home heating prices, and gasoline prices, all would skyrocket, and we would rely more on tankers from overseas that have a worse safety record than the offshore oil drillers.

No. 3, I hope the President will not recommend, as the current legislation pending in the Senate does, that we spend taxes collected for the Oil Spill Liability Trust Fund on something other than cleaning up oil spills. Let me say that again. I think Americans might be looking at Washington and wondering: What is this? You mean to say I am paying a higher gasoline tax, in effect, to go into a fund to clean up oil spills and the Congress is thinking about spending that money on something other than cleaning up oil spills? The answer is exactly right.

The proposal that is on the floor before the Senate today would raise from 8 cents to 41 cents the per-barrel fee on oil that is supposed to be used to clean up oil spills and spend it on more government. So that is another thing I hope the President does not do tonight. I hope he remembers it is called the Oil Spill Liability Trust Fund. If we want to re-earn the trust of the American people, we would spend the oil spill cleanup money on cleaning up oil spills.

Finally, I hope the President does not pretend that renewable electricity has anything to do with reducing our dependence on foreign oil. Already, I see the ads for the windmills that the big corporations are putting out. But let's think about renewable electricity for a minute. We are talking about oil in the gulf. We use oil for transportation, not to create electricity. Renewable electricity—wind, solar, and biomass—creates electricity, which we do not need more of for transportation because there is so much unused power at night. So a clean energy program that is a national windmill policy or a national solar energy policy or national biomass policy may be useful for the country in some ways, but it has nothing to do with reducing our dependence on foreign oil. I will say more in a minute on how we can do that.

But let me stop for a minute, if I may, to back up what I said. Solar energy, for example, is two-hundredths of 1 percent of the electricity we produce in the United States. We all hope someday we can reduce its cost by a factor of four and put it on rooftops as an intermittent supplement to our electricity needs. It has great potential for that. But the better way to spend money is on research and development to reduce its cost, not to pretend that somehow solar panels have anything to do with cleaning up the oil spill or reducing oil consumption.

Biomass, which is sort of a controlled bonfire, has the potential to help clean up our forests and generate electricity. We have in the forests of Tennessee, New Hampshire, and other places dead trees from the pine beetle or from other disease. Cleaning them up and burning them to create electricity is a good idea, and there is biomass is also an important source of energy for our industrial sector as well. But the idea of cutting down and burning trees to create large amounts of electricity is a preposterous idea in the United States.

As an example, one would have to continuously forest an area one-and-a-half times the size of the Great Smoky Mountain National Park in order to produce enough electricity to equal one nuclear reactor. And in foresting an area one-and-a-half times the size of the Great Smoky Mountain National Park, you would have hundreds of trucks every day running up and down the mountain, belching out fumes, carrying the wood to a place to burn it.

Finally, wind, which has become the ''pet rock'' of the 21st century energy policies. Wind can also be a useful supplement in our country. But it is important to know that it only produces 1.8 percent of our electricity, and wind turbines have nothing to do with reducing our country's dependence on oil. In addition, there are many other more efficient ways to produce clean, carbon-free electricity.

For example, I just mentioned that wind produces 1.8 percent of all of our electricity and about 6 percent of our carbon-free electricity. Nuclear power produces 20 percent of all of our electricity and 70 percent of our carbon-free, pollution-free electricity. To produce the 20 percent of our electricity that comes from about 100 nuclear reactors today would require 186,000 of these 50-story wind turbines covering an area the size of West Virginia. The Tennessee Valley Authority, in the region where I live says that it can depend on wind to be there when it needs it 12 percent of the time because, of course, you can only use it when the wind blows. This compares to the dependability of nuclear to be there 91 percent of the time when it is needed.

Then we have all seen and heard the awful stories of the pelicans immersed in oil. Well, that is not the only form of energy that causes a problem with birds. The American Bird Conservancy says the 25,000 wind turbines we have today can kill up to 275,000 birds a year, and one wind farm in California killed 79 Golden Eagles in one year.

So the point is, we need renewable energy. We need to advance it. We hope solar becomes cost competitive. Biomass can be useful. So can wind power. But it has nothing to do with reducing our dependence on foreign oil.

Now what do I hope the President does say tonight.

Well, No. 1, I hope the President stays focused on cleaning up the oil spill—cleaning up the oil spill and taking care of those who have been harmed. We need a plan to fix the problem. We need accountability in the regulation of energy production. We need to ask the question, Where is the President's plan? Where are the people and the equipment necessary to implement the President's plan to clean up an oil spill? This is not the first time we have had such a spill. After the Exxon Valdez tanker spill—that was different, but it was still a big spill of oil—the country was convulsed by that, and Congress acted and passed the Oil Pollution Act of 1990. It said the President shall ensure that he has a plan to clean up a worst-case oil spill and have the people and equipment to do it.

Effectively, the President has delegated that job to the spiller. Perhaps President Bush would have done the same. Perhaps President Clinton would have done the same. But if the only option the President has is to delegate the law to the spiller, perhaps he should amend his plan or we should change the law. We should discuss that, and perhaps the President will make a recommendation on that.

But tonight the first thing is: Clean up the oil. Get the job done. Plug the hole. No. 2, help people who are hurt. I come from a State where we have just had a thousand-year flood event, where we have had $2 billion of damage in Nashville alone, and the flood damage went all the way to Memphis. We know what that kind of pain is, and people are busy helping each other and cleaning up and not looting and not complaining. But we feel deeply for the people on the gulf coast and we want to help them. We would like to help make sure BP pays for the cleanup and damages as they have promised. We would like to help raise the limits on liability and address the Oil Spill Liability Trust Fund. Congress might consider the nuclear energy model of insurance for the future because that model gets all of the nuclear companies involved in, No. 1, making the nuclear reactors safe, and in, No. 2, addressing any sort of accident they had.

I wish to see a similar sort of insurance fund for the oil well companies so you do not have just BP involved in cleaning it up, but you have every

other oil company interested also in providing the technology, the expertise, the help and the advice to do the job.

The third and final thing I hope the President does is chart a way for our clean energy future. I have heard a lot about that on the other side of the aisle, and there is a great deal of bipartisan cooperation in this area. Let me be specific. For fuel, I hope the President will renew his support for electric cars and trucks. Republican Senators—all 41 of us—have said we support the idea of electrifying half our cars and trucks. That is a very ambitious goal for our country. But we can do it. It is the single best way to reduce our dependence on foreign oil. If we were to electrify half our cars and trucks—which would take a while—we could reduce our dependence on oil by perhaps one-third. But we would still be using 12 million barrels of oil a day.

Senator DORGAN and I and Senator MERKLEY have introduced bipartisan legislation to create a better environment for electric cars and trucks in America. The President has strongly urged this idea, and Secretary Chu has worked hard to create support for batteries and for cars. There is room for bipartisan agreement on the single best way to reduce our dependence on oil, and that would be by encouraging electric cars and trucks; electrifying half of them.

No. 2, for electricity, the single best way to produce clean electricity is nuclear power. One hundred nuclear reactors produce 20 percent of our power, but 70 percent, as I said, of all of our carbon-free electricity. Senator WEBB and I have introduced legislation to create an environment in which we can build 100 more nuclear reactors.

We do not need these reactors in order to have electric cars and trucks. The Brookings Institution and Obama administration officials have said we do not need to build one new powerplant in order to electrify half our cars and trucks because we have so much extra electricity at night. If we plug them in when we sleep we can have electric cars and trucks and would need no new windmills, no new nuclear plants, no new coal plants for that purpose.

But if we need new green electricity, the best source for it is nuclear powerplants. They are the most useful. They are the most reliable, and they do the least damage to the environment. The number of deaths due to nuclear accidents at American commercial U.S. nuclear powerplants is zero. The number of deaths due to nuclear accidents in the Navy nuclear fleet is zero. There is a system of accountability, and as a result, a very good record.

So it is electric cars and trucks for fuel, nuclear power for electricity. The President has been very good in the last few months on nuclear power. He has appointed strong members to the Nuclear Regulatory Commission. He has appointed strong members to a commission to deal with used nuclear fuel. He has done a good job of beginning to get the loan guarantees going for the first new plants. So electric cars and trucks and nuclear power are areas where we should be able to work in a bipartisan way in the future.

The third area is on energy research and development. The President has recommended and the Congress has approved more money for energy research and development. Republicans support doubling our energy research and development for a clean energy future. That would mean projects such as reducing the cost of solar power to one-fourth of today's cost. That would mean recapturing carbon from coal plants. It would mean developing a 500-mile battery, which would almost guarantee the electrification of half our cars and trucks over time. It would mean intensive research to find ways to recycle used nuclear fuel in a way that does not isolate plutonium. It would also mean research for making clean biofuels from crops we do not eat.

Making great advances in solar, carbon recapture, electric batteries, nuclear recycling, and biofuels would be the third important part of our energy future. While we are at it, Congress should pass the clean air bill Senator CARPER and I have authored, and that 13 other Senators have cosponsored. It is cosponsored by eight Democrats, six Republicans, and one Independent. While we are figuring out what to do about carbon, we can go ahead and do what we know how to do, which is reduce pollution from mercury, sulphur, and nitrogen from our coal plants to improve our air quality, reduce health care costs, and save lives.

So there are many things I hope the President will talk about to have bipartisan support: fuel, electric cars and trucks, electricity, nuclear plants, energy R&D, solar, carbon recapture, batteries, nuclear, clean fuels, and finally, the clean air bill Senator CARPER and I and others support.

This is an important time for our country. It is a time when we deserve bipartisan action. It is a time when we deserve to look to the future. It is a time when we need to focus on cleaning up the spill, helping the people who are hurt, planning for a future, and doing it in a realistic and bipartisan way.

Mr. President, I ask unanimous consent to have printed in the RECORD an op-ed I wrote and which was published in the Wall Street Journal on Friday and an address I gave yesterday in Knoxville to a group of scientists entitled ''Nuclear Power is Green.''

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

[From the Wall Street Journal, June 11, 2010]

AN ENERGY STRATEGY FOR GROWN-UPS

(By Lamar Alexander)

The tragic Gulf oil spill has produced overreaction (''end offshore drilling''), demagoguery (''Obama's Katrina'') and bad policy recommendations (''We must generate 20% of our electricity from windmills''). None of this helps clean up and move forward. If we want both clean energy and a high standard of living, here are 10 steps for thoughtful grown-ups:

(1) Figure out what went wrong and make it unlikely to happen again. We don't stop flying after a terrible airplane crash, and we won't stop drilling offshore after this terrible spill. Thirty percent of U.S. oil production (and 25% of natural gas) comes from thousands of active wells in the Gulf of Mexico. Without it, gasoline prices would skyrocket and we would depend more on tankers from the Middle East with worse safety records than American offshore drillers.

(2) Learn a safety lesson from the U.S. nuclear industry: accountability. For 6o years, reactors on U.S. Navy ships have operated without killing one sailor. Why? The career of the ship's commander can be ended by a mistake. The number of deaths from nuclear accidents at U.S. commercial reactors is also zero.

(3) Determine what the president's cleanup plan was and where the people and the equipment were to implement it. In 1990, after the Exxon Valdez spill, a new law required that the president ''ensure'' the cleanup of a spill and have the people and equipment to do it. President Obama effectively delegated this job to the spiller. Is that a president's only real option today? If so, what should future presidents have on hand for backup if the spiller can't perform?

(4) Put back on the table more onshore resources for oil and natural gas. Drilling in a few thousand acres along the edge of the 19-million acre Alaska National Wildlife Refuge and at other onshore locations would produce vast oil supplies. A spill on land could be contained much more easily than one located a mile deep in water.

(5) Electrify half our cars and trucks. This is ambitious, but it is the best way to reduce U.S. oil consumption, cutting it by one-third to about 13 million barrels a day. A Brookings Institution study says we could electrify half our cars and trucks without building one new power plant if we plug in our cars at night.

(6) Invest in energy research and development. A cost-competitive, 500-mile-range battery would virtually guarantee electrification of half our cars and trucks. Reduce the cost of solar power by a factor of four. Find a way for utilities to make money from the CO2 produced by their coal plants.

(7) Stop pretending wind power has anything to do with reducing America's dependence on oil. Windmills generate electricity—not transportation fuel. Wind has become the energy pet rock of the 21st century and a taxpayer rip-off. According to the Energy Information Administration, wind produces only 1.3% of U.S. electricity but receives federal taxpayer subsidies 25 times as much per megawatt hour as subsidies for all other forms of electricity production combined. Wind can be an energy supplement, but it has nothing to do with ending our dependence on oil.

(8) If we need more green electricity, build nuclear plants. The 100 commercial nuclear plants we already have produce 70% of our pollution-free, carbon-free electricity. Yet the U.S. has just broken ground on our first new reactor in 3o years, while China starts one every three months and France is 80% nuclear. We wouldn't mothball our nuclear Navy if we were going to war. We shouldn't mothball our nuclear plants if we want low-cost, reliable green energy.

(9) Focus on conservation. In the region where I live, the Tennessee Valley Authority could close four of its dirtiest coal plants if we reduced our per capita use of electricity to the national average.

(10) Make sure liability limits are appropriate for spill damage. The Oil Spill Liability Trust Fund, funded by a per-barrel fee on

industry, should be adjusted to pay for clean-up and to compensate those hurt by spills. An industry insurance program like that of the nuclear industry is also an attractive model to consider.

These 10 steps forward could help America grow stronger after this tragic event.

NUCLEAR POWER IS GREEN

Mr. ALEXANDER. Mr. President, hanging in my office in the Dirksen Senate Office Building in Washington, D.C., is a photograph taken forty years ago of President Nixon meeting with Republican congressional leaders in the White House Cabinet Room. Sitting over at the side are two young White House aides, Pat Buchanan and Lamar Alexander, both of us barely thirty years old. I was invited to the meeting because my job then was to help the president with congressional relations. I can distinctly remember the conversation that day.

President Nixon was attempting to persuade Republican leaders that a new environmental movement was coming fast. The members of Congress did not sense this as clearly as the president did. The president turned out to have better antennae than the congressmen did. Our big and complex country, like a big freight train, moves slowly when starting in a new direction, but once going, it moves rapidly and the momentum is hard to stop. This certainly was true of the modern environmental movement during the early 1970s.

We Americans suddenly were falling all over ourselves looking for ways to limit our impact on the planet, looking for cleaner and greener ways of living. 1970 was the year of the first Earth Day. Congress enacted Clean Air and Clean Water laws and created the Environmental Protection Agency. Recycling became as faddish as the hula hoop. All of this made sense to me because growing up in East Tennessee I was raised to appreciate the beauty of our natural environment and the importance of clean water and air. That is why I chaired the President's Commission on Americans Outdoors during the 1980s, and why I spend so much time as a United States Senator working on stronger clean air laws, on stopping mountaintop mining, and on introducing legislation to expand wilderness within the Cherokee National Forest. For me, it has been a lifelong moral imperative to treasure natural resources at the same time we use them responsibly to make our lives more productive.

That is why in a speech in Oak Ridge in May of 2009, I called for America to build 100 new nuclear plants during the next twenty years. Nuclear power produces 70 percent of our pollution-free, carbon-free electricity today. It is the most useful and reliable source of green electricity today because of its tremendous energy density and the small amount of waste that it produces. And because we are harnessing the heat and energy of the earth itself through the power of the atom, nuclear power is also natural.

Forty years ago, nuclear energy was actually regarded as something of a savior for our environmental dilemmas because it didn't pollute. And this was well before we were even thinking about global warming or climate change. It also didn't take up a great deal of space. You didn't have to drown all of Glen Canyon to produce 1,000 megawatts of electricity. Four reactors would equal a row of wind turbines, each one three times as tall as Neyland Stadium skyboxes, strung along the entire length of the 2,178–mile Appalachian Trail. One reactor would produce the same amount of electricity that can be produced by continuously foresting an area one-and-a-half times the size of the Great Smoky Mountains National Park in order to create biomass. Producing electricity with a relatively small number of new reactors, many at the same sites where reactors are already located, would avoid the need to build thousands and thousands of miles of new transmission lines through scenic areas and suburban backyards.

While nuclear lost its green credentials with environmentalists somewhere along the way, some are re-thinking nuclear energy because of our new environmental paradigm—global climate change. Nuclear power produces 70 percent of our carbon-free electricity today. President Obama has endorsed it, proposing an expansion of the loan guarantee program from $18 billion to $54 billion and making the first award to the Vogtle Plant in Georgia. Nobel Prize-winning Secretary of Energy Steven Chu wrote recently in The Wall Street Journal about developing a generation of mini-reactors that I believe we can use to repower coal boilers, or more locally, to power the Department of Energy's site over in Oak Ridge. The president, his secretary of energy, and many environmentalists may be embracing nuclear because of the potential climate change benefits, but they are now also remembering the other positive benefits of nuclear power that made it an environmental savior some 40 years ago.

The Nature Conservancy took note of nuclear power's tremendous energy density last August when it put out a paper on ''Energy Sprawl.'' The authors compared the amount of space you need to produce energy from different technologies—something no one had ever done before—and what they came up with was remarkable. Nuclear turns out to be the gold standard. You can produce a million megawatts of electricity a year from a nuclear reactor sitting on one square mile. That's enough electricity to power 90,000 homes. They even included uranium mining and the 230 square miles surrounding Yucca Mountain in this calculation and it still comes to only one square mile per million megawatt hours.

Coal-fired electricity needs four square miles, because you have to consider all the land required for mining and extraction. Solar thermal, where they use the big mirrors to heat a fluid, takes six square miles. Natural gas takes eight square miles and petroleum takes 18 square miles—once again, including all the land needed for drilling and refining and storing and sending it through pipelines. Solar photovoltaic cells that turn sunlight directly into electricity take 15 square miles and wind is even more dilute, taking 30 square miles to produce that same amount of electricity.

Now these are some pretty big numbers. When people say ''we want to get our energy from wind,'' they tend to think of a nice windmill or two on the horizon, waving gently—maybe I'll put one in my back yard. They don't realize those nice, friendly windmills are now 50 stories high and have blades the length of football fields. We see awful pictures today of birds killed by the Gulf oil spill. But one wind farm in California killed 79 golden eagles in one year. The American Bird Conservancy says existing turbines can kill up to 275,000 birds a year. And for all that, each turbine has the capacity to produce about one-and-a-half megawatts. You need three thousand of these 50–story structures to equal the output of one nuclear reactor. And even then, they only produce electricity about one-third of the time—that's how often the wind blows. At the only wind farm in the Southeast United States, at Buffalo Mountain, the Tennessee Valley Authority says that electricity is only being generated about 19 percent of the time. Based on the wind industry's own numbers, I have estimated that to provide 20 percent of our nation's electricity we would need 25,000 square miles of turbines. That's an area the size of the State of West Virginia. At some point, this stops being picturesque and begins to look like what good environmentalists and conservationists have always fought against—the invasion of precious natural landscapes by industrial civilization. Or, we are destroying the environment in the name of saving the environment.

Most comparisons of wind power to nuclear power are grossly misleading because nuclear is so much more reliable than wind. You'll notice that I said a few minutes ago that a wind turbine produces one-and-one-half megawatts. That would be true if the wind blew all of the time, but of course it blows about one-third of the time, and then only when it wants to, which is often at night when we don't need more electricity. And today, such large amounts of electricity can't be stored. So the Tennessee Valley Authority, whether it is producing wind from its 18 turbines on Buffalo Mountain or buying it from South Dakota, says wind in its portfolio has only a 10 to 15 percent dependable capacity—that is, wind power can be counted on to be there 10 to 15 percent of the time when you need it. TVA can count on nuclear power 91 percent of the time, coal, 60 percent of the time and natural gas about 50 percent of the time. This is why I believe it is a taxpayer rip-off for wind power to be subsidized per unit of electricity at a rate of 25 times the subsidy for all other forms of electricity combined.

Still, people who are genuinely concerned about landscapes and pollution and global warming have argued against nuclear power's green credentials because of the waste. Well, the ''problem of nuclear waste'' has been overstated because people just don't understand the scale or the risk. All the high-level nuclear waste that has ever been produced in this country would fit on a football field to a height of ten feet. That's everything. Compare that to the billion gallons of coal ash that slid out of the coal ash impoundment at the Kingston plant and into the Emory River a year and a half ago, just west of here. Or try the industrial wastes that would be produced if we try to build thousands of square miles of solar collectors or 50-story windmills. All technologies produce some kind of waste. What's unique about nuclear power is that there's so little of it.

Now this waste is highly radioactive, there's no doubt about that. But once again, we have to keep things in perspective. It's perfectly acceptable to isolate radioactive waste through storage. Three feet of water blocks all radiation. So does a couple of inches of lead and stainless steel or a foot of concrete. That's why we use dry cask storage, where you can load five years' worth of fuel rods into a single container and store them right on site. The Nuclear Regulatory Commission and Energy Secretary Steven Chu both say we can store spent fuel on site for 60 or 80 years before we have to worry about a permanent repository like Yucca Mountain.

And then there's reprocessing. Remember, we're now the only major nuclear power nation in the world that is not reprocessing its fuel. While we gave up reprocessing in the 1970s, the French have all their high-level waste from 30 years of producing 80 percent of their electricity stored beneath the floor of one room at their recycling center in La Hague. That's right; it all fits into one room. And we don't have to copy the French. Just a few miles away at the Oak Ridge National Laboratory they're working to develop advanced reprocessing technologies that go well beyond what the French are doing, to

produce a waste that's both smaller in volume and with a shorter radioactive life. Regardless of what technology we ultimately choose, the amount of material will be astonishingly small. And it's because of the amazing density of nuclear technology—something we can't even approach with any other form of energy.

So to answer the question, ''Is Nuclear Green?'' I believe the answer is ''Yes.'' When you compare it with all the problems we face in discovering and mining and burning fossil fuels, when you think of the thousands of square miles of American landscape we're going to have to cover with windmills or solar collectors to get appreciable amounts of energy—when you compare that to the one square mile taken up by a nuclear reactor and comparatively small amount of spent fuel—well, I don't think there's any question about which technology is going to have the least impact on the environment.

And as a group of geophysicists and earth scientists, I know that you appreciate the fact that nothing can be more natural than harnessing the heat of the earth. As we know, energy cannot be created; it is transformed. Potential energy becomes kinetic energy and then the cycle starts over. Nearly all the energy on the earth comes from the sun. Plants and trees are stored solar energy. The energy to sustain animal and human life comes from plants and other animals. Fossil fuels are organic matter that was buried millions of years ago. Wind and hydropower are energy flows set in motion by the sun's heat. Capturing sunlight on your rooftop is the most direct way of tapping solar energy and converting it into electricity.

There is one form of energy, however, that has little to do with the sun. Deep within the earth the temperature rises to as much as 7,000 degrees Celsius. Much of that heat comes from the breakdown of two elements—Uranium and Thorium. We can tap into the earth's natural heat by using the steam that rises naturally out of the earth at geysers and fumaroles to create electricity. Dig deep enough anywhere on earth and you will encounter geothermal energy.

When we generate power with a nuclear reactor, we just replicate this naturally occurring process that already goes on deep within the earth. We just do it in an accelerated, controlled way and harness the heat that is produced for our own use. We gather through mining naturally occurring uranium, purify and concentrate and maybe enrich it, and then arrange it in such a way as to greatly speed up a process that would have happened anyway—which is the fissioning of Uranium 235. We can then use the heat to boil water and produce electricity.

But even this accelerated reaction is not entirely unique to our engineered nuclear reactors. Two billion years ago, in the country of Gabon in uranium deposits in the Oklo region, a lucky combination of hydrology and bacteria converted some natural uranium deposits into a nuclear reactor that ran for what was probably hundreds of thousands of years. Scientific American reported a few years ago that these natural reactors probably released, over a period of thousands of years, the same energy that the Watts Bar reactor produces in a decade—which is to say a huge amount of power. It's interesting to note that two billion years after those reactors shut off, the world is still here and life still evolved, even though the waste from those reactors wasn't contained and Greenpeace wasn't there to picket.

So nuclear power is as natural as sunlight. It comes from the same source that heats the earth's core. It is a lot more efficient than converting sunlight into electricity or the process of converting sunlight into energy for plant life. The beauty of nuclear power is that we are able to increase the efficiency of this energy source in our reactors and ultimately create electricity that produces very little waste.

I believe nuclear is green. I believe it is natural. I believe it's the best thing that could have happened to the environment to provide the low-cost, reliable, green energy that America needs for the 21st Century.

Mr. ALEXANDER. Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Nebraska.

EXTENDER ALTERNATIVE

Mr. JOHANNS. Mr. President, I rise today in support of an alternative approach to the extenders legislation. The Thune amendment is a very simple, if not a novel idea in Washington these days. The novel idea is that it would actually pay for the spending proposed in the bill—all of it. Furthermore, it doesn't raise harmful taxes on the job creators of this country to pay for temporary tax relief. It does not raise taxes temporarily, nor does it raise taxes permanently, as the underlying bill proposes to do.

To illustrate the difference between the Thune amendment and the Baucus substitute, I will share a USA TODAY editorial from May 25, 2010. I am quoting:

> Now it's time to start making choices about what's vital, and for those programs that are paying the bills instead of borrowing.

I could not agree more with that editorial.

The alternative is a good first step on the road to fiscal responsibility. We all noted recently that our national debt has reached $13 trillion, and as alarming as that milestone is, we are actually on pace to double that by 2020. For 2010 alone, the United States is expected to run an annual deficit of $1.6 trillion—1 year. Next year isn't much better with a projected deficit of $1.3 trillion. Total U.S. Government debt is near 100 percent of gross domestic product. Let me say that again. Our debt is near 100 percent of our entire gross domestic product. According to the Congressional Budget Office, net interest on publicly held debt would more than quadruple between 2010 and 2020, rising from $209 billion in 2010 to $916 billion in 2020. These are sobering figures. We should be under no illusions that the road to fiscal responsibility will be anything but a hard job, but we have to start somewhere. It just isn't acceptable to kick the can down the road and continue to deem all of our spending as an emergency.

As the USA TODAY editorial noted:

> None of these needs suddenly popped up yesterday. The dictionary defines emergency as: ''a sudden, generally unexpected occurrence.'' In Congress-speak, though, an emergency is something you don't want to pay for.

The amendment fully offsets the spending and tax relief provisions by enacting a series of responsible initiatives such as rescinding unobligated stimulus funds; cutting $100 million out of Congress's budget; cutting wasteful and duplicative government programs—640 different instances are identified in the amendment; freezing Federal Government salaries; capping the hiring of Federal employees; cutting the budgets of Federal agencies by 5 percent—something the President and OMB Director Peter Orszag outlined on Monday; and selling unused government property and real estate.

I wish to be clear about something. Even I support some of these programs that are targeted. However, we are in a dire fiscal situation that calls for significant contributions from everyone. Government cannot be all things to all people, and some reductions must be made because it is very clear by any economist's definition that this spending is not sustainable.

We must examine our government spending and weed out the lowest priorities. We must make hard choices. That is why we are sent here. But that means establishing priorities and having the courage to make those decisions. Just look at the recent study by the Bank for International Settlements. It ranks the United States of America fourth in general government debt among developed countries, ranking only behind Greece—which is getting a lot of attention these days—Italy, and Japan. Being ranked No. 1 is not a goal we should be working to achieve, but that is certainly where we are headed if we keep spending over 40 percent more than revenues are bringing in. If we want our children and our grandchildren to have any chance at a prosperous future, we must start to make tough decisions today.

As I mentioned, another reason to support the alternative is that it does not contain tax increases. Let's take a look at the tax increases contained in the Baucus substitute. We have higher taxes on carried interest, new taxes on S corporations, and harmful retroactive taxes on other parts of the economy.

Punishing job creators with tax increases that will only stifle growth, expansion, and investment is not the recipe for success. Nearly 10 percent unemployment is high enough. Congress should not be adopting policies that will push it higher. Yet, ironically, only here in Washington would this bill be titled a ''jobs bill.'' Plus, only in Washington, DC, does it make sense to pay for temporary, short-term extensions of tax relief with permanent tax increases. Is it any wonder so many business groups that typically support tax relief are opposed to the Baucus bill? On one hand, they need the tax relief for the rest of the year, but at the high cost of paying more taxes permanently, many are saying: Thank you, but no thanks.

Finally, the bill increases the taxes oil companies are required to pay into the Oil Spill Liability Trust Fund from 8 cents to 41 cents—a fivefold increase.

At first glance, this seems reasonable given the disastrous environmental mess that is occurring in the gulf. But in this bill, the money is being used to pay for new, unrelated, more government spending.

My friends on the other side of the aisle claim the money will stay in the fund, but you can't have it both ways. You can't claim to be using the money both for gulf cleanup and to finance other spending. To do both would add an additional $15 billion to our national debt beyond what is being claimed. It is a lot like the health care bill which pays for new entitlement by siphoning $½ trillion in the Medicare trust fund. Its backers claim to be strengthening the trust fund, but they are double-counting the money. The extenders bill pays for new spending by siphoning $15 billion from the oilspill cleanup funding.

This amendment offers Senators a choice between increasing our national debt when the country is crying out for fiscal responsibility versus paying for what we spend without increasing taxes or increasing the deficit—making hard choices.

I am fully aware some will come to the floor criticizing the amendment, making all sorts of claims, but I disagree. The amendment attempts to make tough choices, rational choices. We have to start somewhere.

I urge my colleagues to support the Thune amendment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

GULF VISIT

Mr. CARDIN. Mr. President, this past Friday I had the opportunity to travel to the Gulf of Mexico along with three of our colleagues, including Senator MIKULSKI, my colleague from Maryland, Senator VITTER from Louisiana, and Senator MERKLEY from Florida. All of us know the importance of coasts. We represent coastal States, and we know how important it is to our economy, and we know how important it is to our way of life. I know Senator VITTER represents that area.

We wanted to visit and see firsthand the impact the BP oilspill is having on the communities in the Gulf of Mexico. I must tell my colleagues, seeing it firsthand, one can really start to understand the magnitude of this disaster. One can see the horrific impact it is having on the people of that region, and one can see the anger in their eyes and the desperation of people who are no longer working, and one can see the oil. You can see the oil all over. You can see it in the water. You see it in the marshes. You see it on the coast. It is a horrible thing to see.

We visited the area known as the Grand Isles. The Grand Isles is a beach area not too far from New Orleans. Grand Isles is a beach community. It is a city. It reminds me a little bit of Ocean City, MD. I was just thinking of how the people of Maryland would be responding if they knew Ocean City would not be open for the season. When we saw the area of Grand Isles, it was empty. No one was on the beaches. There were some people on the beaches working, cleaning up, but no tourists, no people, no children enjoying the water. You couldn't go into the water. The disaster is having a horrible impact on the economy of not just Grand Isles but the entire region.

We then had a chance to go by boat to see Queen Bess Island and Pelican or Bird Island, which are two of the major islands that are used by birds for nesting. We saw oil. We saw oil on the booms that had been deployed. We saw oil on the rocks on the island itself, and, more tragically, we saw birds that were covered with oil. This should never have happened.

I think it just strengthened our resolve about the priorities we must have in this Senate, the priorities that government must follow. The first, of course, is to stop the flow at the wellhead because oil is gushing out into the Gulf of Mexico. What we saw, of course, is oil that had been in the water for many days, had degraded but was still guck and still deadly to birds and certainly deadly to the economy of the region. But oil is still coming out at the wellhead.

Let me remind my colleagues that BP has tried many ways of stopping that oil from coming into the gulf. Of course, as the Presiding Officer knows from the hearings we have had in the Environment and Public Works Committee, BP said they had proven technology to deal with any of these types of spills. Well, that proven technology doesn't exist. They are trying to on the fly determine how to deal with the oil.

So now they have a process of capturing the oil that will bring in 18,000 barrels a day. Remember, BP said originally it was a 1-barrel-a-day incident, and then they increased it to 5,000 barrels a day. We now know it is closer to 40,000 barrels a day. The technology they are deploying will recover about 18,000 barrels.

They hope to be able to increase that perhaps 5,000 to 10,000 barrels, still leaving tens of thousands of barrels gushing into the Gulf of Mexico, and it will continue for several months until the relief wells are drilled. That is the current status.

Our priority, of course, is to stop the wellhead but also to contain the damages. Oil appears sometimes unexpectedly at different locations. So the game plan has to use the best technologies we have with booms and skimmers to keep the oil from reaching sensitive areas.

Admiral Watson, the Coast Guard Command, reviewed the strategy with us. While we think it is important for the command to set performance standards for BP across the board, we also think we have to have the right organizational structure.

Let me just mention one point that was troubling to us. Yes, we saw booms that had been deployed, but they were not maintained. If they are not maintained, oil gets to the shore, killing birds and killing our environment. We have to make sure that is corrected. I thank Admiral Watson. He got back to me Saturday night. We had a conversation, along with Senator BOXER, and steps are being changed. That is why we have to have performance standards on BP oil. We have to make sure we are in control, as to making sure all technologies are deployed to protect our environment. Then, yes, we have to hold BP fully accountable for all of the damages.

We all talk about how they have to be fully accountable. But let's remind the public that BP, in getting the permit to drill, said they had proven technology to deal with any type of incident. They were not truthful on that statement. They didn't have that. So they have to be held fully accountable. We are talking about criminal investigations that will go where they may. But they clearly have to pay all of the economic and environmental damages. The economic damages are clear. We have talked to fishermen who aren't fishing this season, and they don't know if they will ever go back to fishing. We talked to one fisherman whose family has been in that business for generations. We talked to shop owners where there was nobody in the shop. We saw charter boat owners who cannot operate. BP has to be accountable to these small business owners and the property owners.

I strongly support the effort of our majority leader and the President to have BP put money into a trust fund, with independent trustees, so we can expedite the process. It doesn't do a business owner any good if he has a long list of documents he has to fill out to get the help he needs in order to keep his business afloat. Those who were victimized need to be able to get relief as soon as possible. I think an escrow fund makes a lot of sense, and $20 billion seems like a reasonable start. I hope we will move forward. I know the President is meeting with the CEO of BP Oil on Wednesday. Tomorrow, I hope that will lead to the resolution of that issue.

Let me point out that BP also has to be held responsible for the environmental damages that will go well beyond the Gulf of Mexico. The Loop Current is bringing the oil around the Keys and to the east coast of the United States. It will affect many regions, including mine in the Mid-Atlantic. Many of our migratory wildlife travel through the gulf. We don't know whether they will be returning to Maryland. We don't know the impact it will have on our wildlife population—those who enjoy hunting and bird watching on the Eastern Shore, those who understand the importance of the diversity of our wildlife—whether we will be endangering different species. We need to document that and mitigate it.

I have the honor of chairing the Water and Wildlife Subcommittee of the Environment and Public Works Committee. We are holding hearings, thanks to Senator BOXER, next month to start the accounting process, to make sure there is an independent, objective accounting as to the full damages that BP has caused and its related organization—economic damages and environmental damages. Then, going forward with drilling, we all understand mineral management is a critical part of our energy strategy. We cannot drill unless we have an independent agency issuing the permits. We have to make sure the public's interest is protected as new permits are granted.

Yes, there are areas where we don't drill today because they are environmentally too sensitive and there is not enough oil to make it worth the risk. I include in that the area I represent in the Mid-Atlantic, where there was a site they were going to move forward with drilling just 50 miles from Assateague Island, just 60 miles from the mouth of the Chesapeake. If we would have had a spill a fraction of the amount that occurred in the gulf, with the prevailing winds and currents, it would have a devastating impact on the Chesapeake Bay and the beaches of Maryland and also Delaware and Virginia. It is not worth the risk. The oil is not significant enough there for that.

Lastly, I hope we use this opportunity, as President Obama suggested, to move forward with a new energy policy for our country. We need to rely less on oil and more on alternative and renewable energy sources. I agree we need to do more with nuclear power. We need to consume less energy and improve the way we operate our buildings and the way we manage our transportation systems. We need to become energy independent, and we can do that. But we cannot do it through drilling. We can do it through a comprehensive energy policy so we can protect our national security and create jobs in America rather than exporting those jobs overseas and, yes, so that we can protect our environment from the type of disaster that has occurred in the Gulf of Mexico. I hope that is how we respond.

My trip to the gulf reinforced my efforts, and I hope the efforts of all my colleagues, to say that we can do things better. Let's clean up this mess, let's hold BP responsible, and let's develop an energy policy that will protect America's security, help our economy, and protect our environment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF TANYA WALTON PRATT TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF INDIANA

NOMINATION OF BRIAN ANTHONY JACKSON TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA

NOMINATION OF ELIZABETH ERNY FOOTE TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana; Brian Anthony Jackson, of Louisiana, to be United States District Judge for the Middle District of Louisiana; Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana.

The PRESIDING OFFICER. Under the previous order, there will be 20 minutes for debate concurrently on the nominations, which will be equally divided and controlled between the Senator from Vermont, Mr. LEAHY, and the Senator from Alabama, Mr. SESSIONS, or their designees.

The Senator from Vermont is recognized.

Mr. LEAHY. I thank the distinguished Presiding Officer. Today, the Senate is being allowed to confirm only a few more of the 28 judicial nominations that have been reported by the Senate Judiciary Committee over the past several months, but which have been stalled by the Republican leadership. We have yet to be allowed to consider nominations reported last November. In addition to the three nominations being considered today, there are another 17 judicial nominations available that were all reported unanimously by the Judiciary Committee. There is no excuse and no reason for these months of delay. The Senate Republican leadership refuses to enter into time agreements on these nominations. This stalling and obstruction is unprecedented.

The Senate is well behind the pace I set for President Bush's judicial nominees in 2001 and 2002. By this date in President Bush's Presidency, the Senate had confirmed 57 of his judicial nominees. Despite the fact that President Obama began sending us judicial nominations 2 months earlier than did President Bush, the Senate has to date only confirmed 28 of his Federal circuit and district court nominees. After today's 3 confirmations, the comparison will stand at 31 to 57, which is barely half of what we were able to achieve by this date in 2002. Another useful comparison is that in 2002, the second year of the Bush administration, we confirmed 72 Federal circuit and district judges. In this second year of the Obama administration, we confirmed 16 so far. In fact, our Senate Republicans have allowed so few nominees to be considered that in 1 hour today, the Senate is going to have three confirmations. That will increase our judicial confirmations for the year by almost 20 percent. Meanwhile, Federal judicial vacancies around the country hover around 100.

This is the second year of the Obama administration. Although vacancies have been at historic highs, Senate Republicans last year refused to move forward on judicial nominees. The Senate confirmed the fewest in 50 years. The Senate Republican leadership allowed only 12 Federal circuit and district court nominees to be considered and confirmed despite the availability of many more for final action. They have continued their obstruction throughout this year. Only 16 Federal circuit and district court nominees have been confirmed so far this year, although another 28 have been reported favorably by the Judiciary Committee.

About a week or so ago, three distinguished women were confirmed by virtually unanimous votes. These nominees were reported unanimously by the Senate Judiciary Committee back in March; all Democrats and Republicans voted for them. These three distinguished women put their lives on hold and were still held up for months before they were allowed to be confirmed.

To put these delays into historical perspective, consider this: In 1982, the second year of the Reagan administration, the Senate confirmed 47 judges. In 1990, the second year of the George H.W. Bush administration, the Senate confirmed 55 judges. In 1994, the second year of the Clinton administration, the Senate confirmed 99 judges. In 2002, the second year of the George W. Bush administration, the Senate confirmed 72 judges. The only year comparable to this year's record-setting low total of 16 was 1996, when the Republican Senate majority refused to consider President Clinton's judicial nominees and only 17 were confirmed all session.

Senate Democrats moved forward with judicial nominees whether the President was Democratic, as in 1994, or Republican, as in 1982, 1990, and 2002, and whether we were in the Senate majority, as we were in 1990, 1994, and 2002, or in the Senate minority as in 1982. Senate Republicans by contrast have shown an unwillingness to consider judicial nominees of Democratic Presidents. They did in 1996, 2009, and 2010.

Over the last recess, I sent a letter to Senator MCCONNELL and to the majority leader concerning these matters. In that letter, I urged, as I have since last December, the Senate to schedule votes on these nominations without further obstruction or delay. I called on the Republican leadership to work with the majority leader to schedule immediate votes on consensus nominations—many, like those finally being considered today, I expect will be confirmed unanimously—and consent to time agreements on those on which debate is requested. As I said in the letter, if there are judicial nominations that Republicans truly wish to filibuster—after arguing during the Bush administration that such action would be unconstitutional and wrong—then they should so indicate to allow the majority leader to seek cloture to end the filibuster.

The three nominees being considered today were all reported unanimously by the Judiciary Committee way back in March. They could have been confirmed, they should have been confirmed long before now.

They are supported by their home State Senators. I note that in all three cases, that means both a Democratic Senator and a Republican Senator.

Judge Tanya Walton Pratt has been nominated to serve as a Federal district court judge in the Southern District of Indiana. If confirmed, Judge Pratt will be the first African-American Federal judge in Indiana history. The Judiciary Committee reported her nomination favorably without dissent on March 4, more than 3 months ago. Judge Pratt is currently a Marion County Superior Court judge where she has served since 1997. The substantial majority of the ABA rated Judge Pratt ''well qualified'' to serve on the U.S. District Court Southern District of Indiana. She has 17 years of judicial experience and has the support of both home State Senators, Republican Senator LUGAR and Democratic Senator BAYH.

Brian Jackson's nomination to the U.S. District Court for the Middle District of Louisiana was reported by voice vote by the Judiciary Committee on March 18, nearly 3 months ago, and has the support of both home State Senators, Democratic Senator LANDRIEU and Republican Senator VITTER. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Jackson well qualified to be a U.S. District Judge for the Middle District of Louisiana, its highest possible rating. If confirmed, Mr. Jackson will be the second African-American judge to serve on the district court in the Middle District of Louisiana.

The nomination of Elizabeth Erny Foote to a seat on the United States District Court for the Western District of Louisiana also has the support of Senator LANDRIEU and Senator VITTER. Ms. Foote has worked for the past 30 years in private practice at The Smith Foote Law Firm in Alexandria, LA, after clerking for Judge William Culpepper of the Louisiana Third Circuit Court of Appeals. When she began her legal practice in Alexandria, she was only the fourth woman ever to do so. Her nomination was reported favorably by the Judiciary Committee by voice vote with no dissent on March 18 and has been awaiting Senate action ever since.

I congratulate the three of them and predict all three will be confirmed.

Mr. President, I ask unanimous consent that I be able to use my remaining time as in morning business.

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

NOMINATION OF ELENA KAGAN

Mr. LEAHY. Mr. President, our Nation recently celebrated Memorial Day, honoring the sacrifice and the service of our brave men and women in uniform. Yesterday was Flag Day, and before too long we will celebrate the Fourth of July.

I wish to speak about Solicitor General Elena Kagan's nomination to the Supreme Court. I thought it might be good to set the record straight about some of the charges being leveled at President Obama's nominee to the Supreme Court, Solicitor General Elena Kagan. Those intent on opposing this nomination—just as they seem to undercut the President no matter what he does—have searched high and low to find a basis to oppose this intelligent and accomplished nominee.

I understand the partisanship, but I disagree with it. A Supreme Court nominee is there for all the country, not for one political party or the other, and most nominees will serve long after the Senators who voted for the nominee are gone.

I do not think it is good for the country to make it this partisan. After the American people elected President Obama, leaders of the Republicans urged massive resistance from the outset. They have talked about wanting him to fail and have done everything they could to undermine his efforts to rescue our economy from the worst downturn since the Great Depression, to reform health care for all Americans, to lower taxes for Americans making less than $250,000 a year and to reform Wall Street so that we never again suffer the kind of greed and profiteering that put our economy at risk.

When the Senator from Alabama became the ranking Republican on the Senate Judiciary Committee last year, he lamented the way nominees were treated. He said:

> What I found was that charges come flying in from right and left that are unsupported and false. It's very, very difficult for a nominee to push back. So I think we have a high responsibility to base any criticisms that we have on a fair and honest statement of the facts and that nominees should not be subjected to distortions of their record.

I agree with that statement and very much regret the distortion of Dean Elena Kagan's record as dean of the Harvard Law School. No one should have attacked her unfairly for following the law while seeking to honor Harvard's nondiscrimination policy. No one should be misrepresenting her views and smearing her character or questioning her commitment to our men and women in uniform. Yet that is what has been happening repeatedly since her nomination.

In fact, some of these same smears were considered last year in connection with her nomination to be Solicitor General. She received a bipartisan vote of approval then. I was hoping that would put it to rest. Instead, some continue to accuse her of an anti-military bias and violating the law. They say that she ''barred the U.S. military from coming on the Harvard Law School campus,'' that she ''kicked the military off Harvard's campus,'' that she ''disregard[ed] the law . . . in order to obstruct military recruitment during a time of war,'' that she was punishing and taking actions against our military men and women, that she condemned the U.S. military, that she acted in a way that was ''not lawful,'' and that she ''violated the law.'' That is incorrect. I would have thought, and certainly had hoped, that since the facts are known, these misstatements would not be repeated. Regrettably, this has not been the case.

The unfair attacks that have been leveled at this nominee are all the more reason for her to have a chance to respond. Anyone who has a sense of fairness would not be raising questions and contending they still have concerns while at the same time seeking to delay her an opportunity to respond. Those who have been all too willing to attack this nominee during the last four weeks, and who purport to know her thoughts and her heart, should not be seeking to delay her opportunity to set the record straight and defend her character and good name. Those who unfairly characterize her as anti-military and, in effect, anti-American and unpatriotic, owe her the opportunity to respond. And she will this month when we have our hearings.

Let's be clear on the facts. Dean Kagan did not ban the military from Harvard's campus. Harvard's students always had access to military recruiters. The facts are that military recruitment remained steady throughout Dean Kagan's tenure, it even increased during the brief time that the military was restricted from using Harvard's Office of Career Services, OCS. Unfortunately, these facts will not prevent some critics from claiming that she kicked military recruiters off campus when she did no such thing. This is not debatable.

What is debatable is the wisdom of the ''Don't Ask, Don't Tell'' policy. In my opinion, the ''Don't Ask Don't Tell'' policy forces good and capable people to choose between compromising their integrity and being barred from military service. At a time when we need a strong and skilled military more than ever, our existing policy

makes the Armed Forces less effective. As Admiral Mullen, Chairman of the Joint Chiefs of Staff, recently said, ''allowing gays and lesbians to serve openly would be the right thing to do.'' I agree. The current policy needlessly robs our Armed Services of the talents and commitment of countless people, and it should be changed. Every member of our military should be judged solely on his or her contribution to the mission, without regard to sexual orientation. Rejecting the discrimination that results from the ''Don't Ask Don't Tell'' policy is long overdue.

Does this statement here on the floor of the Senate make me anti-military? Of course not. Does Admiral Mullen's position on the policy make him anti-military? Of course not. He is a distinguished four-star admiral. Did Dean Kagan's comments on the policy render her anti-military? Not on your life. Anyone at all familiar with her record knows better. Veterans from Harvard Law School have come to her defense. They know and recall her support of them and their service to the country. They know of the dinners and meetings she held with veterans.

I am confident that a fair reading of her record will show she was supportive of our military, our veterans, and Harvard law students who wished to serve in the military. So let's stop the misstatements and the overheated rhetoric. Let's show her the respect she deserves.

In her speech at West Point 3 years ago, Dean Kagan spoke of being in awe of the courage and the dedication of those who were preparing for the military. She went on to speak directly to the issue, saying:

> I have been grieved in recent years to find your world and mine, the U.S. military and U.S. law schools at odds, indeed, facing each other in court on one issue. That issue is the military's ''don't ask, don't tell'' policy. Law schools, including mine, believe that employment opportunities should extend to all their students, regardless of their race or sex or sexual orientation. And I personally believe that the exclusion of gays and lesbians from the military is both unjust and unwise. I wish devoutly that these Americans could join this noblest of all professions and serve their country in this most important of all ways. But I would regret very much if anyone thought that the disagreement between American law schools and the U.S. military extended beyond this single issue. It does not. And I would regret still more if that disagreement created any broader chasm between law schools and the military. It must not because of what we, like all Americans, owe to you.

Hers were not the words of someone who is anti-military. There should be no place in America for discrimination. We ask our troops to protect freedom in places around the globe. It is time to protect the basic freedoms and equal rights at home.

I commend the House of Representatives for passing legislation just last month to end this discriminatory policy, and the Senate Armed Services Committee for doing so, as well. Congress is moving forward to adopt the policy of nondiscrimination that Harvard Law School had adopted and that Dean Kagan supported. I have long supported similar legislation in the Senate. I believe this is an important issue worthy of an up-or-down vote by the Senate. Regrettably, like so many steps forward in legislation to protect equality throughout our history, the repeal of this discriminatory policy will likely be filibustered by a recalcitrant minority.

I also find it ironic that those Republican Senators most critical of the nominee have filibustered and voted against funding for our troops and against services for our veterans. When the American people hear a Republican Senator criticizing Elena Kagan's respect and support for the military, they might ask whether that Senator filibustered the National Defense Authorization Act for fiscal year 2010. Led by the Republican leadership, more than 30 Republican Senators did. Even after their filibuster was defeated, most Republican Senators proceeded to vote against the bill and the authorities it provided our military. Likewise, when the Senate considered the consolidated appropriations bill to provide funding for veterans and military construction, again led by the Senate Republican leadership, more than 30 Republican Senators sought to filibuster and stall that funding. Even when their filibuster was broken, more than 30 Republican Senators voted against that bill to provide the necessary funding for services to our veterans.

Also obscured by the blinders worn by her critics are the following facts: Harvard Law School adopted its nondiscrimination policy in 1979, long before Elena Kagan ever attended Harvard Law School as a student let alone before she became an acting professor and ultimately its Dean. Like almost every other law school in America, Harvard requires employers to sign a statement that they do not discriminate. Only after an employer confirms its nondiscrimination employment policy and hiring practice can the employer use the logistical assistance of the Harvard Law School's Office of Career Services. This office merely facilitates recruitment by scheduling interviews and distributing student resumes to employers. It does not provide physical space on campus for employers to conduct interviews. In fact, private law firms typically conduct interviews off campus.

In 1994, Congress adopted the ''Don't Ask, Don't Tell'' policy as part of the National Defense Authorization Act. This law prohibited gays and lesbians from serving openly in our military. Two years later, in 1996, Congress passed the so-called ''Solomon Amendment'' as part of the National Defense Authorization Act. This statute allows Federal funds to be denied to universities that have ''a policy or practice'' that ''prohibits, or in effect prevents'' the military's access to students on campuses for purposes of military recruiting. In order to deny Federal funds under the Solomon amendment, the Secretary of Defense must determine that a university has such a policy or practice, ''transmit a notice [of such determination] . . . to Congress'' and ''publish in the Federal Register a notice of the determination and the effect of the determination on the eligibility of the [university] for contracts and grants.''

The Solomon amendment did not directly prohibit a law school from applying its nondiscrimination policy to military recruiters. It did not make such an action a crime. The Solomon amendment gave institutions a choice between satisfying the Secretary of Defense's requirements on military recruitment or risk foregoing certain Federal funds. Senator SESSIONS acknowledged this very point when he said last year, ''well, let me say, that amendment didn't order any university to admit anybody or to allow anybody to come on campus.'' In fact, it is not a criminal statute but an attempt to use the threat of a Federal funding cutoff as leverage.

In 1998, the Air Force determined that Harvard's alternative arrangement for military recruitment facilitated by the HLS Veterans association, in lieu of OCS, complied with the Solomon amendment. In 2002, under the Bush administration, the Air Force reversed course and enter into a new and contradictory determination that the arrangement no longer satisfied the Solomon amendment. It threatened Dean Robert Clark, a Republican and Dean Kagan's predecessor, with a cutoff of millions of dollars. In response, Dean Clark ''regrettably'' allowed military recruiters to use OCS while continuing to emphasize his strong opposition to ''Don't Ask, Don't Tell.''

In 2003, Solicitor General Kagan became the first woman to serve as dean of the Harvard Law School when she succeeded Dean Clark. For the first few years in this position she maintained the law school's nondiscrimination policy that all employers, with the sole exception of the military, had to follow to use the Office of Career Services. She continued to allow the military access to OCS, despite the fact that it could not sign a nondiscrimination statement. However, she also repeatedly voiced her opposition to the ''Don't Ask, Don't Tell'' policy, as Dean Clark had, calling it ''a moral injustice of the first order.''

Also in 2003, the Forum for Academic and Institutional Rights, Inc., FAIR, an association of law schools, began a lawsuit challenging the Solomon amendment and seeking a preliminary injunction enjoining its enforcement. On November 5, 2003, the district court denied the injunction and FAIR appealed to the court of appeals for the Third Circuit. On January 12, 2004, in her capacity as a law professor, Dean Kagan joined more than 50 other Harvard law professors to support an amicus brief backing FAIR's appeal to the

Third Circuit. Unlike FAIR, which argued that the Solomon amendment violated the first amendment, the brief she joined made the more modest argument that the Department of Defense had misinterpreted the law. The amicus brief argued: (1) that the Solomon amendment did not apply to generally applicable nondiscrimination policies, like Harvard's, that did not specifically target the military; and (2) it only required that schools give military recruiters ''entry'' and ''access,'' not necessarily equal access.

Noting the confusion surrounding the legal requirements of eligibility for Federal funding under the Solomon amendment, Congress amended the statute in October, 2004. The effect of those changes was not settled until the Supreme Court decided the case in 2006.

On November 29, 2004, the Third Circuit concluded, 2–1, in an opinion joined by Reagan appointee Judge Walter Stapleton, that the ''Solomon Amendment violates the First Amendment by impeding the law schools' rights of expressive association and by compelling them to assist in the expressive act of recruiting.'' The Third Circuit's opinion did not address the Harvard law professors' amicus brief.

From the beginning of her tenure until November 30, 2004, Dean Kagan had allowed the military to use OCS. Only after the Third Circuit concluded that the Solomon amendment was unconstitutional did Dean Kagan return to Harvard's prior policy of excluding the military from OCS. However, like her predecessors, Dean Kagan continued to allow military recruiters entry to the campus and facilitated interviews on campus through the HLS Veterans Association. This special arrangement was in place only for a few months in 2005.

In May 2005, the Supreme Court agreed to review the Third Circuit's decision. During that summer, while the government appeal was pending, the Pentagon informed Harvard University that its Federal funds were in jeopardy if it continued to restrict military recruiters from OCS services. The Pentagon never notified Congress nor published in the Federal Register that Harvard was not compliant with the Solomon amendment.

On September 20, 2005, Dean Kagan reinstated the military's exception from Harvard's nondiscrimination policy and again granted it access to OCS. Dean Kagan's decision to lift the military's restriction from OCS was long before the Supreme Court held oral argument on December 6, 2005, or decided the case.

The day after reinstating the military's use of OCS, Dean Kagan was one of 40 Harvard law professors to sign onto an amicus brief to the Supreme Court. As they did before the Third Circuit, the Harvard law professors argued that the Pentagon had misinterpreted the Solomon amendment and that properly read, the amendment ''rules out policies that target military recruiters for disfavored treatment, but it does not touch evenhanded anti-discrimination rules that incidentally affect the military.'' The Supreme Court rejected their argument. On March 6, 2006, the Supreme Court also reversed the Third Circuit and upheld the constitutionality of the Solomon amendment.

Let's be clear. She did not break the law. She did not violate the law. She did her best to follow the law, even a law that led to discriminatory consequences with which she strongly disagreed. She engaged in legal action and participated in a legal challenge to the interpretation and application of the law by the Bush administration and reversed an earlier interpretation by the Air Force. Yet this legal action is what some now claim amounted to illegal conduct. That is incorrect.

Recently there was an op-ed in the Washington Post by Walter Dellinger dated May 14, 2010, that discusses this issue. Mr. President, I ask unanimous consent that it be printed in the RECORD.

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

[From the Washington Post, May 14, 2010]

HOW I KNOW KAGAN ISN'T ANTI-MILITARY

(By Walter Dellinger)

The nomination of an anti-military leftist to the Supreme Court would make for a riveting story. But in the case of Elena Kagan, it's just not true.

When Kagan became dean of Harvard Law School in 2003, Harvard, like virtually every other law school, had a long-standing policy that the assistance of its placement office was available only to employers that would interview and consider hiring any student. Employers that insisted on ''pre-screening'' students for high grades or other criteria were not eligible for the school's placement assistance, nor were recruiters who declined to hire students on the basis of race, sex, religion or sexual orientation. The placement office, in other words, is there to serve the career aspirations of all students.

Under Kagan's predecessor at Harvard, the highly respected corporate scholar Robert C. Clark, military recruiters acknowledged that they were not able to comply with the school's generally applicable anti-discrimination policy and could not use the placement office's services. In 2002, the Bush administration asserted that a federal provision called the Solomon Amendment required the law school to grant military recruiters an exemption from its anti-discrimination policy. Faced with a threatened cutoff of federal funds to the whole university, Clark announced that the placement office would begin assisting military recruiters. When Kagan became dean in 2003, she continued this practice.

In November 2003, the U.S. Court of Appeals for the 3rd Circuit held that the Solomon Amendment was unconstitutional, which meant there was no longer an enforceable, federally mandated exception to the law school's anti-discrimination policy. Kagan announced that military recruiters were once again ineligible for assistance from the school's placement office. In the fall of 2004, after the Justice Department challenged the 3rd Circuit decision and the Supreme Court agreed to review the lower court's ruling, Kagan announced that the school would once again comply with the government's demand for placement-office support for military recruiters.

On the basis of this unremarkable application of an established anti-discrimination policy, Kagan has been accused of harboring an ''anti-military'' animus. Some critics have falsely equated Harvard's anti-discrimination policy with the anti-military and anti-ROTC policies favored by some campus leftists in the 1970s. Those policies, however, were categorically different: They were directed at the military. In contrast, the anti-discrimination policies applied before, during and after Kagan's tenure as dean were in no way intended to single out the military but were applied in an evenhanded way to all prospective employers.

It was also far from clear that Harvard even violated the Solomon Amendment. That law withheld federal funding from any school that has a policy of denying military recruiters access to the campus ''in a manner equal in quality and scope'' to other recruiters. Neither the text of the law nor its history (targeting anti-ROTC and anti-military rules) compelled the conclusion that the law was violated by an anti-discrimination policy applicable to all recruiters.

When some groups challenged the constitutionality of the Solomon Amendment, Kagan joined a majority of her faculty colleagues in a friend-of-the-court brief that I drafted as their counsel, urging the court to exercise judicial restraint and avoid ruling on the constitutional issue by simply holding that it was not clear that Congress intended to preclude the evenhanded application of anti-discrimination policies. There were no dissents from the chief justice's opinion dismissing this statutory argument. We knew that it would be a difficult sell for the court because the actual party to the case wanted to seek a constitutional ruling, a course we thought imprudent and unwise. As the oral argument showed, a number of justices thought the Harvard brief raised a very serious question. For today's debate, the key point about the brief that Kagan joined is that it urged a prudent course, arguing that ''sound principles of judicial restraint counsel that this Court should resolve the question of statutory coverage before turning, only if necessary, to constitutionality.''

No action Kagan took as dean remotely suggests anything but the greatest respect for the military. Even when the law school's anti-discrimination policy effectively precluded placement-office assistance to military recruiters, she permitted student veteran groups to use law-school premises to facilitate military recruitment of Harvard students. At no point were military recruiters ever barred from the campus or banned from recruiting Harvard law students. And military veterans who entered Harvard Law School when Kagan was dean have praised her efforts to ensure they were welcomed and respected for their service.

Separately, it is true that as dean, Kagan expressed strong personal opposition to the ''don't ask, don't tell'' restrictions on service by gays and lesbians in the military. But that is not an anti-military position. Rather, it is the position now shared by many senior military leaders and the commander in chief.

Mr. LEAHY. Finally, I find it ironic: Here is this very pro-military nominee who is being criticized as somehow being anti-military, being criticized by some of the same Republican Senators who have filibustered and voted against funding for our troops and against services for our veterans. I think most people see through that.

Mr. President, we are required to vote at what time?

The PRESIDING OFFICER. The Senate is voting at about 11:50 a.m. when all time is expired.

Mr. BAYH. Mr. President, I rise today to speak in favor of the nomination of Judge Tanya Walton Pratt. I joined together with Senator LUGAR to recommend Judge Walton Pratt because I know firsthand that she is a highly capable lawyer who understands the limited role of the Federal judiciary.

Before I speak to Judge Walton Pratt's qualifications, I would like to comment briefly on the state of the judicial confirmation process generally. In my view, this process has too often been consumed by ideological conflict and partisan acrimony. This is not, I believe, how the Framers intended us to exercise our responsibility to advise and consent.

During the last Congress, I was proud to work with Senator LUGAR to recommend Judge John Tinder as a bipartisan, consensus nominee for the Seventh Circuit Court of Appeals. Judge Tinder was nominated by President Bush and unanimously confirmed by the U.S. Senate by a vote of 93–0. It was my hope that Judge Tinder's confirmation would serve as an example of the benefits of nominating qualified, nonideological jurists to the Federal bench.

In selecting Tanya Walton Pratt, President Obama has demonstrated that he also appreciates the benefits of this approach. I was proud to once again join with Senator LUGAR to recommend her to the President, and I hope that going forward other Senators will adopt what I call the ''Hoosier approach'' of working across party lines to select consensus nominees.

I would also like to personally thank Senator LUGAR for his extraordinary leadership and for the consultative and cooperative approach he has taken to judicial nominations. During my time in Congress, it has been my great privilege to forge a close working relationship with Senator LUGAR across many issues. This has been especially true on the issue of nominations—when a judicial nominee from Indiana comes before the Senate, our colleagues can be confident that the name is being put forward with bipartisan support, regardless of which political party is in the White House or controls a majority in the U.S. Senate.

I should also note that Judge Walton Pratt is a historic nominee. If confirmed, she will be our State's first African-American Federal judge. While this day is long overdue, I hope that her confirmation will inspire Hoosier children of all backgrounds to pursue their dreams and show them that, in America, anything is possible if you study hard and play by the rules.

On the merits, Tanya Walton Pratt is an accomplished jurist who is well-qualified for a lifetime appointment to the Federal judiciary. She has extensive trial experience, having served as, a judge on the Marion Superior Court since 1997. For much of this time, she served in the criminal division, handling major felonies and presiding over dozens of jury trials per year. More recently, she has played a critical role in the probate division, presiding over adoption cases and placing children in loving homes.

During this time, Judge Walton Pratt has been recognized as a leader among Indiana jurists. She has served as chair of the Marion County Bar Association and on the executive committee of the Marion Superior Court System. Among other accolades, she has been honored as ''Outstanding Judge of the Year'' by the Indiana Coalition Against Sexual Assault.

Judge Walton Pratt has shown that she is deserving of the public trust. She has demonstrated the highest ethical standards and a firm commitment to applying our country's laws fairly and faithfully. She understands that the appropriate role for a judge is to interpret our laws, not to write them.

Tanya Walton Pratt is also a recognized leader in our community. She has also been honored with numerous awards including the Career Achievement Award from the Archdiocese of Indianapolis and the Key to the City of Muncie.

I can say with confidence that Tanya Walton Pratt is the embodiment of good judicial temperament, intellect, and evenhandedness. If confirmed, she will be a superb and historic addition to the Federal bench. I am pleased to give her my highest recommendation.

I urge my colleagues to join me—and Senator LUGAR—in supporting this extremely well-qualified and deserving nominee.

Ms. LANDRIEU. Mr. President, Brian Jackson and Elizabeth Erny Foote are outstanding candidates for judgeships in Louisiana's Middle and Western Districts. I was honored to recommend Brian Jackson and Beth Foote to the President last year.

These two well-qualified, noncontroversial nominees are sorely needed in the districts they have been nominated to serve, where courts are facing unacceptable backlogs and sitting judges are overwhelmed with unmanageable caseloads. Ms. Foote and Mr. Jackson have been eager for this body to let them get to work serving justice to the people of Louisiana since they were reported by the Judiciary Committee on March 18. I am relieved to see that their long journey toward confirmation is drawing to a close.

Brian Jackson is an exemplary public servant with a distinguished record as an attorney and prosecutor. He has extensive Federal experience, having worked for the Department of Justice for 16 years. From 1992 to 2002, he served as first assistant U.S. attorney and U.S. Attorney for the Middle District of Louisiana. As the first assistant U.S. attorney, he managed or litigated a variety of civil and criminal cases. Because of his leadership, he was selected in 2001 to be the interim U.S. attorney for the Middle District pending the confirmation of President Bush's nominee.

Prior to becoming an assistant U.S. attorney, he served as an associate deputy attorney general in Washington, DC. In this role, he was as a principal adviser to the Attorney General and Deputy Attorney General on civil rights and criminal justice policies. In 1992 he was honored as the recipient of the Attorney General's Award for Equal Employment Opportunity for his leadership in this area.

Since 2002, he has distinguished himself in private practice in the firm Liskow and Lewis, where he is a shareholder. He is currently chair of the firm's government investigations and white collar crime groups and he is on Liskow and Lewis' board of directors and is the immediate past chair of the firm's diversity committee.

In addition to this distinguished career in private practice, Brian has also been extremely active in public service. He has graciously served on the boards of several nonprofit organizations, including Catholic Charities of New Orleans, The Pro Bono Project, Teach for America for the South Louisiana Region, and The Metropolitan Crime Commission, for which he served as vice chair. Additionally, he has given back to the legal community by serving on the board of directors for the New Orleans Chapter of the Federal Bar Association.

Finally, Brian's impressive academic credentials have also prepared him to serve Louisiana's Middle District. He received his bachelor of science, Xavier University in 1982. He received his J.D. from the Southern University School of Law in 1985 where he served as editor-in-chief of the Southern University Law Review and his master's of law with concentration in international and comparative law from Georgetown University Law Center in 2000.

With these credentials, firm roots Louisiana's Middle District, and a long and impressive career in the U.S. Department of Justice, Brian Jackson is truly ready to hit the ground running as district court judge.

Elizabeth Erny Foote is an experienced attorney with 30 years of experience in Federal litigation. She is a partner in the Smith Foote Law firm in Alexandria, LA, where she primarily practices civil litigation. She has had extensive experience in Federal court throughout her career, having litigated in all three Federal Court Districts of Louisiana, in addition to the Fifth Circuit Court of Appeal.

In addition to this outstanding private practice, Beth has proven her dedication to the legal profession through her service to the Louisiana State Bar Association.

In addition to this outstanding private practice, Beth has proven her dedication to the legal profession through her service to the Louisiana State Bar Association, with which she has been actively involved since 1985

and is currently the immediate past president. In 1994, she became the first woman to serve as an officer in the Louisiana State Bar association when she was elected treasurer. The same year she received the President's Award for outstanding service.

Beth is truly a respected civic leader throughout Louisiana. In addition to her contributions to the legal field, she has demonstrated her commitment to justice and equality through a number of nonprofits and government initiatives. Her prestigious awards and honors include: the 2004 Alexandria Human Relations Commission Award for her efforts in promoting better understanding and quality of life in her community, the 2004 Louisiana Heroine Award presented by the Louisiana Association of Nonprofit Associations, the 2000 Central Louisiana Woman of the Century Award, and the 1996 Central Louisiana Women Business Owners' ''Business Owner Woman of Excellence'' Award.

Finally, Beth's impressive academic credentials have prepared her to serve Louisiana's Western District. She received a bachelor of arts from Louisiana State University in 1974, a master's of arts from Duke University in 1975, and a J.D. from Louisiana State University Law School in 1978. She has also been an adjunct professor at the Paul M. Hebert Law Center at LSU, teaching courses in appellate advocacy.

I believe Beth's principled commitment to the field of law, her impressive 30-year career as an attorney, her extensive Federal litigation experience, and her esteemed statewide reputation make her an excellent nominee for judge for Louisiana's Western District.

The time to confirm these two noncontroversial nominees is far overdue. I urge my colleagues to confirm these nominees without further delay so that they may begin the important work the people of Louisiana need them to do.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I ask unanimous consent that all time be yielded back.

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

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the first nominee.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from West Virginia (Mr. BYRD), and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Florida (Mr. LEMIEUX) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 185 Ex.]

YEAS—95

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
Brown (MA)	Harkin	Risch
Brown (OH)	Hatch	Rockefeller
Brownback	Hutchison	Sanders
Bunning	Inhofe	Schumer
Burr	Inouye	Sessions
Burris	Isakson	Shaheen
Cantwell	Johanns	Shelby
Cardin	Johnson	Snowe
Carper	Kaufman	Specter
Casey	Kerry	Stabenow
Chambliss	Klobuchar	Tester
Coburn	Kohl	Thune
Cochran	Kyl	Udall (CO)
Collins	Landrieu	Udall (NM)
Conrad	Lautenberg	Vitter
Corker	Leahy	Voinovich
Cornyn	Levin	Warner
Crapo	Lieberman	Webb
DeMint	Lincoln	Whitehouse
Dodd	Lugar	Wicker
Dorgan	McCain	Wyden
Durbin	McConnell	

NOT VOTING—5

Boxer	LeMieux	Roberts
Byrd	McCaskill	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Nevada, the majority leader, is recognized.

TRIBUTE TO SENATOR DAN INOUYE

Mr. REID. Mr. President, there are not many lists on which Senator DAN INOUYE ranks second. He was Hawaii's first Congressman, and he now is the longest serving Senator from that great State. He is the first Japanese American to serve in the House and first Japanese American to serve in the Senate. He was the first chairman of the Senate Select Committee on Intelligence. He has cast more votes than any other Senator west of the Mississippi. We have all heard the stories about his bravery, both legislatively and on the fields of war where, because of his gallantry, he was awarded the Congressional Medal of Honor.

But there is one place where he comes in No. 2, though it is a remarkable accomplishment nonetheless. This past Friday, Senator INOUYE became the second longest serving U.S. Senator in this Nation's history, passing Senator Strom Thurmond of South Carolina. Every day since Hawaii has been a State, Senator INOUYE has proudly represented its citizens in Congress. Every day since January 3, 1963, 46½ years ago, Hawaiians have been proud to call DAN INOUYE their Senator. Every day I have had the privilege of knowing him and serving with him, I have been proud to call DAN INOUYE my friend.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, last October, the Senate had an opportunity to call attention to one of our colleagues who so rarely calls attention to himself when Senator DANIEL INOUYE became the third longest-serving Senator in U.S. history. This past Friday, Senator INOUYE reached an even loftier milestone when he surpassed Strom Thurmond to become the second-longest serving Senator in history. So we honor him for this remarkable feat of longevity.

Senator INOUYE's dedication to the people of Hawaii is legendary, and so is his story. He was only 17 when he heard the sirens over Honolulu and saw the gray planes overhead. But he was old enough to know that life would never be the same.

Sure enough, a few years later, he would be lying in a hospital bed at Percy Jones Army hospital recovering from wounds sustained in a grenade attack in the mountains of northern Italy. It was there that he first met his future colleague, Bob Dole, who evidently mentioned that after the war he planned to go to Congress.

As it turned out, Senator INOUYE beat him by a few years, and he has survived him here in the Senate by many more.

For his heroic actions in World War II, Senator INOUYE received our Nation's most prestigious award for military valor, and he has earned the admiration of all Americans. DAN INOUYE became a member of one of the most decorated U.S. military units in American history and one of its longest-serving, and finest, Senators. So, Senator, thank you for your service, and congratulations on another remarkable achievement.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I rise to congratulate our senior Senator, my good friend and longtime colleague, Senator DAN INOUYE, on his impressive milestone.

On Friday, Senator INOUYE became the second-longest-serving Senator in the history of this storied institution.

DAN was sworn into the Senate in 1963, just a few years after Hawaii became a State. At the time, he was the first and only Japanese American to step foot in this room as a Member of this prestigious body. Today, he is the chairman of the Appropriations Committee. DAN INOUYE did not just break barriers, he shattered them.

Of course, the Senate is only the most recent chapter in DAN INOUYE's lifetime of service to our country, which includes his Medal of Honor service in the Army during World War II, and his service in the Hawaii Territorial Legislature and the U.S. House of Representatives.

Hawaii may be the youngest State in this great country, but as Senator INOUYE's milestone demonstrates, our contributions continue to shape the United States of America.

From President Barack Obama, who grew up not far from Senator INOUYE's childhood home on the island of Oahu, to each teacher, soldier, construction worker, and farmer, we are proud of the many accomplishments of Hawaii's people. We are proud to be the 50th State, and we are proud of Senator INOUYE's long career serving our Nation.

Aloha and congratulations, DAN.

(Applause, Senators rising.)

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Brian Anthony Jackson, of Louisiana, to be U.S. District Judge for the Middle District of Louisiana?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Florida (Mr. LEMIEUX) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 186 Ex.]

YEAS—96

Akaka	DeMint	Leahy
Alexander	Dodd	Levin
Barrasso	Dorgan	Lieberman
Baucus	Durbin	Lincoln
Bayh	Ensign	Lugar
Begich	Enzi	McCain
Bennet	Feingold	McConnell
Bennett	Feinstein	Menendez
Bingaman	Franken	Merkley
Bond	Gillibrand	Mikulski
Boxer	Graham	Murkowski
Brown (MA)	Grassley	Murray
Brown (OH)	Gregg	Nelson (NE)
Brownback	Hagan	Nelson (FL)
Bunning	Harkin	Pryor
Burr	Hatch	Reed
Burris	Hutchison	Reid
Cantwell	Inhofe	Risch
Cardin	Inouye	Rockefeller
Carper	Isakson	Sanders
Casey	Johanns	Schumer
Chambliss	Johnson	Sessions
Coburn	Kaufman	Shaheen
Cochran	Kerry	Shelby
Collins	Klobuchar	Snowe
Conrad	Kohl	Specter
Corker	Kyl	Stabenow
Cornyn	Landrieu	Tester
Crapo	Lautenberg	Thune
Udall (CO)	Voinovich	Whitehouse
Udall (NM)	Warner	Wicker
Vitter	Webb	Wyden

NOT VOTING—4

Byrd	McCaskill
LeMieux	Roberts

The nomination was confirmed.

VOTE EXPLANATION

Mrs. BOXER. Mr. President, unfortunately I was unable to make this morning's vote on the nomination of Tanya Walton Pratt to be United States District Judge for the Southern District of Indiana. Had I been present for the vote, I would have voted aye on the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Vermont is recognized.

TAX BREAK REPEAL

Mr. SANDERS. Mr. President, I have a pending amendment to the tax extenders bill and want to say a few words on that.

At a time when we have a record-breaking $13 trillion national debt and an unsustainable Federal deficit, at a time when two out of every three corporations in America paid no Federal income taxes between 1998 and 2005, at a time when ExxonMobil, the most profitable corporation in the history of the world, not only paid no Federal income taxes in 2009 but actually got a $156 million refund from the IRS, at a time when we desperately need to end our dependence on fossil fuel and transform our energy system, the amendment I am offering, along with Senator WYDEN, Senator WHITEHOUSE, Senator MENENDEZ, and Senator LAUTENBERG, is simple and straightforward.

This amendment simply repeals over $35 billion in tax breaks to the oil and gas industry, all of which were recommended for elimination in President Obama's fiscal year 2011 budget, which the Joint Committee on Taxation has estimated would raise over $35 billion in a 10-year period.

To put this in perspective, the taxpayer dollars saved by repealing these tax breaks represents about 1 percent of the total projected revenue of the oil and gas industry over this same time period. In other words, the cost of repealing these tax breaks for the oil and gas industry is negligible.

More than $25 billion of the money saved under this amendment would be used to reduce the deficit. I hear my friends coming down every day, appropriately, talking about our record-breaking deficit and our huge national debt. Mr. President, $25 billion in this amendment is used for deficit reduction.

Mr. President, $10 billion would be invested in the highly successful Energy Efficiency and Conservation Block Grant Program over a 5-year period, which would go to 50 States in this country to help them move forward in terms of energy efficiency and sustainable energy.

This amendment has widespread support throughout this country from organizations representing millions of Americans, including the League of Conservation Voters, the Sierra Club, the American Council for an Energy Efficient Economy, Friends of the Earth, the Union of Concerned Scientists, Physicians for Social Responsibility, the American Public Health Association, moveon.org, Environment America, Oceana, 1 Sky, Greenpeace, Public Citizen, the Center for Biological Diversity, the Conservation Law Foundation, and 350.org.

In addition, the Energy Efficiency and Conservation Block Grant funding this amendment would provide is strongly supported by the U.S. Conference of Mayors, the National League of Cities, the National Association of State Energy Officials, and the National Association of Development Organizations, and I am pleased to report that Taxpayers for Common Sense and the National Wildlife Federation strongly support repealing the oil and gas tax breaks this amendment would eliminate.

Let me briefly explain why this amendment needs to be included in this overall legislation. First, there is no debate; everybody here understands we have to address the deficit crisis and the $13 trillion national debt we face. Well, I say to my friends: If you are serious about doing this and doing it in a way that doesn't decimate the middle class or working families, this amendment is a good step forward: $25 billion in deficit reduction over a 10-year period is significant and it would help us address a major crisis.

Secondly, we all understand—or I hope we all understand—we have to reform the Tax Code, which is grossly unfair today. We must make the Tax Code fairer and more equitable for ordinary Americans and, in my view, that means ending the absurdity of seeing large corporations, enormously profitable corporations, not pay their fair share of taxes and, in some cases, not paying any taxes at all. Each and every year, large and profitable corporations all over this country are able to avoid paying billions of dollars in Federal income taxes through loopholes in the Tax Code and generous tax breaks. This is simply unacceptable, it is unfair especially with a record-breaking

deficit, it is very poor public policy, and it has to be changed.

To highlight how absurd this situation has become, take a look at the August 2008 report on the subject by the Government Accountability Office or the GAO. According to this report—and I hope Americans hear this—two out of every three corporations in the United States paid no Federal income taxes from 1998 to 2005—two out of three. Amazingly these corporations had a combined $2.5 trillion in sales but paid no income taxes to the IRS. This statistic includes one out of four large corporations. That is according to the GAO.

Further, according to a report from the Citizens for Tax Justice, 82 Fortune 500 companies in America paid:

> zero or less in federal income taxes in at least one year from 2001 to 2003.

I am thinking now about working people in the State of Vermont and in the State of New Mexico or in Oklahoma, where people are making 10, 12 bucks an hour; people are working 40, 50, 60 hours a week; people who are paying their fair share of taxes. Yet we end up having these large multinational corporations making billions of dollars every year in profits and then they avoid paying their fair share of taxes. That is an issue we have to address.

This same report from Citizens for Tax Justice states:

> In the years they paid no income tax, these companies earned $102 billion in U.S. profits.

How is that? Not a bad deal: $102 billion in profits, zero income taxes.

> But instead of paying $35.6 billion in income taxes as the statutory 35 percent corporate tax rate seems to require, these companies generated so many excess tax breaks that they received outright tax rebate checks from the U.S. Treasury, totaling $12.6 billion.

How is that? They make huge amounts of money, don't pay any taxes, and then Uncle Sam gives them a rebate. That is quite the scam.

In other words, between 2001 and 2003, 82 of the largest, most profitable corporations in this country received a $12.6 billion tax refund—tax refund—from the IRS when, if they were paying their 35 percent of corporate taxes as the law requires, they would have paid over $35 billion in taxes. That is a net loss to the U.S. Treasury of $48 billion.

It is not just Bernie Sanders who has strong concerns about this issue. The issue of abusive corporate tax breaks has even gotten the attention of Forbes Magazine.

Mr. INHOFE. Mr. President, will the Senator yield?

Mr. SANDERS. I will yield in a few minutes and be happy to discuss this issue with my friend.

Mr. INHOFE. Just one short question. Is the Senator talking about amendment No. 4318?

Mr. SANDERS. I am, but not yet. I will get to that in a moment.

Mr. INHOFE. OK.

Mr. SANDERS. Mr. President, the issue of abusive corporate tax breaks has even gotten the attention of Forbes Magazine, which reported on April 1, 2010—this is Forbes Magazine—Forbes 500, dynamic capitalism, Forbes Magazine, and this is what they say on April 1, 2010:

> As you work on your taxes this month, here's something to raise your hackles: Some of the world's biggest, most profitable corporations enjoy a far lower tax rate than you do—that is, if they pay taxes at all.

Forbes Magazine. This is not one of the more progressive journals in America.

So enough is enough. We can and must reduce the deficit in a way that does not harm the American middle class. Making sure that large and profitable corporations are not able to avoid paying taxes could significantly reduce the deficit. It is not the only thing we have to do, but it would be an important step forward.

As a first step in this direction, the amendment I am proposing today goes after the three most generous tax breaks enjoyed by the oil and gas industry and would raise over $35 billion in revenue over a 10-year period—$35 billion, 10 years. All of these tax breaks were recommended for elimination in President Obama's fiscal year 2011 budget request.

Specifically, this amendment eliminates the expensing of intangible drilling costs to raise over $10.9 billion. It eliminates percentage depletion for oil and gas while saving over $9.6 billion; and it eliminates the so-called manufacturing tax deduction for oil and gas production, saving over $14.7 billion over the next decade, according to the Joint Committee on Taxation.

I want my colleagues to take a look at this chart, because what this chart tells us is that during the last 10 years, the five largest oil companies—ExxonMobil, Shell, BP, Chevron, Texaco, and ConocoPhillips—earned over $750 billion in profits—10-year period, $750 billion, the top five oil companies. During the first quarter of this year, big oil's profits increased by 85 percent. Providing tax breaks to this profitable industry at a time of record-breaking deficits simply does not make sense. We can't afford to do it.

Let me give one example of the absurdity of continuing to provide tax breaks to the oil and gas industry. I want my colleagues to take a look at this chart right here. As we all know, ExxonMobil was the most profitable corporation in the history of the world from 2006 through 2008, making $40 billion in profits in 2006, $41 billion in 2007, and $45 billion in 2008. Not bad. These profits, among other things, enabled Exxon to provide a $398 million retirement package to its former CEO, Lee Raymond.

In 2009, one of the most economically difficult years since the Great Depression—millions of people losing their jobs, their homes, their savings—ExxonMobil was still able to make $19 billion in profits in the midst of a severe recession.

I have a question for my friends on both sides of the aisle to consider: Out of that $19 billion profit, how much did ExxonMobil pay in taxes to the IRS? How much did they pay? How many billions of dollars? How many hundreds of millions of dollars did they pay? Well, the answer is: Zero, not one red nickel.

So all over America, working families are struggling to keep their heads above water. They pay their taxes. Yet we have a corporation, the most profitable in the history of the country, that last year made $19 billion in profit, and they didn't pay a nickel in taxes.

But that is not, as they say, the whole story. It gets worse than that.

As this chart right here on my right shows, ExxonMobil reported to the SEC that not only did it avoid paying any Federal income taxes, it actually received a $156 million refund from the IRS. Twenty-two percent of the children in this country live in poverty. We have record-breaking deficits. We have a $13 trillion national debt, and ExxonMobil receives $156 million in a tax refund after making $19 billion in profits. This has to stop.

This amendment I am offering would begin to make sure that ExxonMobil pays at least a minimal amount of their record-breaking profits in taxes to the Federal Government. That is the very least we can do.

But ExxonMobil is not the only corporation enjoying these tax breaks. Chevron, the fourth most profitable oil company in America, a company that made a $10 billion profit last year when other companies were fighting to stay alive, reported to the SEC that it received a $19 million refund from the IRS. This is Chevron. I know. It is not as much as ExxonMobil, but a $19 million refund after you make $10 billion in profits, that is not too shabby.

Valero Energy, the 25th largest company in America with $68 billion in sales last year, received a $157 million refund check from the IRS, and over the past 3 years it received a $134 million tax break from the oil and gas manufacturing tax deduction that this amendment seeks to eliminate. And on and on it goes. ConocoPhillips, et cetera, et cetera.

Let me very briefly turn to what this amendment would do with the revenues. In terms of deficit reduction, as I have indicated, the benefits are substantial. As we all know, the underlying bill we are debating today, which I support, would increase the deficit by about $87 billion over 10 years. This amendment, my amendment, would cut that by about a third—$25 billion over 10 years. This amendment importantly would also invest $10 billion into the Energy Efficiency and Conservation Block Grant Program which, as I mentioned earlier, will create jobs, save people money on their fuel bills, and help transform our energy system away from fossil fuels.

I get a little bit tired of hearing my friends come to the floor of the Senate talking about the need to reduce our

deficit. I get a little bit tired of people talking about the need for equity. If we cannot address a situation where some of the most profitable corporations in America pay zero Federal taxes and, in fact, get a tax rebate, then I am not quite sure what this institution is doing.

So we now have an opportunity to move forward, to address our deficit crisis. We have an opportunity to move forward to transform our energy system. We have an opportunity in this amendment to create jobs and break our dependency on fossil fuel.

I ask unanimous consent that the Senate now proceed to a debate on amendment No. 4318; that the time for such debate be limited to half an hour equally divided; that once the time has expired on this debate, the Senate proceed to a vote on amendment No. 4318.

The PRESIDING OFFICER. Is there objection?

Mr. INHOFE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. SANDERS. Mr. President, I hear my friend's objection. I think that is unfortunate. The American people should be able to have a different vote and debate on this issue. But I hear what the Senator has said.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I think the regular order is to go out now. First, I suggest that I will want some time this afternoon to explain what this amendment really does and also to explain in some detail the marginal wells this would affect. The average marginal well in my State of Oklahoma is 2 barrels a day. We are not talking about giants here. This is a totally different situation. We will have an opportunity to pursue that after resuming the regular order.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:01 p.m., recessed, and reassembled when called to order by the Presiding Officer (Mr. BEGICH).

The PRESIDING OFFICER. The Senator from Iowa.

ALTERNATIVE MINIMUM TAX

Mr. GRASSLEY. Mr. President, I wish to bring to my colleagues' attention the fact that we have this problem we deal with too often called the alternative minimum tax. I bring it to my colleagues' attention.

Last week, I had an opportunity to address my colleagues on the unfinished tax legislative business. These four items are the unfinished business to which I was referring. The legislation before the Senate deals with only one but, of course, an important piece of the unfinished legislative business. These tax extenders are on their second legislative stop through the Senate.

As the chart shows, the tax extenders, which are overdue by almost half a year, are not alone in that unfinished business. There are three other major areas of unfinished business. As we can see from the chart, we have the death tax with which we have not dealt. Another area is the 2001 to 2003 tax rate cuts and family tax relief package. Then the third area is the AMT patch, the alternative minimum tax.

Over the past few years, the AMT is frequently a subject of many of my addresses to my colleagues. I intend to keep talking about the AMT until this Congress actually takes action on reforming the AMT.

Instead of taking action, Congress this session has done absolutely nothing, and the problem continues to get worse for at least 26 million American families—let me emphasize middle-class American families—who will be caught in this AMT trap and, as a matter of fact, are now already caught.

Those being caught or are caught are the families who make estimated tax payments and who will be making their second payment this very day.

Last year, in 2009, a bit over 4 million families were hit by the alternative minimum tax. I think this was 4 million families too many, but it is considerably better than the more than 26 million additional families who will be hit this year in 2010 if Congress does not take action.

The reason we are experiencing this large increase this year is that over the last 9 years Congress has passed legislation that would temporarily—and only temporarily—increase the amount of income exempt from the alternative minimum tax. These temporary exemption increases have prevented millions of middle-class American families from falling prey to the alternative minimum tax until right now.

While I have always fought for these temporary exemptions, I believe the AMT ought to be permanently repealed. One reason I have previously given for permanent repeal is that it may be difficult for Congress to revisit the alternative minimum tax on a temporary basis every year. Of course, this current situation, now 6 months into this year, proves me right. Congress has yet to undertake any meaningful action on the alternative minimum tax.

The budget resolution, passed well over a year ago, provided revenue room for a short-term extension of the alternative minimum tax patch. That was a lot less than what President Obama's budget did, which made the patch permanent.

On this point, since too often people think I do not agree with President Obama enough, this is one point where I believe the tax policy of President Obama has it exactly right.

About 18 months ago, much to the criticism of some on the other side, I made the 2009 AMT patch an issue in the economic stimulus legislation. The reason I did is that 24 million middle-class families would have, on average, paid $2,400 more in income taxes for 2009 if the patch had been abandoned. For those 24 million people, paying $2,400 more into the Federal Treasury would have been a real hurt. My 2009 AMT patch amendment was adopted in the stimulus legislation by the Finance Committee. That was 18 months ago.

Despite assurances the AMT relief is an important issue, nothing has actually been put forward as a serious legislative solution this year. Again, we can see the checklist chart. There has been no House committee markup or floor action, no Senate committee markup or floor action. This year is almost half done. A theoretical discussion is not a substitute for real action, to which anyone making a quarterly payment today will attest.

I am hopeful I can get folks on Capitol Hill rethinking about the AMT and realize that it is a real problem right now. Everyone seems to agree that something needs to be done quickly, but the discussion does not go any further than just discussion.

The second quarterly payment is due today. Today taxpayers across the country are under a legal requirement to pay their estimated taxes, and with it the additional money that would be owed because the AMT has not been patched. They would use form 1040–ES. I bet I will be here September 15 when the third payment comes due saying largely the same thing.

Congress does not seem to be under any pressure to actually take action. Many on the other side insist that, unlike new spending proposals or extensions of existing programs, AMT reform should happen only if it is revenue neutral. That means any revenues—I want to put quotes around these words—any revenues ''not collected'' through reform or repeal of the AMT must be offset by new taxes from somewhere else.

Notice I said ''collected,'' and I did not say ''lost.'' This distinction is important for the simple reason that the revenues we do not collect as a result of AMT relief are not, in fact, lost to the Treasury. The AMT collects revenues it was never supposed to collect in the first place. In other words, middle-class income people were not supposed to pay this tax in the first place—that is that 24 million—because this AMT was originally conceived as a mechanism to ensure that high-income taxpayers were not able to completely eliminate their tax liability. From that standpoint, even the AMT has failed because in 2004, IRS Commissioner Everson told the Finance Committee the same percentage of taxpayers continue to pay no Federal income tax as they did back in 1969. Even I think, on raw numbers, it is a much larger number. Back then it was only 155 taxpayers.

Today, at least 24 million to 26 million middle-class families are in these alternative minimum tax crosshairs. That is quite a change from the 155

rich people in 1969 who were not paying any tax, the reason for the alternative minimum tax to be passed in the first place.

Finally, if we offset revenues not collected as a result of AMT repeal or reform, total Federal revenues over the long term are projected to push through the 30-year historical average and then keep going.

The AMT then is a completely failed policy that is projected to bring in future revenues that it was never designed to collect in the first place.

President Obama met those of us who favor repeal partway by staking out a position on AMT reform during his 2008 campaign. His position provided for a permanent AMT patch. His budgets have maintained that position.

While permanent repeal without offsetting is the best option, we absolutely must do something to protect taxpayers and do it now, even if it involves a temporary solution, such as an increase in the exemption amount.

Of course, if we do that, we are going to be in the same fix next year, and I will be making that same point again.

Today, Tuesday, June 15, 2010, taxpayers making quarterly payments are going to once again discover that the AMT is neither the subject of an academic seminar nor a future problem that we can put off dealing with. The AMT is a real problem right now, and if this Congress is serious about tax fairness, it needs to stand up and take action.

JOB CREATION

Mr. President, I wish to address the Senate for a minute on another issue about how many jobs the stimulus bill created.

In recent weeks, a number of my colleagues have come to the floor to proclaim the success of the massive $862 billion stimulus bill Congress enacted in 2009. Although the number of private sector jobs has increased by only about half a million since 2009, they continue to insist the stimulus bill has created millions of new jobs. How do they justify these claims?

The stimulus bill requires certain recipients of stimulus funds to report the number of jobs they have created or saved or, more accurately, they report the number of jobs funded with the stimulus dollars.

The stimulus bill also requires the Congressional Budget Office to issue a quarterly report on these numbers. The Congressional Budget Office is careful to point out that the number of jobs being reported by stimulus recipients is not a comprehensive estimate of the economic impact of the stimulus bill. According to the Congressional Budget Office, the actual numbers could be higher or lower.

According to CBO ''estimating the law's overall effects on employment requires a more comprehensive analysis than the recipients' reports provide.''

For this analysis, CBO relies on a computer model. In other words, CBO does not look at the actual jobs data. Instead, it looks at a model of the economy.

CBO is very upfront about all of this. CBO used a computer model to predict how many jobs the stimulus bill would create before it was enacted into law. Now the stimulus bill is, in fact, law, and CBO is using a computer model to tell us it did just what they said it would do—create jobs.

Why would CBO rely on a model instead of actual data? According to CBO—and I have a three- or four-sentence quote here:

> Data on actual output and employment are not as helpful in determining the stimulus bill's economic effects because isolating those effects would require knowing what path the economy would have taken in the absence of the law. Because that path cannot be observed, there is no way to be certain about how the economy would have performed if the legislation had not been enacted.

My judgment is that CBO is saying this: CBO doesn't know how much better or worse the economy would have been if the stimulus bill had not been enacted. That means the Congressional Budget Office also doesn't know how much better or worse the economy is now as a result of the stimulus bill. So basically CBO is saying: Trust us—or more specifically: Trust our model. But if the model was wrong to begin with, then wouldn't it still be wrong? According to the Congressional Budget Office, their model relies on historical relationships to determine estimated multipliers for each of several categories of spending and tax provisions in the stimulus bill. The problem is that there is no way to know whether these historical relationships remain constant over time or whether they change under different economic circumstances.

In short, the jobs numbers attributed to the stimulus bill are based on assumptions which may or may not have any basis in reality.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010

Mr. BAUCUS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

> Motion to concur in the House amendment to the Senate amendment to H.R. 4213, an act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pending:

> Baucus motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Baucus amendment No. 4301 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute.
>
> Franken amendment No. 4311 (to amendment No. 4301), to establish the Office of the Homeowner Advocate for purposes of addressing problems with the Home Affordable Modification Program.
>
> Sanders amendment No. 4318 (to amendment No. 4301), to amend the Internal Revenue Code of 1986 to eliminate big oil and gas company tax loopholes and to use the resulting increase in revenues to reduce the deficit and to invest in energy efficiency and conservation.
>
> Vitter amendment No. 4312 (to amendment No. 4301), to ensure that any new revenues to the Oil Spill Liability Trust Fund will be used for the purposes of the fund and not used as a budget gimmick to offset deficit spending.
>
> Reid amendment No. 4344 (to amendment No. 4301), to amend the Internal Revenue Code of 1986 to extend the time for closing on a principal residence eligible for the first-time home buyer credit.
>
> Thune/McConnell amendment No. 4333 (to amendment No. 4301), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, George Santayana wrote:

> Those who cannot remember the past are condemned to repeat it.

Today, we must remember the past. We must learn from past mistakes, and we must do our best to avoid repeating them.

In its response to the Great Depression of the 1930s, the Federal Government made a serious mistake. It is important to remember this past so we are not condemned to repeat it. The stock market crashed in 1929. By 1933, the unemployment rate reached a high of 25 percent. A few years later—4 years later, to be precise—in 1937, the economy was rebounding. The unemployment rate had fallen to 14 percent, gross domestic product was growing at an average rate, if you can believe it, of 9 percent a year, and the stock market had more than doubled over the past 4 years. That was 1937. The economy was on the road to recovery. But this exceptional economic growth did not just happen. It resulted from strong actions by the Federal Government. From 1933 to 1937, for example, the United States dramatically increased the money supply. Lower interest rates and greater credit availability helped to stimulate spending and economic growth. New Deal programs also helped. Spending was modest but significant compared to the magnitude of the Great Depression. But the response provided a notable boost to the economy, and it helped instill confidence in the Federal Government's ability to tackle the Depression.

But in 1937, after 4 years of growth, the government made a mistake. Concerned about short-term deficits, what did it do? It began to cut spending and it began to raise taxes. A bonus for World War I veterans, which provided a boost in consumer spending, was allowed to expire in 1937. Social security taxes were collected for the first time in 1937. And marginal tax rates increased dramatically. What happened? This premature attempt to reduce deficits pushed the economy back over the edge. It was premature. The jobless rate shot back up to 19 percent. In 1938, gross domestic product fell by 3 percent. Shortsighted policy decisions

caused a double-dip. The mistaken desire to balance the budget too quickly effectively lengthened the Great Depression by 2 more years.

I understand the desire today to reduce deficits. I share that desire. We do need to put in place deficit reduction that will take effect after the recovery has kicked in. But we must also learn from the 1937 history. We must not repeat the mistake that led to the double-dip downturn of the late 1930s. If we were to dramatically cut spending or increase taxes to reduce the deficit in the short run, it would run the risk of causing a double-dip in this great recession.

Today, the economy remains too fragile to begin cutting back. Unemployment stands at 9.7 percent. The May jobs report was disappointing. The private sector created only 41,000 new jobs. In total, 15 million Americans still remain out of work, and half those unemployed have been unemployed for more than 6 months. Gross domestic product grew 3 percent in the first quarter of 2010, but this was down from 5.6 percent in the fourth quarter of 2009.

Just as in 1937, we are in a recovery period. That is true. And just as in 1937, it is a recovery that is showing signs of weakness. If we act recklessly today, we risk a double-dip recession. If we adopt a constrictive fiscal policy in the short run, we risk prolonging the great recession for years to come. We cannot act without regard to the consequences of our actions.

Make no mistake, we must tackle and should tackle our long-term deficits. That is clear. And that is why one of the goals of the President's Commission on Fiscal Responsibility and Reform is to ''achieve fiscal sustainability over the long run.'' We do need to act aggressively to reduce our long-term deficits as the economy enters a phase of expansion. But first we must pull ourselves out of this great recession.

One of the best things we can do to facilitate the delicate recovery is to pass the American Jobs and Closing Tax Loopholes Act before us today. This bill extends tax cuts for families and businesses that will help them in these difficult times, and this bill sustains vital social safety net programs that will also help foster economic growth.

We have made the mistake of cutting back too soon once before, and we must not make it again. The Thune amendment, which will be before us in the not to distant future this week, will move in the wrong direction. Instead of helping to create economic demand, the Thune amendment would curtail aggregate demand by more than $50 billion. Instead of continuing the good the Recovery Act has done, the Thune amendment would chop it off.

The Thune amendment would, among other things, cancel unspent and unallocated mandatory spending in the Recovery Act—stop it. That spending is working. The Recovery Act is working. The Federal Reserve and many independent economists have credited the Recovery Act with playing an important role in stabilizing the economy.

This is what the nonpartisan Congressional Budget Office said in its most recent report:

> CBO estimates that in the first quarter of calendar year 2010, [the Recovery Act's] policies raised the level of real . . . gross domestic product . . . by between 1.7 percent and 4.2 percent, lowered the unemployment rate by between 0.7 percentage points and 1.5 percentage points, increased the number of people employed by between 1.2 million and 2.8 million, and increased the number of full-time equivalent jobs by 1.8 million to 4.1 million compared with what those amounts would have been otherwise.

That is what CBO says about the recovery. And the Congressional Budget Office projects that the Recovery Act will continue to create jobs. It projects that the Recovery Act will create the peak number of jobs in the third quarter of this year and then begin to taper off. But we do not want to abruptly cut that job creation off. In this fragile economy, the last thing we should do is to cut back on this proven job creator. It works. It has been working.

We passed the Recovery Act to give a needed boost to our economy. The bill was designed to work over 2 years. That was the intent of it. We have successfully started down the road to recovery, but if we were to withdraw these critical funds, we would risk causing further damage to our fragile economy. Revoking the Recovery Act funds now would send exactly the wrong signal to the American economy and to unemployed Americans.

The Thune amendment would also cut other valuable spending programs. The Thune amendment's spending cuts are arbitrary and they are restrictive. For example, one provision in the Thune substitute amendment would freeze the salaries of all Federal employees except for Members of the armed services. But what about civilian defense workers? What about law enforcement? What about border protection?

Another provision would cap the total number of Federal employees at current levels. If an agency needed to hire a new employee, it would first need to find an existing employee to fire. This would dramatically reduce the flexibility of agencies to make hiring decisions.

The Thune substitute amendment would also cut discretionary spending by 5 percent across the board for all agencies except the Department of Veterans Affairs and the Department of Defense. Apparently, this 5-percent cut would apply to the Department of Homeland Security. It would apply to Immigration and Customs Enforcement. Apparently, it would apply to all the intelligence agencies, just to name a few.

The Thune amendment would also, by the way, rescind $80 billion in appropriated but unspent Federal funds. But just because the funds have not yet been obligated does not mean they are superfluous. For example, when money is appropriated to build a battleship, it does not all get obligated in the first year. By cutting funds that have not yet been obligated, it would adversely affect the construction of that battleship.

I support finding ways to make our government more efficient, but these cuts are arbitrary. They are inappropriately restrictive.

The Thune amendment would also make changes to the new health care law that would leave more Americans without insurance. The Thune amendment does this by expanding the affordability exception to the individual mandate for purchasing health insurance. This expansion would eliminate coverage for millions of Americans. It would strike at the heart of health care reform. And the Congressional Budget Office tells us it would also increase premiums for everybody else.

The Thune amendment, just to repeat, would increase premiums for millions of Americans who would have health insurance. The irony of this proposal in the Thune amendment is that it raises money for the government because the government would not provide as much in tax credits to Americans to help them buy insurance. That is the irony. But Congress has just enacted health care reform. Congress just expressed our Nation's commitment to helping all Americans to buy health insurance. We should let the new health care law take effect.

The Thune amendment would also propose changes to our medical liability system that the Senate has rejected many times over the years. The Thune amendment would cap damages and make other changes to State laws. This is not the solution to medical malpractice.

While the Congressional Budget Office says these kinds of ideas would generate savings, we should ask: What is the cost of those savings? What would be the cost to patients? What would be the cost to States?

The same studies upon which CBO relied in calculating its cost estimate point out that certain tort reform policies may also increase the number of risky procedures performed. And these policies may lead to more patient injuries and more patient deaths.

One study upon which CBO relied said that these policies would lead to a 0.2-percent increase in mortality.

That sounds an awfully high price to pay.

Imposing national tort reform standards flies in the face of our Nation's civil liability system. That system has always been forged at the State level. And national damage caps would put patient safety at risk.

The Thune amendment employs some of the offsets that it does because it drops the oilspill liability tax. Imagine that: The proponents of the Thune

amendment would rather put the recovery at risk by cutting back the Recovery Act, they would rather cut health insurance coverage in health reform, and they would rather expose patients to greater risk. They would rather do all these things than raise taxes on big oil, to pay for oilspills.

And the Thune amendment employs some of the offsets that it does, because it drops some of the tax loophole closers in the underlying substitute amendment. The underlying substitute amendment closes loopholes in the Tax Code that unfairly benefit certain individuals.

One such loophole is carried interest. The underlying substitute removes an inequity of the Tax Code that allows investment managers who operate through partnerships to have the income that they earn for their services taxed at half the tax rate of other working individuals.

Here's how the carried interest tax loophole works. An investment manager joins a partnership with some investors. But the investment manager does not provide any capital. The investment manager provides services.

The investment manager contracts to receive compensation not in the form of wage income, but in the form of a share of the partnership. That way, the investment manager gets to pay lower capital gains tax rates on the investment manager's income, rather than the higher wage tax rates that the rest of Americans pay.

The underlying substitute says: No longer should we allow investment managers to have a better tax rate than teachers or doctors or firefighters. Our amendment plugs this tax loophole. But the Thune amendment would strike that provision. The Thune amendment would allow that tax loophole to continue.

The underlying substitute also includes an important provision that closes another serious inequity in the Tax Code.

Lawyers, doctors, and other professionals who operate as partners or sole proprietors are currently subject to Social Security taxes on their service income up to $106,800. And they are subject to Medicare taxes on all their service income. Everybody is. But some doctors and lawyers organize themselves as an S corporation and they can pay themselves an artificially low salary. That way, they can avoid paying Social Security or Medicare taxes on much of the income generated by their services. That is just not fair.

And what is more, it hurts the Social Security and Medicare trust funds.

The choice of entity should not affect an individual's tax liability for his or her services.

Unfortunately, Senator THUNE's amendment does not close this loophole. The Thune amendment would strike this loophole closer in the underlying substitute.

The underlying substitute would also close several foreign tax loopholes.

The Senate Finance Committee developed these loophole closers jointly with the House Ways and Means Committee, with the assistance of the Treasury Department.

These loophole-closers would shut down highly structured and complex transactions implemented by multinational corporations to avoid paying U.S. tax.

These tax benefits claimed by the multinational corporations were clearly not contemplated when Congress passed the tax law.

Closing these loopholes would preserve and create jobs here in America. Closing these loopholes would discourage U.S. multinational corporations from shipping American jobs overseas.

Permitting the continued exploitation of these loopholes would only encourage U.S. multinationals to invest additional capital overseas, rather than here in America. Allowing these loopholes to continue would result in the loss of American jobs.

The underlying substitute amendment tackles these loopholes. Senator THUNE's amendment, on the other hand, ignores them. By not addressing them, the Thune amendment would allow this irresponsibility to continue.

And so, the Thune amendment would put the recovery at risk by curtailing the Recovery Act. It would cut the number of Americans with health insurance and raise premiums. It would nationalize medical malpractice law, putting patients at risk. And it would protect big oil and multinational corporations that ship their jobs overseas.

I urge my colleagues to oppose the Thune amendment.

And I urge my colleagues to support the bill before us. Let us protect and strengthen this fragile economic recovery. Let us preserve and create jobs, here in America. And let us enact the American Jobs and Closing Tax Loopholes Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I know Senator THUNE will be here in a moment. I saw him just a while ago.

One of the things hurting our economy is that Congress is sending no message whatsoever that we are serious about reducing the uncontrollable debt that every economist says is unsustainable, and that this is a cloud over our economic recovery. The sooner we quit thinking we can make the economy rebound by just spending a few more billion dollars and increasing our debt, the better off we will be and we will get on a sound track to go forward.

I know good people can disagree, but I believe very strongly in this, and I just wanted to share that thought.

OILSPILL IN ALABAMA

I would like to make a few brief comments about the oilspill in the Gulf of Mexico, and my home State of Alabama. I was there Friday and visited Orange Beach, Gulf Shores, Dauphin Island, and Bayou La Batre, examined the beaches and talked with our good mayors and other officials who are there. There are a few things I would like to share that indicate we are not where we need to be.

I have not been one who wants to run out and blame the President for everything. But I do believe as we are now going into day 57 that we need to understand our response is not working well. It could be much better.

For example, I visited Mayor Tony Kennon and his team in Orange Beach. Perdido Pass has a very strong current. You would think you could put up boom and stop oil from coming in. They told us oil was out there. They were expecting it to come in, maybe the biggest amount they had expected since the beginning of the spill. It was expected to hit the coast this past Saturday or Sunday, and it did indeed hit. The city is developing their own plan with their own engineer about how to deal with the currents and the flow of oil to keep it out of the estuaries that are inside of Perdido Pass.

It is complicated. They had a top engineer, Henry Seawell, one of Alabama's best. He was there working on it. I just happen to know him. But the Coast Guard was not there; BP was not there. The mayor said:

> You know, we feel like we are not even at the table, we are not at the children's table. They are not talking to us. But we know more about how to deal with this pass than anybody else in the U.S. Government because we have been working on it, it is our area, and we are trying to protect it.

Sure enough, the oil came. We were behind schedule. They started late. Nobody had done anything until the city started, apparently a good bit of oil got in and that is not good. It also got on the beach. We can clean that up pretty quickly, however a lot hit the beach.

Then a little further down the beach, at Gulf Shores, we had a similar discussion. I went to Fort Morgan, across the mouth of the Mobile Bay where Admiral Farragut sailed in, and we went across to Dauphin Island. The mayor there, Jeff Collier, had some of the same concerns as Mayor Robert Craft in Gulf Shores. Then I went up and met with Mayor Stan Wright, the mayor of Bayou La Batre, himself a seafood processor. He noted to me, and has repeatedly stated, that Bayou La Batre probably represents the largest seafood processing on the entire gulf coast. They are basically being shut down, and a lot of people who work there are losing their jobs. They are low-income workers who do not have extra money to live on, and they are hurting, really hurting. If we are going to receive money from BP, they need to get it out there to the people right now, before they lose their homes or have their power cut off. The mayor told me how people are calling him about their electricity being cut off. It is not a little matter. The whole situation is a big deal.

I am glad the President has gone to the gulf coast. I am hopeful tonight we

will hear some good ideas for progress. I just wanted to share one thing that struck me very vividly. Mayor Kennon's team in Orange Beach told us they had seen a strip of compact oil from the air and a boat about 6 miles offshore. It had the red color, thick process—a strip about 30 miles wide and 2 miles long. This was Friday morning. It was expected to hit Friday night or early Saturday morning. Nobody knew for sure. But it had been out there for a number of days.

So we are asking, Why don't we put a skimmer there? This is the only thing coming in that threatens the beaches. Apparently there were two strips of this offshore at some distance. It represents a significant threat. You could see that threat getting closer and closer. The obvious thought—Mr. President, having been from Alaska, you know the importance of these matters—if you had a good skimmer—where two boats pull the boom and direct the oil into a central location, then you can get it out and put it in a barge or tanker.

There was not any. It would have been rather easy, I suggest, with a good skimmer, to have gone out, with plenty of time to scoop up almost all of that oil or at least a big portion of it. That was not done. It kept coming in, and coming in, and basically by Saturday it was hitting the beaches.

You ask, where are they? We are not talking with one another enough, it seems to me. It does appear there are more skimmers, more boom, more vessels, equipment, and pumps available around the world that could be called on to assist, and we have not accepted all offers of assistance. Nor have we, apparently, sought to lease, buy or purchase the boom, pumps, and skimmers that might help us.

I was just looking at a press release today that stated, Admiral Allen, the national incident commander, Provides Guidance to Ensure Expedited Jones Act Waiver Processing Should It Be Needed.''

He says he will process any requests for waivers of the Jones Act.

For some reason the admiral is still talking about waivers and offering to expedite them. Who is requesting them? Why doesn't he request it? If there is a ship that can skim, it can be brought down to the gulf coast, and it would make a big difference. In fact, I saw the admiral, I believe, the day before yesterday on the television say we need to do a better job. This would have been Monday. We need to do a better job of intercepting the oil between the spill site and the shore.

Good. I thought it might be harder to do. I thought it might be little splotches here and there, all over, and it would be impossible to scoop it all up. But if it is moving, and it tends to move in lines and fairly compact 30-foot strips, then with good equipment we can make a big dent and just stop it.

So I don't know what the problem is. But we do know 17 countries have offered to help, however we only have two skimmers, as I understand it, in the gulf, and those are from Mexico—which we are glad to have. Pumps have been offered. I do not believe we have taken advantage of that. It takes some pretty good pumping equipment to get this oil soaked up, and only 600,000 feet of boom have been received from abroad. The UK has also offered us dispersants, which we have not taken.

I don't know what all the details are, but it seems to me that we can and must do a better job of coordinating. We need to ensure people who need resources are paid now, and we need to understand that there is great potential for effective skimming to occur where the oil has formulated and configured in groups so it can be skimmed. That apparently is more feasible than a lot of people understand. We need to be focusing on that.

The people along the gulf coast are upset about it. One mayor told me: I am a man of good judgment. I am worried about BP's slow response. They talk about responding. They talk about paying, but not enough payment is actually getting out where we have clear cases of substantial losses. Of course, the economy is not where it has been and where we need to see it develop. The beach areas probably wouldn't have been as strong this year as previous years because of the economic downturn. But the testimony from people at public meetings I have attended is crystal clear that we have almost a 50-percent drop in reservations, a 50-percent drop in bookings, and this ripples through the entire community. We already have real estate problems. We already have a little decline in beach attendance. Now we have all this horrible news on the TV and large amounts of cancellations. Some people do need money now. This process needs to be accelerated, and I hope we will hear something in some of what the President tells us tonight. I think he has heard that. He has been down to the gulf coast. He has talked to people. He probably has a better understanding today, after we are 2 months into it, than he previously had.

Maybe we can make this system work a little better. I don't only want to complain. I am thankful the President is showing attention. I am thankful he has stepped out and is showing some leadership. But for some reason, there still seems to be a lack of connection between the talk up at the top and what is happening on the ground. I have been there. I have talked to people. People are not getting money. People are in serious crisis already, people who would be entitled to receive moneys. I don't think BP should pay out money fraudulently. They don't need to pay those who don't deserve it. They ought to be careful in how they handle these payments. But for the most part, people are making legitimate claims. Some of them are desperate now. I don't think we have a unified effective plan to intercept as much of the oil as we could offshore. Nor have we had the kind of support from the Federal Government we would like to see, with scientifically determined processes, placing boom and skimming equipment to stop the flow of the oil, particularly into our estuaries, including Mobile Bay.

Mobile Bay is not that wide of an opening. People thought we could stop it. You could put boom across and stop it. The truth is, with the tides, it is a strong current. Anchors won't hold it. When water moves in, it will go over or under or even break the boom. It is not an easy thing. We need some sort of Chevron-like layers of boom outside the entrance to try to catch as much as we can before it comes in. A little, but I don't think enough, effort has been made. In fact, we now had a significant amount of oil that have gotten into that great estuary.

I wanted to share those thoughts. I believe we can do better. I believe oil production in the gulf is essential for the national interest. I believe this spill, this accident should not have happened. I believe if people had been exceedingly careful and competent in what they did, this would not have happened. I believe after this accident, there is going to be a complete review by every company out there. I think we will have an even lower possibility of accidents in the future. But we need more confidence that blowout preventers work, and that we have safety mechanisms in place. We need more confidence that this will happen. We need to understand there is always a possibility that some sort of blowout or spill will occur, but we can do better to prevent it. We can do better about plugging the leak or capturing the oil where it comes out of the pipe. I believe all of these are possible.

I am not happy. I am disappointed that we weren't better prepared in case such an accident did occur. Very disappointed. I believe the oil industry, in particular BP's plan, as the Mobile Press Register has pointed out, was not well thought out. Their plan talked about what to do with walruses and things such as that. We don't have any walruses on the gulf coast. This was not a well thought out plan. Criticism is justified in many different areas.

I thank the Chair for the opportunity to share my thoughts. Again, I appreciate the President visiting the gulf coast. Hopefully, they are breaking down some of these dysfunctional areas to get us to a higher level of response and effectiveness, and maybe they will also be able to continue to make progress in reducing the amount of flow coming out of this well. Obviously, that is the most critical point.

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

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BARRASSO. Madam President, the tax extenders bill includes a settlement that involves a class action lawsuit that is known as Cobell v. Salazar. The total cost of this settlement is about $3.4 billion. This settlement will affect hundreds of thousands of Indian people across the United States who are class members in this lawsuit. It was signed last December by the Obama administration with the lead plaintiffs and their attorneys. Part of the settlement provides $1.4 billion to individual Indians whose trust assets have been mismanaged by the Federal Government for over 100 years. Another $2 billion would be used by the Department of the Interior to consolidate Indian land ownership to prevent a repeat of these claims.

On Wednesday, June 9, 2010, Attorney General Holder and Secretary Salazar sent letters to the Senate leaders opposing an amendment I filed on Tuesday, June 8. My amendment corrects serious flaws in the settlement. I am going to respond to their letter as well as explain my amendment.

The Attorney General and the Secretary argue that the amendment makes material changes to the settlement that would render it void. To begin with, I must point out that the parties have changed their settlement in material ways several times—several times—since it was announced that the agreement had been reached. Whenever they deem fit, they change it. For the reasons I am about to go into, they should change it again. If they don't, then Congress should act.

In their letter to leadership, the Attorney General and Secretary Salazar say:

> The nature of any settlement agreement is that no one gets everything they asked for.

I know the Cobell case has waged on and on in the courts for 14 years. It has been up and down on appeal many times—too many times. In fact, it is on appeal right now. So I support settling this case. I support providing fair compensation to people harmed by decades of Federal mismanagement. I support consolidating the fractionated ownership of land to prevent the recurrence of problems that led to this court case. But I cannot support the settlement as drafted by the administration. It has flaws, and I believe some of them are very serious. All of them can and should be fixed without making major changes to its overall structure. Leaders in Indian country agree.

I ask unanimous consent that a letter dated June 11, 2010, from the National Congress of American Indians to Senator DORGAN and to me be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. BARRASSO. Madam President, the National Congress of American Indians' letter states that the changes in my amendment address legitimate concerns that have been raised by tribal leaders and Indian people. The NCAI letter references resolutions passed by the Affiliated Tribes of Northwest Indians and the Great Plains Tribal Chairmen's Association supporting my amendment.

So what does my amendment do? It addresses five significant weaknesses in the settlement. The first issue is attorneys fees. This settlement was signed by the Department of Justice and two of the plaintiffs on December 7, 2009. Originally, the settlement said that Congress had to approve it in 24 days—by New Year's Eve. Well, supporters said there was no time for a hearing; Congress had to act immediately. I disagreed. Any $3.4 billion settlement paid for by taxpayers that affects the lives of hundreds of thousands of people should have a hearing before Congress.

I requested that the Committee on Indian Affairs hold a hearing on the settlement. Chairman DORGAN scheduled one nearly 6 months ago and that hearing was December 17, 2009. During the hearing, it was disclosed that the parties had entered into a separate agreement covering attorneys fees. In the side agreement, the plaintiffs' lawyers agreed not to ask the court for more than $99.9 million in presettlement attorneys' fees and costs, and the administration agreed not to argue that the attorneys should get anything less than $50 million. So, in effect, the two parties quietly agreed that the plaintiffs' attorneys should be paid between $50 million and $100 million.

This separate agreement also provided that when attorneys asked the court for presettlement fees, the attorneys must provide contemporaneous time records, but they said only ''where available.'' This is a very remarkable agreement, especially for a court case that was pretty much all about inadequate government recordkeeping in the first place.

What the government has done is agreed not to demand contemporaneously prepared time records when the attorneys ask the court for their fees—fees that will be taken directly out of the funds that are supposed to be distributed to the class members in the suit. This settlement should be about compensating the individual Indians who were harmed by government mismanagement. My amendment requires production of contemporaneous records and it caps the fees at $50 million. Fifty million dollars is an amount that both parties agreed would not be appealed. It is their number, so it must be fair.

Besides the issue of attorneys fees, there have been other concerns raised about the settlement—about the possibility of a multimillion dollar incentive award to named plaintiffs; about the qualification of the bank where the money will be deposited; about the role of Indian tribes and the land consolidation aspect of the settlement; and about the formula for distributing the money. My amendment addresses each of these issues.

The amendment would also require that any ''incentive awards'' to named plaintiffs be justified by documented expenses. Leading the case of Indian landowners against the government for 14 years has undoubtedly been an exhausting burden and an expensive burden. The named plaintiffs should be allowed to ask the court to have those expenses reimbursed. My amendment would limit any such award to an aggregate amount of $15 million and only for the expenses incurred by the class representatives. This is the amount the plaintiffs told us is their total estimated out-of-pocket expenses. The amendment would allow full reimbursement of these expenses.

My amendment also addresses the selection of the bank that will hold the $1.4 billion in settlement funds. The settlement is especially lax in setting standards to ensure the safety of these funds—lax, I believe, to the point of being irresponsible. My amendment simply requires the court to consider certain factors when approving a proposed bank: experience, a history of regulatory compliance, plus competitive interest rates and fees. These factors are important because if anything happens to the money, then the class members bear the risk of the loss. I cannot fathom why asking the court to simply consider these commonsense protections will void the settlement.

The amendment I have offered will require the Secretary of the Interior to consult with Indian tribes on implementation of the Indian land consolidation program. In order for this $2 billion consolidation program to succeed, the tribal governments should be partners in implementation. The amendment would require that to happen.

Finally, my amendment would provide relief for certain class members for whom the pro rata formula used in the settlement does not work. This formula is simple and will be easy to use. That is why the administration likes it. In many cases, the formula won't work and will lead to unfair results. It is necessary that we create a system for individual class members with unique circumstances to petition the court for a nonstandard settlement payment.

Under my amendment, the court would be provided with broad flexibility to make discretionary awards in appropriate cases.

In closing, I urge Members of the Senate to support this amendment to the Cobell settlement provisions in this measure. My amendment doesn't change the structure of the settlement. It does improve, however, the agreement for the hundreds of thousands of class members covered by the settlement.

What my amendment doesn't do is void the agreement. Let me repeat, my

amendment does not void the agreement; it does not void the settlement. Plaintiffs have the ability to void the settlement if they don't believe the changes are in the best interests of the class members. The administration can void it if they don't believe there should be financial standards for selection of the bank that will hold and manage $1.4 billion of settlement funds. By passing this amendment, we will not void the agreement.

Congress has the obligation to never rubberstamp an agreement and to not rubberstamp this agreement.

Adopting my amendment is the right thing to do.

I yield the floor.

EXHIBIT 1

NATIONAL CONGRESS OF AMERICAN INDIANS,
Washington, DC, June 11, 2010.

Re Cobell Settlement and Senator Barrasso's Amendment 4313 to the American Jobs and Closing Tax Loopholes Act of 2010.

Hon. BYRON DORGAN,
Chair, Committee on Indian Affairs, U.S. Senate, Washington, DC.
Hon. JOHN BARRASSO,
Vice Chair, Committee on Indian Affairs, U.S. Senate, Washington, DC.

DEAR CHAIRMAN DORGAN AND VICE CHAIRMAN BARRASSO: As you know, a very important vote may soon occur in the Senate. Currently the Senate is considering H.R. 4213, the American Jobs and Closing Tax Loopholes Act of 2010. For Indian people across the country the most important provision in the legislation is Section 607, which would authorize the settlement of the Cobell v. Salazar litigation over federal mismanagement of Indian trust funds. Senator Barrasso has proposed an amendment that would address some concerns about the settlement that have been raised by tribal leaders and Indian people. These are legitimate concerns that have come from the grassroots in Indian country, and it is our hope that the parties and the Senate try to find common ground on these concerns.

The National Congress of American Indians has long supported a settlement of this litigation because it is time to bring justice to Indian people and because the contentious litigation has distracted from efforts to address the many other issues that Indian country faces. When the settlement was first announced in December of 2009, there was a general feeling of elation and relief throughout Indian country. We are extremely grateful to the Administration and to Eloise Cobell and her team for working so hard on this settlement and bringing it to the brink of resolution.

However, we also believe that Ms. Cobell described it well when she said that this is a ''bittersweet victory'' for Indian country. There is no doubt that the injuries to Indian people have been much greater than the compensation they will receive. In addition, over the past several months, Indian tribes and Indian people have had an opportunity to more closely examine the details of the settlement. Hearings have been held in Congress, and meetings have taken place on reservations across the country. As might be expected with a class action settlement of this size and complexity, the details have generated considerable discussion and some disagreements.

Senator Barrasso has solicited the views of tribal leaders on the details of the settlement and has filed a proposed amendment. The Affiliated Tribes of Northwest Indians and the Great Plains Tribal Chairman's Association, two large and well respected regional tribal organizations, have both passed resolutions favoring Senator Barrasso's amendment. A similar resolution has been submitted to NCAI for consideration during our Midyear Session during the week of June 20. However, NCAI's consideration of the resolution may happen after Congress has voted.

As you know, both the Administration and the Cobell plaintiffs have raised concerns that any amendments to the Cobell settlement legislation would render the settlement null and void. We understand the need for the parties to a difficult settlement to adopt this posture. However, we have little doubt that if Congress were to make modest and reasonable adjustments, the parties will readily amend the settlement agreement to conform to the implementing legislation.

NCAI's interest is that Congress passes a settlement that is responsive to legitimate concerns raised by tribal leaders and members of the class, and that a contested floor vote on these issues may not be conducive to our shared goal of settling the litigation. I will briefly address the elements of Senator Barrasso's amendment. Amendment 4313 would:

1. Cap attorneys' fees at $50 million and incentive awards at expenses up to $15 million. The settlement was accompanied by a side agreement that the federal government would not contest an award of attorney's fees in a range between $50 to $100 million. These attorneys' fees have generated considerable discussion. Most account holders will receive an award in the range of $1500, which is less than what was expected. Over the years, the Cobell plaintiffs have frequently estimated the size of the damages in the hundreds of billions, so disappointment at the size of the award has combined with views about the size of the attorneys' fees. This is a difficult issue because we also recognize that the Cobell attorneys have worked very hard on the litigation for the last 14 years, and class action attorneys in Indian law cases should be fairly compensated on a par with similar class actions. We suggest that the numbers are not far apart, and an accommodation could be reached.

2. Require that a special master select the bank that will handle the $1.4 billion award. The settlement agreement indicates that the award will be deposited in a bank selected by the plaintiffs and approved by the court. Senator Barrasso's amendment would require that court should consider certain criteria for experience in the handling of large deposits, compliance with banking laws, and competitiveness of fees. This appears to be a reasonable provision to ensure competent and efficient management of the funds.

3. Allow tribes to participate in the land consolidation program that will occur on their reservations. NCAI strongly supports Senator Barrasso's proposal to permit tribes to participate in the land consolidation program that will be funded by the settlement. Land consolidation is critical for addressing trust management problems created by fractionation and preventing future mismanagement. However, Indian tribes have had concerns about the ability of the Bureau of Indian Affairs to administer the land consolidation program on the scale and in the timeframe required by the settlement. Since 1975, Indian tribes have been able to contract with the BIA to manage BIA programs on their reservations. The Indian Land Consolidation Program is one of the few programs that does not allow tribal participation in this way. We believe that allowing tribal governments to participate in land consolidation will greatly benefit the program because tribes have the greatest interest in its success, and because tribes know the local conditions on their reservations much better than a centrally-located BIA.

4. Set aside a $50 million fund for class members who may not be fairly compensated by the formula distribution. The inclusion of natural resource mismanagement claims within the settlement has been controversial within Indian country because it was not a part of the original Cobell claim, and because the formula would be unfair to some landowners. Although the resource mismanagement settlement allows an opt-out, it would be extraordinarily difficult for Indian landowners to pursue mismanagement claims on their own. Senator Barrasso's amendment would set-aside $50 million out of the settlement to make equitable adjustments for certain landowners who would not be adequately compensated by the formula. So long as it does not substantially slow down the operation of the formula distribution, we believe it is reasonable to set aside a small portion of the settlement to smooth out some of the inequities of the formula system.

Thank you very much for considering our views on this important issue. We greatly appreciate the enormous efforts that all of you have put into resolving the Indian trust funds litigation.

Sincerely,

JEFFERSON KEEL,
NCAI President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. KAUFMAN. 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. KAUFMAN. Madam President, I ask unanimous consent to speak as in morning business.

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

ARTHUR S. FLEMMING AWARDS 2009

Mr. KAUFMAN. Madam President, I rise today once again to recognize some of our Nation's great Federal employees.

This week, the Trachtenberg School at the George Washington University announced the winners of the annual Arthur S. Flemming Awards. These distinguished awards for public service have been bestowed upon outstanding Federal employees for the past 61 years. The Flemming Awards recognize career Federal employees, both civilian and military, who have served between 3 and 15 years in government. Nominees come from across the many departments, agencies, and service branches. Notable winners include former Senators Elizabeth Dole and Daniel Patrick Moynihan, Defense Secretary Robert Gates, former Federal Reserve Chairman Paul Volcker, astronaut Neil Armstrong, among others.

The awards are named for Arthur S. Flemming, who had a long and exemplary career in public service which spanned from 1939 until his death in 1996. He served in a number of important roles, including Secretary of Health, Education, and Welfare under President Eisenhower.

Secretary Flemming also served on the U.S. Civil Service Commission under Presidents Roosevelt and Truman, the National Advisory Committee on the Peace Corps under Presidents Kennedy and Johnson, and as Chairman of the U.S. Commission on Civil Rights under Presidents Nixon, Ford, Carter, and Reagan. President Clinton awarded him the Medal of Freedom in 1994.

It is fitting that these awards, which were originally bestowed by the DC Jaycees, are named for Flemming. His lifetime of dedication to public service continues to inspire so many.

The Flemming Awards are divided into three categories: applied science, engineering, and mathematics; basic science; and managerial or legal achievement. These categories highlight some of the most outstanding and exciting accomplishments by our public servants who are helping to lead the way in scientific discovery, efficient public management, and upholding justice.

This year's medals in applied science, engineering, and mathematics were won by a trio of brilliant individuals who are keeping America at the forefront of STEM research.

Dr. Lynn Antonelli is leading the way in developing laser-based sensors for the Navy. The sensors she and her team created have found commercial and medical applications, in addition to providing our Navy vessels with extended optics and sensing underwater.

Dr. Steven Brown of the National Institute of Standards and Technology—or NIST—also works with light. He and his team have made great strides in the field of light measurement that have enabled more detailed environmental imaging of the Earth. His work is revolutionizing the ability to detect minute changes in the environment as a result of climate change.

Also winning the applied science, engineering, and mathematics award is Dr. John Kitching. John has been leading the world's top research program in atomic measurement. He and his team developed ultra-miniature devices that can improve the accuracy of GPS, telecommunications, and medical imaging. They even have important national security uses, including in the more accurate detection of chemical toxins.

The three Federal employees who won this year's award for basic science are pioneers on the cutting edge of science research.

Dr. Dietrich Leibfried is one of NIST's leading experts on quantum computing. This exciting field could lead to supercomputers faster and more powerful than the best ones we have today. Dietrich Leibfried is responsible for many innovations in quantum computing, including the successful demonstration of a simple, fully programmable quantum computer, the first step in a long-term effort to build supercomputers that can handle nationally important applications, such as weather prediction, secure data encryption, and developing new drugs.

The basic science award is also going to Dr. Shyam Sharan of the National Cancer Institute at the National Institutes of Health. He has developed a simple and reliable way to analyze genetic mutations that increase a patient's chances of developing breast cancer. This will help doctors identify those who have the highest risk of cancer and treat them preventively.

Sharing the award with them is Dr. Eite Tiesinga, who works at NIST on ultra-cold atoms. By manipulating these atoms, scientists can carefully tune the quantum gases that might one day power quantum computers. Eite is frequently asked by researchers around the world to consult on their measurements and findings, and his work on ultra-cold atoms has put the United States ahead in the race to achieve successful quantum computing.

Four outstanding public employees were chosen for this year's managerial and legal achievement medal.

Angela Clowers works at the Government Accountability Office, and she led the GAO's efforts to audit transportation investments made under the Recovery Act. Her careful analysis and testimony before Congress prompted the Department of Transportation to refocus some of its investments in order to stimulate additional job growth. Angela also led the GAO's audit of government assistance to the American auto industry under TARP.

Another who won this award is Dr. Marla Dowell of NIST'S laboratory in Boulder, CO. Marla leads the world's most comprehensive research program in laser metrology. She won this award for outstanding management skills and for leading a team that is developing lasers for highly accurate measurement of manufacturing equipment. This will have profound and positive effects on both defense programs and high-tech businesses.

Kana Enomoto won the award for a distinguished career working on mental health access. She served as a leader in this area in the aftermath of Hurricane Katrina through her work at the Substance Abuse and Mental Health Services Administration. Kana also spearheaded efforts to improve the agency's operations, human resource management, and other critical functions as the Acting Deputy Administrator.

The fourth winner of this award is Natalie Harrop of the Air Force Global Logistics Center in Utah. Natalie distinguished herself as a lead budget analyst for the Air Force's 748th Supply Chain Management Group. She revolutionized the group's financial management, and her new system is being implemented across the 448th Supply Chain Management Wing. It is saving hundreds of work hours and over $5 million.

These 10 men and women are not an exception, they are exemplary. They represent the norm of excellence of our civil service. They have achieved great things and now join the ranks of those who share the Arthur S. Flemming Award for their great contribution to our Nation.

I hope my colleagues will join me in congratulating the winners of the 2009 Arthur S. Flemming Awards and thanking them all for their service. They are all truly great Federal employees.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. BEGICH. Mr. President, I ask unanimous consent that the following amendments be debated concurrently for the total time specified in this agreement: Sanders, 4318; Vitter, 4312; Franken, 4311; that the Franken amendment be modified with the changes at the desk; with the debate time divided as follows: 20 minutes equally divided between Senators SANDERS and INHOFE; 20 minutes equally divided between Senators BAUCUS and VITTER or their designees; and 20 minutes equally divided between Senators FRANKEN and VITTER or their designees, with no intervening amendments in order; that each of the listed amendments in this agreement be subject to an affirmative 60-vote threshold; and that if the amendment, as modified where applicable, achieves that threshold, then it be agreed to and the motion to reconsider be laid upon the table; that if the amendment does not achieve that threshold, then it be withdrawn; that prior to each vote, there be 2 minutes of debate, equally divided and controlled, and that after the first vote, the succeeding votes be limited to 10 minutes each; that upon the use or yielding back of the total time specified above, the Senate proceed to vote in relation to the amendments in the order listed.

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

The amendment (No. 4311), as modified, is as follows:

At the appropriate place, insert the following:

TITLE ____—OFFICE OF THE HOMEOWNER ADVOCATE

SEC. __01. OFFICE OF THE HOMEOWNER ADVOCATE.

(a) ESTABLISHMENT.—There is established in the Department of the Treasury an office to be known as the ''Office of the Homeowner Advocate'' (in this subtitle referred to as the ''Office'').

(b) DIRECTOR.—

(1) IN GENERAL.—The Director of the Office of the Homeowner Advocate (in this subtitle referred to as the ''Director'') shall report directly to the Assistant Secretary of the Treasury for Financial Stability, and shall be entitled to compensation at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code.

(2) APPOINTMENT.—The Director shall be appointed by the Secretary, after consultation with the Secretary of the Department of Housing and Urban Development, and without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

(3) QUALIFICATIONS.—An individual appointed under paragraph (2) shall have—

(A) experience as an advocate for homeowners; and

(B) experience dealing with mortgage servicers.

(4) RESTRICTION ON EMPLOYMENT.—An individual may be appointed as Director only if such individual was not an officer or employee of either a mortgage servicer or the Department of the Treasury during the 4-year period preceding the date of such appointment.

(5) HIRING AUTHORITY.—The Director shall have the authority to hire staff, obtain support by contract, and manage the budget of the Office of the Homeowner Advocate.

SEC. __02. FUNCTIONS OF THE OFFICE.

(a) IN GENERAL.—It shall be the function of the Office—

(1) to assist homeowners, housing counselors, and housing lawyers in resolving problems with the Home Affordable Modification Program of the Making Home Affordable initiative of the Secretary, authorized under the Emergency Economic Stabilization Act of 2008 (in this subtitle referred to as the ''Home Affordable Modification Program'')

(2) to identify areas, both individual and systematic, in which homeowners, housing counselors, and housing lawyers have problems in dealings with the Home Affordable Modification Program;

(3) to the extent possible, to propose changes in the administrative practices of the Home Affordable Modification Program, to mitigate problems identified under paragraph (2);

(4) to identify potential legislative changes which may be appropriate to mitigate such problems; and

(5) to implement other programs and initiatives that the Director deems important to assisting homeowners, housing counselors, and housing lawyers in resolving problems with the Home Affordable Modification Program, which may include—

(A) running a triage hotline for homeowners at risk of foreclosure;

(B) providing homeowners with access to housing counseling programs of the Department of Housing and Urban Development at no cost to the homeowner;

(C) developing Internet tools related to the Home Affordable Modification Program; and

(D) developing training and educational materials.

(b) AUTHORITY.—

(1) IN GENERAL.—Staff designated by the Director shall have the authority to implement servicer remedies, on a case-by-case basis, subject to the approval of the Assistant Secretary of the Treasury for Financial Stability.

(2) RESOLUTION OF HOMEOWNER CONCERNS.—The Office shall, to the extent possible, resolve all homeowner concerns not later than 30 days after the opening of a case with such homeowner.

(c) COMMENCEMENT OF OPERATIONS.—The Office shall commence its operations, as required by this subtitle, not later than 3 months after the date of enactment of this Act.

(d) SUNSET.—The Office shall cease operations as of the date on which the Home Affordable Modification Program ceases to operate.

SEC. __03. RELATIONSHIP WITH EXISTING ENTITIES.

(a) TRANSFER.—The Office shall coordinate and centralize all complaint escalations relating to the Home Affordable Modification Program.

(b) HOTLINE.—The HOPE hotline (or any successor triage hotline) shall reroute all complaints relating to the Home Affordable Modification Program to the Office.

(c) COORDINATION.—The Office shall coordinate with the compliance office of the Office of Financial Stability of the Department of the Treasury and the Homeownership Preservation Office of the Department of the Treasury.

SEC. __04. RULE OF CONSTRUCTION.

Nothing in this section shall prohibit a mortgage servicer from evaluating a homeowner for eligibility under the Home Affordable Foreclosure Alternatives Program while a case is still open with the Office of the Homeowner Advocate. Nothing in this section may be construed to relieve any loan services from otherwise applicable rules, directives, or similar guidance under the Home Affordable Modification Program relating to the continuation or completion of foreclosure proceedings.

SEC. __05. REPORTS TO CONGRESS.

(a) TESTIMONY.—The Director shall be available to testify before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, not less frequently than 4 times a year, or at any time at the request of the Chairs of either committee.

(b) REPORTS.—Once annually, the Director shall provide a detailed report to Congress on the Home Affordable Modification Program. Such report shall contain full and substantive analysis, in addition to statistical information, including, at a minimum—

(1) data and analysis of the types and volume of complaints received from homeowners, housing counselors, and housing lawyers, broken down by category of servicer, except that servicers may not be identified by name in the report;

(2) a summary of not fewer than 20 of the most serious problems encountered by Home Affordable Modification Program participants, including a description of the nature of such problems;

(3) to the extent known, identification of the 10 most litigated issues for Home Affordable Modification Program participants, including recommendations for mitigating such disputes;

(4) data and analysis on the resolutions of the complaints received from homeowners, housing counselors, and housing lawyers;

(5) identification of any programs or initiatives that the Office has taken to improve the Home Affordable Modification Program;

(6) recommendations for such administrative and legislative action as may be appropriate to resolve problems encountered by Home Affordable Modification Program participants; and

(7) such other information as the Director may deem advisable.

SEC. __06. FUNDING.

Amounts made available for the costs of administration of the Home Affordable Modification Program that are not otherwise obligated shall be available to carry out the duties of the Office. Funding shall be maintained at levels adequate to reasonably carry out the functions of the Office.

SEC. __07. PROHIBITION ON PARTICIPATION IN MAKING HOME AFFORDABLE FOR BORROWERS WHO STRATEGICALLY DEFAULT.

No mortgage may be modified under the Making Home Affordable Program, or with any funds from the Troubled Asset Relief Program, unless the servicer of the mortgage loan has determined, in accordance with standards and requirements established by the Secretary of the Treasury, that the mortgagor cannot afford to make payments under the terms of the existing mortgage loan. The Secretary of the Treasury, in consultation with the Secretary of Housing and Urban Development, shall issue rules to carry out this section not later than 90 days after the date of enactment of this Act.

SEC. __08. PUBLIC AVAILABILITY OF INFORMATION.

(a) PUBLIC AVAILABILITY OF DATA.—The Secretary of the Treasury shall revise the guidelines for the Home Affordable Modification Program of the Making Home Affordable initiative of the Secretary of the Treasury, authorized under the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), to establish that the data collected by the Secretary of the Treasury from each mortgage servicer and lender participating in the Program is made public in accordance with subsection (2).

(b) CONTENT.—Not more than 60 days after each monthly deadline for submission of data by mortgage servicers and lender participating in the program, the Treasury shall make all data tables available to the public at the individual record level. This data shall include but not be limited to—

(1) higher risk loans, including loans made in connection with any program to provide expanded loan approvals, shall be reported separately;

(2) disclose—

(A) the rate or pace at which such mortgages are becoming seriously delinquent;

(B) whether such rate or pace is increasing or decreasing;

(C) if there are certain subsets within the loans covered by this section that have greater or lesser rates or paces of delinquency; and

(D) if such subsets exist, the characteristics of such subset of mortgages;

(3) with respect to the loss mitigation efforts of the loan—

(A) the processes and practices that the reporter has in effect to minimize losses on mortgages covered by this section; and

(B) the manner and methods by which such processes and practices are being monitored for effectiveness;

(4) disclose, with respect to loans that are or become 60 or more days past due, (provided that for purposes of disclosure under this paragraph that each loan should have a unique number that is not the same as any loan number the borrower, originator, or servicer uses), the following attributes—

(A) the original loan amount;

(B) the current loan amount;

(C) the loan-to-value ratio and combined loan-to-value ratio, both at origination and currently, and the number of liens on the property;

(D) the property valuation at the time of origination of the loan, and all subsequent property valuations and the date of each valuation;

(E) each relevant credit score of each borrower obtained at any time in connection with the loan, with the date of the credit score, to the extent allowed by existing law;

(F) whether the loan has any mortgage or other credit insurance or guarantee;

(G) the current interest rate on such loan;

(H) any rate caps and floors if the loan is an adjustable rate mortgage loan;

(I) the adjustable rate mortgage index or indices for such loan;

(J) whether the loan is currently past due, and if so how many days such loan is past due;

(K) the total number of days the loan has been past due at any time;

(L) whether the loan is subject to a balloon payment;

(M) the date of each modification of the loan;

(N) whether any amounts of loan principal has been deferred or written off, and if so, the date and amount of each deferral and the date and amount of each writedown;

(O) whether the interest rate was changed from a rate that could adjust to a fixed rate, and if so, the period of time for which the rate will be fixed;

(P) the amount by which the interest rate on the loan was reduced, and for what period of time it was reduced;

(Q) if the interest rate was reduced or fixed for a period of time less than the remaining loan term, on what dates, and to what rates, could the rate potentially increase in the future;

(R) whether the loan term was modified, and if so, whether it was extended or shortened, and by what amount of time;

(S) whether the loan is in the process of foreclosure or similar procedure, whether judicial or otherwise; and

(T) whether a foreclosure or similar procedure, whether judicial or otherwise, has been completed.

(c) GUIDELINES AND REGULATIONS.—The Secretary of the Treasury shall establish guidelines and regulations necessary—

(1) to ensure that the privacy of individual consumers is appropriately protected in the reports under this section;

(2) to make the data reported under this subsection available on a public website with no cost to access the data, in a consistent format;

(3) to update the data no less frequently than monthly;

(4) to establish procedures for disclosing such data to the public on a public website with no cost to access the data; and

(5) to allow the Secretary to make such deletions as the Secretary may determine to be appropriate to protect any privacy interest of any loan modification applicant, including the deletion or alteration of the applicant's name and identification number.

(d) EXCEPTION.—No data shall have to be disclosed if it voids or violates existing contracts between the Secretary of Treasury and mortgage servicers as part of the Making Home Affordable Program.

Mr. BEGICH. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, this country has a $13 trillion national debt and a record-breaking deficit, and it is time we began to address that issue.

This country has the potential now to transform our energy system away from fossil fuel, away from offshore drilling into energy efficiency and sustainable energy, and when we do that, we create millions of good-paying jobs over a period of years. That is what this amendment does.

Over the last decade, the five largest oil companies in America—ExxonMobil, Chevron, ConocoPhillips, BP, and Shell—made over $750 billion in profits. These profitable companies do not deserve to continue to have major tax breaks that in some cases not only prevent them from paying anything in taxes but enable them to get huge tax refunds from the IRS.

What the Sanders-Menendez-Whitehouse-Wyden-Lautenberg amendment would do is eliminate three major loopholes. It would bring $35 billion into our coffers over a 10-year period. It would use $25 billion of those $35 billion for deficit reduction. It would use $10 billion to fund energy conservation and sustainable energy and in the process create over 100,000 new jobs over a period of years.

It may make sense to somebody, but it does not make sense to me that we have a company such as ExxonMobil, which has been the most profitable company in the history of the world, making huge profits and last year not only paying nothing in taxes but getting a refund from the Treasury of $156 million. Let me repeat that. ExxonMobil, the most profitable corporation in the history of the world—year after year, huge profits—last year not only paid nothing in taxes but received a $156 million check from the taxpayers of this country to help them. That is absurd.

ExxonMobil is not the only company to enjoy that kind of outrageous tax treatment. Chevron received a $19 million tax refund; Valero Energy, a $157 million refund; and ConocoPhillips received over $450 million in tax breaks from the oil and gas manufacturing deduction over the past 3 years.

I am going to yield the floor in a moment because I want to refute some of what my friend from Oklahoma will be saying.

Here is what the bottom line is. The bottom line is we have a huge deficit and huge tax breaks for profitable corporations. We have the opportunity now to do what President Obama put into his 2011 budget and eliminate those tax breaks, bring $35 billion more into the Treasury—$25 billion for deficit reduction and $10 billion to create over 100,000 new jobs as we make our country more energy efficient and we move to sustainable energy.

With that, I yield the remainder of my time.

Mr. INHOFE. The Senator is yielding the remainder of is time?

Mr. SANDERS. I reserve the remainder of my time. I reserve the remainder of my time.

Mr. INHOFE. I thank my friend from Vermont. I know my friend from Vermont would not intentionally say something that is not true. Sometimes he does not have and sometimes I do not have the actual facts, so inadvertently we might misrepresent.

Let me just say as far as Exxon is concerned that from 2004 to 2008, they paid more than $18 billion in U.S. Federal income taxes, and that is just some of the taxes they pay.

I have to say this, though. The whole discussion on this—the Sanders bill would effectively put the small and the marginal producers in America out of business. Before I go into that in any detail, let me just share this. It is interesting, when I listen to liberals talk about doing away with drilling, with oil and gas and coal and nuclear—if you do that, you cannot run this machine called America. Every time they talk about doing something to stop production, as they are doing right now in the gulf—a lot of these people are using and exploiting the tragedy in the gulf to try to retard or stop all production in America. Consequently, this is something where we would be in a position where we would be so rationed in oil and gas that we would have to be more dependent on many of these countries on which we do not want to be dependent.

We did a study. I think this would surprise the Chair. If we didn't have any political restrictions on what we could do in North America, we could completely eliminate our reliance upon the Middle East for any gas or oil within 4 years. That is pretty shocking. Our problem is not that we do not have enough oil and gas. We have more reserves than any other country. A CRS report came out with that just the other day.

What I want to do is give my honorable friend a chance to respond to my statement, and then I will reserve the remainder of my time to discuss in a little more detail how this affects the very small, marginal operators in America.

Mr. SANDERS. I will take just a few minutes now.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I will reserve the remainder of my time. But let me say this to my friend from Oklahoma, who I know is an honest guy. We disagree. We have differences of opinion. It was not my suggestion that ExxonMobil did not pay taxes over those years. That was not my suggestion. But let me say this. He mentioned that they do pay taxes, which is true. But let's understand that ExxonMobil was the most profitable corporation in the history of the world from 2006 through 2008, making $40 billion in profits in 2006, $41 billion in 2007, and $45 billion in 2008. In the midst of a recession, my understanding is they made $19 billion in profits last year.

Would my friend from Oklahoma deny that despite making these huge profits last year, $19 billion, they received—they paid zero in 2009 and in fact received a $156 million refund from the taxpayers of this country? I hope my friend from Oklahoma would comment on whether that is good public policy.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I would say first of all, whether that is good policy—I think you have to have the accurate input before you make a policy determination. The oil and gas industry is very complicated. In order for them to go out and risk their capital, they have to plow this money back in. Frankly, most of it is plowed back into exploration.

What I wanted to get across, which I think is important, is that the Sanders

amendment repeals three things—first of all, expensing for intangible drilling costs; that is IDC. It repeals percentage depletion for marginal oil and gas wells. It repeals the manufacturing deduction for oil and gas.

I predicted a long time ago, when the gulf spill took place, that people were going to try to parlay this into something to punish oil and gas. This is what they have been trying to do for a long time. It could very well be that tonight, when the President makes his big speech, he is going to talk about, now we are going to have to look at cap and trade, as if there is some relationship between what happened in the gulf and cap and trade.

Repealing expensing of intangible drilling costs eliminates the ability to expense intangible drilling and development costs, which would force at least a 25- to 30-percent reduction in drilling budgets, leading to lost jobs, lost production, and higher prices to consumers. On the floor of the Senate yesterday, I spent some time talking about how many jobs actually would be lost in the State of Louisiana. But the IDC is an expensing-out item that has been in our Tax Code since 1913. It really only applies to the smaller operators, so they are the ones who are singled out for oil and gas production.

Likewise, since 1926 small producers and millions of royalty owners have had the option to utilize percentage depletion to both simplify and account for the decline in the value of minerals from a property. As you know, they do deplete as you produce minerals.

Who is going to pay the most for this? I will share with you who pays for this, but right now I will yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Let me say to my friend from Oklahoma, who talked about the oil companies plowing their money back into new wells, that the big five oil companies spent $270 billion over the past decade buying back their own stock—about $100 billion more than they spent on oil exploration.

My friend from Oklahoma talks about jobs. That is obviously an important issue. I would concede there may be some job loss here, but it is matched by an investment in sustainable energy that will create far more employment than the relatively small number of jobs that might be lost.

I would mention Dr. Krueger, the Chief Economist at the Treasury Department. He has estimated that repealing these tax breaks would lead to a decline in employment in oil and gas production of less than one-half of 1 percent at most. That translates into the potential loss of 1,650 jobs in the oil and gas industry. I do not mean to minimize that. One job lost is one job too many. But on the other hand, in this bill we put $10 billion into the Energy Efficiency and Conservation Block Grant Program, where the estimate is we can create 140,000 jobs over the same period of time. On one hand, we might lose 1,600 jobs; on the other hand, we gain 140,000 jobs.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Let me mention one thing I want to make sure I get in here before we run out of time. We went through this class warfare once back in 1980. We had Jimmy Carter as President of the United States. He had the windfall profits tax. I am sure my friend from Vermont remembers that at that time. I remember it well. That is when they were going to have a windfall profits tax on the oil and gas industry. The results of that:

> The WPT reduced domestic production between 3 and 6 percent and increased oil imports from 8 to 16 percent. . . . This made the United States more dependent upon imported oil.

That is the Congressional Research Service, which is nonpartisan.

That is a major issue here in terms of our dependence on other countries for our ability to run this machine called America.

Let's get back to the percentage depletion. The percentage depletion is particularly important for the production of America's over 600,000 low-volume marginal wells. The average marginal well produces 2 barrels a day.

Let me tell you what that is so my colleagues, when they get ready to vote, will really understand whom they are affecting. A marginal well is a well producing under 15 barrels per day. The average is 2 barrels a day. My friend is talking about all these big giants. I am not nearly as concerned about the big five and the majors as I am about my marginal operators in my State of Oklahoma. With an average of 2 barrels a day, the marginal producers actually account for 28 percent of all domestic production in the lower 48 States—28 percent. These are all small people.

If you are concerned also about whom you are affecting by this legislation, look at the royalty owners. There are literally millions of royalty owners. They have maybe a small piece of property, maybe their homestead. They are the ones who would be denied the use of their land. By putting the small ones out of business, they are the ones you are damaging.

I will reserve the remainder of my time.

Mr. SANDERS. Mr. President, how much time does Senator INHOFE have?

The PRESIDING OFFICER. The Senator from Oklahoma has 1½ minutes and the Senator from Vermont 3 minutes.

Mr. SANDERS. I have 3 minutes?

The PRESIDING OFFICER. Yes.

Mr. SANDERS. Mr. President, what we are talking about now is beginning to address the deficit issue in a significant way, and $25 billion over a 10-year period is a good start. I think we cannot continue to have people coming down to the floor of the Senate and saying: Think about the legacy we are leaving our children and grandchildren. And then when it really comes to the point of doing something, of saying to ExxonMobil, which made $19 billion in profit last year and got a $156 million refund from the IRS, you can't have it both ways, this is a time to stand up and do the right thing. Again, it is not just ExxonMobil. It is Chevron, which received a $19 million refund from the IRS. It is Valero Energy, the 25th largest company in America with $68 billion of sales last year and received a $157 million refund check.

What we have the opportunity to do now is to, in fact, address the deficit crisis—$25 billion over a 10-year period; create over 100,000 new jobs over that period as we move into energy efficiency and sustainable energy.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Let me correct this again. I had already stated that the statement my good friend from Vermont made was a false statement, inadvertently, in terms of Exxon and what they had paid. I commented that they paid more than $18 billion in the years between 2004 and 2008. He returned and said in 2009 is when they have not paid any. They have already paid $½ billion in 2009 in U.S. Federal income tax, and they will not know the final liability until they file a return later this year. So they are still doing it. The information that my good friend has is false.

Getting back to the bill and who this affects, it doesn't affect Exxon, BP, and all these giant companies. It is the small producers that will be driven out of business. Without being able to do the deduction of the expenses on manufacturing, if this bill passes, this is going to single out the oil and gas industry, the only industry that does not enjoy the same deductions. They are punitive to this industry because right now it is quite obvious they are trying to exploit the tragedy in the gulf.

It is my understanding I have a minute and a half remaining.

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

Mr. INHOFE. I am timing it. It can't be expired.

The PRESIDING OFFICER. The Senator had a minute and a half when he started this segment.

Mr. INHOFE. Since my colleague has the last say, may I have 30 seconds to finish? I was going to respond to the comment about the deficit. We ought to be concerned. I am concerned about the deficit. What is interesting about this debate, I am ranked by the National Journal as the most conservative Member of the Senate. I suggest my proud liberal friend from Vermont is probably on the other end of the spectrum.

If we look at who is responsible for deficit spending, I think Members will find he would be more responsible than

I would. I thank the Senator for the additional 30 seconds.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I am not a liberal but a progressive. Sometime we will talk about the difference.

Mr. President, I did not vote for the $3 trillion war in Iraq. I did not vote for the hundreds of billions of dollars in tax breaks. I did not vote for the Medicare Part D Program which drove up the deficit altogether as a matter of fact. I suspect my friend may have voted the other way on all of those issues which were not paid for.

In terms of ExxonMobil, let's be clear. I don't know what ExxonMobil told my colleague, but I ask unanimous consent to have printed in the RECORD what ExxonMobil told the Securities and Exchange Commission, the SEC. What is reported by the SEC for 2009 is they received a $156 million refund. That is the SEC.

I ask unanimous consent to have this printed in the RECORD.

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

UNITED STATES SECURITIES AND EXCHANGE COMMISSION

FORM 10–K—ANNUAL REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS—18. INCOME, SALES-BASED AND OTHER TAXES

[Millions of dollars]

	2009			2008			2007		
	U.S.	Non-U.S.	Total	U.S.	Non-U.S.	Total	U.S.	Non-U.S.	Total
Income taxes:									
Federal and non-U.S.:									
Current	$ (838)	$15,830	$14,992	$3,005	$31,377	$34,382	$4,666	$24,329	$28,955
Deferred—net	650	(665)	(15)	168	1,289	1,457	(439)	415	(24)
U.S. tax on non-U.S. operations	32	.....	32	230	.....	230	263	.....	263
Total federal and non-U.S.	(156)	15,165	15,009	3,403	32,666	36,069	4,490	24,744	29,234
State	110	.....	110	461	.....	461	630	.....	630
Total income taxes	(46)	15,165	15,119	3,864	32,666	36,530	5,120	24,744	29,864
Sales-based taxes	6,271	19,665	25,936	6,646	27,862	34,508	7,154	24,574	31,728
All other taxes and duties:									
Other taxes and duties	581	34,238	34,819	1,663	40,056	41,719	1,008	39,945	40,953
Included in production and manufacturing expenses	699	1,318	2,017	915	1,720	2,635	825	1,445	2,270
Included in SG&A expenses	197	538	735	209	660	869	215	653	868
Total other taxes and duties	1,477	36,094	37,571	2,787	42,436	45,223	2,048	42,043	44,091
Total	$7,702	$70,924	$78,626	$13,297	$102,964	$116,261	$14,322	$91,361	$105,683

All other taxes and duties include taxes reported in production and manufacturing and selling, general and administrative (SG&A) expenses. The above provisions for deferred income taxes include net credits for the effect of changes in tax laws and rates of $9 million in 2009, $300 million in 2008 and $258 million in 2007.

Mr. INHOFE. Will the Senator yield for a question?

Mr. SANDERS. Allow me to finish my remarks. This is where we are. Where we are right now is a moment at which we either go forward or not, be serious or not. We hear day after day concerns about the deficit. What we know is the oil industry, year after year, has been enormously profitable. We know in 2009 a number of oil companies, including ExxonMobil, did not pay any taxes. Let's do something about it. Let's pass this amendment.

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

The Senator from Louisiana.

AMENDMENT NO. 4312

Mr. VITTER. Mr. President, I stand in strong support of my amendment No. 4312. I urge all colleagues, Democrats and Republicans, to come together to pass this commonsense amendment.

What is this amendment about? It is about something that is of great concern to me, representing the State of Louisiana. It is about the Oil Spill Liability Trust Fund. It is about the ongoing crisis in the gulf. I am afraid what it is about is an example of that now famous quote of the White House Chief of Staff, Rahm Emanuel, who, around February 2009, said: We are not going to let a good crisis go to waste. He was talking about the financial crisis. I am afraid that same attitude, that same politicization of real crises is going on with the ongoing oil disaster in the gulf.

This is a real crisis, an ongoing crisis, an ongoing disaster. The flow continues. It is so significant—even subtracting out the amount of oil BP is capturing, it is so significant that it is like a whole new major oilspill each and every day. It goes on and on and on.

What is the provision in this bill in relation to that crisis? In this bill there is a dramatic increase in the tax to fund the Oil Spill Liability Trust Fund from 8 cents per barrel to 41 cents, over a fivefold increase. If that were going into that liability trust fund, and if it were staying there for oil cleanup, we could come together and probably support that effort in a bipartisan way. But instead, what has happened?

As soon as all of that new revenue goes into the trust fund, $15 billion over 10 years, it is stolen. It is spent on unrelated spending. It isn't a true trust fund. It is spent on other government deficit spending. It is used essentially to hide deficit spending elsewhere. It is double counting, what I call Enron accounting. If a private company were doing this and putting this in their prospectus, putting this in their SEC reports, they would be prosecuted for criminal fraud.

My amendment is simple. It says two things: Anything that goes into the Oil Spill Liability Trust Fund can only be used to clean up oilspills. Pretty basic, pretty simple. Secondly, it cannot be double counted, used as an offset for other unrelated government deficit spending. That is pretty simple. I think it is a minimum requirement we should ask in the midst of this ongoing crisis in the gulf.

Again, are we going to treat that as a real crisis and address the challenge that is there or are we going to use and abuse that crisis in Washington to advance preexisting agendas such as big government spending, additional deficit, trying to mask and hide those? I suggest the only responsible thing to do is to treat the crisis for what it is, to respect the people of the gulf and to pass this Vitter amendment that says, No. 1, money into that trust fund can only be used to clean up oilspills; and, No. 2, it cannot be double counted to mask other deficit spending.

I reserve the remainder of my time.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from Minnesota.

AMENDMENT NO. 4311

Mr. FRANKEN. Mr. President, I rise to tell a very important story. Some of my colleagues have heard me talk previously about a woman named Tecora, a homeowner from south Minneapolis who is at risk of losing her home. Back in 2005, Tecora was looking for a mortgage and said she asked her bank for a conventional mortgage with fixed payments. Presented with a series of options, she unsurprisingly chose the cheapest one. Yet the simple option got her an exotic mortgage called an option ARM or an adjustable rate mortgage. Now her monthly payments have doubled over time and Tecora now owes $317,000 on a $288,000 loan.

During the housing bust and paying double what she was initially paying on her mortgage, Tecora started having trouble with her payments. Hoping to save her home, Tecora entered President Obama's HAMP program which is intended for people who want to avoid foreclosure.

One day, however, her mortgage servicer informed her that her file was closed because she ''voluntarily left the HAMP program.'' Here is the problem. She didn't. She never did. Tecora never asked that her file be closed. She never tried to leave the program. Now every

day she worries anew about losing her home simply because her servicer made a mistake. Tecora worked hard her whole life, but now she looks to the future in fear.

''I'm squeaking by,'' she told the Minneapolis Star Tribune, ''by the plaque on my teeth.''

As USA TODAY reported in March, these kinds of problems happen all too frequently. In an article entitled ''Homes Can Be Lost by Mistake When Banks Miscommunicate''—a headline that says exactly what it sounds like: homes can be lost by mistake when banks miscommunicate—the author detailed a pattern of bank errors within HAMP that have led to people losing their homes or almost losing their homes. It should not have to be this way. That is why I have offered an amendment with Senators SNOWE and MURRAY, amendment No. 4311, to create an Office of the Homeowner Advocate for people who are struggling with problems in the HAMP program.

This amendment is currently pending to the tax extenders bill. The tax extenders bill aims to help people who are suffering during this economic crisis. It includes extensions of unemployment insurance for people who have lost their job during the recession. It promotes American jobs by continuing the small business lending program which has helped create or retain over 650,000 jobs since its creation. It includes money for the national housing trust fund which will create jobs and help ensure people have affordable places to live.

Our Office of the Homeowner Advocate would continue this effort to provide a safety net to people who are struggling economically. In particular, it would help one of the groups of people who have suffered the most during the recession—homeowners. Our Office of the Homeowner Advocate is modeled after the very successful Office of the Taxpayer Advocate at the IRS. It would ensure that homeowners participating in the HAMP program know that someone is on their side, someone with the authority to actually fix the mistakes created by mortgage servicers participating in HAMP. When homeowners call this office with concerns, the office has two important powers. First, it can make sure servicers actually obey the rules of the program or suffer the consequences. Second, it ensures that the bank would not be able to sell people's homes right away, giving the homeowner advocate time to actually solve the problem. The office is temporary, lasting only as long as HAMP does. But while it lasts, it ensures that homeowners would not be losing their homes because of simple errors.

This amendment is supported by the Treasury Department. When we first filed the amendment to the Wall Street reform bill, the White House declared it one of the top 10 amendments that would improve the Wall Street reform bill. Unfortunately, the amendment didn't receive a vote. So we are bringing it to the Senate once again to ensure that homeowners in all of our States have the protections they need.

The amendment is supported by consumer groups from around the country, ranging from Americans for Financial Reform to Consumers Union, SEIU, and the National Council of La Raza. It is also supported by the superintendent of the New York State banking system, who calls it a big step forward for homeowners.

Significantly, Congress will not have to authorize any additional appropriations for this amendment. Let me say that again: Congress will not have to authorize any additional appropriations for this amendment. The office would be funded entirely by existing HAMP administrative funds. I am going to say it again. We will be helping homeowners without authorizing any new money at all—nothing, zero, zip.

I was pleased to work with Senator VITTER, who just spoke, to make this amendment even stronger by ensuring that no homeowner can game the system and still participate in HAMP, and also by increasing the transparency of the program. These two changes are incorporated in this modification to our amendment, which also incorporates some changes suggested by Senator SHELBY to ensure that the Homeowner Advocate process does not overly delay appropriate foreclosures.

I hope my colleagues see that the Homeowner Advocate is an easy way to help homeowners in all our hometowns—in Minnesota, in Arkansas, all over this country—get the protections they need to keep their homes. Let's adopt this amendment and stand up for homeowners everywhere in this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Montana.

AMENDMENT NO. 4312

Mr. BAUCUS. Mr. President, I wish to speak in opposition to the Vitter amendment.

The Senator from Louisiana is essentially offering an amendment which has the effect of preventing the oilspill liability tax from going into effect. This is a head-scratching amendment. Why in the world would any Senator suggest there be no increase in the oilspill liability tax?

Right now, beginning in about—let's see, what year was it?—1990, Congress, in the wake of the *Exxon Valdez* oilspill, enacted an Oil Spill Liability Trust Fund and oilspill liability tax, obviously, to pay for potential or future oilspills. The tax was set at 5 cents a barrel. In the 20 years since that time, the tax has been increased just 3 cents to 8 cents a barrel. At the same time, the price of oil has increased, since 1990, from the neighborhood of $20 a barrel to $72 a barrel today. Within the last 2 years, oil has been as high as $147 a barrel.

So with the increased evidence of the damage oilspills can create, and with the increased price of oil, we thought it was an appropriate time to raise the oilspill liability tax on oil companies to help pay for future spills. That is why we are doing this. In this bill, we propose to raise that tax to 41 cents a barrel. That is a very modest increase, where today oil in the market is roughly $72 a barrel.

You hear this argument—it is not even an argument. It is like Alice in Wonderland stuff. I do not know where this stuff comes from. It is Alice in Wonderland stuff, that somehow we should not do this because it is double counting or something like that. The money that is raised from the oilspill liability tax goes to the Oil Spill Liability Trust Find. And our Federal Government has a cash flow system of accounting, so by definition we will start to lower the budget deficit. That is not double counting. That is just the way it works.

It sounds as though the Senator from Louisiana either does not want to lower the budget deficit or he does not want to increase the tax on oil companies from 8 cents a barrel, which is so small. The fact is, what he is doing is saying this: He is saying that the Budget Office, for budget purposes, cannot count the oilspill liability tax to reduce the budget deficit. So, in effect, what he is saying is, there is no oilspill liability tax. What he is saying is the taxpayers should pay for the cleanup, not the oil companies. That is basically what he is saying. He is basically saying—by putting the kibosh on the Oil Spill Liability Trust Fund and the revenue coming from it—that he wants to protect the oil companies, protect the oil companies from any increase in the taxes from 8 cents a barrel up to 41 cents a barrel and, rather, have the taxpayers pay for the cleanup, not the oil companies that would pay the increase in the oilspill liability tax but the taxpayers.

I do not think that is what the vast majority of Americans wish to see. I think that is over the top and I, therefore, urge my colleagues to roundly defeat the amendment from the Senator from Louisiana who, in effect, does not want the oilspill liability tax increased and, in effect, is saying, taxpayers, pay for the cleanup, not the oil companies.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Louisiana.

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

The PRESIDING OFFICER. The Senator has 5 minutes 43 seconds—all on this amendment.

Mr. VITTER. Mr. President, it is a little difficult to know where to start, since my good friend and colleague has said so many things that are flat out wrong.

No. 1, my amendment does not prevent the tax increase. That is absolutely and perfectly clear. Let me say

it again. My amendment does not block and does not prevent the tax increase.

No. 2, my amendment does do two things. It says that any money in the Oil Spill Liability Trust Fund can only be used for oilspill cleanup and, secondly, that it cannot be used to offset other spending. That is exactly what is going on in this bill.

My colleague knows that the $15 billion created by this tax increase is used as an offset in this bill. It masks spending in this bill of $15 billion. If it were not for that money, the ''score'' of this bill would be $15 billion higher. It would go from $79 billion to $94 billion.

What I am saying is simple. We should not be grabbing, stealing that oilspill liability money to mask other spending, to double count it, to essentially steal it from the trust fund.

Again, my amendment does not prohibit the tax increase. By the way, if my colleague thinks the oil companies are paying that tax, not the consumer, I do not think he understands how the world works. But my amendment does not block that tax increase. It simply says money in the Oil Spill Liability Trust Fund has to be used for oilspill cleanup, and it cannot be used as an offset, cannot be double counted for other spending, as it is clearly in this bill.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. VITTER. Mr. President, if everyone else is amenable, I am prepared to yield back—if everyone else is yielding back.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I believe there is a Senator who might want to speak on this amendment. We are tracking him down right now. So I suggest we do not yield back the remainder of our time.

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

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

Mr. VITTER. Mr. President, I want to ensure that the quorum call does not run down my time.

The PRESIDING OFFICER. The Senator would like the time divided evenly?

Mr. VITTER. Yes, that would be my request, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered, on this amendment.

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

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

Mr. VITTER. Mr. President, I ask unanimous consent that all time on all amendments be yielded back. I believe that is amenable to everyone.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

VOTE ON AMENDMENT NO. 4318

Mr. VITTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the Sanders amendment No. 4318.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) and the Senator from South Dakota (Mr. JOHNSON) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Florida (Mr. LEMIEUX) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER (Mrs. HAGAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 35, nays 61, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—35

Boxer	Harkin	Nelson (FL)
Brown (OH)	Kaufman	Reed
Burris	Klobuchar	Reid
Cantwell	Kohl	Rockefeller
Cardin	Lautenberg	Sanders
Carper	Leahy	Schumer
Casey	Levin	Shaheen
Durbin	McCaskill	Specter
Feingold	Menendez	Stabenow
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murray	

NAYS—61

Akaka	Crapo	Lugar
Alexander	DeMint	McCain
Barrasso	Dodd	McConnell
Baucus	Dorgan	Murkowski
Bayh	Ensign	Nelson (NE)
Begich	Enzi	Pryor
Bennet	Graham	Risch
Bennett	Grassley	Sessions
Bingaman	Gregg	Shelby
Bond	Hagan	Snowe
Brown (MA)	Hatch	Tester
Brownback	Hutchison	Thune
Bunning	Inhofe	Udall (CO)
Burr	Inouye	Udall (NM)
Chambliss	Isakson	Vitter
Coburn	Johanns	Voinovich
Cochran	Kerry	Warner
Collins	Kyl	Webb
Conrad	Landrieu	Wicker
Corker	Lieberman	
Cornyn	Lincoln	

NOT VOTING—4

Byrd	LeMieux
Johnson	Roberts

The PRESIDING OFFICER. On this vote, the yeas are 35, the nays are 61. Under the previous order, requiring 60 votes for the adoption of this amendment, the amendment is withdrawn.

Mr. SPECTER. Madam President, I voted for the Sanders amendment on tax incentives for oil and natural gas production to H.R. 4213, the Tax Extenders Act.

Pennsylvania is in the midst of a historic boom in natural gas production from the Marcellus Shale formation. This industry is on track to create hundreds of thousands of jobs in the Commonwealth, and billions of dollars in revenue, both of which are badly needed in my home State. But the development of one natural resource must proceed with the utmost care for two others: water and land. I know that the natural gas industry desires to maintain the tax incentives which would be removed by the Sanders amendment. President Obama has also proposed removing these tax incentives in his fiscal year 2011 budget proposal. However, I cannot support further incentives for natural gas until that industry agrees to full public disclosure of the chemical composition of its hydraulic fracturing fluids, which are used to break apart the shale deep underground and initiate the gas flow. There is placeholder language to this effect in the discussion draft of the Kerry-Lieberman American Power Act, and I hope that natural gas companies large and small will support these provisions as the bill, or another energy bill, moves forward into law. There are many issues that the natural gas industry must cooperate with the Commonwealth of Pennsylvania on, including hydraulic fracturing disclosure, wastewater recycling, responsible well development, and a severance tax. My support for incentives for natural gas will remain contingent on that industry demonstrating its commitment to developing the Marcellus Shale in a manner that all Pennsylvanians will look back on, generations from now, with pride.

Mr. GRASSLEY. Madam President, I opposed the amendment of my friend from Vermont. Although I understand his frustration and his intentions, I could not agree with the effects of the amendment. Over the years, as chairman and ranking member of the Finance Committee, I have supported policy reforms in taxation of oil and gas income. Many times, the major oil firms have registered their objections. Also, in the area of corporate taxation, I pushed hard to curtail a practice that oil firms used to erode the U.S. tax base. That practice, known as corporate inversions, was curtailed in the 2004 FSC-ETI legislation.

I re-doubled my efforts to make the reform applicable to four oil service firms but was rebuffed by the House of Representatives' leadership in the years 2004–2007.

Chairman BAUCUS and I have been careful to not impair tax incentives for independent, smaller producer oil and gas production. We have differentiated the availability of these incentives for smaller producers and made clear that major oil and gas producers did not receive many of these incentives.

The amendment of my friend from Vermont blurs that line and would adversely affect domestic production. We need to ensure an adequate supply of domestic oil and gas to keep the price at the pump down. Together with incentives for alternative fuels, line ethanol and biodiesel, and conservation, these small producer incentives with hopefully reduce our reliance on imported oil. Chairman BAUCUS joins me in this view.

For these reasons, I opposed the amendment of my friend from Vermont.

Mr. CONRAD. Madam President, section 302(a) of S. Con. Res. 13, the 2010 budget resolution, permits the chairman of the Senate Budget Committee to adjust the allocations of a committee or committees, aggregates, and other appropriate levels and limits in the resolution for legislation that invests in clean energy and preserves the environment, including legislation that encourages conservation and efficiency. This adjustment to S. Con. Res. 13 is contingent on the legislation not increasing the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

I find that Senate amendment No. 4318, an amendment offered by Senator SANDERS to Senate amendment No. 4301, an amendment in the nature of a substitute to H.R. 4213, fulfills the conditions of the deficit-neutral reserve fund to invest in clean energy and preserve the environment. Therefore, pursuant to section 302(a), I am adjusting the aggregates in the 2010 budget resolution, as well as the allocation to the Senate Finance Committee.

I ask unanimous consent that the following revisions to S. Con. Res. 13 be printed in the RECORD.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 302(a) DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2009	1,532.579
FY 2010	1,612.278
FY 2011	1,942.056
FY 2012	2,146.937
FY 2013	2,329.824
FY 2014	2,579.743
(1)(B) Change in Federal Revenues:	
FY 2009	0.008
FY 2010	−53.708
FY 2011	−146.575
FY 2012	−213.456
FY 2013	−185.513
FY 2014	−53.915
(2) New Budget Authority:	
FY 2009	3,675.736
FY 2010	2,907.837
FY 2011	2,860.866
FY 2012	2,833.668
FY 2013	2,993.128
FY 2014	3,206.977
(3) Budget Outlays:	
FY 2009	3,358.952
FY 2010	3,015.541
FY 2011	2,976.851
FY 2012	2,879.495
FY 2013	2,993.782
FY 2014	3,183.027

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 302(a) DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT

[In millions of dollars]

Current Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY2009 Outlays	1,166,970
FY 2010 Budget Authority	1,247,336
FY 2010 Outlays	1,241,472
FY 2010–2014 Budget Authority	6,865,787
FY 2010–2014 Outlays	6,840,905
Adjustments:	
FY 2009 Budget Authority	0
FY 2009 Outlays	0
FY 2010 Budget Authority	0
FY 2010 Outlays	0
FY 2010–2014 Budget Authority	8,000
FY 2010–2014 Outlays	4,830
Revised Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY 2009 Outlays	1,166,970
FY 2010 Budget Authority	1,247,336
FY 2010 Outlays	1,241,472
FY 2010–2014 Budget Authority	6,873,787
FY 2010–2014 Outlays	6,845,735

AMENDMENT NO. 4312

The PRESIDING OFFICER. There is 2 minutes of debate, evenly divided, prior to a vote in relation to the Vitter amendment No. 4312. Who yields time?

The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, I don't see the proponent of the amendment on the Senate floor.

There he comes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Madam President, I urge support for the Vitter amendment. It does two very simple things: It says any money coming into the Oil Spill Liability Trust Fund can only be used to clean up oilspills. It also says the money cannot be used as an offset for unrelated spending, as it is in this bill. It cannot be used to mask other deficit spending or as an offset for unrelated spending.

The amendment specifically does not negate or block the tax increase of funds into the Oil Spill Liability Trust Fund.

I reserve the reminder of my time.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Madam President, this amendment is sheer sophistry. The effect of his amendment will say that not oil companies but the taxpayers will pay for cleanups.

The effect of this amendment would mean no increase in oilspill liability tax from 8 cents a barrel today up to 41 cents. If there is no increase in the spill liability tax, oil companies aren't going to pay for future cleanups, the taxpayers will. He has this—I said ''sophistry.'' So it is a sophistry kind of argument. It is fog and double counting and bead counting. That is not what is going on here.

The bottom line is this amendment has the effect of taxpayers paying for the cleanup, not the oil companies. This will effectively repeal the increase up to 41 cents per barrel. I urge Senators to not support this amendment.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, how much time remains?

The PRESIDING OFFICER. There is 21 seconds remaining.

Mr. VITTER. My good friend and colleague's argument is not sophistry, it is just statements that are not true. This amendment does not block the tax increase, period. It does not. It simply says the money has to be used to clean up oil spills, and it cannot be used as an offset for other spending. Please support this amendment.

The PRESIDING OFFICER. The time has expired on the amendment.

Mr. VITTER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN, I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Florida (Mr. LEMIEUX) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 48, nays 49, as follows:

[Rollcall Vote No. 188 Leg.]

YEAS—48

Alexander	Crapo	Lieberman
Barrasso	DeMint	Lugar
Begich	Dorgan	McCain
Bennett	Ensign	McConnell
Bond	Enzi	Merkley
Brown (MA)	Graham	Murkowski
Brownback	Grassley	Nelson (NE)
Bunning	Gregg	Nelson (FL)
Burr	Hagan	Risch
Chambliss	Hatch	Sessions
Coburn	Hutchison	Shelby
Cochran	Inhofe	Snowe
Collins	Isakson	Thune
Conrad	Johanns	Vitter
Corker	Kyl	Voinovich
Cornyn	Landrieu	Wicker

NAYS—49

Akaka	Gillibrand	Reed
Baucus	Harkin	Reid
Bayh	Inouye	Rockefeller
Bennet	Johnson	Sanders
Bingaman	Kaufman	Schumer
Boxer	Kerry	Shaheen
Brown (OH)	Klobuchar	Specter
Burris	Kohl	Stabenow
Cantwell	Lautenberg	Tester
Cardin	Leahy	Udall (CO)
Carper	Levin	Udall (NM)
Casey	Lincoln	Warner
Dodd	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Mikulski	Wyden
Feinstein	Murray	
Franken	Pryor	

NOT VOTING—3

Byrd	LeMieux	Roberts

The PRESIDING OFFICER. On this vote, the yeas are 48, the nays are 49. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is withdrawn.

VOTE EXPLANATION

Mr. SPECTER. Madam President, I voted against the Vitter amendment on the Oil Spill Liability Trust Fund to H.R. 4213, the Tax Extenders Act, because no matter what the size of the trust fund, the party responsible for an oil spill must pay all costs of its cleanup, and is also responsible for economic damages caused by the spill. This amendment will not reduce in any way the available resources for combating the spill in the gulf, or any other future spill. The moneys in the Oil Spill Liability Trust Fund may be used to advance cleanup costs but that does not relieve British Petroleum as the primarily liable party for paying the full costs of the gulf spill cleanup which will reimburse the trust fund for any funds expended.

AMENDMENT NO. 4311

The PRESIDING OFFICER. There will now be 2 minutes evenly divided prior to a vote in relation to the Franken amendment No. 4311.

Who yields time?

The Senator from Minnesota.

Mr. FRANKEN. Madam President, let me tell you about this amendment. It comes from me and Senator SNOWE, and it would create the Office of the Homeowner Advocate within HAMP. It is needed because people don't really have an advocate within HAMP. They get their questions answered from servicers who often make mistakes, and people have been losing their homes simply because of mistakes.

The White House called this one of the 10 best amendments for the Wall Street reform bill. It didn't get a vote then. It costs nothing. No new money. It costs absolutely nothing. Senator VITTER weighed in and made it better by having me put in something about people who can afford their mortgage can't participate in HAMP, and it removes language that would delay foreclosures.

I urge all my colleagues to vote—that was telling me I was out of time?

The PRESIDING OFFICER. Order in the Chamber.

Mr. FRANKEN. Oh, it was order in the Chamber.

In that case, I will also say that it will make data public. Also, Senator VITTER and Senator SHELBY weighed in on this and made it better. So it is safe for Members on both sides of the aisle to vote for this.

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

Mr. FRANKEN. Thank you.

The PRESIDING OFFICER. Who yields time in opposition.

Mr. SHELBY. I yield back time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from West Virginia (Mr. BYRD) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Florida (Mr. LEMIEUX) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER (Mr. UDALL of Colorado). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 63, nays 33, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—63

Akaka	Gillibrand	Murkowski
Baucus	Graham	Murray
Bayh	Grassley	Nelson (FL)
Begich	Hagan	Pryor
Bennet	Harkin	Reed
Bingaman	Inouye	Reid
Brown (MA)	Johnson	Rockefeller
Brown (OH)	Kaufman	Sanders
Burr	Kerry	Schumer
Burris	Klobuchar	Shaheen
Cantwell	Kohl	Snowe
Cardin	Landrieu	Specter
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Dodd	Lieberman	Udall (NM)
Dorgan	Lincoln	Vitter
Durbin	McCaskill	Warner
Feingold	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NAYS—33

Alexander	Cornyn	Kyl
Barrasso	Crapo	Lugar
Bennett	DeMint	McCain
Bond	Ensign	McConnell
Brownback	Enzi	Nelson (NE)
Bunning	Gregg	Risch
Chambliss	Hatch	Sessions
Coburn	Hutchison	Shelby
Cochran	Inhofe	Thune
Conrad	Isakson	Voinovich
Corker	Johanns	Wicker

NOT VOTING—4

Boxer	LeMieux
Byrd	Roberts

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 33. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak 9 minutes as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

NOMINATION OF ELENA KAGAN

Mr. GRASSLEY. Mr. President, I wish to address my colleagues about the upcoming judiciary hearing and the nomination of Solicitor Kagan to the Supreme Court. I have always been of the opinion that the Senate needs to conduct a comprehensive and careful review of Supreme Court nominees. It is important that the nominee be given a fair, respectful, and also deliberative process. This is a lifetime appointment to the highest Court in the land, so it is our duty to ensure that the Supreme Court of the United States candidate understands the proper role of the Supreme Court in our system of government, and would be true to the Constitution and the laws as written. We need to be certain that the nominee will not come with an agenda to impose his or her personal political feelings and preferences on the bench.

The Senate needs enough time to adequately review the nominee's record to make these determinations. But because Solicitor Kagan does not have the usual background of being a judge on the Federal or State bench, we have no concrete examples of her judicial philosophy in action. It is critical that we understand whether she has a proper judicial philosophy because Solicitor Kagan is being considered for the Supreme Court. So it is even more important for us to look at her entire record and to give particular weight to her statements and writings as well as the positions she has taken over the years.

In order for the Senate to fulfill its constitutional responsibility of advise and consent, we must get all of her documents from the Clinton Library and have enough time to analyze them so we can determine whether she should be a Justice. I share the concerns of the Judiciary Committee ranking member, Senator SESSIONS, that Solicitor Kagan's documents will not be fully produced in time for the committee to conduct a thorough review of the nominee's record.

I hope we will receive these materials in time before the Judiciary Committee holds the Kagan hearings. From the materials and documents that we received so far, and which the committee is still reviewing, Solicitor Kagan's record clearly shows she is a political lawyer. In fact, a recent Washington Post article said her papers in the Clinton Library ''show a flair for the political,'' and that she had ''finely tuned . . . political antennae.''

Solicitor Kagan was involved in a number of hot-button issues during President Clinton's second term, including gun rights, welfare reform, partial-birth abortion, and Whitewater. The documents we received from the Clinton Library show that Ms. Kagan

promoted liberal positions and offered analyses and recommendations that often were more political than legal in nature.

Solicitor Kagan's memos from the Marshall papers also indicate a liberal and seemingly outcome-based approach to her legal analysis. So I look forward to asking Solicitor Kagan about her record and her judicial philosophy. But a judge needs to be an independent arbiter, not an advocate or a rubberstamp for a political agenda. We already know that Solicitor Kagan has held far left political views from a young age. She has been a long-time political lawyer, and she is a personal friend of the President.

As Solicitor General, she has been a prominent member of the Obama administration's team. As a nominee to the Supreme Court, Solicitor Kagan has the burden of showing that despite her record as a political lawyer, rather than as a sitting judge or practitioner, if she is confirmed she will apply the law impartially and not as a member of someone's team who is working to achieve their preferred political result.

Moreover, President Obama's standard for picking judicial nominees is one that places a premium on a judge's empathy for certain individuals or groups rather than on an even-handed reading of the law. As a Senator, President Obama lauded judicial nominees who would decide cases based on ''one's deepest values, one's core concerns, one's broader perspectives on how the world works, and the depth and breadth of one's empathy.''

As a Presidential candidate, President Obama said he would appoint judges who have empathy for certain groups. As President he said his judges would have ''a keen understanding of how the law affects the daily lives of the American people.''

The Obama ''empathy'' standard concerns me greatly because the inference is that an empathetic judge will pick winners and losers based on his or her personal preferences rather than the law blindly picking winners and losers.

When President Obama nominated Solicitor Kagan to the Supreme Court, Vice President BIDEN's chief of staff, who was involved in vetting the Supreme Court of the United States candidates, assured liberals they had nothing to worry about from her selection. In fact, he said Solicitor Kagan was ''clearly a legal progressive.'' Thus, it is safe to assume that the President was true to his promise and picked someone who embodied his empathy standard.

Because Solicitor Kagan does not have one of the best indicators of a Supreme Court nominee's judicial philosophy; that is, a judicial record on a State or Federal bench, then I believe she should be very forthcoming with the Judiciary Committee's inquiries into her judicial philosophy.

In fact, Ms. Kagan herself advocated that a nominee should respond to specific inquires into the nominee's judicial philosophy and positions on constitutional issues.

Solicitor Kagan wrote in her University of Chicago Law Review article, ''Confirmation Messes, Old and New:''

> The kind of inquiry that would contribute most to understanding and evaluating a nomination is . . . discussion first, of the nominee's broad judicial philosophy and, second, of her views on particular constitutional issues. By ''judicial philosophy'' . . . I mean such things as the judge's understanding of the role of courts in our society, of the nature of and values embodied in our Constitution, and of the proper tools and techniques of interpretation, both constitutional and statutory.

She also wrote that a nominee could comment on ''hypothetical cases'' and on general issues such as ''affirmative action or abortion,'' or ''privacy rights, free speech, race and gender discrimination, and so forth.''

Given the fact that Solicitor Kagan has been nominated to a lifetime position on the Nation's highest Court, the Senate must determine that if confirmed, she will interpret the Constitution with judicial restraint and without imposing her personal political policy preferences and biases.

The Senate must determine by examining the totality of her record that if confirmed, she would not be a rubberstamp for the President's political agenda. We will have to see whether Ms. Kagan will live up to her own standard for Supreme Court nominees and whether she will be as forthcoming as she argued Supreme Court of the United States nominees should be in the Senate confirmation process.

So I am going to be pursuing this for my people of Iowa because they are very concerned. I am getting a lot of phone calls both for and against her that have to be taken into consideration.

I yield the floor.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

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

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

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

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

INTERCHANGE FEES

Mr. DURBIN. Mr. President, a few weeks ago we considered a Wall Street reform bill which tried to address some of the underlying problems in our economy which led to the recession. It was an ambitious undertaking. The Senate Banking Committee, under Chairman DODD, led us through a very difficult and lengthy debate over the bill.

Part of the debate included an amendment which I offered relative to what is known as an interchange fee. An interchange fee is the amount of money charged to a business when a customer presents a credit card. So if I go to a restaurant in Chicago and pay for the bill with a credit card, the restaurant is going to have to pay a percentage of my bill to the credit card company or at least to the issuing bank of the credit card. And then I, of course, have to pay the bill when it comes in the mail.

This so-called interchange fee—the charge by the credit card company to the business I am patronizing—is a fee that turns out to be very large and expensive. Nearly $50 billion in credit and debit card interchange fees is collected each year, primarily by the largest credit card companies and by the largest banks that issue those credit cards. This is virtually unregulated. There is no regulation as to the amount charged or collected from these businesses. Visa and MasterCard, which dominate the credit and debit card industries, establish the interchange rates that all merchants and, by extension, their customers pay to banks whenever a card is swiped. So if the restaurant I went to is charged 1 percent, 2 percent, or 3 percent because I presented a Visa card or a MasterCard, that is going to be reflected in the bill I pay. It certainly is going to come off of any profit margin the restaurant might realize as a result of my patronizing it.

Already more than half of the retail transactions in America are conducted by debit and credit cards. Every time someone uses a credit or debit card to make a donation to a charity, Visa and MasterCard require an interchange fee to be paid. There have been exceptions where they have said they will suspend the fees, but by and large, if one makes a donation to the charity of their choice using their credit or debit card, part of the money they think they donated is going to end up in the hands of these credit card companies.

According to a January 14 analysis by the Huffington Post, banks and card companies make an estimated $250 million a year from their interchange or swipe fees on charitable donations. In other words, it turns out that Visa and MasterCard are declaring themselves part of this charitable contribution and taking millions of dollars out of it. I would like to see more of that money go to the charitable purposes for which people donate their money.

The Huffington Post noted that charities such as Habitat for Humanity pay about 2.15 percent of their donation in card fees. St. Jude's Children's Research Hospital, well known and well respected, pays about 2.5 percent in card fees. Is it really necessary for Visa and MasterCard and the big banks to take a cut out of every charitable donation? We are not talking about the cost of the transaction. I will concede the fact that the regular proportional cost of a transaction of using the card is certainly fair for Visa and MasterCard to charge, but they raise that dramatically. There is no way that Visa and MasterCard could justify

2.5 percent if I use my debit card to try to make a donation to St. Jude's Children's Research Hospital. They are literally gaming the system and profit-taking from charities.

In the wake of the devastating earthquake in Haiti in January, Visa, MasterCard, and their member banks voluntarily suspended the collection of interchange fees for some charitable donations for earthquake relief. It seems these companies can survive without charging these fees for charitable donations. They have done it. One bank, Capital One, has decided not to collect interchange on donations made to charity by their cards. I salute them. It is the right thing to do. Why aren't they all taking this position? Why don't they exempt charitable institutions from these issuing bank and credit card fees? I wish other banks were as reasonable when it came to interchange fees and charitable causes as Capital One.

There is another group—universities. They pay a heavy cost in interchange fees. They lose a fortune in interchange when people use cards to pay for things such as tuition and housing.

After my amendment passed the Senate, I received a letter from the American Council on Education and eight other major university associations thanking me. The letter said:

> As a result of your amendment, we believe that colleges and universities will see reduced debit card costs which they will be able to pass on to students and their families through lower costs as well as increased resources for institutional grant aid and student services.

The reach of credit cards is unlimited in our economy. So are the greedy hands of the credit card companies and their issuing banks when it comes to these interchange fees. When I said in this amendment that we really want those fees to reflect the reasonable and proportional cost of processing the transaction, they screamed bloody murder because there is a lot of money being made—some $50 billion across the economy from these fees. Wouldn't it be great if we could enable colleges and universities to lower the cost students have to pay and put more resources into financial aid?

The letter also said that under my amendment, ''colleges and universities will be able to offer discounts to students and their families for payments made with checks and debit cards.'' That is another thing they don't like to talk about. These two major credit card giants, Visa and MasterCard, really have a sweet deal. They basically coordinate their policies. It is as if Coke and Pepsi reached an agreement and said to your local store: Don't you dare offer that other product at a discount. That is virtually what has happened with Visa and MasterCard. They tell the stores: You can't give any better treatment; you can't say this is a Visa store or a MasterCard store. No way. You have to say we accept all credit cards from these issuing agencies. And basically, you can't limit it to debit cards, limit it to check cards, give a discount, limit the amount in terms of the dollar amount you can charge on these cards.

I also want to say that governments are paying these credit card companies a lot as well. Think of all the ways in which people conduct transactions with Federal, State, and local governments. Every time somebody uses a card to pay for a driver's license or a parking sticker or a ride on public transit or to pay a ticket or to obtain a permit, there is an interchange fee. The city of Chicago paid $7.5 million in interchange fees last year. The Chicago Transit Authority paid $1.8 million per year in interchange fees. The Illinois Tollway paid $11.6 million in interchange fees last year. In most cases, the government agencies have no bargaining power when it comes to the amount of the interchange fee. Every dollar spent on these fees is a dollar that could have been spent on jobs and services and a dollar that could have been spared from the taxpayer.

The American Association of Motor Vehicle Administrators represents DMVs across the country. They accept cards for payment of things such as driver's licenses, car registrations, and license plates. They wrote a letter. They said:

> State motor vehicle agencies and other state agencies are experiencing unprecedented financial strain today, as we seek to control costs where possible. . . .While our customers certainly appreciate the convenience of electronic transactions, few understand that the costs of accepting credit and debit card payments for motor vehicle agencies are higher today than ever before, and that these fees compound the current budget crisis that many states face.

The cost of interchange fees affects every local government, every State, every Indian tribe, and even the Federal Government. Right now, even the Federal Government is as helpless as any small business when it comes to trying to reduce their interchange costs.

The amendment which I offered, which was adopted on the floor of the Senate by a vote of 64 to 33, requires debit interchange fees to be kept at a reasonable level, and it allows sellers to offer discounts to consumers without threat of punishment from Visa and MasterCard. The amendment was adopted in a broadly bipartisan vote, as 17 of my Republican colleagues joined me in passing it. The amendment is going to help American families, each of whom pays an estimated $427 a year to subsidize the credit card companies and the banks issuing these cards.

Lobbyists for the financial industry have thrown the kitchen sink at my amendment in an effort to keep the $50 billion interchange fee system completely unregulated. Imagine, here is DURBIN's amendment getting into $50 billion worth of profit-taking these credit card companies and their banks, the biggest banks, are engaged in.

Incredibly, the card companies and banks have even argued that they need to preserve the $50 billion interchange system in order to protect consumers. Give me a break. On the issue of consumers, they have no shame. Do my colleagues recall that we passed a credit card reform bill and the credit card companies said: We will need 6 months to really get all this stuff together, all these changes. Give us a little time.

Remember what happened in that 6-month period? Every time you would go to pick up the mail and there was something from the credit card company, you would open it and they would announce they were raising interest rates. So they ran the rates up as high as they could before the Credit Card Reform Act went into effect.

When have Visa and MasterCard and the big banks ever stood up for consumers? Didn't we just see them fall all over themselves to gouge cardholders before this last credit card act went into effect? Where do the banks and card companies think their $50 billion in interchange fees comes from? It comes from consumers who subsidize the interchange system by paying higher retail prices. It is a massive hidden transfer of wealth from consumers to big banks.

The amendment represents one of the big wins for small businesses and consumers in years. It will help small businesses grow and create jobs.

Don't let the Wall Street lobbyists fool you. They will say anything to protect their big bank profits.

I have received some letters from Illinois small businesses supporting my interchange reform. From James Phillip, Jr., owner of Phillip's Flower Shops in Westmont, IL:

> As an 87-year old family business, over one-third of our customer purchases are paid by credit and debit cards; yet we found that over the years our cost of clearing credit cards and complying with their rules has increased faster than the total amount cleared—to the point that it is now extremely burdensome on the independent retailer. . . .I am writing to voice my support for legislation that would make credit card fees and rules for merchants more reasonable and competitive.

Mr. President, whether it is Colorado or Illinois, if we are coming out of this recession, it will be because small businesses are on the move, expanding their employment, expanding their efforts, expanding their businesses. This is a drag on small business.

From Robert Jones, president of the American Sale patio store in Tinley Park, IL:

> I am a small businessman in Illinois. I want to thank and encourage you to push for credit card and debit card interchange reform. Being a small business we have absolutely no choice and no power to negotiate with the big credit card companies over their fees. They basically tell us ''take it or leave it.'' Since the vast majority of our customers now pay with credit cards due to all the points and perks they are getting for doing so, we have no alternative. They essentially have a monopoly on taking payments from our customers. I applaud your amendment to level this playing field.

From George LeDonne, owner of LeDonne Hardware in Berkeley, IL:

As the owner of a hardware store in Berkeley, IL, I am directly affected by these fees. Small businesses are closing every day as it becomes more of a struggle to stay profitable. Your help in recognizing and acting on this is appreciated.

Russ Peters, owner of Mobile Print, Inc., a printing company in Mount Prospect, IL:

I wish you to know I definitely support this reform. Credit cards are ubiquitous in today's marketplace and these common sense reforms will benefit a small business like mine.

Jim Dames, he owns the Snackers Cafe in Western Springs:

Please help small businesses, I can't fight the credit card companies alone.

And here is an old friend of mine, George Preckwinkle, president of Bishop Hardware and Supply. He has 10 locations in central Illinois. I have known George for 40 years. He wrote me a letter. And George is not of the same political faith that I am, so I accept this as being a genuine statement, not partial in any way. George writes:

It is very important to business, especially smaller business, to solve the problems retailers are having with exorbitant fees and contractual restrictions imposed by Visa and MasterCard. Senator DURBIN's amendment would be a huge help.

I cannot tell you how great it is to hear from my friend George, who probably has never voted for me but just sent me the nicest note about this effort.

I could go on with a long list, but I will not. But I will just tell you this: The information we are receiving is very clear. Whether the business is small or large, whether it is a private entity or a public entity, such as the city of Chicago, the city of Springfield, IL, whether we are talking about universities that are trying to keep their costs down for students, whether we are talking about charities that literally are trying to raise enough money to do the good things that need to be done in our country and in our world, the credit card companies are always there with their hand out and their demands for these fees. For years, there has been virtually no competition. These small businesses do not have a fighting chance against these credit card companies.

Well, I can tell you, I have roused a sleeping giant, if it was ever asleep, in the giant credit card companies in what they are trying to do on Capitol Hill. They are smothering this place with lobbyists who are calling, and they realize they have almost no credibility whatsoever, so they are finding surrogates.

The latest group, which really saddens me, is the credit unions. Historically, I have always voted with the credit unions. I have thought they virtually represent the right way to loan money, and they get special treatment because of that approach. Their idea, of course, is they collect the money from their members in their savings, and they loan it out so that their members can buy cars and other things that are necessary. They keep their costs low because they are nonprofit. We do not tax them, so we give them special treatment. But they also issue credit cards, so we exempted them from my amendment. Virtually every credit union in America, but for three, is exempt. We put a $10 billion threshold for any financial institution that would be affected by it. That eliminates almost 8,000 credit unions. Only three would be covered. They are huge. Yet the credit unions are roaming all over Capitol Hill saying the Durbin amendment is the end of the world.

Here is their logic: If we end up reducing the interchange fee on debit cards in the biggest banks, then Visa and MasterCard have said to the smaller banks and credit unions: We are going to reduce your interchange fee too. And they say they have to do that because they just cannot separate all these different banks and credit cards. Well, that is just a bunch of baloney, if I can say that on the floor of the Senate—and I just did—because Visa has 122 different categories of interchange fees today; MasterCard, over 100. So the argument that they cannot separate the little banks from the big banks—get out of here.

Secondly, they have the power today to lower interchange fees unilaterally. They can just call and say to these credit unions and community banks: We are going to lower the interchange fee that is being paid to you. They can do it, and these banks have no recourse whatsoever. If the banks and credit unions think that is an unfair proposition, then they are standing in the shoes of small business—in exactly the same position.

These Visa and MasterCard credit card companies have reached the point where they have so much power and virtually no competition, that it was confirmed last week in a hearing of the Senate Judiciary Committee that they are currently being investigated by the Antitrust Division at the U.S. Department of Justice. No details were provided in terms of this investigation, but the person who spoke for the Department of Justice confirmed that fact. They have reached the point where they virtually have no competition. They can impose whatever they want.

Let me make one last point about that. If Visa and MasterCard make their money because more people own credit cards and more banks issue credit cards, does it make sense that they would create an environment where credit unions and smaller banks would not want to issue credit cards? Of course not. The profitability of Visa and MasterCard is when more people are using credit cards, more banks are issuing credit cards. So if they are going to make it more difficult for banks and credit unions to issue credit cards, they are really cutting off their nose to spite their face, and I think that is pretty obvious.

But it is interesting to me how fearful credit unions are of Visa and MasterCard. They are literally shivering in their boots. They do not understand that they are the victims as much as the small businesses are of these powerful credit card companies. I wish for once they would step back and take a look and not just automatically sign up whenever the largest banks in America say jump. It just should not be that the commercial banks, the community banks, the credit unions are doing this, and it really is a vast departure from where they have been historically.

So at this point, the bill is now in conference committee, and I know Senator DODD and Chairman BARNEY FRANK of the House Banking Committee are working hard to try to enact this bill. I know the strong bipartisan vote in the Senate is an indication of how we feel about it. I hope our friends in the House, though they do not have that provision in their bill, will consider making this part of the conference committee report.

It will be a positive day for us in America when the message is finally delivered to the credit card companies that they can no longer have this dictatorial grip over small businesses and the issuing banks they have today.

I hope we can see, in the next 2 weeks, a bill coming forward on Wall Street reform with many important provisions. This is one that is certainly important to me personally and I think will be a way for us to help small businesses increase jobs and help this economy come out of this recession. I hope we can do that soon.

Mr. President, I see another colleague on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. First of all, Mr. President, let me thank the distinguished assistant majority leader for his continuing work on this issue. It protects small businesses and consumers from gouging by the credit card companies and the monolithic monopoly power they bring to bear. I was pleased to vote for and support this amendment on the floor, and I wish the assistant majority leader much success in the conference committee to get that in the final bill.

Mr. DURBIN. I thank the Senator.

Mr. WHITEHOUSE. Mr. President, I rise today to speak about the Foreign Manufacturers Legal Accountability Act, which I have filed as amendment No. 4324 to the package currently under consideration by the Senate. This amendment would close a loophole in Federal law that allows foreign manufacturers to evade accountability when their products injure Americans here at home. It would do so by requiring foreign manufacturers to meet the same standards as domestic manufacturers. It is a simple reform. It is much needed. It will protect American industry against unfair competition or having to, in effect, subsidize dangerous foreign products. It will foster American jobs for that reason. It will keep

American consumers safe, and it will help Americans who are injured make sure they get an adequate recovery for their injuries from the foreign manufacturer who caused them the harm.

What happens here in America when a foreign manufacturer is able to avoid responsibility for a defective product that causes an injury to an American? When they are able to avoid responsibility, one of two bad things happen. One or the other has to be. One is that the injured American gets no recovery. Their injury goes unredressed. They cannot find the accountable company, and they just have to suffer without compensation. The second alternative is that an American company, under the theory of joint and several liability, has to make good for the harm caused by the foreign company. It becomes a cost to the American company.

This actually came up in the hearing on the bill when an Alabama contractor explained how he had to make good on the claims of homeowners whose homes he built when, without knowing it, he had used defective Chinese wallboard in the homes and they emitted sulfur that was bad for the health of the home occupants, that corroded piping, and that caused an immense amount of work that had to be redone to have his customers be satisfied customers. It became his problem when the Chinese wallboard company was nowhere to be found when their defective product caused all this harm down in Alabama. These are things that should not happen, and they are bipartisan concerns.

I want to say I am proud and grateful to have had the opportunity to work with Senator SESSIONS and Senator DURBIN to achieve these goals. Both Senator SESSIONS and Senator DURBIN were original cosponsors when I first introduced this bill on a stand-alone basis. Thirteen other bipartisan cosponsors have since signed on to that bill, and I am very grateful for all their support.

Let me describe for a few minutes the specifics of this particular amendment.

There are two legal hurdles that currently face an American harmed by one of these foreign manufacturers. As my lawyer colleagues know, someone who gets injured and brings a lawsuit must bring the responsible party into the proper court. This requires the injured party, one, to serve process on the defendant, to file the papers in the lawsuit with the defendant, and two, to establish personal jurisdiction over the defendant, consistent with the due process clause of the Constitution. No service of process, no jurisdiction, no lawsuit, no recovery, no assistance for the injured American.

The problem is that service of process on a foreign manufacturer is often extremely costly and extremely slow because it often must be done abroad rather than here in the United States. For instance, when an American seeks to serve a defendant in a country that is a signatory to what is called the Hague Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil and Commercial Matters, the complaint must be translated into the foreign language, transmitted to the central authority in the foreign country, and then delivered according to the rules of service in the home country of the defendant, which may not be hospitable to foreign litigants. Even more complex procedural hurdles face an American seeking to serve a defendant in a country that has not signed the Hague Convention.

But let's say you get through all that expense and all that hassle and all that delay. Even when an American does serve process successfully on a foreign manufacturer, personal jurisdiction then can prove an insurmountable hurdle. This is because Supreme Court decisions interpreting the due process clause make it hard to exercise jurisdiction over foreign companies, even those whose products have injured Americans.

So something clearly needs to be done to bring the way we treat foreign manufacturers into line with the liability and responsibility of domestic manufacturers. They should not have this advantage over our domestic industry.

This amendment provides a simple solution to both of these problems. It requires a foreign manufacturer that wants to import products into the United States for our consumers to use to register an agent in the United States who will accept service of process for cases in the United States. By designating such an agent, the manufacturer would consent to the personal jurisdiction of the courts in the State where the agent is located, and no further complicated service of process would be required. This is not dissimilar, for example, to the way a corporation from outside my home State of Rhode Island must register to transact business in our State—a requirement that exists in many States around the country. I suspect it exists in the distinguished Presiding Officer's home State of Colorado.

Finally, let me make clear to whom this applies and how. The big foreign manufacturers that ship billions of dollars of products into the United States and whose names we would all instantly recognize already can be held accountable somewhere in the United States by virtue of their having American operations or by virtue of the size of their imports. They can usually be found. And for companies such as that, complying with the new law will be as simple as designating someone in their U.S. headquarters to be that agent for service process. It will be a 5-minute task to comply with this law.

For foreign companies that have set up manufacturing operations somewhere in the United States, they will get the same treatment as domestic companies under this bill. Their domestic operation will be a location where they can be served. It is the foreign manufacturers that take advantage of our marketplace, but when their defective product injures someone and can't be found, that are the real targets of this amendment, they don't want to be held responsible anywhere.

Who are they? Well, to give a few examples, they are the ones who make the drywall I talked about, full of sulfur, that corrodes wiring and makes the residents sick. They are the companies that make cheap toys with lead paint on them that is poisonous to children or metal plumbing fittings that rupture under routine use because they are so shoddy or those that contaminate medical supplies that are sold into the United States with unthinkable chemicals. These companies may look perfectly legitimate when they sell their products, but when you try to find them once you have been injured by them, it is like grasping smoke. They disappear, and they avoid all accountability when their products hurt our fellow Americans.

It is these companies that this amendment will fully bring within the scope of the American legal system. It is important that we do this, because they should play by the same rules our American companies do with respect to service of process and availability for redress.

The Foreign Manufacturers Legal Accountability Act applies to major product categories including consumer goods, drugs, cosmetics, and chemicals through the Federal agencies that already regulate those product categories and through the components of the Department of Homeland Security that oversee our Nation's imports. The amendment empowers those agencies to use their expertise in these fields to set appropriate thresholds; for instance, to exempt small foreign manufacturers from having to register an agent, and allows a working period to ensure that no disruptions in imports occur during the implementation period of this amendment.

I urge my colleagues to support this amendment. I think it is important. By leveling the economic playing field, it will allow American manufacturers to compete fairly with foreign manufacturers, thereby protecting American jobs. By holding foreign manufacturers to the same standards as American manufacturers, it will protect our consumers and American businesses without raising any trade issues. It will eliminate this terrible situation of a foreign product causing an injury to an American for which that American can get no relief or a foreign company causing an injury to an American but because they can't be found, having an American company that worked on the installation of the product, that sold the product, that is for some reason jointly and severally liable for that injury having to carry the cost that belongs on the foreign manufacturer and would be their cost if only they could be found and served and brought to account in an American court. Both of

those things are rankly unfair, and this is the best solution to put an end to those two injustices.

I think it is an important and a much needed fix to a quirk in our laws. We should pass it as soon as possible. I hope very much it can become a part of the legislation to which it is now a pending amendment.

I thank you very much.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that on Wednesday, June 16, following morning business, the Senate resume consideration of the House message with respect to H.R. 4213; that there then be 5 minutes of debate equally divided and controlled between Senators BAUCUS and GRASSLEY or their designees; that upon the use or yielding back of that time, Senator MCCONNELL or his designee be recognized to make a Budget Act point of order against the Baucus motion; that once the point of order is raised, Senator BAUCUS then be recognized to waive the applicable budget point of order; that if the waiver fails, then the Baucus motion to concur with an amendment be withdrawn, and Senator BAUCUS then be recognized to move to concur in the House amendment to the Senate amendment to the bill with an amendment; provided notwithstanding the withdrawal of the previous motion, the previously agreed-upon amendments Nos. 4302, as modified, 4326, and 4311, as modified, be incorporated into the new Baucus motion to concur; that the Reid amendment No. 4344 be reoffered with the same text; that on Thursday, June 17, beginning at 10 a.m., the Senate debate the Thune substitute amendment No. 4333, to be reoffered with the same text; that the amendment be debated for 2 hours, with the time equally divided and controlled between Senators BAUCUS and THUNE or their designees; that upon the use or yielding back of time, Senator BAUCUS be recognized to raise a budget point of order against the Thune amendment; that Senator THUNE, or his designee, then be recognized to move the applicable budget point of order; that if the waiver fails, then the Thune substitute amendment be withdrawn; further, that if the waivers for either Baucus our Thune amendments succeed, the amendments remain pending; finally, that the cloture motion be withdrawn.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Mr. President, pursuant to section 302(a) of S. Con. Res. 13, the 2010 budget resolution, I made adjustments to the 2010 budget resolution earlier today for Senate amendment No. 4318, an amendment offered by Senator SANDERS to S.A. 4301, an amendment in the nature of a substitute to H.R. 4213.

The Senate did not adopt Senate amendment No. 4318. Consequently, I am further revising the 2010 budget resolution to reverse the adjustments previously made pursuant to section 302(a) to the aggregates and to the allocation provided to the Senate Finance Committee.

I ask unanimous consent that the following revisions to S. Con. Res. 13 be printed in the RECORD.

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

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 302(a) DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2009	1,532.579
FY 2010	1,612.278
FY 2011	1,939.131
FY 2012	2,142.415
FY 2013	2,325.527
FY 2014	2,575.718
(1)(B) Change in Federal Revenues:	
FY 2009	0.008
FY 2010	−53.708
FY 2011	−149.500
FY 2012	−217.978
FY 2013	−189.810
FY 2014	−57.940
(2) New Budget Authority:	
FY 2009	3,675.736
FY 2010	2,907.837
FY 2011	2,858.866
FY 2012	2,831.668
FY 2013	2,991.128
FY 2014	3,204.977
(3) Budget Outlays:	
FY 2009	3,358.952
FY 2010	3,015.541
FY 2011	2,976.251
FY 2012	2,878.305
FY 2013	2,992.352
FY 2014	3,181.417

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 302(a) DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT

[In millions of dollars]

Current Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY 2009 Outlays	1,166,970
FY 2010 Budget Authority	1,247,336
FY 2010 Outlays	1,241,472
FY 2010–2014 Budget Authority	6,873,787
FY 2010–2014 Outlays	6,845,735
Adjustments:	
FY 2009 Budget Authority	0

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010—S. CON. RES. 13; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 302(a) DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT—Continued

FY 2009 Outlays	0
FY 2010 Budget Authority	0
FY 2010 Outlays	0
FY 2010–2014 Budget Authority	−8,000
FY 2010–2014 Outlays	−4,830
Revised Allocation to Senate Finance Committee:	
FY 2009 Budget Authority	1,178,757
FY 2009 Outlays	1,166,970
FY 2010 Budget Authority	1,247,336
FY 2010 Outlays	1,241,472
FY 2010–2014 Budget Authority	6,865,787
FY 2010–2014 Outlays	6,840,905

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

RECOGNIZING HELP OF SOUTHERN NEVADA

Mr. REID. Mr. President, I rise today to celebrate the 40 year anniversary of HELP of Southern Nevada, a nonprofit organization providing Nevadans with housing, emergency services, life skills and prevention—the four cornerstones for which its name is an acronym. HELP has served as a vital resource to hundreds of thousands of Nevadans, and continues to provide unwavering support to our communities.

HELP was first created out of the Junior League of Las Vegas in 1969, and called the Voluntary Action Center. They incorporated a year later, in 1970, and became one of Nevada's premier resource centers for the disadvantaged. In that year, HELP provided its services to 300 people in southern Nevada. Today, they serve 55,000 distinct clients every year.

The services HELP offers range from financial assistance with rent and transportation costs, to providing meals to families during the holidays. A focus on providing practical assistance in gaining self-sufficiency makes HELP one of southern Nevada's greatest social service providers. Its services include seven different areas of support: Community Alternative Sentencing, Holiday Programs, Nevada 2–1-1, Social Services, Weatherization, Work Opportunities Readiness Center—W.O.R.C., and the Youth Center.

To highlight a few of the great contributions of HELP of Southern Nevada, let me tell you about the Community Alternative Sentencing programs and the Youth Center. The Community Alternative Sentencing Program offers hope to individuals facing incarceration and other sanctions. In lieu of these penalties, individuals give their times and services to aiding nonprofits in community service. In addition to the productive and illuminating experience this program offers its participants, it saves taxpayers the cost of incarceration, and directly increases the capacity of nonprofits to help in the community. The HELP of southern Nevada Youth Center provides training and assistance to Southern Nevada's youth to prevent homelessness and equip young people for success. Many are matched with volunteer mentors from the community, who work help them get the most out of classes they take at the center which help them develop work and personal skills. These programs only scratch the surface of HELP's vast offerings.

It brings me great joy to see Nevadans working so hard to make meaningful and lasting influences in our community. Over the course of four decades HELP and its devoted staff and volunteers have exemplified the ideals of selflessness and public service. I know that the hundreds of thousands of individuals whose lives have been touched by the work of HELP would share in my desire to express our gratitude. Furthermore, I would like to congratulate HELP. The positive changes they have made amongst the lives of individuals and within the community are truly remarkable achievements. I am grateful and honored to recognize the 40th anniversary of HELP of Southern Nevada today.

BIG OIL

Mr. FEINGOLD. Mr. President, the explosion on the Deepwater Horizon oil rig in the Gulf of Mexico was a tragedy for the workers killed and their families. It has also become an economic disaster for the people of the gulf coast and an unparalleled environmental disaster for our Nation. As we work to stop and clean up the spill, we also need to end the coziness between big oil and the Federal agencies that regulate the industry. That chummy relationship has shielded big oil from being held accountable for years, and it is high time we make sure that government is cracking down on, not cozying up to, the oil companies.

As I discussed a few days ago at a Judiciary Committee hearing examining liability issues related to the BP oilspill, Congress should take action right away to deter wrongdoing and encourage the kind of responsible, careful drilling we need. One way to do that is to eliminate big oil's liability cap for natural resources and economic damage caused by oilspills, such as the loss of travel and tourism revenue that businesses across the gulf are experiencing. I am a cosponsor of Senator MENENDEZ's legislation to do just that. The oilspill in the gulf has made it painfully clear that this liability cap is far too low. The existing $75 million liability cap is less than 1 day's worth of profits for BP, which earned almost $6 billion in profits in the first quarter of this year.

But that must be just the beginning of a comprehensive effort to change the way government approaches big oil. For far too long, the oil industry has gotten special treatment, in large part because it is one of the wealthiest, most powerful special interests in Washington. The oil and gas industry gave $35 million in political donations in the last Presidential election cycle, and $¼ billion in donations over the last 20 years. One of the reasons I have worked to curb the influence of money in politics for so many years is because of the undue influence of big oil.

Those donations have contributed to the oil industry's access to Congress and to the agencies that are supposed to regulate oil exploration and production. It is no coincidence that the oil industry has received unjustified tax breaks and other favorable treatment for years. That has to change, and we can start by getting rid of taxpayer-funded giveaways for the oil and gas industry, as I have proposed in my Control Spending Now Act, legislation to cut the deficit by about $½ trillion over 10 years. Part of that bill would end a taxpayer subsidy for the processing of oil company permits. I also support efforts to repeal over $35 billion in oil and gas tax breaks targeted by President Obama for elimination. As we seek to rein in record deficits, it is time to end these unjustified giveaways to an industry that doesn't need taxpayer support.

Congress must also make sure that regulators aren't simply acting as rubberstamps for whatever the oil industry wants. Unfortunately, too often the Federal Government ends up listening more to the powerful industries it is supposed to be regulating than to the consumers it is supposed to be protecting. Whether it is Wall Street or big oil that is calling the shots, the result is rarely good for my constituents in Wisconsin.

Another critical way to hold big oil accountable is to pass my ''Use It or Lose It'' legislation to ensure oil companies are diligently exploring the Federal leases they currently have, and not sitting on those leases in an effort to drive up gas prices. We should also restore the Clean Water Act, CWA, to its full strength. The CWA is the main statute used to prosecute polluters who dump oil into waters of the United States, and it is never been more important to ensure that polluters are held accountable for the damage they do to our economy and our environment.

Congress has the responsibility to look ahead and do what it takes to prevent a disaster like the one in the gulf from happening again. We have to come at this issue from all sides to make sure that BP is held accountable for the current spill, that we work to prevent future spills with proper regulations, and that we upend the culture that provides tax breaks and special treatment for big oil in the first place. Working to stop and clean up the spill in the gulf is not enough. Congress has to clean up the cozy Washington culture that favors big corporations over the needs of American people, and over the protection of our economy and our air and water.

GUINEA

Mr. FEINGOLD. Mr. President, Guinea is a fragile, resource-rich state in West Africa that has been plagued by political uncertainty since the death of its longtime President, Lansana Conté, in December 2008. Much of this upheaval can be attributed to the fact that the President, in his 25 long years of rule, left little room for governance reform. His autocratic legacy included abusive security forces, a collapsed economy, a divided civil society, and a squabbling opposition. As a result, there was no clear successor and no viable path forward. President Conté's commitment to democracy was cosmetic, at best, and easily trumped by his dictatorial tendencies and unwillingness to relinquish power.

As many Guinea watchers expected, the day after President Conté, died, a military junta calling itself the National Council for Democracy and Development, CNDD, seized power and dissolved the constitution and legislature. Given the deteriorated state of governance and widespread impunity, the junta was initially hailed by many as a safeguard against the endemic problems of corruption, insecurity, and rampant drug trafficking—all of which contribute to the lack of legitimate governance. Furthermore, the fact that the CNDD appointed a civilian prime minister and promised to hold Presidential and legislative elections gave many Guineans hope that the country was on the verge of a legitimate political transition.

But those elections were repeatedly postponed, despite repeated claims by the junta that a transition to civilian rule would occur. As the months passed, a number of signs, including the appointment of military officers to key government posts, indicated that CNDD was in fact not planning to relinquish power and was certainly not ready—or willing—to oversee an election process.

In fact, over the next few months the CNDD sought to tighten its hold on power severely, including an attempt in September 2009 by security forces to brutally crush a peaceful, prodemocracy rally. I joined many in the international community at that time in condemning such blatant and violent repression. A U.N. Commission was

sent to investigate the atrocities while the CNDD crackdown cast a dark shadow on Guinea's prospects for peace and stability.

During this period, I was pleased to see the Obama administration engage proactively to help reverse Guinea's political crisis—particularly in the aftermath of the shooting of CNDD leader Captain Dadis Camara. In those fragile moments of uncertainty, the consistent diplomacy undertaken by our senior officials played an important role. Working with key regional actors and organizations, the State Department helped to broker an important political agreement, known as the Ouagadougou Declaration, which was widely welcomed as an end to the protracted political vacuum that had existed. The signing of this agreement ushered in a transitional united government that, while imperfect, has been actively supported by the Obama administration.

Unquestionably Guinea remains on delicate ground but the upcoming Presidential elections scheduled for June 27 create an opportunity for Guinea—and our bilateral relationship—to progress forward. Undoubtedly the process will be chaotic and messy, but there is a good chance we could see this beleaguered country bounce back from decades of mismanagement. Of course, in order for Guinea to truly progress, these elections must be the beginning of serious and sustained reform—a process which must also include accountability for the abuses committed in September 2009. Elections are only one component of the democratic process, but still they are a significant one and may give the people of Guinea their long deserved chance to finally turn the page on their troubled political history.

While there are plenty of factors that could lead to another election postponement including the will of the transitional government and the capacity and efficiency of the election commission, I remain optimistic that this will not occur. Certainly there are real challenges to fostering democracy given Guinea's history, but the recent commitment from the Acting President and Chief of the Army to remain neutral and ensure the elections are free, credible, and transparent should not go without notice. I have long said that promoting and supporting democratic institutions should be a key tenet of our engagement with Africa, as institution building is essential to Africa's stability and its prosperity. In the case of Guinea—a nation that has great potential to flourish and thrive—credible elections are an important first step on the road to better governance.

TRIBUTE TO RON GETTELFINGER

Mr. LEVIN. Mr. President, leaders demonstrate their talent and character not when life is easy but at times of crisis. During the greatest crisis in the history of the American auto industry, that industry's workers and the communities in which they live have benefitted enormously from the leadership of a quiet Kentuckian whose devotion to working families cannot be overstated.

When Ron Gettelfinger took office as president of the United Auto Workers in 2002, I do not think anyone, and certainly not Ron, foresaw the turbulence ahead. As his 8 years as president of the UAW come to a close, it is time to congratulate and thank him for exceptional leadership in tough times.

Ron navigated those rough waters guided by two lights: a clear-eyed assessment of what was necessary to preserve America's auto industry, and the sure knowledge that millions of families depended on its preservation.

That knowledge came from Ron's days on the assembly line at Ford's Louisville assembly plant, from his days as his plant's local president, from his service as regional president for UAW members in Indiana and Kentucky, and from his time at Solidarity House in Detroit. He is a sharp, tough-minded negotiator, but underlying his talents and skills is a real emotional bond with the workers who have depended on his leadership. That bond with his members meant that when Ron Gettelfinger asked them to make sacrifices, they knew it was not because he was taking the easy way out, but because it was necessary.

The sacrifices have been great. Ron knows this better than anybody. But he also knows that in making those sacrifices, the workers of the UAW have set the stage for a renaissance in the U.S. auto industry, one that is already taking shape in the form of increased sales, more consumer confidence, and a commitment to the clean energy technologies that will shape our transportation future.

I have been proud to stand with Ron Gettelfinger in many of his battles. Members of the United Auto Workers honor the leaders who over nearly a century of progress and challenge have guided their union. I have no doubt that for generations yet to come, those workers will honor Ron's work in guiding their union through one of the most difficult periods in its history.

TRIBUTE TO NINA THOMAS

Mr. LEAHY. Mr. President, today I express my sincere congratulations and best wishes to Nina Thomas on her retirement as registrar at Vermont Law School. Since 1976, Nina has served that institution with dedication and a devotion to its students. As Ms. Thomas ends her many years of exceptional service to Vermont Law School and its students, I wish her the very best as she enters this new chapter of her life. I thank her for her service, and I know her commitment over the years has helped to make the school the special, unique place it is today.

Nina Thomas is a native of Vermont, having attended grade school in the same building that is now part of the Vermont Law School campus in South Royalton, VT. In 1976 she returned to be part of a fledgling institution where her care, her counsel, and her wisdom have made a difference in the lives of many law students who have passed through her office. Her dedication helped the school grow into a successful institution for legal education that is a source of pride for Vermont and Vermonters. Her career spanned from the early days of the school's beginnings to the present, where it stands as a national leader in environmental legal thinking and learning.

As Nina Thomas enters her retirement, I hope she will take great comfort in knowing that the mark she left at Vermont Law School will be a lasting one and that her contributions are part of the school's strong foundation. I know she will be dearly missed by faculty and staff and most especially the students to whom she has given so much.

TRIBUTE TO TOM HOWARD

Mr. LEAHY. Mr. President, I would like to pay tribute today to a man who has provided immeasurable leadership and dedication to the lives of young people and families around the State of Vermont, Tom Howard of East Montpelier. After 31 years as executive director, Tom will be retiring this month from the Washington County Youth Service Bureau/Boys & Girls Club.

Tom is a native Vermonter who, while growing up, lived in the Philippines, Panama, Germany, and throughout the United States. He served in the U.S. Army in Korea between 1963 and 1966, and earned a B.A. from Johnson State College in history and international relations in 1970. Tom went on to earn a master's degree in executive development in public service at Ball State University in 1974, and wrote his master's thesis on youthful offenders.

Appointed as executive director of the bureau in 1979, Tom has built the agency into a diverse organization with statewide impact. Under his leadership, the organization developed cutting-edge programs, like the Return House in Barre, VT—a program operated by the Washington County Youth Service Bureau for 18- to 22-year-old young men who are returning to the community after being incarcerated. In addition to his commitment to working with young people and youthful offenders, Tom has secured millions of dollars in Federal, State, and foundation grants to bring sustainable services and opportunities to youth.

We are fortunate in Vermont. I am always impressed by the high level of collaboration on behalf of Vermont's communities to solve its problems. Over the years, I have brought the Senate Judiciary Committee to Vermont several times for field hearings to explore community efforts to counter drug-related crime in rural America.

On each occasion, I have looked to Tom for testimony about the work he and his organization have done with youthful offenders. Tom not only offers his knowledge of work going on around the State, but provides the expertise of his organization, and personal stories about the lives of the young people he works with.

As a fellow photographer, I would be remiss if I failed to note that Tom's office documents a life full of adventure. His walls depict the bureau's accomplishments—such as when he was invited to represent Vermont's 21st Century Community Learning Center Programs at a White House Ceremony hosted by President Bill Clinton. They also capture the faces of those who inspire him, like the pupils for whom he served as a teacher and counselor at the Wittlich Prison in West Germany.

I believe Tom embodies the core principles of what it takes to serve Vermont's youth, from his skill as an administrator, to his contribution as a caring person. I thank Tom for all that he does, and I commend his work to the Senate as an example to others. We are grateful for his service to Vermont's young people and families for the past 31 years. Marcelle and I wish Tom and his family all the best.

ADDITIONAL STATEMENTS

LADY SEA WARRIORS SOFTBALL TEAM

• Mr. AKAKA. Mr. President, I heartily congratulate the Lady Sea Warriors of Hawaii Pacific University for winning the 2010 NCAA Division II Softball College World Series title. The team won the title on May 31, 2010, beating Valdosta State University, 4–3, at Heritage Park in St. Joseph, MO. This is the school's first national softball title.

I wish to congratulate the team members: Chante Tesoro, Kozy Toriano, Erin Fujita, Melissa Awa, Malia Killam, Chelsea Luckey, Ashley Valine, Ciera Senas, Breanne Patton, Pomaikai Kalakau, Casey Sugihara, Maile Kim, Ashley Fernandez, Nicole Morrow, Sherise Musquiz, Laine Shikuma, Celina Garces, and Caira Pires. A special congratulations goes to Casey Sugihara, Ciera Senas, Nicole Morrow, and Sherise Musquiz for being named to the All-Tournament Team. Musquiz was also named the Most Outstanding Player of the tournament.

The team's success is shared by their coaches: head coach Bryan Nakasone and assistants Howard Okita, Roger Javillo, Jon Correles, and Richard Nomura. A special thanks and congratulations goes to the coaches whose leadership inspired the team to succeed at the highest level. The team's success reflects their hard work and determination. It is a great honor for Hawaii to be represented by such fine athletes. I wish the Lady Sea Warriors and their coaches the best in their future endeavors.•

RAINBOW WAHINE SOFTBALL TEAM

• Mr. AKAKA. Mr. President, I wish to congratulate the University of Hawaii Women's softball team for its record-breaking 2010 season. The Rainbow Wahine captured the Western Athletic Conference regular season and tournament titles and won all three games in the regional tournament.

In one of the most memorable games in University of Hawaii softball history, the Rainbow Wahine defeated the top-seeded University of Alabama team at the Tuscaloosa Super Regionals and secured their first appearance in the NCAA Women's College World Series. The team set numerous school records this season including most runs scored, 488, hits, 578, and home runs, 158. Team members Melissa Gonzalez and Kelly Majam also earned the honor of being named 2010 Louisville Slugger/National Fastpitch Coaches Association All-Americans.

It is with great pleasure that I commend the Rainbow Wahine for a job well done. The team's superb season serves as a reminder that hard work and dedication can lead to success. Congratulations to team members: Kelly Majam, Jessica Iwata, Mikalemi Tagab-Cruz, Rachel Paragas, Brynne Buchanan, Tara Anguiano, Dara Pagaduan, Sarah Robinson, Stephanie Ricketts, Tasha Pagdilao, Jori Jasper, Jenna Rodriguez, Alexandra Aquirre, Kaia Parnaby, Traci Yoshikawa, Kanani Pu'u-Warren, Katie Grimes, Jocelyn Enrique, Amanda Tauali'i, Makani Duhaylonsod-Kaleimamahu, and Melissa Gonzalez.

I also wish to acknowledge the coaches for their leadership and commitment to the players: head coach Bob Coolen, associate head coach Deirdre Wisneski, assistant coach Kaulana Williams, and volunteer coach Dickie Titcomb. I wish the Rainbow Wahine all the best in their future endeavors.•

REMEMBERING ROBERT LITTLE EBERT

• Mr. CARDIN. Mr. President, I ask my colleagues to join me in paying tribute to Robert Little Ebert, a respected and inspiring Maryland community leader and philanthropist who passed away at age 93 on May 9, 2010.

Mr. Ebert served as Allegany County commissioner from 1962 to 1970, and he continued to dedicate himself to the progress and prosperity of the area throughout his lifetime. Mr. Ebert was especially dedicated to eradicating poverty throughout his community, and he demonstrated a consistent willingness to help people through his involvement in various philanthropic and community organizations.

Mr. Ebert was born in Parkersburg, WV in 1916, and attended Marietta College in Ohio, graduating in 1938. He later worked as a radio newscaster in the Midwest and served as an Ensign in the U.S. Navy during World War II. Following the war, Mr. Ebert moved to Cumberland, MD, to join his mother in the S.T. Little Jewelry Company, a family business founded by his great-grandfather in 1851. Mr. Ebert eventually became president and general manager of the company, and he devoted himself to the development and success of his business's locale in downtown Cumberland.

Mr. Ebert's leadership and business acumen helped shape downtown Cumberland. He served as chairman of the Downtown Cumberland Business Association and the Downtown Development Commission. He served as chairman of the Board of the Allegany County Department of Social Services and as chairman of the Allegany County Chapter of the American Red Cross and was involved with civic organizations such as the Cumberland Cultural Foundation and the Cumberland Rotary Club.

While Mr. Ebert often wished for his charitable contributions to remain anonymous and tried to stay behind-the-scenes, his philanthropic endeavors eventually inspired him to become the founding donor of the Community Trust Foundation. The Community Trust Foundation, established in 2006, serves Maryland's Allegany and Garrett Counties as well as West Virginia's Mineral County by providing the administrative services, sophisticated investment management, professional advice, and stewardship that help communities maximize their charitable giving and investing.

The Community Trust Foundation served as a stepping stone for Mr. Ebert to establish the Elta Mae and Robert Little Ebert Family Hope Fund. The Family Hope Fund is a leader in fostering cooperation and collaboration among the area's many philanthropic organizations that work to prevent poverty. The fund has made, and will continue to make, enormous achievements thanks to Mr. Ebert's leadership and dedication.

Mr. Ebert was immensely successful professionally, and he was also a loving husband, father, grandfather, and great-grandfather. He leaves behind three daughters, five granddaughters, and four great-grandchildren as well as countless friends and admirers.

I ask my colleagues to join me in remembering the many accomplishments of Mr. Robert Little Ebert and in recognizing him as a truly inspiring community leader and humanitarian.•

REGENT, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I recognize a community in North Dakota celebrating its 100th anniversary. On June 24 to 27, the residents of Regent will gather to celebrate their community's history and founding.

On the peaceful prairies of southwestern North Dakota, a city of just over 200 people will be joyfully celebrating 100 years of trials, tribulations, growth, and happiness. Regent was

founded on the railroad lines in 1910. Railroad officials gave it a regal-sounding name, thinking it would become the county seat. Early in its history, Regent was billed as ''The Queen City'' or ''The Wonder City.''

My good friend and colleague, a former North Dakota State tax commissioner and current U.S. Senator, BYRON DORGAN is from this great town. Senator DORGAN has never forgotten his roots, and that has helped make him into the highly respected and dedicated public servant that he is.

Today, the Enchanted Highway has brought a larger than life size example of the community's hard work and dedication to the State. The Enchanted Highway is off of Interstate 94 and is approximately 20 miles east of Dickinson, ND. It then extends for 32 miles south to Regent. The world's largest scrap metal sculptures portray part of the countryside's wonder and beauty from ''Pheasants on the Prairie'' to ''Deer Crossing.''

The community currently has the luxury of enjoying the finer aspects of life, such as fishing, participating in community activities, or spending time with family. The community's energy can be seen with this year's centennial celebration, filled with the zest and heart of the people. Over 4 days, Regent will be enjoying a watermelon feed, all-school reunion, a dance, parade, choral performances, and many more celebratory events.

Mr. President, I ask the Senate to join me in congratulating Regent, ND, and its residents on their first 100 years and in wishing them well in the future. By honoring Regent and all the other historic small towns of North Dakota, we keep the great tradition of the pioneering frontier spirit alive for future generations. It is places such as Regent that have helped to shape this country into what it is today, which is why this community is deserving of our recognition.

Regent has a proud past and a bright future.●

BRADLEY, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I pay tribute to the 125th anniversary of the founding of Bradley, SD. This small town has seen more than its fair share of hardships, but with strength and hard work, the citizens consistently band together to make the town an even better place to live and work.

As the Chicago, Milwaukee, and St. Paul Railroad expanded, the company decided to build a settlement for the workers to get mail delivered. They called it Prairie Hill. Once trains began running, businesses began forming 2 miles south of the original location. With land donated from the McKinney family, Bradley was eventually formed. This small town quickly became a popular location for homesteaders and developed into the largest primary wheat market in the country. In 1891, a fire nearly destroyed the town. Only a couple of buildings and homes withstood the fire. This strong community rallied together to rebuild their town. Another fire struck in 1916, but 800 volunteers came together, using a bucket brigade to again save the town.

Bradley acquired its name through an interesting turn of events. A group of laborers and a railroad official got in a brawl early one day. W.R. Bradley was visiting the town and saved the life of the chief engineer for construction. He was honored by having the town named after him.

Like a lot of small towns formed in South Dakota at this time, Bradley started as a railroad stop but quickly became more. Bradley is a caring community of people who work together when times get tough. They will honor their historical milestone with a weekend celebration, including craft booth and a food booth, a 5K race, and a softball tournament. I wish them the best for their weekend and their future.●

TRIBUTE TO WILLIAM A. RICHARDS

● Mr. REED. Mr. President, today I would like to recognize the accomplishments of William A. Richards—a friend, a colleague, and a dedicated public servant. Bill is retiring this month after nearly half a century of service to the U.S. Army and the Department of Defense. I had the privilege of working with Bill as an instructor at West Point. His lengthy career, as a soldier and as a civilian, truly exemplifies the motto of the Academy—''Duty, Honor, Country.''

Bill graduated from West Point in 1967 and served as an infantry officer in Vietnam and Germany. He continued his education at the Woodrow Wilson School at Princeton, receiving a master's degree in public policy. He then returned to West Point to supervise the core curriculum in American Government.

Following his return to West Point, Bill was selected for the prestigious position of speechwriter and executive assistant to NATO's Supreme Allied Commander—Europe. His exceptional work in this position resulted in his next assignment as speechwriter to Defense Secretary Caspar Weinberger. Bill held this position until his retirement in 1989, after serving for 22 years in uniform.

Bill then started a second career as a budget analyst in the office of the Under Secretary of Defense, Comptroller, at the Pentagon. His military experience and speechwriting skills enabled him to analyze and translate the complexity of the annual defense budget. After 20 years of serving our Nation in this role, Bill retires as someone who is highly respected for his knowledge, experience, and dedication.

I congratulate him on a job well done. He leaves a proud and enduring legacy of public service. I wish Bill and his wife Donna the very best in the years to come.●

MONROE ROTARY CLUB

● Mr. VITTER. Mr. President, today I am proud to recognize the members of the Monroe, LA, Rotary Club who have served our country honorably during war.

I would like to thank Kent Anderson, Edward Cascio, Tom Dansby, Kitty Degree, Donnie Franklin, George Hutchison, John Morris, Walt Pierron, and Barney Tucker for their courageous military service during wartime and for continued civic service in the greater Monroe area.

With the motto ''Service Above Self'' it is no surprise that these men would be inclined to be a member of Rotary. Their lifetime of service is exhibited not only in service to their fellow citizens during a time of war but also in continued commitment to their community.

Rotary's four-way test asks four questions of all things members think, say, and do. These questions are: Is it the truth? Is it fair to all concerned? Will it build goodwill and better friendships? Will it be beneficial to all concerned? These four simple questions have proven to be excellent guidelines for a life of service. We thank these men for serving the Monroe community with these principles. The Monroe Rotary Club has sponsored many local projects, including Boy Scouts, Girl Scouts, youth baseball, the Food Bank of Northeast Louisiana, and the Salvation Army, to name just a few.

Thus, today, I honor these veterans for their distinguished service in the U.S. armed services during wartime, and for their continued service to the State of Louisiana in the Monroe Rotary Club.●

MESSAGE FROM THE HOUSE

At 2:45 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5502. An act to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5502. An act to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009; 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–6217. A communication from the General Counsel of the Department of Defense,

transmitting legislative proposals relative to the National Defense Authorization Bill for fiscal year 2011; to the Committee on Armed Services.

EC–6218. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–6219. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal ''To Amend the Federal Water Pollution Control Act to Disestablish the National Response Unit''; to the Committee on Environment and Public Works.

EC–6220. 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 ''Application of Section 469 to the Section 45D New Markets Tax Credit'' (Rev. Rul. 2010–16) received in the Office of the President of the Senate on June 11, 2010; to the Committee on Finance.

EC–6221. 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 ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice No. 2010–47) received in the Office of the President of the Senate on June 11, 2010; to the Committee on Finance.

EC–6222. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program; Final Fiscal Year 2008, Revised Preliminary Fiscal Year 2009, and Preliminary Fiscal Year 2010 Disproportionate Share Hospital Allotments and Final Fiscal Year 2008, Revised Preliminary Fiscal Year 2009, and Preliminary Fiscal Year 2010 Disproportionate Share Hospital Institutions for Mental Disease Limits'' (RIN0938–AP66) received in the Office of the President of the Senate on June 10, 2010; to the Committee on Finance.

EC–6223. A communication from the Department of State, transmitting, pursuant to law, a report relative to the classified annex to the Nuclear Proliferation Assessment Statement (OSS Control No. 2010–0734); to the Committee on Foreign Relations.

EC–6224. A communication from the Department of State, transmitting, pursuant to law, a report relative to U.S. Assistance for the Government of Kenya (OSS Control No. 2010–0906); to the Committee on Foreign Relations.

EC–6225. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services for the upgrade of the Iraqi Ministry of Defense communication systems in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–6226. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services for the delivery, integration, and maintenance of the RF5800V–HH VHF Handheld, RF–5800V–MP VHF Manpack, RF–5800H–MP HF Manpack and the RF–7800S Secure Personnel Radio for end-use by the Sudan's People's Liberation Army Special Operations Command in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC–6227. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting proposed legislation relative to the Millennium Challenge Act of 2003; to the Committee on Foreign Relations.

EC–6228. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Long Term Care Insurance Program: Eligibility Changes'' (RIN3206–AL92) received in the Office of the President of the Senate on June 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6229. A communication from the Director, Office of Personnel Management, transmitting proposed legislation relative to permitting certain General Schedule Department of the Navy employees to earn an overtime rate that exceeds the overtime hourly rate cap that is normally applicable; to the Committee on Homeland Security and Governmental Affairs.

EC–6230. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6231. A communication from the Director, Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6232. A communication from the Chairman, Board of Governors, U.S. Postal Service, transmitting, pursuant to law, the Semiannual Report on the Audit, Investigative, and Security Activities of the U.S. Postal Service for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–6233. A communication from the Director of Regulations Policy and Management, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''State Cemetery Grants'' (RIN2900–AM96) received in the Office of the President of the Senate on June 10, 2010; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

H.R. 4275. To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the ''John C. Godbold Federal Building''.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 1508. A bill to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars.

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. BARRASSO (for himself, Mr. CONRAD, Mr. CRAPO, Mr. RISCH, Mr. JOHNSON, Mr. THUNE, Ms. MURKOWSKI, Mr. BEGICH, Mr. SANDERS, Mr. TESTER, Mr. DORGAN, Mr. ENZI, and Mrs. SHAHEEN):

S. 3485. A bill to amend title 23, United States Code, to improve highway mobility in rural States for the benefit of all States; to the Committee on Environment and Public Works.

By Mr. BROWN of Ohio (for himself, Mr. SANDERS, Mr. ROCKEFELLER, Mr. SPECTER, Mr. BEGICH, Mr. FRANKEN, and Ms. MIKULSKI):

S. 3486. A bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL of Colorado:

S. 3487. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide electric consumers the right to access certain electric energy information, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 3488. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself and Mr. WICKER):

S. 3489. A bill to terminate the moratorium on deepwater drilling issued by the Secretary of the Interior; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. WICKER):

S. 3490. A bill to clarify the rights and responsibilities of Federal entities in the spectrum relocation process, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INOUYE:

S. 3491. A bill to amend title XVIII of the Social Security Act to provide for patient protection by establishing safe nurse staffing levels at certain Medicare providers, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3492. A bill to amend the Outer Continental Shelf Lands Act to require the drilling of emergency relief wells, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER (for himself, Ms. STABENOW, and Mr. MENENDEZ):

S. 3493. A bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mr. KOHL):

S. 3494. A bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on the Judiciary.

By Mr. DORGAN (for himself and Mr. MERKLEY):

S. 3495. A bill to promote the deployment of plug-in electric drive vehicles, and for

other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BENNET (for himself, Mr. HATCH, Mr. ISAKSON, and Ms. KLOBUCHAR):

S. Res. 552. A resolution designating June 23, 2010, as ''Olympic Day''; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Mr. LIEBERMAN):

S. Res. 553. A resolution expressing the sense of the Senate that Congress should unwaveringly uphold the dignity and independence of older Americans; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 384

At the request of Mr. LUGAR, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 592

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 592, a bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1158

At the request of Ms. STABENOW, the name of the Senator from California (Mrs. FEINSTEIN) 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. 1345

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1698

At the request of Mr. BINGAMAN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1698, a bill to provide grants to the States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes.

S. 3033

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3033, a bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3311

At the request of Mr. KERRY, the names of the Senator from West Virginia (Mr. BYRD) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 3311, a bill to improve and enhance the capabilities of the Department of Defense to prevent and respond to sexual assault in the Armed Forces, and for other purposes.

S. 3460

At the request of Mr. SANDERS, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 3460, a bill to require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3472

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3472, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full costs of oil spills, and for other purposes.

S.J. RES. 29

At the request of Mrs. FEINSTEIN, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Washington (Ms. CANTWELL) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S.J. Res. 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 548

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. Res. 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship *Mavi Marmara*.

AMENDMENT NO. 4310

At the request of Mr. SCHUMER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 4310 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4311

At the request of Mr. FRANKEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 4311 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4318

At the request of Mr. SANDERS, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 4318 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4321

At the request of Mr. CASEY, the names of the Senator from Connecticut (Mr. DODD), the Senator from Washington (Mrs. MURRAY), the Senator from New Hampshire (Mrs. SHAHEEN),

the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 4321 intended to be proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4333

At the request of Mr. THUNE, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of amendment No. 4333 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

AMENDMENT NO. 4344

At the request of Mr. REID, the names of the Senator from Connecticut (Mr. DODD) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of amendment No. 4344 proposed to H.R. 4213, a bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BARRASSO (for himself, Mr. CONRAD, Mr. CRAPO, Mr. RISCH, Mr. JOHNSON, Mr. THUNE, Ms. MURKOWSKI, Mr. BEGICH, Mr. SANDERS, Mr. TESTER, Mr. DORGAN, Mr. ENZI, and Mrs. SHAHEEN):

S. 3485. A bill to amend title 23, United States Code, to improve highway mobility in rural States for the benefit of all States; to the Committee on Environment and Public Works.

Mr. CONRAD. Mr. President, I am pleased to join my colleague Senator BARRASSO in introducing the Rural Mobility and Access for America Act.

The transportation challenges in rural States are unique. In my State of North Dakota, we have more miles of road per capita than any State in the Nation. There are more than 11,000 miles of highway in North Dakota, which translates into approximately 166 miles of road for every 1,000 people in North Dakota. We have a very large road network with a small population base to support it. In fact, North Dakota only has 16 people supporting each lane mile of Federal-aid road. The national average is 129 people per lane mile.

Highways in North Dakota and other rural States connect the Nation and help ensure the effective movement of people and goods across the country. Today, the highways in the western part of my State are being impacted by a rise in truck traffic as a result of the oil boom occurring from the development of the Bakken formation. Our roads and highways are seeing a dramatic increase in trucks that are transporting supplies to the oil fields or oil to gathering lines.

The agriculture industry is also reliant on a strong, nationally connected road network to move products and services. Approximately 69 percent of the goods shipped annually from North Dakota are carried by truck. Significant and growing agricultural businesses throughout my state rely on the road network to receive raw goods and transport their finished products to market.

In addition, we have a large percentage of truck traffic that crosses our state. Sixty percent of the truck traffic does not originate or terminate within the state, but it still has an impact on our highways. In the next 10 years, commercial trucking in North Dakota is expected to increase by 42 percent.

Discussions surrounding the reauthorization of the highway bill have focused on congestion and the needs of large metropolitan areas. Some of the proposals being advanced shift money from the traditional highway formula programs to set-asides for large metro areas. However, maintaining a nationally connected system requires substantial investments in highways in and across rural areas as well.

It is important that our transportation policy continues to recognize the importance of investment in rural States, like North Dakota. The bill I am introducing with Senator BARRASSO makes certain rural States are not left behind. Under this proposal, if a metro mobility program is included in the highway reauthorization, a corresponding rural program would be funded at a level equal to ⅓ of the amount provided for the metro mobility program. The funds would be distributed evenly to the 18 States that qualify under our bill, and the States could use the funds for any of the eligible uses under the Surface Transportation Program.

Our bill provides an important balance to make sure our roads, both urban and rural, get the support necessary to maintain a nationally connected system. I urge my colleagues to support it.

By Mr. UDALL of Colorado:

S. 3487. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide electric consumers the right to access certain electric energy information, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, I rise today to discuss a bill that I filed, called the Electric Consumer Right to Know Act. This bill takes a common-sense step toward broadening consumers' access to data about their electricity usage. On top of that, I am proud to say that this idea came directly from one of my Colorado constituents.

In today's marketplace, consumers have a clear understanding of the price of gasoline and what their car mileage means for their pocket books. They also have ready access to the number of minutes remaining on their cell phone. However, consumers lack clear, timely data about their electricity use and its price. Providing increased transparency will help consumers with their decisions about electricity usage in their home or business.

The bill I filed today would provide timely access to these data by establishing consumers' clear right to access data on their own electricity usage. This right is an important step toward a more effective, reliable and efficient electrical grid, and a step toward helping consumers use electricity more efficiently and save money on their electric bills.

For the past year I have been travelling across Colorado as part of a work force tour to talk directly to Coloradans and hear their innovative policy ideas to create jobs, including hosting an Energy Jobs Summit in Denver back in February. As part of this Summit, we asked experts in energy policy and business to join us for a conversation about how we can better position Colorado and the United States to lead in the 21st century clean energy economy.

We heard from Energy Secretary Steven Chu, Governor Bill Ritter, Senator MICHAEL BENNET, and Congressman ED PERLMUTTER. But, more importantly, we heard from Coloradans who came to share their views on what the Federal Government can do, or in some instances not do, to support job creation and transition to cleaner and more efficient energy use.

One consumer participant at the Summit noted that, even though he had a smart meter at his home, his power company would not let him access his electrical meter readings to learn how he was using electricity. If he could access those readings, he could better understand his energy use, learn how to be more energy efficient and save money. That is why I am introducing the Electric Consumer Right to Know Act to improve communication between the consumers and their utility, spur innovation in developing creative technologies that will save energy, and provide clarity while these programs are being developed.

This bill has several important parts. First, it establishes a framework for the right to access information, defining specifically what that right means, and giving clarity to those who will further develop and enforce that right. This bill says that if you have a smart meter, or similar electronic device that reads electric energy usage, that you ought to have access to the utility company's data on your energy use.

How that access is granted is delineated in three ways in this bill:

If your meter communicates with your utility on an hourly or shorter time interval, my bill states that your meter readings should be available within 24 hours.

Second, if your smart meter is capable of communicating energy use data directly from your meter, under this bill, you have the right to access those data and use them directly at your home or business.

Third, for consumers who have standard meters, with this bill, there are no additional requirements except that your readings shall be available electronically in a timely manner.

Next, the bill directs the Federal Regulatory Energy Commission to convene an open, extensive and inclusive stakeholder process to work through the details of this measure to ensure that implementing the consumers' right to access their information also retains consumer privacy, and ensures the integrity and reliability of the grid.

The outcome of this process will be national guidelines establishing the right of consumers to access their electricity data, including minimum national standards that utilities must meet to ensure that right of access. In developing those minimum standards, the FERC will take into consideration the ongoing and important work at the National Institute of Standards and Technology in developing a smart grid roadmap, as well as the innovative state and local programs already being developed across the country to integrate smart meters into the electrical grid, including Colorado, California, Texas, Pennsylvania, and others.

In Colorado, Xcel Energy has been working with the City of Boulder on a pilot program called SmartGridCity to develop a community-scale smart grid with over 20,000 residents participating. Not only are these consumers improving their understanding of their electricity use, Xcel notes that they have already avoided several blackouts due to the improved communication between consumers and the grid. Power interruptions cost the American economy roughly $80 billion per year and ⅔ of those losses come from interruptions lasting less than five minutes. I am proud to see Coloradans and our state's utilities taking important steps together in learning how to make the grid more reliable, efficient, and help save everyone money.

Finally, part of ensuring the right to access your data includes the right to retain the privacy of your data. When consumers gain access to their data, they will also need to clearly understand how it will be used, especially when consumers grant third-party access to it. This is why this bill states that the FERC will establish, among other important measures, guidelines for consumer consent requirements. Retaining privacy is critical to building consumer trust in the smart grid and facilitating the transition to when the smart grid becomes a part of everyday life for every American family.

I look forward to working with my colleagues and all interested stakeholders in establishing this right, defining it in a way that eliminates unintended consequences, and enforcing this right in a way that improves the efficient use of electrical energy.

This bill is an important first step in implementing smart meters across the country, moving us toward an electrical grid that is more reliable and more efficient a smart grid' if you will. There are several pieces of the puzzle that will be required to realize that future, and one critical part of that puzzle is the right of consumers to access their electricity data. I urge my colleagues of both parties to join me in supporting this important legislation.

Mr. SPECTER (for himself, Ms. STABENOW, and Mr. MENENDEZ):

S. 3493. A bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers; to the Committee on Health, Education, Labor, and Pensions.

Mr. SPECTER. Mr. President, I have sought recognition today to introduce The Gynecological Cancer Education and Awareness Act of 2010 also known as Johanna's Law.

Every year, over 80,000 women in the United States are newly diagnosed with some form of gynecologic cancer such as ovarian, uterine, or cervical cancer. In 2009, 28,000 American women are estimated to have died from these cancers.

Early detection of these cancers must be improved to decrease this tragic loss of life. Unfortunately, thousands of women in the U.S. each year aren't diagnosed until their cancers have progressed to more advanced and far less treatable stages. In the case of ovarian cancer, which kills more women in the U.S. than all other gynecologic cancers combined, more than 40 percent of all new diagnoses take place after this cancer has progressed beyond its earliest and most survivable stage.

Women are often diagnosed many months, sometimes more than a year after they first experience symptoms due to a lack of knowledge of early warning signs of gynecological cancers. Adding to the challenge of a prompt and accurate diagnosis is the similarity of gynecological cancer symptoms to those of more common gastrointestinal conditions and benign gynecologic conditions such as perimenopause and menopause. Women too often receive diagnoses reflecting these benign conditions without their physicians having first considered gynecologic cancers as a possible cause of the symptoms.

The Gynecological Cancer Education and Awareness Act has improved early detection of gynecologic cancers by creating a national awareness and an education outreach campaign to inform physicians and individuals of the risk factors and symptoms of these diseases. When gynecological cancer is detected in its earliest stage, patients 5–year survival rates are greater than 90 percent and many go on to live normal, healthy lives.

The national awareness campaign has been carried out by the Department of Health and Human Services, HHS, to increase women's awareness and knowledge of gynecologic cancers. The campaign has maintained and distributed a supply of written materials that provide information to the public about gynecologic cancers. Further, the program has developed public service announcements encouraging women to discuss their risks for gynecologic cancers with their physicians, and inform the public about the availability of written materials and how to obtain them. The cost of continuing this awareness campaign is $5.5 million per year from 2010–2012, totaling $16.5 million.

The educational outreach campaign will be carried out through demonstration grants through HHS. These demonstration grants will go to local and national non-profits to test different outreach and education strategies, including those directed at providers, women, and their families. Groups with demonstrated expertise in gynecologic cancer education, treatment, or in working with groups of women who are at especially high risk will be given priority. Grant funding recipients will also be asked to work in cooperation with health providers, hospitals, and state health departments. The projected cost of the educational outreach campaign is $5 million per year from 2010–2012, totaling $15 million.

This legislation was brought to my attention by my friend Fran Drescher, who was diagnosed with uterine cancer in 2000 and whose diagnosis was also delayed due to her lack of knowledge about symptoms of this disease. She has recovered from uterine cancer and is advocating on behalf of gynecological cancer awareness. She also brought to my attention one of the many victims of gynecological cancers, Johanna Silver Gordon, after whom this bill is named, who was diagnosed at an advanced stage of ovarian cancer.

Johanna, the daughter and sister of physicians, was extremely health conscious taking the appropriate measures to maintain a healthy lifestyle including exercising regularly, eating nutritiously, and receiving annual pap smears and pelvic exams. Johanna however did not have the information to know that the gastric symptoms she experienced in the fall of 1996 were common symptoms of ovarian cancer. She didn't learn these crucial facts until after she was diagnosed at an advanced stage of this cancer. Despite aggressive treatment that included four surgeries, various types of chemotherapy, and participation in two clinical trials, Johanna died from ovarian cancer 3 1/2 years after being diagnosed. Johanna is survived by her sister Sheryl Silver who has tirelessly worked to increase the information available regarding gynecological cancers.

As former Chairman and Ranking Member of the Labor, Health and Human Services, and Education Appropriations Subcommittee, I led, along with Senator HARKIN, the effort to double funding for the National Institutes of Health, NIH, over 5 years. Funding

for the NIH has increased from $12 billion in fiscal year 1995 to $27 billion in fiscal year 2003. In 2004, the NIH, through the National Cancer Institute provided $243 million for gynecological cancer research. We must continue this growth to gain more information about gynecological cancers so that we can find a cure for this cancer.

I believe this bill can provide desperately needed information to physicians and individuals so that women can be diagnosed faster and more effectively. I urge my colleagues to move this legislation forward promptly.

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. 3493

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

SECTION 1. REAUTHORIZATION AND ENHANCEMENT OF JOHANNA'S LAW.

(a) IN GENERAL.—Section 317P(d)(4) of the Public Health Service Act (42 U.S.C. 247b–17(d)(4)) is amended by inserting after ''2009'' the following: '', $16,500,000 for the period of fiscal years 2010 through 2012, and such sums as are necessary for each subsequent fiscal year''.

(b) COLLABORATION WITH NONPROFIT GYNECOLOGIC CANCER ORGANIZATIONS.—Section 317P(d) of such Act (42 U.S.C. 247b–17(d)) is amended by adding at the end the following new paragraph:

''(5) COLLABORATION WITH NONPROFIT GYNECOLOGIC CANCER ORGANIZATIONS.—In carrying out the national campaign under this subsection, the Secretary shall collaborate with the leading nonprofit gynecologic cancer organizations, with a mission both to conquer ovarian cancer nationwide and to provide outreach to State and local governments and communities, for the purpose of determining the best practices for providing gynecologic cancer information and outreach services to varied populations.''.

SEC. 2. DEMONSTRATION PROJECTS REGARDING OUTREACH AND EDUCATION STRATEGIES RELATING TO GYNECOLOGIC CANCER.

(a) IN GENERAL.—Section 317P of the Public Health Service Act (42 U.S.C. 247b–17) is amended by adding at the end the following new subsection:

''(e) DEMONSTRATION PROJECTS REGARDING OUTREACH AND EDUCATION STRATEGIES.—

''(1) IN GENERAL.—The Secretary shall carry out a program to make grants to nonprofit private entities for the purpose of carrying out demonstration projects to test different outreach and education strategies to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers, including early warning signs, risk factors, prevention, screening, and treatment options. Such strategies shall include strategies directed at women and their families, physicians, nurses, and key health professionals.

''(2) PREFERENCES IN MAKING GRANTS.—In making grants under paragraph (1), the Secretary shall give preference to—

''(A) applicants with demonstrated expertise in gynecologic cancer education or treatment or in working with groups of women who are at especially high risk of gynecologic cancers; and

''(B) applicants that, in the demonstration project funded by the grant, will establish linkages between physicians, nurses, and key health professionals, hospitals, payers, and State health departments.

''(3) APPLICATION FOR GRANT.—A grant may be made under paragraph (1) only if an application for the grant is submitted to the Secretary and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Secretary determines to be necessary to carry out this subsection.

''(4) CERTAIN REQUIREMENTS.—In making grants under paragraph (1)—

''(A) the Secretary shall make grants to not fewer than five applicants, subject to the extent of amounts made available in appropriations Acts; and

''(B) the Secretary shall ensure that information provided through demonstration projects under such grants is consistent with the best available medical information.

''(5) REPORT TO CONGRESS.—Not later than 6 months after the date of the enactment of this subsection and annually thereafter, the Secretary shall submit to the Congress a report that—

''(A) summarizes the activities of demonstration projects under paragraph (1);

''(B) evaluates the extent to which the projects were effective in increasing early detection of gynecologic cancers and awareness of risk factors and early warning signs in the populations to which the projects were directed; and

''(C) identifies barriers to early detection and appropriate treatment of such cancers.

''(6) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—For purposes of carrying out this subsection, there is authorized to be appropriated in the aggregate $15,000,000 for the period of fiscal years 2010 through 2012 and such sums as are necessary for each subsequent fiscal year.

''(B) ADMINISTRATION, TECHNICAL ASSISTANCE, AND EVALUATION.—Of the amounts appropriated under subparagraph (A), not more than 9 percent may be expended for the purpose of administering this subsection, providing technical assistance to grantees under this subsection, and preparing the report under paragraph (5).''.

(b) CONFORMING AMENDMENT.—Subsection (d)(3)(A) of such section is amended by inserting ''(other than subsections (e))'' after ''this section''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 552—DESIGNATING JUNE 23, 2010, AS ''OLYMPIC DAY''

Mr. BENNET (for himself, Mr. HATCH, Mr. ISAKSON, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 552

Whereas Olympic Day celebrates the Olympic ideal of developing peace through sport;

Whereas June 23 marks the date on which the Congress of Paris approved the proposal of Pierre de Coubertin to found the modern Olympics;

Whereas thousands of people in more than 170 countries will celebrate the ideals of the Olympic spirit on June 23, 2010;

Whereas for more than a century, the Olympic movement has built a more peaceful and better world by—

(1) educating young people through amateur athletics;

(2) bringing together athletes from many countries in friendly competition; and

(3) forging new relationships bound by friendship, solidarity, and fair play;

Whereas the United States Olympians and Paralympians continue to achieve competitive excellence, preserve the Olympic ideals, and inspire all people of the United States;

Whereas community celebrations of Olympic Day improve the communities of the United States and inspire the Olympic and Paralympic champions of tomorrow;

Whereas Olympic Day encourages the development of Olympic and Paralympic sport in the United States;

Whereas Olympic Day encourages the youth of the United States to participate in and support Olympic and Paralympic sport; and

Whereas, as of the date of approval of this resolution, enthusiasm for Olympic and Paralympic sport is at an all-time high: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 23, 2010, as ''Olympic Day'';

(2) supports the goals and ideals of Olympic Day; and

(3) promotes—

(A) the fitness and well-being of all people of the United States; and

(B) the Olympic ideals of fair play, perseverance, respect, and sportsmanship.

SENATE RESOLUTION 553—EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD UNWAVERINGLY UPHOLD THE DIGNITY AND INDEPENDENCE OF OLDER AMERICANS

Ms. STABENOW (for herself and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 553

Whereas older Americans are a diverse group of men and women who have worked hard throughout their lives to provide for their families and defend the United States during critical periods in history;

Whereas older Americans deserve a dignified, secure, and independent retirement for the years of service they have provided to the United States;

Whereas the percentage of the United States population that is 65 years of age or older is rapidly expanding, particularly veterans;

Whereas many Americans are living longer, working longer, and enjoying healthier, more active lifestyles than past generations;

Whereas older Americans rely heavily on Federal programs such as Social Security, Medicare, Medicaid, and, for veterans, TRICARE, for financial security and high-quality, affordable health care;

Whereas the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) provides Federally-funded community-based social services and nutritional support programs to more than 10,000,000 older Americans each year;

Whereas notwithstanding Federal programs, older Americans experience greater financial losses during economic downturns and are subject to higher incidences of poverty, hunger, and homelessness;

Whereas older Americans seek to leave a legacy of a strong and stable economy to future generations that maintains a commitment to Social Security, Medicare, Medicaid, and the provision of benefits to veterans;

Whereas older Americans are increasingly the victims of fraud, scams, exploitation, and even physical abuse, actions that threaten the dignity, financial security, and access

to quality health care of older Americans; and

Whereas the 111th Congress has passed legislation that—

(1) protects the dignity of older Americans by strengthening efforts to eliminate waste, fraud, and abuse in Medicare and Medicaid; and

(2) prevents irresponsible lending practices that target older Americans and threaten to erode the resources that older Americans have worked their entire lives to save: Now, therefore, be it

Resolved, That it is the sense of the Senate that Congress should unwaveringly uphold the dignity and independence of older Americans by supporting efforts that guarantee for the older Americans—

(1) financial security;

(2) quality and affordable health and long-term care;

(3) protection from abuse, scams, and exploitation;

(4) a strong economy now and for future generations; and

(5) safe and livable communities with adequate housing and transportation options.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4351. Mr. ISAKSON (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table.

SA 4352. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4353. Mr. BAYH (for himself, Mr. SHELBY, Mrs. LINCOLN, Mr. VITTER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4354. Mr. INOUYE submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4355. Ms. CANTWELL (for herself, Mr. VITTER, Mrs. MURRAY, Ms. STABENOW, and Mr. INOUYE) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4356. Mr. BUNNING (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4357. Mr. BOND submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4358. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4359. Mr. PRYOR (for himself, Mr. COCHRAN, and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4360. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4361. Mr. NELSON of Florida submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4362. Mr. LEVIN (for himself, Mr. KAUFMAN, Mr. NELSON of Florida, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4363. Ms. CANTWELL (for herself, Mr. LEMIEUX, Mrs. FEINSTEIN, Ms. STABENOW, Mr. MERKLEY, Mr. NELSON of Nebraska, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4364. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

SA 4365. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4351. Mr. ISAKSON (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle B of title II, insert the following:

SEC. —. FIRST-TIME HOMEBUYER CREDIT.

(a) IN GENERAL.—Paragraph (2) of section 36(h) is amended by striking ''paragraph (1) shall be applied by substituting 'July 1, 2010' '' and inserting ''and who purchases such residence before October 1, 2010, paragraph (1) shall be applied by substituting 'October 1, 2010' ''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of section 36(h)(3) is amended by inserting ''and for 'October 1, 2010' '' after ''for 'July 1, 2010' ''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to residences purchased after June 30, 2010.

(d) TRANSFER OF STIMULUS FUNDS.—Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009, from the amounts appropriated or made available and remaining unobligated under division A of such Act (other than under title X of such division A), the Director of the Office of Management and Budget shall transfer from time to time to the general fund of the Treasury an amount equal to the net decrease in revenues resulting from the enactment of subsections (a) and (b).

SA 4352. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, insert the following:

SEC. 6___. WAIVER OF EMPLOYER HEALTH SHARED RESPONSIBILITY PAYMENT IN CASE OF JOB LOSSES.

(a) IN GENERAL.—Section 4980H of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(e) WAIVER UPON CERTIFICATION OF JOB LOSSES.—Subsections (a) and (b) shall not apply to any employer who certifies to the Secretary and the Secretary of Labor, at such time and in such manner as such Secretaries require, that the imposition of an assessable payment would result in the employer reducing employees.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SA 4353. Mr. BAYH (for himself, Mr. SHELBY, Mrs. LINCOLN, Mr. VITTER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 231 and insert the following:

SEC. 231. ELECTION FOR DIRECT PAYMENT OF LOW-INCOME HOUSING CREDIT FOR 2010.

(a) IN GENERAL.—Section 42 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

''(n) ELECTION FOR DIRECT PAYMENT OF CREDIT.—

''(1) IN GENERAL.—The housing credit agency of each State shall be allowed a credit in an amount equal to such State's 2010 low-income housing refundable credit election amount, which shall be payable by the Secretary as provided in paragraph (5).

''(2) 2010 LOW-INCOME HOUSING REFUNDABLE CREDIT ELECTION AMOUNT.—For purposes of this subsection, the term '2010 low-income housing refundable credit election amount' means, with respect to any State, such amount as the State may elect which does not exceed 85 percent of the product of—

''(A) the sum of—

''(i) 100 percent of the State housing credit ceiling for 2010 which is attributable to amounts described in clauses (i) and (iii) of subsection (h)(3)(C), plus any credits returned to the State attributable to section 1400N(c) (including credits made available under such section as applied by reason of sections 702(d)(2) and 704(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008), and

''(ii) 40 percent of the State housing credit ceiling for 2010 which is attributable to amounts described in clauses (ii) and (iv) of such subsection, plus any credits for 2010 attributable to the application of such section 702(d)(2) and 704(b), multiplied by

''(B) 10.

For purposes of subparagraph (A)(ii), in the case of any area to which section 702(d)(2) or 704(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 applies, section 1400N(c)(1)(A) shall be applied without regard to clause (i).

''(3) COORDINATION WITH NON-REFUNDABLE CREDIT.—For purposes of this section, the amounts described in clauses (i) through (iv) of subsection (h)(3)(C) with respect to any State for 2010 shall each be reduced by so much of such amount as is taken into account in determining the amount of the credit allowed with respect to such State under paragraph (1).

''(4) SPECIAL RULE FOR BASIS.—Basis of a qualified low-income building shall not be reduced by the amount of any payment made under this subsection.

''(5) PAYMENT OF CREDIT; USE TO FINANCE LOW-INCOME BUILDINGS.—The Secretary shall pay to the housing credit agency of each

State an amount equal to the credit allowed under paragraph (1). Rules similar to the rules of subsections (c) and (d) of section 1602 of the American Recovery and Reinvestment Tax Act of 2009 shall apply with respect to any payment made under this paragraph, except that such subsection (d) shall be applied by substituting 'January 1, 2012' for 'January 1, 2011'.''.

(b) CONFORMING AMENDMENT.—Section 1324(b)(2) of title 31, United States Code, is amended by inserting ''42(n),'' after ''36C,''.

SEC. 232. LOW-INCOME HOUSING GRANT ELECTION.

(a) CLARIFICATION OF ELIGIBILITY OF LOW-INCOME HOUSING CREDITS FOR LOW-INCOME HOUSING GRANT ELECTION.—Paragraph (1) of section 1602(b) of the American Recovery and Reinvestment Tax Act of 2009 is amended—

(1) by inserting '', plus any increase for 2009 or 2010 attributable to section 1400N(c) of such Code (including credits made available under such section as applied by reason of sections 702(d)(2) and 704(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008)'' after ''1986'' in subparagraph (A), and

(2) by inserting '', plus any credits for 2009 attributable to the application of such section 702(d)(2) and 704(b)'' after ''such section'' in subparagraph (B).

(b) APPLICATION OF ADDITIONAL HOUSING CREDIT AMOUNT FOR PURPOSES OF 2009 GRANT ELECTION.—Subsection (b) of section 1602 of the American Recovery and Reinvestment Tax Act of 2009, as amended by subsection (a), is amended by adding at the end the following flush sentence:

''For purposes of paragraph (1)(B), in the case of any area to which section 702(d)(2) or 704(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 applies, section 1400N(c)(1)(A) of such Code shall be applied without regard to clause (i).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of section 1602 of the American Recovery and Reinvestment Tax Act of 2009.

SA 4354. Mr. INOUYE submitted an amendment intended to be proposed to amendent SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; wich was ordered to lie on the table; as follows:

At the end of title VI, insert the following:

SEC. —. MODIFICATION OF THE APPLICATION OF THE TONNAGE TAX ON VESSELS OPERATING IN THE DUAL UNITED STATES DOMESTIC AND FOREIGN TRADES.

(a) IN GENERAL.—Subsection (f) of section 1355 of the Internal Revenue Code of 1986 (relating to definitions and special rules) is amended to read as follows:

''(f) EFFECT OF OPERATING A QUALIFYING VESSEL IN THE DUAL UNITED STATES DOMESTIC AND FOREIGN TRADES.—For purposes of this subchapter—

''(1) an electing corporation shall be treated as continuing to use a qualifying vessel in the United States foreign trade during any period of use in the United States domestic trade, and

''(2) gross income from such United States domestic trade shall not be excluded under section 1357(a), but shall not be taken into account for purposes of section 1353(b)(1)(B) or for purposes of section 1356 in connection with the application of section 1357 or 1358.''.

(b) REGULATORY AUTHORITY FOR ALLOCATION OF CREDITS, INCOME, AND DEDUCTIONS.—Section 1358 of the Internal Revenue Code of 1986 (relating to allocation of credits, income, and deductions) is amended—

(1) by striking ''in accordance with this subsection'' in subsection (c) and inserting ''to the extent provided in such regulations as may be prescribed by the Secretary'', and

(2) by adding at the end the following new subsection:

''(d) REGULATIONS.—The Secretary shall prescribe regulations consistent with the provisions of this subchapter for the purpose of allocating gross income, deductions, and credits between or among qualifying shipping activities and other activities of a taxpayer.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 1355(a)(4) of the Internal Revenue Code of 1986 is amended by striking ''exclusively''.

(2) Section 1355(b)(1)(B) of such Code is amended by striking ''as a qualifying vessel'' and inserting ''in the transportation of goods or passengers''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 4355. Ms. CANTWELL (for herself, Mr. VITTER, Mrs. MURRAY, Ms. STABENOW, and Mr. INOUYE) submitted an amendment intended to be proposed to amendent SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; wich was ordered to lie on the table; as follows:

At the end of title VI, insert the following:

SEC. —. REPEAL OF QUALIFIED SHIPPING INVESTMENT WITHDRAWAL RULES.

(a) IN GENERAL.—Section 955 is hereby repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 951(a)(1)(A) is amended by adding ''and'' at the end of clause (i) and by striking clause (iii).

(2) Section 951(a)(1)(A)(ii) is amended by striking '', and'' at the end and inserting '', except that in applying this clause amounts invested in less developed country corporations described in section 955(c)(2) (as so in effect) shall not be treated as investments in less developed countries.''.

(3) Section 951(a)(3) is hereby repealed.

(4) Section 964(b) of such Code is amended by striking '', 955,''.

(5) The table of sections for subpart F of part III of subchapter N of chapter 1 is amended by striking the item relating to section 955.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years of controlled foreign corporations ending on or after the date of the enactment of this Act, and to taxable years of United States shareholders in which or with which such taxable years of controlled foreign corporations end.

SEC. —. TAX IMPOSED ON ELECTING UNITED STATES SHAREHOLDERS.

(a) IN GENERAL.—In the case of a United States shareholder for which an election is in effect under this section, a tax is hereby imposed on such shareholder's pro rata share (determined under the principles of paragraph (2) of subsection (a) of section 951 of the Internal Revenue Code of 1986) of the sum of—

(1) the foreign base company shipping income (determined under section 954(f) of the Internal Revenue Code of 1986 as in effect before the enactment of the American Jobs Creation Act of 2004) for all prior taxable years beginning after 1975 and before 1987, and

(2) income described in section 954(b)(2) of the Internal Revenue Code as in effect prior to the effective date of the Tax Reform Act of 1975, without regard to whether such income was not included in subpart F income under section 954(b)(2) or any other provision of such Code,

but only to the extent such income has not previously been included in the gross income of a United States person as a dividend or under any section of the Internal Revenue Code after 1962, or excluded from gross income pursuant to subsection (a) of section 959 of the Internal Revenue Code of 1986.

(b) AMOUNT OF TAX.—The amount of tax imposed by subsection (a) shall be 5.25 percent of the income described therein.

(c) INCOME NOT SUBJECT TO FURTHER TAX.—The income on which a tax is imposed by subsection (a) shall not (other than such tax) be included in the gross income of such United States shareholder (or any other United States person who acquires from any person any portion of the interest of such United States shareholder in such foreign corporation) and shall be treated for purposes of the Internal Revenue Code of 1986 as if such amounts are, or have been, included in the income of the United States shareholder under section 951(a)(1)(B).

(d) ADDITIONAL TAX IMPOSED FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—

(1) IN GENERAL.—If, during the period consisting of the calendar month in which the election under this section is made and the succeeding 23 calendar months, the taxpayer does not maintain an average employment level at least equal to the taxpayer's prior average employment, an additional amount shall be taken into account as income by the taxpayer during the taxable year that includes the final day of such period, equal to $25,000 multiplied by the number of employees by which the taxpayer's average employment level during such period falls below the prior average employment.

(2) PRIOR AVERAGE EMPLOYMENT.—For purposes of this subsection, the taxpayer's prior average employment is the average number of full time equivalent employees of the taxpayer during the period consisting of the 24 calendar months immediately preceding the calendar month in which the election under this section is made.

(3) AGGREGATION RULES.—In determining the taxpayer's average employment level and prior average employment, all domestic members of a controlled group (as defined in section 264(e)(5)(B) of the Internal Revenue Code of 1986) shall be treated as a single taxpayer.

(e) ELECTION.—

(1) IN GENERAL.—A taxpayer may elect to apply this section to—

(A) the taxpayer's last taxable year which begins before the date of the enactment of this Act, or

(B) the taxpayer's first taxable year beginning on or after such date.

(2) TIMING OF ELECTION AND ONE-TIME ELECTION.—Such election may be made only once by any taxpayer, and only if made on or before the due date (including extensions) for filing the return of tax for the taxable year of such election.

(f) EFFECTIVE DATE.—This section shall apply to taxable years ending on or after the date of the enactment of this Act.

SA 4356. Mr. BUNNING (for himself and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendent SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; wich was ordered to lie on the table; as follows:

On page 23, line 25, insert ''(E),'' after ''(C),''.

SA 4357. Mr. BOND submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 170, line 6, strike all through page 225, line 4, and insert the following:

SEC. 401. USE OF STIMULUS FUNDS TO OFFSET SPENDING.

The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) (other than under title X of division A of such Act) is rescinded such that the aggregate amount of such rescissions equal $39,860,000,000 in order to offset the net increase in spending resulting from the provisions of, and amendments made by, this Act. The Director of the Office of Management and Budget shall report to each congressional committee the amounts so rescinded within the jurisdiction of such committee.

SA 4358. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

Subtitle C—Drug Testing and Treatment Programs

SEC. —. DRUG TESTING AND TREATMENT PROGRAM FOR APPLICANTS FOR STATE TANF PROGRAMS.

(a) STATE PLAN REQUIREMENT OF DRUG TESTING AND TREATMENT PROGRAM.—Section 402(a) of the Social Security Act (42 U.S.C. 602(a)) is amended by adding at the end the following new paragraph:

''(8) CERTIFICATION THAT THE STATE WILL OPERATE AN ILLEGAL DRUG USE TESTING AND TREATMENT PROGRAM.—

''(A) IN GENERAL.—A certification by the chief executive officer of the State that the State will operate a program to test all new applicants for assistance under the State program funded under this part for the use of illegal drugs (as defined in section 408(a)(12)(D)(i)), and (except as provided in subparagraph (B)) to deny assistance under such State program to individuals who test positive for illegal drug use, as required by such section.

''(B) ASSISTANCE AND REPEAT TESTING.—The program described in subparagraph (A) shall include a plan to make all reasonable effort to provide individuals who test positive for illegal drug use with services under State or federally funded drug treatment programs, and to allow individuals who test positive at the first test to repeat the drug test after 60 days upon request by the individual. If such an individual tests negative for illegal drug use at the second test, the State may provide assistance to such individual under the State program funded under this part.''.

(b) REQUIREMENT THAT APPLICANTS BE TESTED FOR ILLEGAL DRUG USE.—Section 408(a) of the Social Security Act (42 U.S.C. 608(a)) is amended by adding at the end the following new paragraph:

''(12) REQUIREMENT FOR DRUG TESTING.—

''(A) IN GENERAL.—A State to which a grant is made under section 403 shall not use any part of the grant to provide assistance to any individual who applies for assistance on or after the effective date of the American Jobs and Closing Tax Loopholes Act of 2010, who has not been tested for illegal drug use under the program required under section 402(a)(8).

''(B) DENIAL OF ASSISTANCE FOR INDIVIDUALS WHO TEST POSITIVE FOR ILLEGAL DRUG USE.—In the case of an individual who tests positive for illegal drug use under the program described in subparagraph (A), the State shall not provide assistance to the individual under the State program funded under this part except as provided in section 402(a)(8)(B).

''(C) LIMITATION ON WAIVER AUTHORITY.—The Secretary may not waive the provisions of this paragraph under section 1115.

''(D) ILLEGAL DRUG.—For purposes of this paragraph, the term 'illegal drug' means a controlled substance as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the 1st day of the 1st calendar quarter that begins on or after the date of the enactment of this Act.

SEC. —. DRUG TESTING AND TREATMENT PROGRAM FOR APPLICANTS FOR UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 3304(a) of the Internal Revenue Code of 1986 (relating to approval of State unemployment compensation laws) is amended—

(1) in paragraph (18), by striking ''and'' at the end;

(2) by redesignating paragraph (19) as paragraph (20); and

(3) by inserting after paragraph (18) the following new paragraph:

''(19) the State—

''(A) is required to operate a program to test all new applicants for unemployment compensation for the use of illegal drugs (as defined in section 408(a)(12)(D) of the Social Security Act);

''(B) makes all reasonable efforts to provide individuals who test positive for illegal drug use with services under State or federally funded drug treatment programs;

''(C) allows individuals who test positive at the first test to repeat the drug test after 60 days upon request by the individual;

''(D) denies unemployment compensation to individuals who test positive for illegal drug use or who have not been tested for illegal drug use under the program (except that in the case of an individual who tests positive for illegal drug use at the first test, compensation shall not be denied based on such test if the individual tests negative for illegal drug use at the second test under subparagraph (C); and''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the 1st day of the 1st calendar quarter that begins on or after the date of the enactment of this Act.

SEC. —. REDUCTION OF HHS DISCRETIONARY FUNDING AND APPROPRIATION OF FUNDS.

(a) IN GENERAL.—The budget authority provided for each discretionary account within the Department of Health and Human Services shall be reduced for fiscal year 2010 and each fiscal year thereafter by such account's pro rata share of the amount equal to the aggregate State administrative cost amounts for the fiscal year.

(b) APPROPRIATION OF FUNDS.—For each fiscal year beginning with fiscal year 2010, an amount equal to the total amount of the budget authority reduction required under subsection (a) for such fiscal year is appropriated, and shall be transferred to the States, for the purpose of implementing the Federal benefit drug testing requirements in such fiscal year. The amount transferred to each State for a fiscal year shall be equal to the State administrative cost amount with respect to such State for such year.

(c) STATE ADMINISTRATIVE COST AMOUNT.—For purposes of this section, the State administrative cost amount is, with respect to each State and a fiscal year, the cost the State will incur to implement the Federal benefit drug testing requirements during the fiscal year, as estimated and reported by the State to the Secretary of the Treasury.

(d) FEDERAL BENEFIT DRUG TESTING REQUIREMENTS.—For purposes of this section, the term ''Federal benefit drug testing requirements'' means the requirements imposed by sections 402(a)(8) and 408(a)(12) of the Social Security Act (42 U.S.C. 602(a)(8) and 608(a)(12), respectively), and section 3304(a)(19) of the Internal Revenue Code of 1986.

SA 4359. Mr. PRYOR (for himself, Mr. COCHRAN, and Mrs. LINCOLN) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

On page 363, between lines 3 and 4, insert the following:

SEC. 621. FLOOD MAPPING.

No revised, updated, or newly published flood insurance rate map issued on or after September 30, 2008, pursuant to the Flood Map Modernization Program authorized under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) shall take effect until such time as all of the following requirements are satisfied:

(1) ESTABLISHMENT AND IMPLEMENTATION OF A BASE FLOOD ELEVATION DETERMINATION AND SPECIAL FLOOD HAZARD AREA DETERMINATION ARBITRATION PANEL.—

(A) ESTABLISHMENT.—As allowed under section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104), and notwithstanding any other provision of law, not later than 90 days after the date of enactment of this section, the Administrator of the Federal Emergency Management Agency shall establish an arbitration panel—

(i) to efficiently and clearly resolve disputes between communities and the Federal Government regarding the Flood Map Modernization Program; and

(ii) to expedite the general acceptance of technically accurate base flood elevation determinations as reflected in Flood Insurance Rate Maps.

(B) ARBITRATION PANEL.—

(i) MEMBERSHIP.—The arbitration panel established under subparagraph (A) shall be comprised of 5 members.

(ii) ARMY CORPS OF ENGINEERS.—The United States Army Corps of Engineers shall compile a list of eligible experts to serve on the arbitration panel established under subparagraph (A). The community who has sought to have a dispute resolved by the arbitration panel shall select a majority of the panelists from such list. After a community has made its selections, the Administrator shall select the remaining members of the arbitration panel from such list.

(iii) NO FEMA EMPLOYEES.—No member of the arbitration panel established under subparagraph (A) shall be an employee of the Federal Emergency Management Agency.

(iv) INDEPENDENCE.—Each member of the arbitration panel established under subparagraph (A) shall be independent and neutral.

(v) USE OF.—A community may choose to have a dispute resolved by the arbitration

panel not later than 90 days after it has exhausted any applicable appeals period available under the National Flood Insurance Act.

(C) CONSIDERATIONS.—

(i) IN GENERAL.—The arbitration panel established under subparagraph (A) may consider historical flood data and other data outside the scope of scientific or technical data in carrying out the duties and responsibilities of the arbitration panel.

(ii) COORDINATION WITH CORPS OF ENGINEERS.—Upon request by the arbitration panel, the appropriate district office of jurisdiction of the United States Army Corps of Engineers shall fund and make available personnel or technical guidance to assist the arbitration panel in considering hydrological data, historical data, budgetary data, or other relevant information.

(D) COMMUNITY CHOICE.—A community may choose to have a dispute resolved by the arbitration panel only if the community has satisfied the following conditions:

(i) The community has appealed a base flood elevation determination or a determination of an area having special flood hazards and undergone a 60-day consultation period with the Administrator of the Federal Emergency Management Agency in an effort to resolve the dispute.

(ii) The 60-day consultation period described in clause (i) shall begin upon the Administrator's receipt of notice of intent of the community to enter arbitration.

(iii) In cases in which the appeal period described under clause (i) begins a sufficient time after the date of enactment of this section, the community has adequately notified the public 180 days prior to the beginning of the appeal period regarding the changes proposed by the Administrator. Such notification may include individual notification of affected households, public meetings, or publication of proposed changes in local media.

(E) BINDING AUTHORITY.—

(i) IN GENERAL.—Any determination of resolution of a dispute by the arbitration panel under this paragraph—

(I) shall be final and binding; and

(II) may not appeal or seek further relief for such dispute to any other administrative or judicial body.

(ii) PROCEEDINGS.—

(I) IN GENERAL.—The arbitration panel shall—

(aa) initiate proceedings to resolve any disputes brought before the arbitration panel;

(bb) consider all relevant information during the course of any such proceeding; and

(cc) issue a determination of resolution of the dispute, within a 150 days after the initiation of such proceeding.

(II) EFFECT PRIOR TO DETERMINATION.—Until such time as the arbitration panel issues a determination of resolution under subclause (I), the most current Flood Insurance Rate Maps shall remain in effect.

(iii) APPEAL DETERMINATION.—Following deliberations, the arbitration panel shall issue an appeal determination of resolution of a dispute setting forth the base flood elevation determination or the determination of an area having special flood hazards that shall be reflected in the Flood Insurance Rate Maps. The appeal determination of the arbitration panel shall not be limited to either acceptance or denial of the position of Administrator of the Federal Emergency Management Agency or the position of the community.

(iv) WRITTEN OPINION.—Accompanying any appeal determination of resolution issued pursuant to clause (iii), the arbitration panel shall issue a written opinion fully explaining its decision, including all relevant information relied upon by the panel. The opinion issued under this paragraph shall provide communities seeking to mitigate their flood risk with available information to make informed future planning decisions in light of identified flood hazards.

(F) RULE OF CONSTRUCTION.—Nothing contained in this paragraph shall alter existing procedures for revision, update, or amendment of Flood Insurance Rate Maps, including Flood Insurance Rate Maps resulting from decisions of the arbitration panel.

(2) INDEPENDENT REVIEW AND ASSESSMENT OF FLOOD MAP MODERNIZATION PROGRAM.—

(A) INDEPENDENT REVIEW AND ASSESSMENT REQUIRED.—The Administrator of the Federal Emergency Management Agency shall select an appropriate entity outside the Federal Emergency Management Agency to conduct an independent review and assessment of the Flood Map Modernization Program established under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101).

(B) ELEMENTS.—The review and assessment required by this paragraph shall address the following:

(i) The engineering analysis used to prepare revised and updated Flood Insurance Rate Maps, including any engineering analysis related to determination of floodplain areas and flood-risk zones.

(ii) The definition of the term floodplain, area of special flood hazard, and other flood-related terms used by the Administrator of the Federal Emergency Management Agency in preparing revised and updated Flood Insurance Rate Maps.

(iii) Any watershed or water flow modeling, and other technical data used by the Administrator of the Federal Emergency Management Agency in preparing revised and updated Flood Insurance Rate Maps.

(C) CONSULTATION.—The entity selected by the Administrator of the Federal Emergency Management Agency to conduct the review and assessment required by this paragraph shall, in carrying out the elements required under subparagraph (B), consult with the General Accountability Office, the Army Corps of Engineers, the United States Geological Survey, the National Oceanic and Atmospheric Administration, and affected communities and their congressional representatives, as applicable.

(D) REPORT.—Not later than 9 months after the date of the enactment of this section, the entity conducting the review and assessment under this paragraph shall submit to the Administrator and the Congress a report containing the results of the review and assessment.

SEC. 622. BASE FLOOD ELEVATION DETERMINATION APPEAL PERIOD.

(a) IN GENERAL.—Notwithstanding any other provision of law, the appeal period for any base flood elevation determination or any determination of an area having special flood hazards shall be 90 days unless an extended appeal period is requested by a party affected by such determination, in which case the appeal period shall be 120 days.

(b) REENTRY OF APPEALS.—Effective for the 90-day period beginning on the date of enactment of this section, any community whose Flood Insurance Rate Maps were revised, updated, or otherwise altered after September 30, 2008, pursuant to the Flood Map Modernization Program established under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) shall be permitted to re-enter an appeal of such revision, update, or alteration and such appeal shall be subject to the time limitations established under subsection (a).

SEC. 623. DESIGNATION OF ECONOMIC IMPACT FOR PRELIMINARY BASE FLOOD ELEVATION DETERMINATIONS AND PRELIMINARY FLOOD INSURANCE RATE MAPS.

For purposes of section 605(b) of title 5, United States Code, the issuance by the Administrator of the Federal Emergency Management Agency of a proposed modified base flood elevation, proposed area having special flood hazards, preliminary flood insurance study, or preliminary Flood Insurance Rate Maps shall be deemed to have a significant economic impact on a substantial number of small entities.

SEC. 624. ELIGIBILITY FOR CERTAIN REIMBURSEMENTS FOR COMMUNITIES PARTICIPATING IN ARBITRATION.

For communities who enter arbitration pursuant to paragraph (1) of section 621, the Administrator may make available funds derived from offsetting collections assessed and collected under section 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)) to reimburse 50 percent of certain expenses incurred by communities related to successful appeals of the Flood Insurance Rate Maps that are the subject of a dispute for which the arbitration panel established under section 621 has been directed to resolve, as allowed for pursuant to section 1307(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(f)), if the community has not received a grant from or served as a cooperative technical partner with the Federal Emergency Management Agency in carrying out the study required pursuant to such section.

SEC. 625. 5-YEAR PHASE-IN OF CERTAIN PREMIUM COSTS.

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(1) in subsection (c), by inserting ''and subsection (g)'' before the first comma; and

(2) by adding at the end the following new subsection:

''(g) 5-YEAR PHASE-IN OF PREMIUM ADJUSTMENT TO REFLECT CURRENT RISK OF FLOOD.—Any increase or newly applicable risk premium rate charged for flood insurance on any property that is required to be covered by a flood insurance policy as a result of the updating or remapping required pursuant to section 1360 shall be phased in over a 5-year period as follows:

''(1) For the first year of such 5-year period, 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

''(2) For the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

''(3) For the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

''(4) For the fourth year of such 5-year period, 80 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

''(5) For the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.''.

SA 4360. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213 to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, which was ordered to lie on the table; as follows:

On page 296, after line 23, add the following:

(d) COORDINATION WITH DEPARTMENT OF AGRICULTURE.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended by adding at the end the following:

''(o) COORDINATION WITH DEPARTMENT OF AGRICULTURE.—

''(1) IN GENERAL.—In coordination with the Administrator of the Farm Service Agency,

the Under Secretary for Rural Development, and the head of any other appropriate Federal agency, the Administrator shall conduct outreach and provide technical assistance to farmers and other rural businesses with regard to programs of the Administration for which the farmers and rural businesses may be eligible.

''(2) AGREEMENT.—The coordination under this subsection shall include evaluating whether the Administrator should enter an agreement under which—

''(A) offices of the Department of Agriculture may assist in completing and accept applications for programs of the Administration; or

''(B) employees of the Administration periodically have office hours at offices of the Department of Agriculture.''.

SA 4361. Mr. NELSON of Florida submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213 to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, which was ordered to lie on the table; as follows:

On page 363, between lines 3 and 4, insert the following:

SEC. 621. EXCLUSIVITY PERIOD.

(a) FIRST APPLICANT.—Section 505(j)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(5)) is amended—

(1) in subparagraph (B)(iv)—

(A) in subclause (II), by striking item (bb) and inserting the following:

''(bb) FIRST APPLICANT.—As used in this subsection, the term 'first applicant' means—

''(AA) an applicant that, on the first day on which a substantially complete application containing a certification described in paragraph (2)(A)(vii)(IV) is submitted for approval of a drug, submits a substantially complete application that contains and lawfully maintains a certification described in paragraph (2)(A)(vii)(IV) for the drug; or

''(BB) an applicant for the drug not described in item (AA) that satisfies the requirements of subclause (III).''; and

(B) by adding at the end the following:

''(III) An applicant described in subclause (II)(bb)(BB) shall—

''(aa) submit and lawfully maintain a certification described in paragraph (2)(A)(vii)(IV) or a statement described in paragraph (2)(A)(viii) for each unexpired patent for which a first applicant described in item (AA) had submitted a certification described in paragraph (2)(A)(vii)(IV) on the first day on which a substantially complete application containing such a certification was submitted;

''(bb) with regard to each such unexpired patent for which the applicant submitted a certification described in paragraph (2)(A)(vii)(IV), no action for patent infringement was brought against the applicant within the 45-day period specified in paragraph (5)(B)(iii), or if an action was brought within such time period, the applicant has obtained the decision of a court (including a district court) that the patent is invalid or not infringed (including any substantive determination that there is no cause of action for patent infringement or invalidity, and including a settlement order or consent decree signed and entered by the court stating that the patent is invalid or not infringed); and

''(cc) but for the effective date of approval provisions in subparagraphs (B) and (F) and sections 505A and 527, be eligible to receive immediately effective approval at a time before any other applicant has begun commercial marketing.''; and

(2) in subparagraph (D)—

(A) in clause (i)(IV), by striking ''The first applicant'' and inserting ''The first applicant, as defined in subparagraph (B)(iv)(II)(bb)(AA),''; and

(B) in clause (iii), in the matter preceding subclause (I)—

(i) by striking ''If all first applicants forfeit the 180-day exclusivity period under clause (ii)''; and

(ii) by inserting ''If all first applicants, as defined in subparagraph (B)(iv)(II)(bb)(AA), forfeit the 180-day exclusivity period under clause (ii) at a time at which no applicant has begun commercial marketing''.

(b) EFFECTIVE DATE AND TRANSITIONAL PROVISION.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective only with respect to an application filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) to which the amendments made by section 1102(a) of the Medicare Prescription Drug Improvement and Modernization Act of 2003 (Public Law 108–173) apply.

(2) TRANSITIONAL PROVISION.—An application filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)), to which the 180-day exclusivity period described in paragraph (5)(iv) of such section does not apply, and that contains a certification under paragraph (2)(A)(vii)(IV) of such Act, shall be regarded as a previous application containing such a certification within the meaning of section 505(j)(5)(B)(iv) of such Act (as in effect before the amendments made by Medicare Prescription Drug Improvement and Modernization Act of 2003 (Public Law 108–173)) if—

(A) no action for infringement of the patent that is the subject of such certification was brought against the applicant within the 45-day period specified in section 505(j)(5)(B)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(5)(B)(iii)), or if an action was brought within such time period, the applicant has obtained the decision of a court (including a district court) that the patent is invalid or not infringed (including any substantive determination that there is no cause of action for patent infringement or invalidity, and including a settlement order or consent decree signed and entered by the court stating that the patent is invalid or not infringed);

(B) the application is eligible to receive immediately effective approval, but for the effective date of approval provisions in sections 505(j)(5)(B) (as in effect before the amendment made by Public Law 108–173), 505(j)(5)(F), 505A, and 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(5)(B), 355(j)(5)(F), 355a, 360cc); and

(C) no other applicant has begun commercial marketing.

SA 4362. Mr. LEVIN (for himself, Mr. KAUFMAN, Mr. NELSON of Florida, Mrs. SHAHEEN, Mrs. MCCASKILL, Mr. WHITEHOUSE, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213 to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, which was ordered to lie on the table; as follows:

At the end of the amendment, insert the following:

TITLE ____—AUTHORIZING SPECIAL MEASURES FOR JURISDICTIONS, FINANCIAL INSTITUTIONS, INTERNATIONAL TRANSACTIONS, OR TYPES OF ACCOUNTS THAT ARE OF PRIMARY MONEY LAUNDERING CONCERN OR IMPEDE UNITED STATES TAX ENFORCEMENT

SEC. _____. AUTHORIZING SPECIAL MEASURES FOR JURISDICTIONS, FINANCIAL INSTITUTIONS, INTERNATIONAL TRANSACTIONS, OR TYPES OF ACCOUNTS THAT ARE OF PRIMARY MONEY LAUNDERING CONCERN OR IMPEDE UNITED STATES TAX ENFORCEMENT.

Section 5318A of title 31, United States Code, is amended—

(1) by striking the section heading and inserting the following:

''§ 5318A. Special measures for jurisdictions, financial institutions, or international transactions that are of primary money laundering concern or impede United States tax enforcement'';

(2) in subsection (a), by striking the subsection heading and inserting the following:

''(a) SPECIAL MEASURES TO COUNTER MONEY LAUNDERING AND EFFORTS TO IMPEDE UNITED STATES TAX ENFORCEMENT.—'';

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

''(c) CONSULTATIONS AND INFORMATION TO BE CONSIDERED IN FINDING JURISDICTIONS, INSTITUTIONS, TYPES OF ACCOUNTS, OR TRANSACTIONS TO BE OF PRIMARY MONEY LAUNDERING CONCERN OR TO BE IMPEDING UNITED STATES TAX ENFORCEMENT.—'';

(4) in subsection (a)(1), by inserting ''or is impeding United States tax enforcement'' after ''primary money laundering concern'';

(5) in subsection (a)(4)—

(A) in subparagraph (A)—

(i) by inserting ''in matters involving money laundering,'' before ''shall consult''; and

(ii) by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) in matters involving United States tax enforcement, shall consult with the Commissioner of the Internal Revenue, the Secretary of State, the Attorney General of the United States, and in the sole discretion of the Secretary, such other agencies and interested parties as the Secretary may find to be appropriate; and'';

(6) in each of paragraphs (1)(A), (2), (3), and (4) of subsection (b), by inserting ''or to be impeding United States tax enforcement'' after ''primary money laundering concern'' each place that term appears;

(7) in subsection (b), by striking paragraph (5) and inserting the following:

''(5) PROHIBITIONS OR CONDITIONS ON OPENING OR MAINTAINING CERTAIN CORRESPONDENT OR PAYABLE-THROUGH ACCOUNTS OR AUTHORIZING CERTAIN PAYMENT CARDS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, or 1 or more classes of transactions within or involving a jurisdiction outside of the United States to be of primary money laundering concern or to be impeding United States tax enforcement, the Secretary, in consultation with the Secretary of State, the Attorney General of the United States, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit, or impose conditions upon—

''(A) the opening or maintaining in the United States of a correspondent account or payable-through account; or

''(B) the authorization, approval, or use in the United States of a credit card, charge

card, debit card, or similar credit or debit financial instrument by any domestic financial institution, financial agency, or credit card company or association, for or on behalf of a foreign banking institution, if such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument, involves any such jurisdiction or institution, or if any such transaction may be conducted through such correspondent account, payable-through account, credit card, charge card, debit card, or similar credit or debit financial instrument.''; and

(8) in subsection (c)(1), by inserting ''or is impeding United States tax enforcement'' after ''primary money laundering concern'';

(9) in subsection (c)(2)(A)—

(A) in clause (ii), by striking ''bank secrecy or special regulatory advantages'' and inserting ''bank, tax, corporate, trust, or financial secrecy or regulatory advantages'';

(B) in clause (iii), by striking ''supervisory and counter-money'' and inserting ''supervisory, international tax enforcement, and counter-money'';

(C) in clause (v), by striking ''banking or secrecy'' and inserting ''banking, tax, or secrecy''; and

(D) in clause (vi), by inserting '', tax treaty, or tax information exchange agreement'' after ''treaty'';

(10) in subsection (c)(2)(B)—

(A) in clause (i), by inserting ''or tax evasion'' after ''money laundering''; and

(B) in clause (iii), by inserting '', tax evasion,'' after ''money laundering''; and

(11) in subsection (d), by inserting ''involving money laundering, and shall notify, in writing, the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives of any such action involving United States tax enforcement'' after ''such action''.

SA 4363. Ms. CANTWELL (for herself, Mr. LEMIEUX, Mrs. FEINSTEIN, Ms. STABENOW, Mr. MERKLEY, Mr. NELSON of Nebraska, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, insert the following:

SEC. 2___. EXTENSION AND EXPANSION OF GRANTS FOR SPECIFIED ENERGY PROPERTY IN LIEU OF TAX CREDITS.

(a) EXTENSION.—

(1) IN GENERAL.—Subsection (a) of section 1603 of division B of the American Recovery and Reinvestment Act of 2009 is amended—

(A) in paragraph (1), by striking ''2009 or 2010'' and inserting ''2009, 2010, 2011, or 2012'', and

(B) in paragraph (2)—

(i) by striking ''after 2010'' and inserting ''after 2012'', and

(ii) by striking ''2009 or 2010'' and inserting ''2009, 2010, 2011, or 2012''.

(2) CONFORMING AMENDMENT.—Subsection (j) of section 1603 of division B of such Act is amended by striking ''2011'' and inserting ''2013''.

(b) EXPANSION OF GRANTS TO CERTAIN GOVERNMENTAL UNITS AND CO-OPERATIVE ELECTRIC COMPANIES.—

(1) IN GENERAL.—

(A) EXPANSION.—Section 1603(g) of division B of the American Recovery and Reinvestment Act of 2009 is amended—

(i) in paragraph (1), by inserting ''other than a governmental unit which is a State utility with a service obligation (as such terms are defined in section 217 of the Federal Power Act)'' after ''thereof),'',

(ii) in paragraph (2), by inserting ''other than a mutual or cooperative electric company described in section 501(c)(12) of such Code'' after ''such Code'', and

(iii) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(B) CONFORMING AMENDMENT.—Paragraph (3) of section 1603(g) of division B of such Act, as redesignated by subparagraph (A)(iii), is amended by striking ''paragraph (1), (2), or (3)'' and inserting ''paragraph (1) or (2)''.

(2) SPECIAL RULE WITH RESPECT TO POWER MARKETING ADMINISTRATIONS AND TVA.—Section 1603 of division B of such Act, as amended by subsection (a), is amended by redesignating subsections (h), (i), and (j) as subsections (i), (j), and (k), respectively, and by inserting after subsection (g) the following new subsection:

''(h) CERTAIN PERSONS DEEMED ELIGIBLE.—Notwithstanding any other provision of this section—

''(1) the Tennessee Valley Authority shall be eligible for a grant under this subsection, and

''(2) no person shall be considered to be ineligible for a grant under this section on the basis that such person has a contract or other business arrangement relating to the specified energy property with a power marketing administration (within the meaning of section 2605(a)(2) of the Energy Policy Act of 1992) or the Tennessee Valley Authority, including any contract to sell or assign the rights to the output from such specified energy property or any other contract or business arrangement under which the specified energy property is considered to be used by the power marketing administration or the Tennessee Valley Authority.''.

(c) NO GRANTS FOR PROPERTY FOR WHICH CREBS HAVE BEEN ISSUED.—Section 1603 of division B of such Act, as amended by this section, is amended by redesignating subsections (h), (i), (j), and (k) as subsections (i), (j), (k) and (l), respectively, and by inserting after subsection (g) the following new subsection:

''(h) EXCEPTION FOR CERTAIN PROJECTS.—The Secretary of the Treasury shall not make any grant under this section to any governmental unit or cooperative electric company (as defined in section 54(j)(1)) with respect to any specified energy property described in subsection (d)(1) if such entity has issued any bond—

''(1) which is designated as a clean renewable energy bond under section 54 of the Internal Revenue Code of 1986 or as a new clean renewable energy bond under section 54C of such Code, and

''(2) the proceeds of which are used for expenditures in connection with the same qualified facility with respect to which such specified energy property is a part.''.

(d) TREATMENT OF GRANTS FOR COOPERATIVE ELECTRIC COMPANIES.—Section 501(c)(12) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(I) In the case of a mutual or cooperative electric company described in this paragraph or an organization described in section 1381(a)(2)(C), subparagraph (A) shall be applied without taking into account any grant received under section 1603 of division B of the American Recovery and Reinvestment Act of 2009.''.

(e) APPLICATION OF GRANTS FOR SPECIFIED ENERGY PROPERTY TO CERTAIN REGULATED COMPANIES.—The first sentence of section 1603(f) of division B of the American Recovery and Reinvestment Act of 2009 is amended by inserting ''(other than paragraph (2) of subsection (d) thereof)'' after ''section 50 of the Internal Revenue Code of 1986''.

(f) APPLICATION OF GRANTS TO REITS.—The first sentence of section 1603(f) of division B of the American Recovery and Reinvestment Act of 2009, as amended by subsection (e), is amended by striking ''paragraph (2)'' and inserting ''paragraphs (1) and (2)''.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

(2) APPLICATION TO CERTAIN REGULATED COMPANIES.—The amendment made by subsections (b)(1), (d), and (e) shall take effect as if included in section 1603 of division B the American Recovery and Reinvestment Act of 2009.

SEC. 2___. TAXES ATTRIBUTABLE TO OIL SPILL LIABILITY TRUST FUND FINANCING RATE NOT DEDUCTIBLE FOR CERTAIN TAXPAYERS.

(a) IN GENERAL.—Section 275 is amended by redesignating subsection (b) as subsection (c) and by inserting after subsection (a) the following new subsection:

''(b) TAXES ON PETROLEUM PAID BY CERTAIN TAXPAYERS.—

''(1) IN GENERAL.—In the case of any taxpayer who is a disqualified taxpayer for a taxable year, no deduction shall be allowed for such taxable year for so much of the taxes imposed under section 4611 as are attributable to the Oil Spill Liability trust Fund financing rate determined under section 4611(c)(2)(B).

''(2) DISQUALIFIED TAXPAYER.—For purposes of this subsection, the term 'disqualified taxpayer' means, with respect to any taxable year, any taxpayer who has gross revenues in excess of $100,000,000 for such taxable year.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxes on crude oil received at a United States refinery and petroleum products entered into the United States after the date of the enactment of this Act.

SA 4364. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, insert the following:

SEC. 621. HOMEOWNERS AFFECTED BY TOXIC DRYWALL.

Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by adding at the end the following:

''(10) HOMEOWNERS ADVERSELY AFFECTED BY TOXIC DRYWALL.—

''(A) DEFINITION.—In this paragraph, the term 'toxic drywall' means drywall that the Consumer Product Safety Commission determines is problem drywall.

''(B) IN GENERAL.—The Administrator may make a loan to an individual under this section, if the Adminstrator determines that the primary residence of the individual has been adversely affected by the installation of toxic drywall.

''(C) PERMISSIBLE USES OF LOANS.—A loan under this paragraph may be used by an individual only for the repair or replacement of toxic drywall in the primary residence of the individual, or of components of the primary residence that are directly affected by toxic drywall (including electrical wiring), in accordance with guidance issued by a member agency of the Federal Interagency Task Force on Problem Drywall.''.

SA 4365. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4301 proposed by Mr. BAUCUS to the bill H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; which was ordered to lie on the table; as follows:

On page 217, strike lines 5 through 18, and insert the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'applicable percentage' means 75 percent.

''(B) EXCEPTIONS FOR SALES OF ASSETS HELD AT LEAST 5 YEARS.—The applicable percentage shall be 50 percent with respect to any net income or net loss under subsection (a)(1), or any income or gain under subsection (e), which is properly allocable to gain or loss from the sale or exchange of any asset which is held at least 5 years.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 17, 2010, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled ''Indian Education: Did the No Child Left Behind Act Leave Indian Students Behind?''

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 15, 2010, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 15, 2010, at 2:30 p.m., to hold a hearing entitled ''The New START Treaty (Treaty Doc. 111–5): The Negotiations.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SANDERS. 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 ''Evaluating the Health Impacts of the Gulf of Mexico Oil Spill'' on June 15, 2010. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and governmental Affairs be authorized to meet during the session of the Senate on June 15, 2010, at 3 p.m. to conduct a hearing entitled ''Protecting Cyberspace as a National Asset: Comprehensive Legislation for the 21st Century.''

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

COMMITTEE ON THE JUDICIARY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 15, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Executive Nomination.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SANDERS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 15, 2010 at 2:30 p.m.

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

SUBCOMMITTEE ON ENERGY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Subcommittee on Energy be authorized to meet during the session of the Senate to conduct a hearing on June 15, 2010, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Steven Weinert of my Finance Committee staff be given the privilege of the floor for the month of June.

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

ROY RONDENO, SR., POST OFFICE BUILDING

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 427, H.R. 3951.

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

The clerk will report.

The assistant bill clerk read as follows:

A bill (H.R. 3951) to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the ''Roy Rondeno, Sr., Post Office Building.''

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read the third time and passed, that the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 3951) was ordered to be read a third time, was read the third time, and passed.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Republican Leader, pursuant to Public Law 111–5, appoints the following individual to the Health Information Technology Policy Committee: Richard Chapman of Kentucky.

ORDERS FOR WEDNESDAY, JUNE 16, 2010

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 16; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period for the transaction of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of the House message on H.R. 4213, the tax extenders, as provided for under the previous order.

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

PROGRAM

Mr. REID. Mr. President, Senators should expect the first vote of the day to begin around 10:40 a.m. That vote will be in relation to the Baucus amendment No. 4301 to the motion to concur with respect to the tax extenders bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:38 p.m., adjourned until Wednesday, June 16, 2010, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Tuesday, June 15, 2010:

THE JUDICIARY

TANYA WALTON PRATT, OF INDIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF INDIANA.

BRIAN ANTHONY JACKSON, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA.

ELIZABETH ERNY FOOTE, OF LOUISIANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF LOUISIANA.

EXTENSIONS OF REMARKS

RECOGNIZING THE RETIREMENT OF LCDR DAN RIEKEN FROM THE UNITED STATES NAVY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. KIND. Madam Speaker, I rise today in recognition of Navy Lieutenant Commander Dan Rieken, a native of Prescott, Wisconsin, who has led a distinguished career in the United States Navy and proudly served his country for more than 20 years.

LCDR Rieken first enlisted in the Navy as a Fire Controlman in 1984. After graduating from the University of Minnesota in 1991, LCDR Rieken was commissioned an Ensign in the Navy and has helped plan and manage ballistic missile defense programs, assisted in overseeing efforts to ensure the security and reliability of the Space and Naval Warfare Systems Command's through the Y2K transition.

Later, LCDR Rieken graduated with distinction from the Naval War College in 2003 and then received his Masters from the Naval Postgraduate School in 2004. Today, LCDR Rieken serves in the White House Communications Agency as a Presidential Communications Officer, System Engineer, and Program Manager for acquisitions, modernization, and future systems design.

On August 1, 2010, LCDR Rieken will retire from the United States Navy. His dedication to serving his country has been unwavering, regardless of party or ideology. He has worked to strengthen our country's security as our nation transitioned out of the Cold War era and into the Post-September 11th era. I congratulate LCDR Rieken on his retirement and thank him for his dedication to the safety and security of our country.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. GERLACH. Madam Speaker, unfortunately, on Monday, June 14, 2010, I missed three recorded votes on the House floor. I ask that the RECORD reflect that had I been present, I would have voted "yea" on Rollcall 355, "yea" on Rollcall 356 and "yea" on Rollcall 357.

HONORING MR. DAVID WILDER

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. HIGGINS. Madam Speaker, I rise today to pay tribute to the years of service given to the people of Chautauqua County by Mr. David Wilder. Mr. Wilder served his constituency faithfully and justly during his tenure as a member of the Chautauqua County Legislature, serving district 4.

Public service is a difficult and fulfilling career. Any person with a dream may enter but only a few are able to reach the end. Mr. Wilder served his term with his head held high and a smile on his face the entire way. I have no doubt that his kind demeanor left a lasting impression on the people of Chautauqua County.

We are truly blessed to have such strong individuals with a desire to make this county the wonderful place that we all know it can be. Mr. Wilder is one of those people and that is why, Madam Speaker, I rise in tribute to him today.

NATIONAL DAIRY MONTH

SPEECH OF

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. KIND. Mr. Speaker, I rise today in strong support of this resolution to support the goals of National Dairy Month. For more than 70 years now, we have been celebrating the importance of the dairy industry to our nation's health, economy, and national security.

If you were to come visit my home state of Wisconsin and travel through my congressional district, you would quickly understand why Wisconsin is called "America's Dairyland." Fields of corn, wheat, and straw are spotted with the large red barns, silos, and grazing cattle that have become the iconic images of dairy farming. It's not uncommon to learn that a family has been dairy farming for generations and that they hope their children will be able to carry on this tradition and way of life.

If you stop by one of those farms today, you'll hear firsthand just how difficult times are. Over the past couple of years, milk prices have been too low while the cost of feed and other inputs was too high. Our farmers today are really stretched thin, having drawn down so much equity in recent times that they're not sure that they'll earn enough to pay off their debts.

More families have been forced to close down their operations, rent out their land, and find another line of work. Not only are these people losing a way of life and imperiling our long-term ability to lead the world in agricultural production, we are also seeing local communities struggling to deal with a major shift in their economies.

This dairy crisis has demonstrated that our confusing and outdated subsidies and price supports simply don't provide the level of risk management that our farmers need. Major stakeholders in the dairy industry have united to put forward serious, creative proposals to reform our subsidy programs. We have an opportunity here to not only provide a strong safety net for our dairy farmers, but also to lead the way in reforming our commodity support programs.

While National Dairy Month is a great opportunity for families all across our country to remember the nutritious value of dairy products as a major source of vitamins and minerals, we cannot forget how difficult times are for our dairy farmers. Over the months and years to come, I look forward to working with my colleagues on a bipartisan basis to provide a workable safety net to our farmers, while supporting local foods and sustainable agricultural practices.

A TRIBUTE TO BRIGADIER GENERAL MICHAEL X. GARRETT

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. GUTHRIE. Madam Speaker, I rise today to honor Michael X. Garrett, who has virtuously served the United States and the Commonwealth of Kentucky.

Brigadier General Garrett has served as the Deputy Commanding General for U.S. Army Recruiting Command in Elizabethtown, KY, since June of last year. During his tenure, Brigadier General Garrett managed, trained, and resourced an organization of approximately 11,500 military and civilian employees located in the United States, Germany, Japan, Guam, and Korea.

His guidance and leadership proved to be monumental in the accomplishment of the annual recruiting mission for the U.S. Army and U.S. Army Reserve, far surpassing all recruiting goals and objectives.

Throughout his career he has been an inspiration and example to both soldiers and civilians alike. He has represented his country proudly as a man of honor and a true patriot. Brigadier General Garrett is an officer of tremendous depth, intellect and vision.

Known as a 'Soldier's Soldier,' he leads from the front, establishes and maintains the highest standards, and relentlessly accomplishes the most complex and difficult missions with ease.

I honor him today because of his dignified and steadfast commitment to the U.S. Army, U.S. Army Reserve, his soldiers, the citizens of this country and the Commonwealth of Kentucky.

PERSONAL EXPLANATION

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. NUNES. Madam Speaker, on the legislative day of Monday, June 14, 2010, I was

unavoidably detained and was unable to cast a vote on a number of rollcall votes. Had I been present, I would have voted: rollcall 355, "yea"; rollcall 356, "yea"; rollcall 357, "yea".

IN LOVING MEMORY OF CAFFIE GREENE

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. WATERS. Madam Speaker, I submit the following: To Penny, Raymond, Steve and the family of Caffie Greene, please accept my heartfelt condolences for the loss of your beloved mother, grandmother, and my friend, Caffie Greene.

Caffie was a brilliant community activist, one of a handful of strong African American women who used their God-given talents to speak up for the least of these. She fought alongside the women of South Los Angeles who led the struggle for justice and equality for so many years. Women such as Lillian Mobley, Mary Henry, Johnnie Mae Tillman, Catherine Germany, and Nola Carter.

Caffie was outspoken, confrontational, and fearless. She had the ability to influence politicians and elected officials with her strong organizing skills. She had the capability to articulate the pain and concerns of poor people; and she never hesitated to show up to meetings at the school board, city hall, press conferences or anywhere else she needed to be.

I know we will all miss Caffie, her strength and unique brilliance. But we must continue her work and honor her legacy which I hope will inspire and motivate a new generation of leaders to dedicate their lives in the service of others as she did. May she rest in peace.

HONORING ALTHEA MUSGROVE NORCOTT FOR A LIFETIME OF SERVICE AS AN EDUCATOR

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. DELAURO. Madam Speaker, I rise to commemorate a long career of dedicated service to the young people of Connecticut by Althea Musgrove Norcott, who is retiring this month after over three decades of teaching and education administration in New Haven.

A Connecticut girl through-and-through, Althea was born in New Haven to George and Mavis Musgrove, educated at West Haven High School and the University of Connecticut, and received a sixth year in administration and supervision at Southern Connecticut State University. In fact, with the exception of several years spent as a special education teacher in the United States Virgin Islands, she has spent her entire life in service to our state and community. And we are grateful to her for it.

For 31 years, Althea has worked to improve the scholarship and experience of students at Hillhouse High School. Beginning as a special education teacher for emotionally disturbed and learning disable students in 1978, she was named assistant principal in charge of the English and Foreign Language Departments in 1994. In both positions, Althea has transformed the lives of thousands of students for the better, and enriched the Hillhouse High community with her wisdom, patience, and grace.

Not content to leave her good works at the schoolhouse door, Althea also worked to broaden the horizons of her students through trips to Egypt, Kenya, and Zimbabwe, as part of the Ambassadors for International Education program. And she has given of herself in countless other ways outside of Hillhouse, including chairing the New Haven Host Town Program of the 1995 Special Olympics World Games and co-founding and, for the past 14 years, chairing the Freetown-New Haven Sister Cities Committee.

I thank Althea deeply for these decades of service to our mutual hometown, and I congratulate her, her husband Justice Fleming L. Norcott, Jr., and their children Daryl, Tiffany, and Candace, on reaching this important milestone. Congratulations, Althea, you have earned it.

EXTENDING EFFECTIVE DATE OF GIFT CARD PROVISIONS OF CREDIT CARD LAW

SPEECH OF

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to support H.R. 5502, a bill to amend the implementation date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure (CARD) Act of 2009. I would like to thank Rep. MAFFEI for introducing this bill to correct and improve H.R. 627.

This amendment would change certain parts of Title IV of H.R. 627 passed by Congress on May 22, 2009. Due to the timing of the date of implementation of new rules and those already preparing for the holiday season, as well as the technical disclosure requirements set forth in the CARD Act, lots of gift cards already made and distributed will be in violation of the CARD Act disclosure provisions. Instead of requiring that the disclosure provisions be implemented, in August, 2010, 15 months after the bill's passing, the amendment would extend this date to January 31, 2011. A reasonable transition period is necessary for small businesses to avoid high costs by reissuing prepaid cards and destroying already-made and shelved cards.

This bill will help countless Americans, including many who live in the 4th Congressional District of Georgia, by preventing the implementation of burdensome rules which could disrupt the use of gift cards. Passing this bill will remove an unintended obstacle to the use of gift cards and will ensure that consumers have the ability to use their gift cards as they choose. I urge my colleagues to support this legislation.

A TRIBUTE TO COMMAND SERGEANT MAJOR STEPHEN FRENNIER

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. GUTHRIE. Madam Speaker, I rise today to honor CSM Stephen Frennier, who has righteously served the United States and the Commonwealth of Kentucky.

Command Sergeant Major Frennier has served as the Senior Enlisted Advisor for U.S. Army Recruiting Command in Fort Knox, KY, since June of 2008. During his tenure, Command Sergeant Major Frennier dedicated his time to visiting all the soldiers that were a part of his command throughout the 50 states, four U.S. possessions, and three additional countries that housed these men and women.

His strong leadership skills helped propel over 50 of his soldiers to be inducted into the prestigious Sergeant Audie Murphy Club. Command Sergeant Major Frennier utilized these members by having them conduct volunteer mission within their local communities, fostering a relationship between the U.S. Army and civilians.

Throughout his career, Command Sergeant Major Frennier has not only been a remarkable example for the young men and women he has led, but a true warrior for his country. He always made sure to accomplish the task at hand, while taking care of the soldiers around him. Command Sergeant Major Frennier is an officer of tremendous nobility, honor and intellect.

I honor him today because of his dignified and dedicated commitment to the U.S. Army, U.S. Army Reserve, his soldiers, the citizens of this country and the Commonwealth of Kentucky.

IN HONOR AND RECOGNITION OF HOUSING ADVOCATES, INC. OF CLEVELAND, OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of Housing Advocates, Inc., (HAI) which has fought for fair housing rights and equal housing opportunities for more than three decades.

Established in 1975, HAI is comprised of passionate attorneys, experienced in litigating civil rights cases, and dedicated support staff who work to ensure that fair housing laws and affordable and quality housing principles are followed.

Madam Speaker and colleagues, please join me in honor and recognition of Housing Advocates, Inc., whose advocacy on behalf of equal housing rights has helped the people of Northeast Ohio. The staff of Housing Advocates, Inc. safeguards civil rights and serve as protector and champion on behalf of housing rights for minorities, the disabled and the poor.

CELEBRATING THE LEAGUE OF BLACK WOMEN'S ANNUAL LEADERSHIP CONFERENCE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. HASTINGS of Florida. Madam Speaker, I rise today to celebrate the League of Black Women on their annual leadership conference which commences today.

The League of Black Women, founded in the 1970's by Dr. Arnita Young Boswell, works today to provide successful, strategic and sustaining leadership experiences for minority professionals and students. With nearly 10,000 members worldwide, the League provides continuing executive-level education. It also provides professional leadership coaching, mentor outreach to school-age students, support of small businesses, and with this conference, exposure of attendees to new relationships in the global corporate community.

More than 200 attendees from major corporations are expected to participate in five days of leadership development forums and executive presentations.

This year's conference theme is ''Black Women 2010: Global Ready.'' As a member of the House Permanent Select Committee on Intelligence, I was honored to receive an invitation to participate in this year's forum titled ''Women of Color in the U.S. Intelligence Community'' and share insight on the prospects of women in Intelligence rising to higher leadership ranks.

Madam Speaker, the importance of diversity in the intelligence community cannot be overstated. It is one of our greatest strengths, as it is essential to addressing increasingly complex national security threats. We must continue to acquire and maintain an intelligence workforce that mirrors our nation and the world within which we operate.

With the hard work of the League of Black Women and other organizations committed to innovative diversity education and leadership research, we can create and sustain a diverse intelligence workforce.

Again, congratulations to the League of Black Women on this year's conference and look forward to celebrating another successful conference next year.

PERSONAL EXPLANATION

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. WILSON of South Carolina. Madam Speaker, I was absent from votes which occurred on June 14, 2010. Listed below is how I would have voted if I had been present.

Roll No. 355—H. Res. 1368—supporting the goals of National Dairy Month—''aye'';

Roll No. 356—H. Res. 1409—expressing support for designation of June 20, 2010, as ''American Eagle Day'', and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States—''aye'';

Roll No. 357—H.R. 5502—to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009—''aye.''

THE ISRAELI BLOCKADE AND THE FLOTILLA

SPEECH OF

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Ms. MATSUI. Mr. Speaker, I rise today to express my support for our ally and friend Israel. Israel is a country that has always backed the United States in its efforts to combat extremism, and that has proven throughout its short history that democratic ideals can take root in the most challenging of international neighborhoods.

Mr. Speaker, I, like so many of my colleagues here in the House of Representatives and like so many of my constituents in Sacramento, believe in Israel's right to defend itself. The people of Israel deserve to live without fear of being attacked by a terrorist organization—Hamas—that refuses both to recognize Israel's right to exist and to renounce the use of violence to achieve its objectives. For a number of years, both Israel and Egypt have enforced a blockade of Gaza to keep Hamas from acquiring material to launch rockets into Israel.

The recent tragedy aboard the Mavi Marmara could have been avoided, and should serve as a reminder to us all that our Nation must lead the international community in efforts to forge a lasting peace in the Middle East. My heart goes out to the families of those whose lives were lost, and to those Israeli soldiers who were seriously injured.

Prior to what took place on the Mavi Marmara, five previous ships in the flotilla bound for Gaza were redirected without incident. These five ships were sent to an Israeli port so that the goods they were carrying could be screened for material that could be used to make weapons. Much of their cargo has since been sent to Gaza.

Israel redirected five of the flotilla ships because it has the right—and the responsibility—to prevent Hamas from acquiring materials it uses to fire rockets at Israeli towns. At the same time, Israel must continue doing what it can to ensure that the people of Gaza have access to food and supplies needed to live. Much of the humanitarian material the flotilla was carrying will make it into the hands of innocent civilians in Gaza, just as millions of tons of humanitarian aid have been delivered to Gaza through Israel since the start of the blockade.

Mr. Speaker, what this incident demonstrates more than anything else is that a lasting Middle East peace is needed. For a peace settlement to be reached, the first step is for Hamas to meet a very simple set of preconditions established by the Quartet (the United Nations, the United States, the European Union, and Russia).

The Quartet's demands are not complicated: Hamas must join the rest of the international community by recognizing Israel's right to exist, renounce the use of violence, and abide by previous agreements between Israel and the Palestinian people. If Hamas were to do so, the Gaza blockade would end, Israel's security would improve, and peace negotiations could begin in earnest.

In the end, we should use this most recent tragedy as a catalyst to redouble our international efforts to achieve peace and security in the Middle East. Our objective must not change: we must create a peace that dismantles Hamas's terrorist infrastructure, improves the situation in Gaza, and guarantees the safety and security of innocent Israelis and Palestinians alike. The United States has been attempting to broker just such an agreement via proximity talks for months now.

Furthermore, the United States' goodwill toward the people who live in Gaza is clear. The President's announcement of a $400 million initiative to improve Gazans' access to drinking water, create jobs, build schools, make affordable housing more accessible, and address critical health and infrastructure needs is just the kind of thing we need to change direction in the Middle East. I strongly support the President's initiative because I want the living conditions for the people of Gaza to improve just as I want living conditions for all people around the world to improve.

As an international community, we all need to examine our various approaches to achieving peace in the Middle East, to see if any calibrations can be made in our strategies that will increase the chances of success. The tragedy on the Mavi Marmara only underscores how urgent it is for the international system to do everything it can to protect the security of Israelis, meet the humanitarian and economic needs of the people in Gaza, and create a permanent peace in this critical part of the world.

I will continue to support Israel's right to defend itself and its citizens. At the same time, I long for the day when Israel and the Palestinians can live peacefully with one another, because that will mean that our efforts to achieve a viable peace agreement in the Middle East have been successful.

AMERICAN JOBS, CLOSING TAX LOOPHOLES AND PREVENTING OUTSOURCING ACT

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. MCCOLLUM. Madam Speaker, I rise today in support of H.R. 4213, the American Jobs, Closing Tax Loopholes and Preventing Outsourcing Act. This legislation accelerates our economic recovery by creating or saving over 1 million jobs and by providing emergency aid to American families.

Our economic recovery is thankfully underway. The private sector is working again. Jobs are being added. The task before Congress is finding the right balance between addressing the federal budget deficits and debt and supporting American families still struggling with the lingering effects of the recession.

This bill is a life-preserver for the millions of Americans who are still looking for work. For our youth experiencing record-high unemployment and looking for work this summer, this bill allocates funding that will support 350,000 jobs. It also provides emergency funding for a much-needed unemployment insurance extension through the end of November 2010. In addition to assisting those Americans hardest hit by the recession, these resources will stimulate the economy—every $1 spent in unemployment benefits generates at least $1.63 in

economic activity. H.R. 4213 also addresses a major concern for seniors by preventing pay cuts that could discourage doctors from seeing Medicare patients.

H.R. 4213 also makes long-term investments to support economic growth by extending tax incentives for research and development and American-made clean energy. This legislation will save and create jobs through Build America Bonds and Recovery Zone Bonds while rebuilding American infrastructure. This bill restores credit to small businesses and provides tax relief to middle class families, who are experiencing the lowest taxes in 60 years.

The many investments are fully offset by closing tax loopholes, ensuring that Wall Street investment fund managers paid their fair share of taxes on their income and ensuring that corporations stop abusing the foreign tax credit by shipping American jobs overseas. This legislation also begins to hold oil corporations accountable by increasing the fees they pay to the Oil Spill Liability Trust Fund. Most importantly, the entire bill complies with statutory pay-as-you-go.

Let me be clear. Our economy will recover and thrive again—we are on the right path—but until we reach a full and vibrant recovery, we have a responsibility to extend the safety-net of unemployment benefits for the millions out of work while we enact measures to create jobs. For all these reasons, I urge my colleagues to support this legislation and create American jobs, close tax loopholes, and prevent outsourcing.

IN RECOGNITION OF MANDINGO TSHAKA

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. ACKERMAN. Madam Speaker, I rise today to extend my deepest thanks and most sincere gratitude to Mandingo Tshaka, a resident of Bayside, New York, who first identified and advocated for the need to acknowledge the significant role that slave labor played in the construction of the United States Capitol several years ago. This week, Mr. Tshaka will be traveling to Washington, DC to witness his vision realized when Speaker PELOSI and Majority Leader REID will unveil a series of plaques that honor and remember the contributions made by enslaved African Americans during the building of the Capitol. Thanks to his work and perseverance, the United States government will for the first time acknowledge the regrettable, humiliating, embarrassing, and humbling truth that slave labor helped to construct the very building that houses democracy in our Nation's capital.

In 2005, a Congressionally mandated study confirmed that slave labor was used extensively in the construction of the Capitol. The study confirmed what Mr. Tshaka already knew: One of the most egregious human rights violations in the history of the modern world helped erect the United States Capitol. It is to Mr. Tshaka's enduring credit that Congress will publicly and permanently recognize this fact this week.

Throughout his life, Mr. Tshaka has tirelessly dedicated himself to advocating for civil, minority and community rights. A lifelong resident of New York City, he has contributed immeasurably to the improvement of his community and of his country. While this week's ceremony will be bittersweet, I am pleased that Mr. Tshaka will be present to witness the fulfillment of his latest endeavor to promote civil rights and awareness.

I look forward to welcoming Mr. Tshaka to the Capitol for this historic unveiling and I am proud to see Congress recognize the truth behind the Capitol's construction. I ask my colleagues in the House to join me in recognizing Mandingo Tshaka and thank him for helping to make this week's ceremony a reality.

IN HONOR OF STANLEY AND BETTY SHEINBAUM

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and recognition of Stanley and Betty Sheinbaum as they celebrate their 90th birthdays. The Sheinbaums have been partners in life since 1964, with a shared devotion to each other, to their families, and to causes of peace and justice. Their support and work on behalf of humanitarian and progressive causes continues to strengthen the democratic foundation of our nation and the world.

Mr. Sheinbaum grew up in a poor, working class neighborhood in New York City. His family was hit hard by the Depression; their financial struggles during his formative years left an indelible imprint on him—clarifying his sense of justice, and strengthening his compassion and empathy for others, especially for the poor. After high school, he worked at various jobs until he joined the service, where he served during WWII. After the war, he re-enrolled in high school courses to elevate his grades and he was eventually accepted at Oklahoma A&M, where he did well enough to transfer to Stanford University. He graduated from Stanford with a degree in Economics with high honors, subsequently moving to Paris as a Fulbright scholar.

In the early 1960's, Mr. Sheinbaum's previous support of U.S. military involvement in South Vietnam began to fade. He became an active member and leader at the Center for the Study of Democratic Institutions—an organization that attracted the nation's intellectual elites. Mr. Sheinbaum quickly impressed members with his strong intellect and superior debating skills. He soon met and fell in love with activist Betty Warner, daughter of Warner Bros. co-founder, Harry Warner.

Born in 1920, Ms. Warner was a like-minded political activist who shared her future husband's social and political inclinations. She was born in Hollywood and grew up in the glory days of the movie industry. The daughter of a movie mogul, she lived a life adorned with pop artists and movie stars. Her family came to the United States in the early 1900s seeking democracy, freedom, justice and economic security. Although her father became famous, he began as a cobbler and a salesman. He instilled within her a strong sense of hard work, equality and justice. She became involved in community and grassroots politics and organized to fight McCarthyism.

Stanley Sheinbaum and Betty Warner were married in 1964. The Sheinbaums' sense of philanthropy and service to others has been a shared vision since their marriage. In addition to her activism, Betty Sheinbaum is a passionate artist. She is a successful sculptor, painter, artist and gallery owner. She uses her lifetime of experiences in her beautiful work and incorporates the imagery she has discovered on her travels throughout the world. She has studied with Howard Warshaw, Keith Finch, Jan Stussy, Mark Strickland and George Small.

In addition to donating to worthy causes over four decades, the Sheinbaums have continued to donate their valuable time. Among his countless accomplishments, Mr. Sheinbaum has served as head of the ACLU Foundation of Southern California and as President of the Los Angeles Police Commission during the difficult years between 1991 and 1993. While serving as a Regent of the University of California, he fought for divestment from South Africa. For the last 10 years, he has been the publisher of New Perspectives Quarterly. Both Betty and Stanley continue to serve on the Advisory Board for the Liberty Hill Foundation, an organization which invests in changemakers and equips them with the skills and relationships they need to build power and advance social justice.

As well as being active in their own communities, the Sheinbaums have used their resources and their influence to effect global change. In 1988, Mr. Sheinbaum led a delegation of American Jews to the Middle East where he befriended Yassar Arafat. Thanks in part to the efforts of the Sheinbaums, Arafat renounced terror and finally recognized Israel's right to exist. Respected for his ability to negotiate with world leaders, Mr. Clinton would later ask Mr. Sheinbaum to serve as a back-channel envoy to Syria and help influence the course of nations.

The passion, dedication and commitment of the Sheinbaums have made a difference in the lives of many. Their historic careers are surpassed only by their love for each other. Madam Speaker and Colleagues, please join me in honor and recognition of Stanley and Betty Sheinbaum on the occasion of their 90th birthdays, as we extend to them both the thanks of a grateful nation for all they have done together to make our world a better place. They are truly great Americans.

EXTENDING EFFECTIVE DATE OF GIFT CARD PROVISIONS OF CREDIT CARD LAW

SPEECH OF

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mr. MAFFEI. Mr. Speaker, I rise to introduce the Environmentally Conscious Option Gift Card Act, or ECO-Gift Card Act. This bill gives gift card producers until January 31, 2011, to comply with several provisions of the Credit Card Accountability Responsibility and Disclosure, CARD, Act that we passed last year. The current deadline is August 22, 2010, and producers have found that the quick deadline presented many issues.

If the deadline remains the same, most gift cards on the shelves of stores and in warehouses, which were produced before the law

passed, will have to be removed and destroyed, and issuers and merchants will have to produce new cards that comply with the Fed rules.

In addition to being an onerous burden on gift card issuers and merchants who sell the cards, the forced destruction of tens of millions of noncompliant cards would also result in needless environmental waste. The industry estimates that over 100 million gift cards would need to be destroyed and replaced, a waste volume that would take up more than eight football fields buried 12 feet deep in such cards.

This extension of the deadline will give issuers and merchants a more reasonable transition period, and prevent a significant amount of environmental waste.

I urge my colleagues to support this bill and look forward to its passage.

IN LOVING MEMORY OF PAUL H. DEVAN

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. WATERS. Madam Speaker, I submit the following:

To family of Paul H. DeVan,

It is with great pain and sorrow that I express my condolences to you, all of Paul's friends and the entire Head Start family.

Paul and I were very good friends—we met and worked together starting in the early 1970's in the Head Start Program. Paul was an activist, organizer, and a promoter of fairness, justice, and equality for poor people, people of color and people who simply needed to have friends to assist them in locating resources to pursue a decent quality of life.

I loved Paul's kindness, his love of people and his willingness to work hard for the betterment of our community. Paul was the kind of man that understood his strength and power. He had the confidence that is so necessary to make things happen and get the job done.

Unfortunately there are not many Paul DeVan's left in our communities that are willing to meet the challenge of discrimination, poverty and hopelessness. Paul had health challenges for quite some time but never gave up. He loved the Head Start Program and was the Founder of Training and Research Foundation, which provides resources to parents to help children fulfill their educational destinies.

Paul and Elaine were a wonderful team that accomplished so much. This home going for Paul must also be a thank you for all he has done for so many. Paul, I love you and will miss you very much.

THE RETIREMENT OF MR. RICHARD MANN

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. ADLER of New Jersey. Madam Speaker, I rise today to honor Mr. Richard Mann for his dedicated service to our students, the Cherry Hill Community, and the residents of Camden County.

For 37 years, Mr. Richard Mann has dutifully served the students of Cherry Hill as a physical education instructor. A community servant in every aspect, Mr. Mann worked for the citizens of Camden County as an employee of the Voorhees Recreation Department for 25 years, and managed the Cherry Hill Skating Center for 26 years.

Mr. Mann has been honored for his character, skill and commitment to students at the local and state levels. Among his many achievements is the receipt of the New Jersey Association for Health, Physical Education, Recreation and Dance Honor Award for 2009.

Mr. Mann has contributed to the social and academic growth of students and staff. Most of all, to colleagues he has been a trusted mentor, role model and friend.

Madam Speaker, I hope that you will join me in honoring and celebrating the career and service of Mr. Mann to the students and staff of the J. F. Cooper Elementary School, the Cherry Hill community and all of Camden County.

IN HONOR AND RECOGNITION OF THE 25TH ANNIVERSARY OF COMMUNITY CHALLENGE AND OF DAVID LARUE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. KUCINICH. Madam Speaker, I rise today to honor and recognize 25 years of amazing work by the staff and supporters of Community Challenge. In giving specific mention to one of Community Challenge's biggest long-time supporters, David LaRue—I not only honor him, but also all those others who have given of themselves to create a better future for our children.

Community Challenge, a branch of Recovery Resources that focuses on keeping our children healthy, happy and free from the devastation of drug and alcohol abuse, has strengthened and empowered the lives of countless youth and families throughout our west side communities.

As with many great initiatives, its origins are humble. In 1985 a small group of Rocky River residents acted when they became concerned about alcohol and drug abuse by local children and teens; they formed the Rocky River Community Challenge, which worked on education and prevention. As the organization expanded, 'Rocky River' was dropped from its name but its mission has remained the same—to improve education and prevent abuse.

Today, I also honor David LaRue for the tireless support he has given Community Challenge. Mr. LaRue's dedication to the mission and programs of Community Challenge is evidenced by the significant sponsorship funding from the company of which he is Vice President and Chief Operating Officer, Forest City Enterprises. In 1992 Mr. LaRue personally led the effort to start Community Challenge's Basketball Challenge Cup, an annual event bringing together teens and families for an evening of fun and competition in an alcohol-free environment.

Madam Speaker and colleagues, please join me in honor and recognition of the 25 years of tireless effort by all the staff and supporters of Community Challenge and of David LaRue whose leadership, sponsorship, and support of Community Challenge's programs and events has made a real difference in the lives of so many.

HONORING THE 60TH ANNIVERSARY OF THE NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. PALLONE. Madam Speaker, I rise today to introduce a resolution with my good friend Mr. SHIMKUS of Illinois that commemorates the 60th anniversary of the National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK) and its continuing leadership and achievements in conducting and supporting biomedical research to improve health.

The NIDDK leads the Nation's Federal commitment in research, research training, science-based education and health information dissemination with respect to diabetes and other endocrine and metabolic diseases, digestive and liver diseases, nutritional disorders, obesity, kidney disease, urologic diseases, and hematologic diseases.

The Institute was originally established in 1950 through the Omnibus Medical Research Act as the National Institute of Arthritis and Metabolic Diseases. The Institute was renamed several times during the ensuing decades, and was renamed in 1986 as the National Institute of Diabetes and Digestive and Kidney Diseases.

The chronic and costly disease and disorders within the Institute's mission affect millions of Americans, ranging from some of the nation's most common diseases and disorders to those which are rarer. The NIDDK supports research by extramural scientists at academic and other medical research institutions across the nation, in addition to research by scientists in the Institute's intramural program. The Institute has continually pursued research efforts to benefit all individuals burdened by these diseases and disorders: men, women, older and younger adults, children, minority populations who are disproportionately affected by many of these diseases, and those from economically-disadvantaged backgrounds.

60 years of NIDDK-supported research discoveries have dramatically increased vital understanding of the biologic mechanisms and behavioral and environmental factors that contribute to health and disease. This knowledge has propelled the development of intervention strategies. Specifically, this research has lead to the prevention, diagnostic, and treatment strategies for individuals who have, or are at risk for, diseases and disorders within the Institute's mission, leading to remarkable improvements in health and quality of life.

The NIDDK has also been a leader in research training and mentoring efforts, from summer programs for high school and college students with special opportunities for underrepresented minorities, to fellowships for graduate and medical students and postdoctoral researchers, to support for early-career and established investigators, in order to ensure that critical biomedical research will continue

into the future. In addition, the Institute sponsors education and outreach programs to improve health by disseminating science-based information to patients and their families, those at risk for disease, healthcare professionals, and the general public.

The Institute's research and research strategies have also allowed them to be a leader in collaborative and coordinated research efforts and science-based education programs to maximize the Federal investment in research and synergize expertise across the NIH, with other Federal agencies, and with public and private organizations.

Today, Mr. SHIMKUS and I introduce a resolution to commemorate NIDDK's 60th anniversary and commend NIDDK for its leadership in research, research training, and science-based education programs.

I urge my colleagues to join us in support of this resolution not only to commemorate the NIDDK's 60th anniversary, but also to show continued support for the Institute in its research, education, and discovery efforts of the future.

ENROLLED JOINT RESOLUTION 3 OF THE SIXTIETH LEGISLATURE OF THE STATE OF WYOMING

HON. CYNTHIA M. LUMMIS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mrs. LUMMIS. Madam Speaker, I commend the State of Wyoming for enacting a resolution that reinforces the 10th Amendment to the Constitution. Enrolled Joint Resolution 3 of the Sixtieth Legislature of the State of Wyoming demands that Congress cease and desist from enacting mandates that are beyond the enumerated powers granted to the Congress by the United States Constitution.

This resolution joins a groundswell of support across our nation for a return to the federalist principles in our Constitution. I am proud to insert this resolution into the CONGRESSIONAL RECORD on behalf of the people of Wyoming.

Citizens, businesses and States across the country are bracing for the impact of the heavy handed government mandates in President Obama's health care plan. Momentum persists among some in Congress for additional federal mandates, taxes, and regulations that will burden State budgets and put entrepreneurs in Main Street America out of business.

There is another way. Our nation's founders left us a recipe for freedom and opportunity in our Constitution, under which the people of the United States consented to a government with limited powers. As stated in the 10th Amendment, all powers not given to the federal government by the Constitution are reserved for the States and the people. I have co-founded in the House of Representatives a 10th Amendment Task Force to advance the principles of federalism and disperse power back to States, local governments and individuals.

Before coming to Washington, I spent my entire adult life dealing with State issues—as a rancher, as a State legislator, and as State Treasurer. I am now astounded by the kinds of issues Members of Congress feel are appropriate for federal intervention.

States know their people better. They know their issues better. Let's return to States what States do best and maintain a strong limited government in Washington to do what it does best—securing the freedom, strength and integrity of this country.

ENROLLED JOINT RESOLUTION NO. 3, HOUSE OF REPRESENTATIVES—SIXTIETH LEGISLATURE OF THE STATE OF WYOMING, 2010 BUDGET SESSION

Whereas, the tenth amendment to the Constitution of the United States reads as follows: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''; and

Whereas, the tenth amendment to the Constitution of the United States defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

Whereas, the scope of the power defined by the tenth amendment to the Constitution of the United States means that the federal government was created by the states specifically to be an agent of the states; and

Whereas, the states are demonstrably treated as agents of the federal government; and

Whereas, many powers assumed by the federal government and federal mandates are directly in violation of the tenth amendment to the United States Constitution; and

Whereas, the interstate commerce clause in article 1, section 8 of the Constitution of the United States provides that Congress shall have the power: ''To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes;'' and

Whereas, the interstate commerce clause is limited to the federal government regulating trade between the states and between the states and other nations, to help prevent conflicts between states over commercial activities and to prevent the erection of barriers to commerce between the states; and

Whereas, the interstate commerce clause should not be used to provide Congress with authority to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce; and

Whereas, many federal laws are beyond the scope and intent of the interstate commerce clause and the tenth amendment to the Constitution of the United States; and

Whereas, the tenth amendment to the Constitution of the United States assures that we, the people of the United States of America and each sovereign state in the union of states, now have, and have always had, rights the federal government may not usurp; and

Whereas, article 4, section 4, of the Constitution of the United States says: ''The United States shall guarantee to every State in this Union a Republican Form of Government,'' and the ninth amendment to the Constitution of the United States adds ''The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.''; and

Whereas, Congress may not simply commandeer the legislative and regulatory processes of the states. Now, therefore, be it

Resolved by the Members of the Legislature of the State of Wyoming:

Section 1. That the Wyoming Congressional delegation and Congress take action to initiate the amendment process provided by article 5 of the Constitution of the United States to amend the tenth amendment and article 1, section 8 (the interstate commerce clause), of the Constitution of the United States.

Section 2. That Congress amend the tenth amendment of the Constitution of the United States as follows, with proposed changes indicated in underscored text:

The powers not expressly delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. This amendment shall be considered by all courts as a rule of interpretation and construction in any case involving an interpretation of any constitutional power claimed by the Congress.

Section 3. That Congress amend the interstate commerce clause, article 1, section 8, of the Constitution of the United States as follows, with proposed changes indicated in underscored text:

To directly regulate Commerce with foreign nations, and among the several states, and with the Indian Tribes, with no authority in Congress to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce;

Section 4. That Congress shall specify that the amendments to the tenth amendment and the interstate commerce clause, article 1, section 8, of the Constitution of the United States, as provided herein, shall be operative upon ratification by the legislatures of three-fourths of the several states, provided that such ratification shall occur within seven years from the date of the submission of the amendments to the states by Congress.

Section 5. That this state calls on its co-states for an expression of their sentiments on the need to amend the tenth amendment and article 1, section 8, of the Constitution of the United States as provided in this resolution.

Section 6. (a) That the Secretary of State of Wyoming transmit copies of this resolution:

(i) To the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation, with a request that the Wyoming Congressional delegation take all reasonable and necessary actions to initiate the amendment process to amend the Constitution of the United States consistent with the language proposed in this resolution and that this resolution be officially entered in the congressional record as a memorial to the Congress of the United States of America; and

(ii) To the speaker of the house of representatives and president of the senate, or their equivalent, and the governor of each of the other forty-nine states.

HONORING JIM CASSIDY

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. MICHAUD. Madam Speaker, I rise today to congratulate Jim Cassidy on his retirement from St. Mary's Health System and to recognize his many accomplishments while serving as its President.

Taking charge during a period when St. Mary's was dealing with financial instability, Jim worked step by step to expand wellness services and access to quality medical care. He quickly stabilized St. Mary's finances and set to work expanding the system's workforce and budget. Today, approximately 2,000 individuals are employed under an annual operating budget of $252 million.

With St. Mary's on solid footing, Jim turned his attention towards increasing care and services in the region. From 2000 to 2010, he oversaw the opening of the Women's Health Pavilion, the Center for Joint Replacement, St. Mary's d'Youville Pavilion Rehab Center, a new St. Mary's Campus in Auburn and the modernization of the Emergency Center at St. Mary's Regional Medical Center. This extraordinary feat was mirrored by St. Mary's outreach in downtown Lewiston. St. Mary's Food Pantry, Lots to Gardens and St. Mary's Nutrition Center of Maine not only provide emergency food assistance to the residents of the greater Androscoggin County but also promote healthy nutrition and eating habits. Other programs, such as the Neighborhood Housing Initiative and B Street Health Center, have expanded affordable access to shelters and healthcare for Lewiston's low income residents. Each of these programs owes a piece of their success to Jim's leadership.

For these works and for other charity programs he established, Jim was honored by the American Hospital Association and by the Catholic Health Association. The remarkable positive impact Jim has had on the community is commendable and has inspired countless others. With his retirement on June 17, 2010, St. Mary's Health System will lose one of its finest leaders in its 125 year history. His legacy of community outreach will surely be continued for generations to come.

Madam Speaker, please join me in congratulating Jim Cassidy on his retirement and thanking him for his dedicated service to his community.

FHA REFORM ACT OF 2010

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 10, 2010

Ms. ESHOO. Mr. Speaker, as we work to turn the economy around it is imperative that we continue to support the Federal Housing Administration (FHA) which has played a critical role in stabilizing the nation's housing market.

It was not too long ago that we saw unscrupulous mortgage lending practices that caused hundreds of thousands of Americans to lose their homes. Thankfully, we're beginning to see a decline in foreclosures rates. In May, we saw a 3 percent decrease in rates and in April we saw a 9 percent decrease. We must ensure this declining foreclosure rate trend continues and reforming the FHA is essential in doing so.

The legislation, H.R. 5072, the FHA Reform Act, strengthens the FHA while allowing access to safe, affordable financing by responsible borrowers. The bill provides the FHA with the authority to manage annual mortgage insurance premiums. It also provides significant safeguards against dishonest lending practices that are hidden from homebuyers.

As the economy recovers, our nation's consumers are beginning to regain confidence in the housing market. We must demonstrate to these consumers that they can once again trust lenders. Providing the FHA with more authority over mortgages and lending is necessary for the recovery of not only the real estate market, but for the economy as a whole.

I regret that an obligation in my District kept me from voting for this legislation, but had I been present, I would have been proud to vote in support of the bill.

IN HONOR AND REMEMBRANCE OF ERIN K. EHRBAR AND ANDREW J. EHRBAR

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. KUCINICH. Madam Speaker, I rise today to honor and remember a brother and a sister who left this world far too soon. Erin and Andrew Ehrbar were both tragically taken away from us at the tender ages of 16 and 13, respectively. I stand with those in our community grieving for them and for their families.

Erin and Andrew both loved sports, music, and spending time with friends and family. They were extraordinary children who lived their lives with great energy, laughter, joy, kind hearts and a spirit of generosity. Today, we remember them, in the House and in the nation.

As we grieve, we also celebrate the joy and happiness that Erin and Andrew brought to their friends and family. Erin, a junior at Highland High School, played on the girl's varsity soccer team; Andrew, a seventh grader at Highland Middle School, played baseball, basketball, and sang in the school choir.

Madam Speaker and colleagues, I ask you to join me in honor and remembrance of Erin K. Ehrbar and Andrew J. Ehrbar, whose young lives were framed by the unwavering love of their family and friends. In addition to honoring the memory of their late father, James, we offer condolences to their mother, Laura; to their big sister, Melissa and their little brother, Sean; to their stepfather, Chris DePiero; their grandparents, Thomas and Barbara Donovan; James and Marilyn Ehrbar; Jerry and Roberta DePiero; and the many others who loved them. The legacies of Erin and Andrew will continue on in the lives of others, through organ and eye donation, and their gentle spirits will forever hold a sacred place in the hearts of those who loved them.

IN TRIBUTE TO THE COMMONWEALTH OF AUSTRALIA

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. GALLEGLY. Madam Speaker, I rise in tribute to the Commonwealth of Australia and the Australian Maritime Safety Authority (AMSA) for its quick and effective response to locating and rescuing Abby Sunderland, a 16-year-old sailor from Thousand Oaks, California, whose sailboat was severely damaged in the Indian Ocean.

Abby was attempting to sail solo around the world when rough seas tore the mast from her boat, Wild Eyes, rendering cell phone communication with her sail team impossible. Abby activated two distress beacons, whose signal was picked up by the AMSA's Rescue Coordination Centre.

At the time, Wild Eyes was in the search and rescue region of the Maritime Rescue Coordination Centre at La Reunion, which is operated by France. However, AMSA immediately offered assistance. La Reunion asked for air search assistance and an AMSA crew departed from Perth at first light in a QANTAS A–330 Airbus passenger aircraft.

Before the aircraft arrived on the scene, Abby's beacons indicated Wild Eyes had drifted into AMSA's search and rescue region. She was spotted at about 4 p.m. Australian time (11 p.m. PDT) about 2,000 nautical miles from western Australia. The AMSA crew made radio contact and found that Abby was alive and well, although with some scrapes and bruises.

AMSA then coordinated with La Reunion to have a ship retrieve her from Wild Eyes. About 40 hours after Abby activated her beacons, the French fishing vessel, Ile De La Reunion had Abby safely on board. AMSA had dispatched a Global Express aircraft to the scene, which provided top cover during Abby's transfer to the fishing vessel and served as a communications relay between Wild Eyes and Ile De La Reunion.

Media reports this morning stated that the crew of Ile De La Reunion delivered Abby to the remote Kerguelen Island yesterday afternoon, where she will catch a French patrol boat for the next leg of her journey home.

Madam Speaker, while we are grateful to the French fishermen and French authorities for their role in Abby's rescue, it is the Australian government that took lead in ensuring she was found and rescued. I personally called Australian ambassador to the United States, His Excellency Kim Beazley, AC, on Friday to thank him for Australia's role in locating and rescuing one of my constituents at considerable time and cost to them. I would also like to publicly thank the Australian Maritime Safety Authority, the QANTAS crew, and all the support personnel who made Abby's rescue possible. I know my colleagues join me in thanking our ally and friend for her quick response to one of our citizens in distress.

RECOGNIZING THE YOUTH LEADERSHIP PROGRAM GRADUATES OF WANDELL ELEMENTARY SCHOOL

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. GARRETT of New Jersey. Today, the Saddle River Police Department will hold its Youth Leadership Program graduation ceremony for the students of Wandell Elementary School located in Saddle River, NJ. The participants of this important program have made a commitment to say ''no'' to drugs, underage drinking, and gang violence. They have done this with the support of Chief of Police Timothy McWilliams and Detective Timothy Gerity.

Through opening the lines of communication between local law enforcement and youth, the Saddle River Youth Leadership Program empowers youth with the confidence and courage to say no to drugs and also defeats the negative cultural influences which they are challenged with on a daily basis.

I am immensely proud of my young constituents who participated in this program at

Wandell Elementary School; thus, I would like to recognize each of them for taking this vital step towards positive citizenship:

Jack Bush, James Butler, Natalie Formento, Alanna Fullerton, Grace Hinchen, Kaitlin Hofer, Maxx King, David LaManna, Lucy Pennell, Mary Pless, Aram Rashduni, Hannah Rogers, Michael Saks, Spencer Shih, Maya Silberman, Britni Strobeck, Richard Vincent, Emma Walsh, Taylor Wiener, Devin Bovino, Ryan Carr, Stephanie Devli, Kathleen Dorce, Zachary Dreznin, Elizabeth Dutko, Kristen Egan, Hana Friedman, Melissa Katsapis, Maeson Nolan, Alexander Rohrscheidt, Benjamin Saks, Katharin Spence, Mark Tseytin, Carl Villegas, Euan Walker, and Jaqueline Wiebye.

IN LOVING MEMORY OF THE LEGENDARY OLLIE WOODSON

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. WATERS. Madam Speaker, I submit the following:

To Juanita and the Family,

Like most of his fans, I had always admired Ollie Woodson the performer, from afar, as one of the mainstays of ''the temptin' Temptations.'' When I finally got to meet the person—your husband, father, and grandfather—at a birthday celebration in the home of my dear friend Glodean White, I was really impressed with how friendly, warm and down-to-earth he was. Since that time, whenever I had the good fortune to see him, Ollie would always go out of his way to say hello and make that personal connection. His close friends tell me that was the generous spirit of the man, forever responding to those he loved.

We all know about the incredible voices and intricate dance moves that made a Temptations concert a must-see. But I specifically remember a wonderful solo performance Ollie did for the National Newspaper Publishers' Association at the Democratic National Convention in Denver. I was not only knocked out by his sheer ability to entertain but I thought about how Ollie and the rest of the Motown family have really been cultural ambassadors for America, all over the world.

As successful as he undoubtedly was both as a performer and producer, I will also cherish some of those special times right here at City of Refuge, when Ollie would grace the church and Bishop Noel Jones with a wonderful gospel song. He certainly never forgot his roots.

So today, let us celebrate both the performer and the man, who with his God-given talent has earned a place in history and in our hearts—Ali Ollie Woodson. May he rest in peace.

THE ISRAELI BLOCKADE AND THE FLOTILLA

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mrs. MALONEY. Mr. Speaker, I rise to join my colleagues in expressing support for the State of Israel. Israel is a tiny country that has been under attack since its founding 62 years ago. Nonetheless, it has developed into a vigorous democracy. 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 is our strongest and most reliable friend in the Middle East. Israel is a strategic ally, helping to improve American anti-terrorism efforts, working with the US military to improve training, intelligence gathering, research and development, preparedness and protection of travel and trade.

Despite the threats against it, Israel's economy is thriving, in large part as a result of her agricultural, technological and medical innovations. Israel constitutes a fraction of 1 percent of the land mass and only 2 percent 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.

The threat against Israel is growing. Hezbollah, along Israel's Northern border with Lebanon, is heavily armed with increasingly powerful weapons. Hamas, along the Gaza Strip, is vocal about its determination to destroy the Jewish State. And the Palestinian Authority in the West Bank is refusing to pursue direct talks with Israel, believing that they will get a better deal if the United States or other countries do the negotiating for them. Fatah leaders and the Abbas-controlled official media of the Palestinian authority continue to deny Israel's existence.

The recent Gaza flotilla in which armed thugs challenged Israel's blockade of the Gaza Strip makes clear that Israel is facing a clear and present danger. If the blockade is broken, weapons will flow freely into Hamas's hands. In the years preceding the blockade, Hamas launched more than 8,000 missiles at civilian targets in Israel, killing and injuring thousands. If the blockade is lifted without a peace agreement, Israel's cities and towns can expect the bombardment to resume.

Israel has to be vigilant in defense of its borders. The stated desire of Hamas and many Fatah leaders is to wipe Israel off the face of the world. When the world condemns Israel for defending its population, they are currying favor with terrorists at the expense of a democratic nation. And condemning Israel makes peace much less probable. I hope the Obama Administration will continue to make clear that Israel has no obligation to lift the blockade, and that it is Hamas and its terrorist allies who are responsible for the situation in Gaza.

Mr. Speaker, I am proud to join my colleagues in strongly expressing my support for Israel.

TRIBUTE TO LEWIS COUNTY VFW

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. OWENS. Madam Speaker, I rise today to recognize the Lewis County chapter of Veterans of Foreign Wars and to congratulate the group on their 50th anniversary. For over a half century, the VFW has served as the foundation for local veterans outreach and assistance, as well as a major supporter of our community in Lowville and surrounding areas.

Just as our soldiers pledge to leave no man or woman behind, the Lewis County VFW carries on that promise to our current and future veterans, helping all of us make good on the pledge to provide real opportunities to our troops upon their return from service.

The Lewis County VFW embodies what their national organization strives for—providing services that extend beyond the realm of veterans helping veterans. Their outreach and service in our region is invaluable and encourages community participation and volunteerism from both those in the armed forces and civilians alike.

From help in community food kitchens, work in blood drives, and assisting our veterans to receive their hard-earned benefits, the Lewis County VFW in New York's 23rd Congressional District truly knows how to accomplish their mission in making our area a better place.

Our local VFW in Lewis County increases civic pride and its 50 great years of serving our community is nothing short of remarkable. I would like to again thank them for their service and wish them the best moving forward.

IN HONOR OF ALBERT OLIZI, JR.

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. ADLER of New Jersey. Madam Speaker, I rise today to pay tribute to Mr. Albert J. Olizi for his outstanding service as District Governor of District 16C of the Audubon Lions Club for 2009–2010.

Mr. Olizi is a graduate of LaSalle College and Temple University School of Law. He maintains a local law practice with offices in New Jersey and Pennsylvania. As an active member of the Lions club for many years, Mr. Olizi's outstanding contributions have not gone unnoticed. He has been named ''Lion of the Year'' multiple times, was honored with the International President's Recognition Award in 2007, and has held multiple positions within his local club, including President.

Throughout his term as District Governor, Mr. Albert Olizi has dedicated an enormous amount of time, energy, and dedication to fulfill the roles and responsibilities of the position.

Time and again, he has proven to be an outstanding leader for the Lions of District 16C.

Madam Speaker, I ask my colleagues in the House of Representatives to join me on congratulating Mr. Albert Olizi. The people of your community, the people of New Jersey, and the people of America thank you for your service.

IN HONOR AND REMEMBRANCE OF LENORE C. ''LORI'' WENDELL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. KUCINICH. Madam Speaker, I rise today in honor and remembrance of Lenore C. ''Lori'' Wendell, whose life was filled with family, friends and service on behalf of our community.

Mrs. Wendell was the cherished wife of the late Richard. Together, they lovingly raised their daughters, Jennifer and Heather. She was a devoted mother and enjoyed a close relationship with her grandchildren, Jamie, Patrick, Anthony, Quinn and Allan.

Mrs. Wendell's giving and kind nature reflected throughout her life. She was active in local politics and was a community leader. She consistently volunteered her time and talents on behalf of numerous causes. Whether to assist with a local fundraiser or to help a family in need, Mrs. Wendell was always there to help. She was also a longtime member of the American Legion Post 738 in Fairview Park, where she led numerous meetings and prepared countless dinners for a variety of Legion events. In local politics, she worked diligently, volunteering many hours on behalf of candidates whom she supported.

Madam Speaker and colleagues, please join me in honor and remembrance of Lenore C. ''Lori'' Wendell, who lived her life with unwavering love for family and friends and great joy for life. I offer my condolences to all who loved her including her brother, John and her dear friend, Cliff. Mrs. Wendell touched the lives of many throughout our community, and she will be remembered always.

HONORING RAUL H. CASTRO, FORMER GOVERNOR OF ARIZONA

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. PASTOR of Arizona. Madam Speaker, while many have written of the inspirational story surrounding Raul Hector Castro, Arizona's first Hispanic Governor, it seems only fitting that in today's highly charged atmosphere of anti-immigrant sentiment, we take the occasion of Governor Castro's 94th birthday on June 12th to examine his life as one who has surely proven the American dream is achievable. In fact, he has not only shown that dream is achievable, he has also underscored the fact that those pursuing the dream contribute mightily to the strength of our nation.

Born in Mexico, the second youngest of 12 children raised in Arizona by an immigrant copper miner and a mother who was a well-trusted midwife, it would have been easy for him to get lost in the shuffle of such a large family that had to scratch a living from the ground to survive, but early on, he recognized the value of setting goals and not giving up until they are met. Based on that determination, he parlayed his natural athleticism and keen mind in high school into a scholarship to Arizona State Teacher's College.

While no stranger to racism and discrimination when he graduated from college and become a naturalized citizen in 1939, he still had not anticipated the rejection he would experience when applying for teaching positions because school districts were unwilling to hire an Hispanic teacher. Discouraged, but not defeated, he traveled America for several years until he landed a civil service job as a foreign-service clerk for the U.S. State Department in Sonora, Mexico. Many would have been satisfied with a secure position in the federal government, but he was determined to further his station in life, becoming a Spanish instructor at the University of Arizona so that he might attend the institution's law school. Passing the Arizona State Bar in 1949, he established an enviable career over the next five decades that took him from Pima County Attorney through the appointment by two United States Presidents to three ambassadorships, in addition to becoming Arizona's first Hispanic governor. Throughout this process, he never lost sight of the importance of an education and his mother's mantra that he could accomplish whatever he set his mind to. As a result, when he did accomplish more than many ever hoped for, he didn't forget the four miles he and his Hispanic friends had to walk to school while the buses filled with Anglo children passed them by, and he worked tirelessly to rectify these kinds of incomprehensible bigotry.

For example, as a judge he presided over a full-schedule of cases, but was particularly disturbed by the vulnerable at-risk youngsters in the juvenile court system who were being shoved under the rug by society. This inspired him to take time every Monday to check attendance records at the local high schools. In the evenings, he would visit with families of students exhibiting high rates of absenteeism in an effort to get their support in encouraging the students to stay in school and make the most of that experience. This concern for improving society continued throughout his career. Sometimes limited to simply seeing Hispanic children given equal access to the YMCA, to concentrating on improving human rights abroad while serving as an ambassador, he never lost sight of using his opportunities to make a difference.

Throughout our history it has been proven that immigrants are far more than just an inexpensive work force. They are in fact a valuable asset to this country and Raul H. Castro is an outstanding example of one such person. Therefore, in light of today's divisive view of immigration, his story should be noted as a symbol of how the United States has benefitted from those who value this country so much, and that after moving here to build a better life for their families, they remain dedicated to making sure that they improve our nation for future generations.

CONGRATULATING THE BENJAMIN FAMILY ON EIGHTY-FIVE YEARS OF ENTREPRENEURSHIP

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. DELAURO. Madam Speaker, I rise to commemorate the 85th anniversary of Carroll Cut-Rate Furniture, a local family-owned-and-operated business that has graced the Greater New Haven community for generations.

Begun as Carroll Cut-Rate Cosmetics by Samuel Benjamin in 1925, this small business has passed down through the Benjamin family and thrived through boom times and depression, peacetime and war, and even, in 1951, through a notable shift from discount cosmetics to the furniture trade.

Over the course of these 85 years, Samuel, his sons Jerry and Don, and his grandsons Cary and Bruce have always kept an eye to innovation, quality, and above all customer service. With ten full-time employees, the Benjamins have also worked to promote jobs in our state and across the country by stocking their store with Connecticut mattresses and American-made furniture.

The story of Carroll Cut-Rate Furniture is not only a triumph of small enterprise and business savvy. It shows that through hard work, perseverance, and ingenuity, the American dream still comes true. I salute the Benjamin family on this 85-year milestone, and I look forward to seeing them continue as a staple of our Connecticut community.

CONGRATULATIONS TO THE GALVESTON HISTORICAL FOUNDATION

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. PAUL. Madam Speaker, on June 26, 2010, the Galveston Historical Foundation will celebrate its acquisition of the historic 1861 U.S. Custom House. I was pleased to help make this possible by sponsoring legislation, H.R. 2121, which directed the General Services Administration (GSA) to sell the Custom House to the Galveston Historical Foundation. H.R. 2121 passed the House by voice vote on September 9, 2009. It is therefore a great pleasure to extend my congratulations to the Galveston Historical Foundation for acquiring the U.S. Custom House.

The U.S. Custom House is the oldest non-military federal building in Galveston. The two-story structure was built in 1861 and has served many important historical functions, including housing the ceremony that officially ended the Civil War in Galveston. In 1917, construction began on a federal courtroom located on the second floor of the U.S. Custom House. In 1970, the house was listed on the National Register of Historic Places, and in 1974 it was commemorated as a Historic Custom House by the U.S. Customs Service.

In 1998, the Galveston Historical Foundation entered into a public-private partnership with the Federal Government that allowed the Galveston Historical Foundation to lease the

building from the GSA. Under this agreement, the Galveston Historical Foundation took responsibility for performing renovations on the U.S. Custom House. In 2008, the house was inundated with six feet of flood waters from Hurricane Ike. Fortunately, the Galveston Historical Foundation has been able to complete restoration of the first floor of the Custom House earlier this year.

Madam Speaker, by owning as opposed to leasing, the Galveston Historical Foundation will be able to improve this historical structure for future generations of Texans. It is difficult to think of a more appropriate owner for the U.S. Custom House than the Galveston Historical Foundation. Founded in 1954, the Galveston Historical Foundation is one of the Nation's largest local preservation organizations. Over the last 56 years, this foundation has expanded its mission to encompass community redevelopment, public education, historic preservation advocacy, maritime preservation and stewardship of historic properties. Today, the Galveston Historical Foundation has over 2,000 members representing individuals, families, and businesses across Texas, the U.S., and around the world.

The Galveston Historical Foundation's accomplishments include the redevelopment of The Strand; the rescue and restoration of the 1877 iron barque the ELISSA; the revitalization of historic residential neighborhoods and creation of historic districts; and the conception of signature events including Dickens on The Strand and the Galveston Historic Homes Tour.

The Galveston Historical Foundation has received numerous awards and honors. For example, they have twice received the National Trust for Historic Preservation's prestigious Honor Award. In 1991, the Galveston Historical Foundation was the first recipient of the Governor's Award for Excellence in Historic Preservation, and in 1995, received the National Trust's first ever award for organizational excellence. The American Institute of Architects has presented the foundation a Citation of Honor for its ongoing contribution to urban design and the quality of life in Galveston. In addition, the Association for Preservation Technology International honored the Galveston Historical Foundation with a Presidential Citation in 2004.

In conclusion, Madam Speaker, I once again congratulate the Galveston Historical Foundation for acquiring the U.S. Custom House, and I extend my thanks to the Galveston Historical Foundation for all they do to preserve Galveston's rich heritage.

CONGRESSIONAL RECOGNITION FOR JOSEPH BLAIR

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. GIFFORDS. Madam Speaker, I rise today to recognize Joseph Blair, who is celebrating 10 years of unselfish service and dedication to hundreds of youth through his Arizona Basketball Academy.

For young people in my community, these camps are unique because they are provided at no cost to participants and are conducted by a former University of Arizona Wildcat basketball player who went on to play the game professionally.

Joseph Blair started his program by traveling to various Boys & Girls Club locations, sharing basketball and life skills. The sessions evolved and have been consolidated so they now also benefit teens from Tucson Parks & Recreation and the Tucson Urban League, among others.

The growth of Mr. Blair's altruistic donations of time, influence and funding are paralleled by his athletic endeavors. His global career as an international ambassador of basketball and good will was launched at the University of Arizona, where he was the 6-foot-10-inch ''big man.''As a Wildcat, he led the team to appearances at Madison Square Garden, the Great Alaskan Shoot-Out and the Maui Classic as well as games in Australia and in the 1994 NCAA Final Four.

Mr. Blair was picked in the second round of the 1996 NBA draft, but opted to pursue a career in Europe, playing in France, Greece, Turkey, Russia and as a member of the famed Harlem Globetrotters. Most of his international career was in Italy where Mr. Blair played in the mountains of Biella, the seashores of Pesaro and in the city of Milan. Mr. Blair is fluently bilingual and loved the rich culture of his adopted home.

While abroad, Mr. Blair earned numerous accolades and was named the Most Valuable Player of the Euroleague in 2003.

His understanding of how basketball can have a positive influence on young people has gone far beyond his own experiences on the court. His empathy for youth started during these years when Mr. Blair conducted basketball clinics in Greece and created a basketball academy in Italy.

Mr. Blair now is retired from basketball, but his philanthropic contributions continue. In addition to teaching athletic and life skills at his basketball academy, he is deeply involved with the Ronald McDonald House in Tucson where he and his staff provide and serve dinners for patients' families during the academy's week of camp.

At the end of his camp, Mr. Blair visits young patients in the pediatric unit of University Medical Center in Tucson, bringing smiles to them through gifts and an exhibition of his basketball skills.

Mr. Blair has worked and travelled in many other countries but has remained true to his roots. He is a living testimony of how to give back to one's community, not only as a big man, but as a man with a big heart.

I am proud to recognize Joseph Blair on the 10th anniversary of his Arizona Basketball Academy and I join with a grateful community to commend him for his valuable contributions to the young people of Tucson and Southern Arizona. Thank you Joseph for being such a great role model and for all that you do to help our youth develop their athletic and leadership skills.

INTRODUCING LEGISLATION FOR THE DISPLAY OF STATE AND TERRITORY FLAGS AT THE WASHINGTON MONUMENT

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. FALEOMAVAEGA. Madam Speaker, I rise today to introduce legislation to ensure that the flags of the several States, the District of Columbia, and the Territories of the United States encircle the Washington Monument.

Standing at 555 feet and 5⅛ inches tall, the Washington Monument is the most prominent structure in the nation's capital and is the world's tallest stone structure and the world's tallest obelisk. Completed in 1884, it memorializes the first President of the United States, President George Washington, who led our country to independence and helped shaped the role of the presidency and the course of our democracy in its early days. It was most fitting then that Congress in 1833 established the Washington National Monument Society to create a monument in honor of the Father of our Country.

Today, the Washington Monument serves as a reminder of the greatness of this Nation, as an object of pride to the American people and of admiration to all who see it.

The legislation I am proposing directs the U.S. National Park Service through the Secretary of Interior, to ensure that the flags of the 50 States, the District of Columbia, and the Territories of the United States encircle the Washington Monument. As an object of pride to the American people, I think it is most fitting that the flags of all States, DC and U.S. Territories are flown at the Washington Monument.

Yesterday, we celebrated our national Flag Day by commemorating the adoption of the national flag of the United States as proclaimed by President Woodrow Wilson on June 14, 1916. As such, a public display of State and Territory flags at the Washington Monument will be an opportunity for each State and Territory to share its own uniqueness through its icons and figures representing the traditions, values, and local histories that collectively have made the United States.

Flags have always been a part of our history and traditions. This legislation will ensure that every American will be part of one of our great national treasures.

WORLD OCEAN DAY

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Ms. McCOLLUM. Mr. Speaker, I rise today in support of H. Res. 1330, recognizing June 8 as World Ocean Day. This is only the second year that World Ocean Day has been officially recognized. Unfortunately, now is a tragically appropriate time for all of us to recognize and honor our nation's oceans.

The ongoing British Petroleum oil spill makes all of us realize how much our lives and the fate of our planet are intertwined with

the well-being of our oceans. It should not have taken millions of gallons of oil destroying the Gulf to have served as a wakeup call that our ocean waters are treasures that must be preserved and protected. The workers who risk their lives every day on oil rigs to provide for America's energy needs knew how vital these oceans were. So did those of us who enjoy the bounty of shrimp and oysters harvested from the sea. The dolphins, sea turtles and pelicans and thousands of species dependent on the health of our waters were already aware about the precarious state of our oceans.

Oil-soaked beaches in the Gulf now threaten the livelihoods of thousands of small business owners and fishermen as well as wildlife on and below the water's surface. British Petroleum was drilling in waters owned by the American people. The ocean belongs to all of us collectively, and none of us as individuals—or corporations. Even before this disaster, they were in a crisis, thanks to coastal development and sprawl, pollution, overfishing and an absence of government leadership.

I am pleased to support this resolution to highlight the many benefits the ocean provides. The oceans are an economic, ecological and cultural resource that we in Congress and the international community must exercise the proper stewardship over for our future generations. I urge my colleagues to take up this responsibility that has been entrusted to us and honor our oceans by supporting H. Res. 1330.

COMMENDING THE PATRIOT GUARD RIDERS

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mrs. EMERSON. Madam Speaker, I rise today to commend the work of a distinguished group of veterans and volunteers who continue to serve the men and women of our military and their families. The Patriot Guard riders can be seen at nearly every event celebrating our long tradition of military service to the Nation in Missouri's Eighth Congressional District.

It is difficult to miss the Patriot Guard riders, with their motorcycles emitting a low rumble en route to a Memorial Day ceremony, a welcome home celebration, a Veterans Day event or a military funeral. Their presence is always a respectful tribute to those who serve in uniform, and they are frequently a comfort to the families who have lost loved ones in the course of duty.

The members of the Patriot Guard do every day something that too few Americans take time for: they are always, always available to our troops, our veterans and our military families. They mark the service of Americans who have left their homes and risked their lives to defend our freedoms.

In the U.S. House of Representatives, I think it is important and fitting to single out such examples of service to our country. With honor and with dignity, the Patriot Guard riders are a source of constant support to our servicemembers, past, present and future. They are also a source of inspiration to young Americans considering a future in the service of our Nation, and I am very proud to thank them for all their efforts.

RECOGNITION OF THE MUSICAL ACHIEVEMENTS OF LYNYRD SKYNYRD

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. BACHUS. Madam Speaker, in the music world, it is challenging enough for a band to record one hit song, much less become a voice for an entire region and a true icon. That is why Congressman CONNIE MACK and I are pleased to jointly recognize the accomplishments and patriotic spirit of the legendary Lynyrd Skynyrd.

From humble beginnings, Lynyrd Skynyrd has become one of the most revered and accomplished bands in the history of music, having sold nearly 30 million records worldwide in the last four decades. Through their live performances and the music and songs still played on radio stations around the world every day, the members of Lynyrd Skynyrd have established themselves as timeless artists who transcend any one musical era or generation.

As validated by their induction into the Rock and Roll Hall of Fame in 2006, Lynyrd Skynyrd has had a seminal impact on the development of rock and country music and a profound influence on the career development of many artists who followed in their creative footsteps.

Through their collective voices, the band has become a beacon for regional identity and pride in the American South. This is perhaps best epitomized by the song ''Sweet Home Alabama,'' an anthem so universally identified with the State of Alabama that it is the official motto displayed on license plates.

Since their start in Jacksonville, Florida, in the late 1960s, Lynyrd Skynyrd has been a spokesman for the everyday working man and woman, the friends and neighbors of their formative years. Their ability to capture a unique part of the American spirit has given their music emotional meaning to many fans and built a legacy that continues to grow year after year.

Amid triumph and loss, these sons of the South have evolved from band to close-knit family. A tragic airplane crash in 1977 claimed original members Steve Gaines, Cassie Gaines, and lead singer Ronnie Van Zant, but Ronnie's brother Johnny carried on the tradition as the new vocalist. Devoted fans also remember and cherish the contributions of Allen Collins, Leon Wilkeson, Billy Powell, and Ean Evans. Today, led by core members Johnny Van Zant, Gary Rossington, Rickey Medlock, and Michael Cartellone, Lynyrd Skynyrd continues to share an unbreakable bond with the fans they count as family as well.

Lynyrd Skynyrd has been a generous supporter of our men and women in the Armed Forces for many years. The band has long understood that our military personnel bravely and unselfishly stand guard over our everyday security and freedom. They have enthusiastically raised money for military families and played countless shows for our service members in uniform. Their song ''Red, White, and Blue'' was written as a tribute to the men and women who serve in the defense of freedom.

As representatives of timeless American values and champions of working class heroes, Lynyrd Skynyrd continues to entertain and inspire millions of fans across the world. Along with Congressman MACK, I find it highly appropriate that the people's House takes time to recognize this classic band for lasting contributions not just to the world of music, but to American popular culture as a whole.

CHANCELLOR BERGLAND RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure that I stand before you today to honor Dr. Bruce Bergland and to him well upon his retirement from his position as Chancellor of Indiana University Northwest. Dr. Bergland's many years of service in the field of education have had a tremendous positive impact on numerous students and educators within the community of Northwest Indiana and across the nation. In honor of Chancellor Bruce Bergland, a retirement reception was held on Tuesday, June 15, 2010 at the Savannah Center located on the campus of Indiana University Northwest in Gary, Indiana.

Dr. Bruce Bergland's professional career began with his passion for education. His truly impressive resume reflects his many years of service in numerous capacities within the collegiate education field across the United States. Following his graduation in 1966 from Iowa University, where he received a Bachelor's degree in psychology, Bruce went on to pursue his doctoral degree in counseling at Stanford University. After graduating in 1970, Dr. Bergland took a position at Northwestern University and became the Assistant Professor of Education and Psychology. Bruce's career then led him to the University of Colorado at Denver, where he served in numerous capacities from 1972–1995. His many positions during his tenure included: Executive Vice Chancellor, Interim Dean, Vice Chancellor for Planning, and Associate Professor of Education. In 1995, Dr. Bergland decided to move on and became the Executive Vice Chancellor and Professor of Psychology at the University of Hawaii, West Oahu. Next, in 1997, Bruce's career led him to Trinity College in Vermont, where he served as the Vice President for Academic and Student Affairs, Professor of Basic and Applied Social Sciences, and Academic Dean.

Chancellor Bergland started his tenure as Chief Executive Officer at Indiana University Northwest (IUN) on July 1, 1999. Dr. Bergland's main goal from day one was to develop a ''shared vision'' for the university by reaching out to faculty and students, as well as community and business leaders, in order to develop a strong sense of the economic and cultural needs of IUN. Chancellor Bergland has successfully maintained this steering committee which provides a continuous effort for the future growth and development of the university. Among his many accomplishments at IUN, Bruce has also initiated the Diversity Programming Group, established

the Office of Institutional Research and the Office of Contracts and Grants, initiated IUN's participation in the Academic Quality Improvement Process Accreditation, and established a new College of Health and Human Services.

Additionally, Bruce selflessly gives of his time to the community of Northwest Indiana and has been involved in the following civic activities: Northwest Indiana Quality of Life Council, South Shore Arts, Urban League of Northwest Indiana, Lake Area United Way, Boys and Girls Clubs of Northwest Indiana, Tradewinds, Gary Educational Development Foundation, Mayor's Hall of Fame Advisory Committee, National Association for the Advancement of Colored People, Northwest Indiana Empowerment Zone, Northwest Indiana Forum, and University Club.

Madam Speaker, I ask that you and my other distinguished colleagues join me in commending Chancellor Bruce Bergland for his lifetime of leadership, service, and dedication to the institution of education. He has touched the lives of countless students and educators, as well as many citizens of Northwest Indiana through his civic endeavors. For his true service and uncompromising dedication, Chancellor Bruce Bergland is worthy of the highest praise, and I ask that you join me in wishing him well upon his retirement.

THE SACRIFICES OF THE SPECIAL FORCES

HON. LARRY KISSELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. KISSELL. Madam Speaker, I rise today to honor one of our Nation's greatest military resources, the Special Forces. These brave patriots routinely endure harsh conditions in very austere environments to defend our Nation's freedoms.

I was fortunate to have met Bert Caswell. Bert is a Congressional Visitor Center Tour Guide and has a heart for the military and our wounded warriors. Immediately after the terrorist attacks on September 11, 2001, Bert began using his gift of poetry to help comfort those who mourn.

Soon after, Bert decided to write poetry for the military and wounded warriors to commemorate their sacrifices.

I was particularly impressed with a poem he wrote in honor of the United States Special Forces. These quiet professionals live by the motto of "for, by, and through." They proudly serve at the point of the Nation's military operations conducting a wide range of missions in support of the country they love.

Today I ask my colleagues to recognize the tremendous sacrifices of America's Special Forces with Bert Caswell's poem.

THE SPECIAL FORCES

IN HONOR OF THE UNITED STATES SPECIAL FORCES

All Across Our Nation, People Sleep Well . . . All Because of Such Men, of Such Strength and Such Faith Then, Whose Time is Served in Hell . . .

All across our Nation . . .
People sleep well!
All because of such men of faith . . .
Whose fine hearts do swell!
Men of such Strength In Honor . . .
Who spend such time in Hell!
All in the defense of our Nation . . .
Such a fine equation, of great men I do tell!
Of such persuasion, who without hesitation!
Our Nation, so bless well!
Who shall not fail!
The noblest of now!
For all in times of war . . .
There are but only those, who insure . . .
The Very Bed of Freedom, all the more!
Who do what must be done!
These Fine Shining Sons!
All out upon their heroic ways, what they have done!
Proven and Prepared!
Vigilant, as there . . . they are ready to achieve!
All in what their fine hearts, so believe!
For there are such Forces . . .
Who can change the very course this, of a war!
Who, all in the dead dark of night . . . our Freedom so ignite . . .
As they so enforce this!
Men of Courage, Men of Might! Standing Strong, Standing Tall! Ever bright!
Answering, our Nation's, most solemn call!
Who so come and leave, and so scorch this!
Who all in times of war. . . . "FEAR" as they so divorce this!
As are heard . . .
ALL OF AMERICAN'S, BRAVEST OF ALL VOICES!
All in the midst of hell, are but our Special Forces . . .
Who so make, the most courageous of all choices!
The United States Special Operations Forces!
ALL IN THE DARK DEAD OF NIGHT . . .
ONE HELL OF A SIGHT!
As all through their MOST magnificent veins . . .
Their heroic blood, so courses!
Oh what a sight, 'OH WHAT A FORCE, THIS!
A TEAM of SUPERMEN!
SOMETHING, YOU JUST CAN'T COMPREHEND!
THE UNITED STATES SPECIAL FORCES . . .
The kind of guys, Batman . . . wishes he could be!
A Tour of 'De Force This, so complete!
The very Centurions of The Free!
Jumping from the air, coming out of the seas . . .
Strength In Honor, all in what they believe!
Men of Might, Men of Faith, whose Brave Hearts will not wait . . .
As the impossible, they achieve!
Almost like make believe!
As they will not wave!
Burning Bold, Burning Bright!
Bringing a better day, all in this fight!
With, but their shining hearts . . . rising to new heights!
With Hearts full, of Courage Burning Bright!
Like From Heaven sent, Freedom's Angels, who avenge!
Fighting the darkest, and the most vilest of all men . . .
From where our freedom, so starts . . . and so begins!
Day or Night, the most brilliant of all sights . . .
As all those wrongs, they right!
All for one, as their fine hearts ignite!
Burning Bold, and Burning Bright . . .
To Win That Battle, That Fight!
Crashing through walls, as their hearts of steel will not pause!
Jumping from the sky, almost as if they could fly . . .
Jumping from buildings high, and the trees . . .
All so at ease, ready to die!
Yea, Superman . . . aint got nothing on you . . .
Terminators, who are Freedom's creators!
Making The Enemy, Feel Their Disease!
America's Who's Who!
All for The Home of The Brave, and The Free!
Who live and die, so Splendidly!
Who, Freedom so insure!
Giving arms and giving legs, and their fine lives as have they!
A Band of Bothers! Who but gave, That Last For Measure!
Our Lord's, greatest of all treasures!'Oh to be like you!
The Bravest of The Brave!
America's real Who's Who!
The Truest of The True!
Pushing the very limits . . .
Of what man can do! Yea that's you!
The United States Special Operations Forces . . .
Are but the very heart, of That Red, White, and Blue . . .
Strength In Honor!
God Bless your families, God Bless You!
Oh, what a fine shadow you so cast!
But, All They Ask?
Is for us to stand behind you!
For as long, as your fine hearts as yours . . .
Sing, your most heroic songs out on your course . . .
Then, this our Nation of the Free . . .
Shall forever be!
Out on Freedom's course . . .
Found all in this force!
The Special Forces!

RECOGNIZING THE SERVICE OF DR. CAROLYN MOSLEY

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. BOOZMAN. Madam Speaker, I rise today to congratulate Dr. Carolyn Mosley for her pervasive efforts in human rights and bettering the health of Americans and the honor she received, becoming an inductee as a Fellow in the National League for Nursing's Academy of Nursing Education.

Since beginning her service in the health sector Mosley has provided inspired leadership and dedication in health care education through her service as Dean of UA Fort Smith's College of Health Sciences and her work on numerous health and human advocacy boards and councils. Mosley's many honors include induction into the Hall of Fame of the Louisiana State Nurses Association for her tireless efforts in the field of nursing.

Dr. Mosley's service continues beyond her office, serving as a member on numerous boards and organizations in the community. Her commitment to Fort Smith, Sebastian County and the State of Arkansas is something we are very grateful for.

Arkansans are blessed to have such an outstanding public servant and scholar who is dedicated to improving the health and wellbeing of individuals throughout America. I ask my colleagues today to join with me in congratulating Mosley on her achievements in health care and her induction as an Academy Fellow.

PERSONAL EXPLANATION

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. BERMAN. Madam Speaker, I was detained during rollcall vote No. 353. Had I been present, I would have voted ''aye.''

IN LOVING MEMORY OF WILLIAM ''BILL'' ELKINS, JR.

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. WATERS. Madam Speaker, I submit the following:

To Eleanor and Family,

I am sorry that I cannot be with you at the home-going services of your dear husband, father, grandfather, and my good friend, Bill.

I join with the many other elected officials and community leaders who mourn his loss. Bill Elkins was well known, respected, and loved by the many who knew, worked with and understood his undying commitment to African Americans in this city.

Bill spent the best part of his years in service to the late great Mayor Tom Bradley. He served as a liaison for Civil Rights Organizations, Ministers, Fraternities and Sororities and elected officials representing Mayor Bradley. Bill was all about equal opportunity and participation by all people. He truly was responsible for keeping the community informed and working closely with ministers helping them to their congregation engaged and helping to solve community problems.

I could share many stories on how we spent countless hours planning, strategizing, organizing and encouraging people to ''Get Out the Vote''. We don't see that kind of dedication anymore. But for those of us who were fortunate enough to work with him we learned what it meant to be truly committed to the community, he inspired us all.

Eleanor, your sisters in BWF, the organization that you helped to found, stand with at this difficult moment for you and your family. You and the family can rest assured that Bill did more than his share of service in this community. His work is recorded in the history of this city and now it is time for him to rest in peace. He will be sorely missed by so many.

IN RECOGNITION OF THE MARIAN MIDDLE SCHOOL

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. CARNAHAN. Madam Speaker, I rise to acknowledge the 10th anniversary of Marian Middle School in St. Louis. Ten years ago, a group of Catholic sisters established Marian Middle School to provide a stable learning environment for economically disadvantaged girls in the St. Louis Public School District.

Marian strives to prepare girls in grades 5 through 8 for a college preparatory high school education. Marian Middle School is the only all-girl, private school environment available to students in the St. Louis region. This unique resource offers a learning experience that, just 10 years ago, was unavailable to middle-school-aged girls in St. Louis.

Marian Middle School has experienced strong growth since its founding. With a capacity of 80 students, Marian recently relocated to accommodate for its growing enrollment. Marian's resources have also expanded, allowing the school to offer numerous after-school enrichment programs and activities.

Marian strives to provide a challenging curriculum and a balanced range of extracurricular opportunities. The 10-hour school day certainly challenges students, but it also allows Marian to achieve its goal of educating the whole person.

True to its call to assist the economically-disadvantaged, Marian determines tuition on a case-by-case basis. Tuition at Marian corresponds with the financial situation of the student's family. This method testifies to the generosity and sincerity of the mission of Marian Middle School.

Graduates of Marian Middle School currently attend 10 different college preparatory high schools in St. Louis. On the 10th anniversary of Marian, I think it is appropriate to pay tribute to a unique and successful academic institution.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. BARRETT of South Carolina. Madam Speaker, unfortunately, I missed the following recorded votes on the House floor the legislative week of Tuesday, June 8, 2010.

For Tuesday, June 8, 2010, I ask that the Record reflect that had I been present I would have voted ''aye'' on Rollcall vote No. 337 (on motion to suspend the rules and agree to H.R. 1061), ''aye'' on Rollcall vote No. 338 (on motion to suspend the rules and agree to H. Res. 518).

For Wednesday, June 9, 2010, I ask that the Record reflect that had I been present I would have voted ''no'' on Rollcall vote No. 339 (on ordering the previous question on H. Res. 1424), ''no'' on Rollcall vote No. 340 (on agreeing to H. Res. 1424, which provides for consideration of H.R. 5072), ''no'' on Rollcall vote No. 341 (on motion to suspend the rules and agree to H. Res. 989), ''aye'' on Rollcall vote No. 342 (on motion to suspend the rules and agree to H. Res. 1178), ''aye'' on Rollcall vote No. 343 (on motion to instruct conferees on H.R. 4173), ''no'' on Rollcall vote No. 344 (on motion to suspend the rules and agree to H. Res. 1330), ''aye'' on Rollcall vote No. 345 (on motion to suspend the rules and agree to H.R. 5278), ''aye'' on Rollcall vote No. 346 (on motion to suspend the rules and agree to H.R. 5133).

For Thursday, June 10, 2010, I ask that the Record reflect that had I been present I would have voted ''aye'' on Rollcall vote No. 347 (on agreeing to the Waters amendment to H.R. 5072), ''aye'' on Rollcall vote No. 348 (on agreeing to the Garrett amendment to H.R. 5072), ''aye'' on Rollcall vote No. 349 (on agreeing to the Price amendment to H.R. 5072), ''aye'' on Rollcall vote No. 350 (on agreeing to the Turner amendment to H.R. 5072), ''aye'' on Rollcall vote No. 351 (on agreeing to the Edwards (TX) amendment to H.R. 5072), ''aye'' on Rollcall vote No. 352 (on agreeing to the Maffei amendment to H.R. 5072), ''aye'' on Rollcall vote No. 353 (on passage of H.R. 5072), ''aye'' on Rollcall vote No. 354 (on motion to suspend the rules and agree to S. 3473).

IN HONOR OF LANCE CORPORAL RYAN M. WELCH

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. ADLER of New Jersey. Madam Speaker, I rise today to honor Lance Corporal Ryan M. Welch of Medford, New Jersey and to welcome him home from his recent tour of duty in Afghanistan.

After graduating from Shawnee High School in 2008, Ryan enlisted in the United States Marine Corps. He completed his basic training at Parris Island in South Carolina and went to Infantry Training at Camp Geiger, North Carolina. In 2009 he was assigned to MCB Hawaii Kaneohe Bay Oahu, Hawaii where he was meritoriously promoted to Lance Corporal. Lance Corporal Welch also received a Meritorious Mast during training exercises at Pohakuloa Training Area in July 2009 for demonstrating outstanding performance of duty during Exercise Lava Viper.

Lance Corporal Welch completed his first deployment to Afghanistan in support of Operation Enduring Freedom. During his deployment he served bravely in combat action during Operation Moshtarak in Marjah, Afghanistan. He served as an Infantry Rifleman in Jump Platoon, Headquarter and Service Company, 1st Battalion 3rd Regiment from Marine Corps Base Hawaii and as security for visiting dignitaries and performed general patrols and security for Nawa District, Hellmand Province in Afghanistan.

Madam Speaker, please join me and a grateful nation in welcoming home Lance Corporal Welch. We are eternally thankful to him for his service to our great country.

COMMEMORATING THE 350TH ANNIVERSARY OF THE HOPKINS SCHOOL IN NEW HAVEN

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Ms. DELAURO. Madam Speaker, I rise to commemorate the 350th anniversary of the Hopkins School, a co-educational preparatory day school in my hometown of New Haven, Connecticut and the third oldest independent school in the United States.

The rich history of Hopkins dates to well before the dawn of our American republic, when Governor Edward Hopkins of the young Colony of Connecticut established America's first charitable trust in 1650. In that trust, he set aside some of his estate for ''the breeding up

of hopeful youths for the public service of the country in future times.'' And so a one-room schoolhouse was built on New Haven Green bearing Hopkins name. From that seed, a fine educational institution has flourished.

In the centuries since, Hopkins has molded many Connecticut youths into fine public servants. Among the school's esteemed alumni are a signer of the United States Constitution, several noted engineers and prize-winning physicists, diplomats and industrialists, Governors, Senators, and more than a few presidents of Yale University.

To this day, from its home since 1926 on a hill overlooking New Haven, Hopkins still continues to mold our state's bright young minds into leaders and innovators. With an average class size of fourteen, an educational philosophy that prizes extracurricular activities, public service, and engaged citizenship in addition to the usual academic subjects, and an inclusive community that welcomes young men and women of all races, classes, ethnicities, and creeds, it is little wonder that Hopkins continually produces students that place among the top of the nation in standardized testing.

I congratulate Hopkins and its current Head, Barbara Riley, on three and a half centuries of academic achievement. And I salute the school's continuing service to the colony, state, and young people of Connecticut. Here is to the first 350, and here's to many more.

EXTENDING EFFECTIVE DATE OF GIFT CARD PROVISIONS OF CREDIT CARD LAW

SPEECH OF

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 14, 2010

Mrs. McCARTHY of New York. Mr. Speaker, I rise in support of H.R. 5502, a bill I was proud to cosponsor. I commend Mr. MAFFEI for his leadership on this important bill, allowing for a short transition period for gift card issuers to comply with disclosure requirements that were part of the CARD Act that became law in May 2009.

This bill would provide a short extension for certain disclosure requirements associated with gift certificates, store gift cards, and general-use prepaid cards produced prior to April 1, 2010. The transition will allow the industry to continue to sell its pre-existing gift card inventory that is in compliance with the new CARD Act rules, as it becomes compliant with the disclosures that take effect August 22, 2010. This action will prevent a disruption to consumer access, as well as for large business in trying to remove the millions of gift cards currently in the stream of commerce.

I fully respect the time and work of the Federal Reserve Board in drafting the final rules governing the gift card industry. However, in moving towards compliance, we need to ensure consumers are not inconvenienced, and I believe this legislation achieves that appropriate balance.

CELEBRATING LGBT PRIDE MONTH

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. HASTINGS of Florida. Madam Speaker, just over 40 years ago, a police raid on a gay bar in Greenwich Village made history. The so-called Stonewall riots, during which members of the gay community openly challenged institutionalized homophobia, marked the beginning of the modern Lesbian, Gay, Bisexual, and Transgender, LGBT, rights movement and led to the formation of gay rights organizations across the United States and around the world. Each June, we commemorate this ongoing struggle for equality by celebrating LGBT Pride Month.

It is indeed a historic time for our nation and the American people. What should have happened 17 years ago is now closer to being a reality than ever before. By passing the Murphy Amendment along with the Defense Authorization bill, the House of Representatives has pledged to fulfill its promise of upholding the values for which the United States stands by allowing gay and lesbian Americans to serve openly in the military. As I have said time and again, the discriminatory law known as ''Don't Ask, Don't Tell'' should be repealed once and for all. It threatens our national security and costs us millions of dollars each year to kick out dedicated and highly-skilled service members and to retrain new ones.

As we celebrate this victory, we are reminded of the long battle that has brought us to this point. I would be terribly remiss if I did not acknowledge the hard work and sacrifices of the countless service members and veterans, many of whose lives have been negatively impacted by this bigoted policy, as well as those military and policy leaders, advocacy organizations, and everyday Americans who have taken a stand against discrimination.

I am also pleased that President Obama and his administration have taken meaningful steps toward achieving LGBT equality. Most recently, President Obama extended a wider range of benefits to the same-sex partners of federal employees, including key protections such as long-term care insurance, health insurance reimbursements, business travel accident insurance, and tax reimbursements for homeowner's insurance. In April, President Obama also mandated that all hospitals extend visitation rights to the partners of gay men and lesbians and that they respect patients' choices about who may make critical health care decisions for them.

More than ever before, the fight for LGBT equality is full of hope and promise. But, our work is far from over. The sad reality is that gay and lesbian Americans are still essentially second-class citizens, with different rights depending on where they work and the state in which they live. This nation can only truly prosper when all of its citizens are guaranteed equal protection under the law. Laws that deprive LGBT Americans of these rights are unconstitutional, discriminatory, and unconscionable. It is my sincere hope that Congress and our nation as a whole will work together to pass the Employment Non-Discrimination Act, ENDA, repeal the Defense of Marriage Act, DOMA, and lift the ban on men who have sex with men, MSM, donating blood.

Madam Speaker, the LGBT community is part of our American family. They are our friends and neighbors and all contribute to this great nation. We must ensure that the pages of history only continue to turn forward on equality for all Americans, regardless of sexual orientation, gender identity, or gender expression. This LGBT Pride Month, I reaffirm my resolve to achieve equal rights for LGBT Americans and nothing less. It is the right thing to do.

HONORING THE 58TH ANNIVERSARY OF LE BONHEUR CHILDREN'S HOSPITAL AND THE GRAND OPENING OF THEIR NEW FACILITY

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. COHEN. Madam Speaker, I rise today to recognize the 58th Anniversary of Le Bonheur Children's Hospital and the grand opening of their new, state-of-the-art facility in downtown Memphis, Tennessee. Located in the heart of the Memphis medical district, the new 255-bed hospital makes Le Bonheur the largest pediatric health-care facility in the state, serving over 130,000 children each year.

Since opening its doors on June 15, 1952, Le Bonheur Children's Hospital has long stood as a shining beacon of service to Memphis and the surrounding community, providing health care and emergency treatment to children of all ages from 95 counties in six states. Over the decades, the facility has established an international reputation as a leader in both pediatric research and clinical care while serving as one of the country's foremost teaching hospitals. Partnerships with other premier hospitals such as St. Jude Children's Research Hospital and the University of Tennessee Health Science Center have further solidified Le Bonheur's world-class standing.

In addition to serving the region's healthcare needs, Le Bonheur continues to serve as one of the largest employers in the Memphis area, providing jobs to over 2,000 medical professionals while supporting over 14,000 other jobs in the community through a combination of direct and indirect economic contributions. Furthermore, the construction of the new facility has provided on average 650 jobs each day since the February 2008 ground breaking. Moreover, the increased size of the campus itself will result in the creation of almost 100 new jobs over the next 12–24 months.

The grand opening of the new 12-story, 610,000-square-foot hospital marks an exciting new chapter in the life of Le Bonheur. The $340 million facility will provide the Le Bonheur staff with $20 million in new equipment and technology as well as nearly double the hospital's current space, significantly increasing the capacity for research, education, patient care, and family comforts such as more sleeping space for parents, playrooms, gathering areas and even a first-run movie theatre.

In keeping with their reputation as an exemplar in the Memphis area, Le Bonheur has striven to ensure that their new facility is as environmentally efficient as possible. The new

building was constructed using recycled concrete and steel, incorporates native plants and employs water conservation methods such as drip watering and low-volume faucets and toilets. The hospital also offers numerous bike racks and has even set aside convenient parking spots reserved for energy-efficient vehicles.

For 58 years to the day, Le Bonheur Children's Hospital has always stood out as a paradigm of success and service in Memphis. I commend their steadfast efforts and dedication to the community, and recognize them for the credit and praise they so duly deserve.

CONGRATULATING COLONEL BRADLEY D. SPACY

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. AUSTRIA. Madam Speaker, I rise today to congratulate Colonel Bradley D. Spacy, for his outstanding service to our nation and the United States Air Force.

It is an honor to join the people of Ohio's Seventh Congressional District in congratulating Colonel Spacy upon his relinquishment of command as the Commander, 88th Air Base Wing, Air Force Materiel Command and Installation Commander, Wright-Patterson Air Force Base, Ohio.

Colonel Spacy commands one of the largest air base wings in the United States Air Force, with more than 5,000 Air Force military, civilian, and contractor employees. The wing provides support and services to one of the largest, most diverse, and most organizationally complex bases in the Air Force including a major acquisition center, research and development laboratories, a major command headquarters, an airlift wing, and the world's largest military air museum. The base is home to more than 27,000 employees and is the largest single site employer in the state of Ohio.

Colonel Spacy developed the Operation Community Warfighter, an exercise deployment where community leaders could experience firsthand the intense ground operations our men and women in the Air Force face during real-world deployments. I can attest also to his solid reputation of hard work, dedication, loyalty, honor, courage, and pride.

For his strong dedication of service to our community, I join the people of Ohio's Seventh Congressional District in extending our best wishes upon his new assignment in Washington, DC, as the Senate liaison for the Air Force and wish him ongoing success in all future endeavors and in this new capacity. Ooorah!

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 15, 2010

Mr. COFFMAN of Colorado. Madam Speaker, today our national debt is $13,046,148,615,770.79.

On January 6, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $2,404,722,523,042.60 so far this Congress. The debt has increased $1,939,748,639.30 since just yesterday.

This debt and its interest payments we are passing to our children and all future Americans.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4895–S4949

Measures Introduced: Eleven bills and two resolutions were introduced, as follows: S. 3485–3495, and S. Res. 552–553. **Pages S4938–39**

Measures Reported:

H.R. 4275, To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building".

S. 1508, to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars, with an amendment. **Page S4938**

Measures Passed:

Roy Rondeno, Sr. Post Office Building: Senate passed H.R. 3951, to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building", clearing the measure for the President. **Page S4949**

House Messages:

American Jobs and Closing Tax Loopholes Act: Senate continued consideration of the amendment of the House of Representatives to the amendment of the Senate to H.R. 4213, to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, taking action on the following amendments proposed thereto: **Pages S4914–28, S4933**

Adopted:

By 63 yeas to 33 nays (Vote No. 189), Franken Modified Amendment No. 4311 (to Amendment No. 4301), to establish the Office of the Homeowner Advocate for purposes of addressing problems with the Home Affordable Modification Program. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to). **Pages S4914, S4924–25, S4928**

Withdrawn:

By 35 yeas to 61 nays (Vote No. 187), Sanders Amendment No. 4318 (to Amendment No. 4301), to amend the Internal Revenue Code of 1986 to eliminate big oil and gas company tax loopholes, and to use the resulting increase in revenues to reduce the deficit and to invest in energy efficiency and conservation. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, be withdrawn). **Pages S4914, S4926–27**

By 48 yeas to 49 nays (Vote No. 188), Vitter Amendment No. 4312 (to Amendment No. 4301), to ensure that any new revenues to the Oil Spill Liability Trust Fund will be used for the purposes of the fund and not used as a budget gimmick to offset deficit spending. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, be withdrawn). **Pages S4914, S4924, S4925–26, S4927–28**

Pending:

Baucus motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Baucus Amendment No. 4301 (to the amendment of the House to the amendment of the Senate to the bill), in the nature of a substitute. **Page S4914**

Reid Amendment No. 4344 (to Amendment No. 4301), to amend the Internal Revenue Code of 1986 to extend the time for closing on a principal residence eligible for the first-time homebuyer credit. **Page S4914**

Thune/McConnell Amendment No. 4333 (to Amendment No. 4301), of a perfecting nature. **Page S4914**

A unanimous-consent-time agreement was reached providing for further consideration of the amendment of the House of Representatives to the amendment of the Senate to the bill at approximately 10:30 a.m., on Wednesday, June 16, 2010; that there be 5 minutes of debate, equally divided and controlled between Senators Baucus and Grassley, or their designees; that upon the use or yielding back of that time, Senator McConnell, or his designee, be recognized to make a budget act point of order against the Baucus motion; that once the point of order is raised, Senator Baucus then be recognized to waive the applicable budget point of order; that if the waiver fails, then the Baucus motion to concur with an amendment be withdrawn; and Senator Baucus then be recognized to move to concur in the House amendment to the Senate amendment to the

bill with an amendment; provided notwithstanding the withdrawal of the previous motion, the previously agreed upon amendments 4302, as modified, 4326 and 4311, as modified, be incorporated into the new Baucus motion to concur, and that the Reid amendment No. 4344, be reoffered with the same text; that on Thursday, June 17, 2010, beginning at 10 a.m., Senate debate the Thune substitute amendment No. 4333, to be reoffered with the same text; that the amendment be debated for 2 hours, with the time equally divided and controlled between Senators Baucus and Thune, or their designees; that upon the use or yielding back of time, Senator Baucus be recognized to raise a budget act point of order against the Thune amendment; that Senator Thune, or his designee, then be recognized to move the applicable budget point of order; that if the waiver fails, then the Thune substitute amendment be withdrawn; provided further, that if the waivers for either Baucus or Thune amendments succeed, the amendments remain pending; finally that the cloture motion be withdrawn. **Page S4933**

Appointments:

Health Information Technology Policy Committee: The Chair, on behalf of the Republican Leader, pursuant to Public Law 111–5, appointed the following individual to the Health Information Technology Policy Committee: Richard Chapman of Kentucky. **Page S4949**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 95 yeas (Vote No. EX. 185), Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana. **Pages S4905–10**

By unanimous vote of 96 yeas (Vote No. EX. 186), Brian Anthony Jackson, of Louisiana, to be United States District Judge for the Middle District of Louisiana. **Pages S4905, S4911**

Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana. **Pages S4905, S4911**

Messages from the House: **Page S4937**

Measures Referred: **Page S4937**

Executive Communications: **Pages S4937–38**

Additional Cosponsors: **Pages S4939–40**

Statements on Introduced Bills/Resolutions: **Pages S4940–43**

Additional Statements: **Pages S4936–37**

Amendments Submitted: **Pages S4943–49**

Notices of Hearings/Meetings: **Page S4949**

Authorities for Committees to Meet: **Page S4949**

Privileges of the Floor: **Page S4949**

Record Votes: Five record votes were taken today. (Total—189) **Pages S4910–11, S4926–28**

Adjournment: Senate convened at 10 a.m. and adjourned at 7:38 p.m., until 9:30 a.m. on Wednesday, June 16, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4949.)

Committee Meetings

(Committees not listed did not meet)

AFGHANISTAN

Committee on Armed Services: Committee held a hearing to examine the situation in Afghanistan receiving testimony from Michele A. Flournoy, Under Secretary for Policy, and General David H. Petraeus, USA, Commander, United States Central Command, both of the Department of Defense.

Hearings continue on Wednesday, June 16, 2010.

ENERGY BILLS

Committee on Energy and Natural Resources: Subcommittee on Energy concluded a hearing to examine S. 3460, to require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, S. 3396, to amend the Energy Policy and Conservation Act to establish within the Department of Energy a Supply Star program to identify and promote practices, companies, and products that use highly efficient supply chains in a manner that conserves energy, water, and other resources, S. 3251, to improve energy efficiency and the use of renewable energy by Federal agencies, S. 679, to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, S. 3233, to amend the Atomic Energy Act of 1954 to authorize the Secretary of Energy to barter, transfer, or sell surplus uranium from the inventory of the Department of Energy, and S. 2900, to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems, after receiving testimony from Senators Carper and Collins; and Steven G. Chalk, Chief Operating Officer, and Acting Deputy Assistant Secretary for Renewable Energy, Office of Energy Efficiency and Renewable Energy, and R. Shane Johnson, Chief Operating Officer for Nuclear Energy, both of the Department of Energy.

NEW START TREATY

Committee on Foreign Relations: Committee resumed hearings to examine Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol (Treaty Doc.111–05), focusing on the negotiations, receiving testimony from Rose E. Gottemoeller, Assistant Secretary of State for Verification, Compliance, and Implementation; and Edward L. Warner III, Secretary of Defense Representative to the New START Negotiations.

Hearings continue on Wednesday, June 16, 2010.

PROTECTING CYBERSPACE

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine protecting cyberspace as a national asset, focusing on comprehensive legislation for the 21st century, after receiving testimony from Philip Reitinger, Deputy Under Secretary of Homeland Security for National Protection and Programs Directorate; Frances Fragos Townsend, Intelligence and National Security Alliance, Arlington, Virginia; Alan Paller, SANS Institute, Bethesda, Maryland; Steven T. Naumann, Exelon Corporation, Chicago, Illinois, on behalf of the Edison Electric Institute; and Sara C. Santarelli, Verizon Communications, Colorado Springs, Colorado.

HEALTH IMPACTS OF OIL SPILL

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the health impacts of the Gulf of Mexico oil spill, after receiving testimony from Lisa Kaplowitz, Deputy Assistant Secretary for Policy, Office of the Assistant Secretary for Preparedness and Response, John Howard, Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Aubrey Keith Miller, Senior Medical Advisor, National Institute of Environmental Health Sciences, National Institutes of Health, and Michael Taylor, Deputy Commissioner for Foods, Food and Drug Administration, all of the Department of Health and Human Services.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General, Department of Justice, after the nominee, who was introduced by former Senator John C. Danforth, testified and answered questions in his own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 5523–5534; and 6 resolutions, H.J. Res. 88; and H. Res. 1441–1445 were introduced. **Pages H4505–06**

Additional Cosponsors: **Pages H4506–07**

Report Filed: A report was filed today as follows:

H.R. 3993, to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services, with an amendment (H. Rept. 111–507). **Page H4505**

Speaker: Read a letter from the Speaker wherein she appointed Representative Dahlkemper to act as Speaker pro tempore for today. **Page H4427**

Recess: The House recessed at 9:01 a.m. and reconvened at 10 a.m. **Page H4427**

Recess: The House recessed at 10:04 a.m. and reconvened at 11:30 a.m. **Page H4427**

Reception in the House Chamber of Former Members of Congress: The House recessed to receive former Members of Congress in the House Chamber. Later, agreed that the proceedings had during the recess be printed in the Congressional Record and that all Members and former Members who spoke during the recess have the privilege of revising and extending their remarks. **Pages H4427–37**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and agree to the following measure which was debated on Monday, June 14th:

Honoring Dr. Larry Case on his retirement as National FFA Advisor: H. Res. 1383, to honor Dr.

Larry Case on his retirement as National FFA Advisor, by a ⅔ yea-and-nay vote of 409 yeas with none voting "nay", Roll No. 358. **Pages H4466–67**

Moment of Silence: The House observed a moment of silence in memory of Frank Evans, former Member of Congress. **Page H4467**

Suspension—Failed: The House failed to agree to suspend the rules and pass the following measure:

Work-Life Balance Award Act: H.R. 4855, amended, to establish the Work-Life Balance Award for employers that have developed and implemented work-life balance policies, by a ⅔ yea-and-nay vote of 249 yeas to 163 nays, Roll No. 360.

Pages H4463–66, H4468–69

Suspensions: The House agreed to suspend the rules and agree to the following measures:

Recognizing the immeasurable contributions of fathers in the healthy development of children: H. Res. 1389, to recognize the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, by a ⅔ yea-and-nay vote of 416 yeas with none voting "nay", Roll No. 361 and **Pages H4454–56, H4476–77**

Celebrating the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program: H. Res. 1322, to celebrate the 20th anniversary of the Albert Einstein Distinguished Educator Fellowship Program and to recognize the significant contributions of Albert Einstein Fellows, by a ⅔ yea-and-nay vote of 405 yeas to 5 nays, Roll No. 364. **Pages H4462–63, H4479–80**

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed:

Congratulating Urban Prep Charter Academy for Young Men—Englewood Campus: H. Res. 1414, amended, to congratulate Urban Prep Charter Academy for Young Men—Englewood Campus, the Nation's first all-male charter high school, for achieving a 100 percent college acceptance rate for all 107 members of its first graduating class of 2010. **Pages H4456–62**

Small Business Jobs Tax Relief Act of 2010: The House passed H.R. 5486, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, by a recorded vote of 247 ayes to 170 noes, Roll No. 363.

Pages H4447–54, H4467–68, H4477–79

Rejected the Camp motion to recommit the bill to the Committee on Ways and Means with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 187 ayes to 230 noes, Roll No. 362. **Pages H4478–79**

H. Res. 1436, the rule providing for consideration of the bills (H.R. 5486) and (H.R. 5297) was agreed to by a yea-and-nay vote of 228 yeas to 186 nays, Roll No. 359, after the previous question was ordered without objection. **Pages H4469–76**

Senate Message: Message received from the Senate today appears on page H4427.

Senate Referrals: S. 1660 was held at the desk.

Page H4427

Quorum Calls—Votes: Five yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H4466–67, H4467–68, H4468–69, H4476–77, H4478–79, H4479, H4479–80. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:33 p.m.

Committee Meetings

AMERICA'S ENERGY FUTURE

Committee on Energy and Commerce: Subcommittee on Energy and Environment held a hearing entitled "Drilling Down on America's Energy Future: Safety, Security and Clean Energy." Testimony was heard from Rex W. Tillerson, Chairman and CEO, ExxonMobil; John S. Watson, Chairman and CEO, Chevron; James J. Mulva, Chairman and CEO, ConocoPhillips; Marvin Odum, President, Shell Oil Co; and Lamar McKay, Chairman and President, BP America, Inc.

NIH OUTLOOK

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled "NIH in the 21st Century: The Director's Perspective." Testimony was heard from Francis S. Collins, M.D., Director, NIH, Department of Health and Human Services.

DISASTERS—SPECIAL NEEDS CARE

Committee on Homeland Security: Subcommittee on Emergency Communications, Preparedness and Response held a hearing entitled: "Caring for Special Needs During Disasters: What's Being Done for Vulnerable Populations?" Testimony was heard from the following officials of FEMA, Department of Homeland Security: Marcie Roth, Senior Advisor, Disability Issues and Director, Office of Disability Integration and Coordination, and Jim Kish, Director–Technological Hazards Division; Carmen J. Spencer, Deputy Assistant Secretary of the Army–Elimination of Chemical Weapons, U. S. Army, Department of Defense; and public witnesses.

WMD PREVENTION AND PREPAREDNESS

Committee on Homeland Security: Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology held a hearing on H.R. 5498, WMD Prevention and Preparedness Act of 2010. Testimony was heard from Sara T. Beatrice, Assistant Commissioner, Public Health Laboratory Director, Department of Health and Mental Hygiene, City of New York; and public witnesses.

DISCRIMINATORY STATE MOTOR VEHICLE RENTAL TAXES

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 4175, End Discriminatory State Taxes for Automobile Renters Act of 2009. Testimony was heard from Representative Boucher; and public witnesses.

ANTITRUST ROLE IN REGULATED INDUSTRIES

Committee on the Judiciary: Subcommittee on Courts and Competition Policy held a hearing on Is There Life After Trinko and Credit Suisse?: The Role of Antitrust in Regulated Industries. Testimony was heard from Howard A. Shelanski, Deputy Director, Antitrust, Bureau of Economics, FTC; and public witnesses.

OVERSIGHT—DEEPWATER HORIZON OIL SPILL IN GULF OF MEXICO

Committee on Natural Resources: Subcommittee on Insular Affairs, Oceans and Wildlife continued oversight hearings on the Deepwater oil spill in the Gulf of Mexico, with emphasis on Ocean Science and Data Limits in a Time of Crisis: Do NOAA and the Fish and Wildlife Service Have the Resources to Respond? Testimony was heard from David Kennedy, Acting Assistant Administrator, National Ocean Service, NOAA, Department of Commerce; Marcia McNutt, Director, U.S. Geological Survey, Department of the Interior; Jonathan A. Coddington, Associate Director, Research and Collections, National Museum of Natural History, Smithsonian Institution; and public witnesses.

Hearings continue June 24.

LEAD EXPOSURE IN D.C.

Committee on Oversight and Government Reform, Subcommittee on Federal Workforce, Postal Service and the District of Columbia held a hearing entitled "Lead Exposure in D.C.: Prevention, Protection, and Potential Prescriptions." Testimony was heard from Ileana Arias, Principal Deputy Director, Centers for Disease Control and Prevention, Agency for Toxic Substances and Disease Registry, Department of Health and Human Services; Thomas Jacobus, General Manager, Washington Aqueduct Division, U.S. Army Corps of Engineers, Department of Defense; the following officials of the District of Columbia: George Hawkins, General Manager, Water and Sewer Authority; and Christophe A.G. Tulou, Acting Director, Department of the Environment; and a public witness.

VETERANS BENEFITS ADMINISTRATION

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs held a hearing on the State of the Veterans Benefits Administration. Testimony was heard from Michael Walcoff, Acting Under Secretary, Benefits, Veterans Benefits Administration, Department of Veterans Affairs; representatives of veterans organizations; and public witnesses.

REDUCING MEDICARE FRAUD, WASTE, AND ABUSE

Committee on Ways and Means: Subcommittee on Health and the Subcommittee on Oversight held a joint hearing on reducing fraud, waste, and abuse in Medicare. Testimony was heard from Representatives Roskam, Klein of Florida, Ros-Lehtinen, and Murphy of New York; Edward N. Siskel, Associate Deputy Attorney General, Department of Justice; the following officials of the Department of Health and Human Services: Lewis Morris, Chief Counsel, Office of Inspector General; and Kimberly Brandt, Director, Medicare Program Integrity, Centers for Medicare and Medicaid Services; and Kathleen M. King, Director, Health Care, GAO.

REGULATED INVESTMENT COMPANIES MODERNIZATION

Committee on Ways and Means: Subcommittee on Select Revenue Measures held a hearing on tax simplification proposals impacting regulated investment companies, with emphasis on H.R. 4337, Regulated Investment Company Modernization Act of 2009. Testimony was heard from public witnesses.

BRIEFING—NATIONAL COUNTERTERRORISM CENTER GLOBAL

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on National Counterterrorism Center Global. The Committee was briefed by departmental witnesses.

Joint Meetings

RESTORING AMERICAN FINANCIAL STABILITY ACT

Conferees met to resolve the differences between the Senate and House passed versions of H.R. 4173, 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, but did not complete action thereon, and will meet again on Wednesday, June 16th.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 16, 2010

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider the nominations of Elisabeth Ann Hagen, of Virginia, to be Under Secretary for Food Safety, and Catherine E. Woteki, of the District of Columbia, to be Under Secretary for Research, Education, and Economics, both of the Department of Agriculture, and Sara Louise Faivre-Davis, of Texas, Lowell Lee Junkins, of Iowa, and Myles J. Watts, of Montana, all to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation, Farm Credit Administration, 10:30 a.m., S–216, Capitol.

Committee on Appropriations: Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2011 for the Department of Defense, 10:30 a.m., SD–192.

Subcommittee on Financial Services and General Government, to hold an oversight hearing to examine Federal payment of interchange fees, focusing on how to save taxpayer dollars, 2:30 p.m., SD–192.

Committee on Armed Services: to continue hearings to examine the situation in Afghanistan; with the possibility of a closed session in SVC–217 following the open session, 9 a.m., SD–G50.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 11 a.m., SD–366.

Subcommittee on Public Lands and Forests, to hold hearings to examine S. 3294, to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho, S. 3310, to designate certain wilderness areas in the National Forest System in the State of South Dakota, and S. 3313, to withdraw certain land located in Clark County, Nevada from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, 2:30 p.m., SD–366.

Committee on Foreign Relations: to continue hearings to examine Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol (Treaty Doc. 111–05), focusing on views from the Pentagon, 9:30 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine the Gulf of Mexico oil spill, focusing on ensuring a financially responsible recovery, 3 p.m., SD–342.

Committee on Veterans' Affairs: to hold hearings to examine Veterans' Affairs health care in rural areas, 9:30 a.m., SR–418.

Special Committee on Aging: to hold hearings to examine the retirement challenge, focusing on making savings last a lifetime, 2 p.m., SD–562.

House

Committee on Armed Services, hearing on developments in Afghanistan, 1 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on the following bills: H.R. 4678, Foreign Manufacturers Legal Accountability Act; and H.R. 5156, Clean Energy Technology Manufacturing and Export Assistance Act, 10 a.m., 2322 Rayburn.

Subcommittee on Health, hearing entitled '' HHS Actions to Identify and Address Health Effects of the BP Oil Spill,'' 2 p.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on Western Hemisphere, hearing on Press Freedom in the Americas, 2:45 p.m., 2172 Rayburn.

Committee on Homeland Security, hearing entitled '' Cybersecurity: DHS' Role, Federal Efforts and National Policy,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, hearing on Competition in the Airline Industry, 2 p.m., 2141 Rayburn.

Committee on Natural Resources, to mark up the following measures: H. Res. 1406, Directing the Secretary of the Interior to transmit to the House of Representatives certain information relating to the potential designation of National Monuments; H.R. 1554, Fountainhead Property Land Transfer Act; H.R. 4445, Indian Pueblo Cultural Center Clarification Act; H.R. 2340, Salmon Lake Land Selection Resolution Act; H.R. 3914, San Juan Mountains Wilderness Act of 2009; H.R. 3923, Sugar Loaf Fire 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. 4514, Colonel Charles Young Home Study Act; H.R. 4686, Rota Cultural and Natural Resources Study Act; H.R. 3989, Heart Mountain Relocation Center Study Act of 2009; H.R. 4773, Fort Pulaski National Monument Lease Authorization Act; H.R. 4973, National Wildlife Refuge Volunteer Improvement Act of 2010; and H.R. 2864, To amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes, 10 a.m., 1324 Longworth.

Committee on Science and Technology, Subcommittee on Energy and Environment, hearing on Real-Time Forecasting for Renewable Energy Development, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Aviation, hearing on The Proposed United-Continental Merger: Possible Effects for Consumers and the Industry, 9:30 a.m., 2167 Rayburn.

Committee on Ways and Means, hearing on China's Trade and Industrial Policies, 10 a.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine global threats, European security and parliamentary cooperation, focusing on what parliamentarians can do to work together on some of the most significant challenges facing the world, 10 a.m., SVC–202/203.

Conference: meeting of conferees on H.R. 4173, 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, 11 a.m., 2128–RHOB.

Next Meeting of the SENATE

9:30 a.m., Wednesday, June 16

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of the House Message to accompany H.R. 4213, American Jobs and Closing Tax Loopholes Act, and vote in relation to Baucus motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Baucus Amendment No. 4301 at approximately 10:40 a.m., with additional votes expected throughout the day.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, June 16

House Chamber

Program for Wednesday: Consideration of H.R. 5297—Small Business Lending Fund Act of 2010 (Subject to a Rule).

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