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House of Representatives

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

PRAYER

Pastor Guillermo Maldonado, King Jesus International Ministry, Miami, Florida, offered the following prayer:

Let's bow our heads and pray.

Heavenly Father, thank You for this opportunity for the religious freedom that we enjoy in this country. We are grateful to our Founding Fathers who fought and died for us to have this freedom.

Today, I lift up a prayer for each Member of Congress, and I ask You to give them the wisdom they need to govern and pass laws in favor of Your people.

Lord, You are who places and removes kings from their throne, and You ask us to pray for all those in positions of authority so that we may live peacefully in this Nation.

Lord, let Your will be done in this House as it is in heaven, for it brings peace and justice to this country. Let Your Holy Spirit guide each one of these men and women and rest upon their hearts and mind.

In Jesus' name, amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. KIRK) come forward and lead the House in the Pledge of Allegiance.

Mr. KIRK 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.

WELCOMING PASTOR GUILLERMO MALDONADO, KING JESUS INTERNATIONAL MINISTRY, MIAMI, FLORIDA

The SPEAKER. Without objection, the gentleman from Florida, Congressman MARIO DIAZ-BALART, is recognized for 1 minute.

There was no objection.

Mr. MARIO DIAZ-BALART of Florida. Madam Speaker, Pastor Guillermo Maldonado is the founder of Rey Jesus International Ministry in Miami, Florida. It is recognized as the largest Hispanic church in the entire country.

He, along with his wife, Ana Maldonado, who is joining us today in the gallery, are spiritual leaders for so many in our community. His dedication and commitment to serving God and to serving his fellow man is, frankly, unparalleled.

It's a great honor, a huge honor to have Pastor Maldonado as our guest chaplain in the House today, for he is truly an inspiring figure. I am so glad that this House is able to benefit from the spiritual guidance that so many of us in south Florida have been able to do over the years.

ANNOUNCEMENT BY THE SPEAKER

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

WHITTEMORE PETERSON INSTITUTE SCIENTISTS DISCOVER SIGNIFICANT LINK BETWEEN XMRV AND ME/CFS

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

Ms. BERKLEY. Madam Speaker, a recently identified retrovirus called XMRV has been linked to the debilitating neuroimmune disease that affects more than 1 million people in the United States. Scientists from the Whittemore Peterson Institute, located at the University of Nevada, Reno, and their collaborators from the National Cancer Institute and Cleveland Clinic have discovered a retroviral link to chronic fatigue syndrome. This is a major breakthrough in understanding the origins of this debilitating disease.

I rise in order to congratulate Harvey and Annette Whittemore. Ms. Annette and her husband, Harvey, have a daughter that was diagnosed with chronic disease syndrome. They have worked tirelessly and relentlessly to fund and ensure that they can find a cure to this disease.

I rise also to tell people that the money to purchase the equipment used to discover this medical breakthrough was funded by an earmark by the United States Congress. This is a good expenditure of taxpayers' dollars and will ultimately save millions of our fellow Americans' lives.

I congratulate the Whittemores and the institute. I look forward to working with them, not only to identify and isolate this enzyme that causes this disease, but to actually cure it.

YOU AMERICANS ARE RUNNING OUT OF OTHER PEOPLE'S MONEY

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

Mr. KIRK. Mr. Speaker, in medicine, the rule is do no harm. But look at these Medicare cuts just approved by Speaker PELOSI. The Congressional Budget Office reports that the bill cuts Medicare, nursing, wheelchairs, home health, even hospice. Hospice? Yep. Medicare hospice is cut.

Another principle is this: the right hand of government should know what

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the left hand is doing. Just a few months ago we enacted a stimulus bill to put money in the economy, but the bill we are going to consider has a $400 billion tax increase that takes money out of the economy.

In the teeth of the great recession, this is what we are going to do. But you know what? That's okay, because we can still borrow billions from foreign lenders; right? Or, as one British MP correctly said when he summed it all up, you Americans are running out of other people's money.

HEALTH INSURANCE REFORM

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, do no harm. What we are really doing in health care reform is to ensure that we have an efficient, effective, and secure Medicare, not cuts. But really what we want to talk about is insuring all Americans.

Our job is not yet done. We thank the Senate Finance Committee for moving forward, but our job is not done. It's not done because a 17-pound, 4-month-old baby that had the Rocky Mountain Health Plan was denied insurance because of obesity. What more are Americans going to face?

Listen to this debate. The legislation that we have here in the House means that health insurance reform will come and an insurance company can no longer decide to deny you coverage or jack up your rate because of a preexisting condition. It means it will be against the law for insurance companies to drop your coverage when you get sick or water it down. It means insurance companies will no longer be able to place some arbitrary cap on the coverage. It means there will be a yearly limit on how much you can be charged on out-of-pocket expenses. It means relief. It means that your bouncing baby boy will not be denied insurance because he happens to be chubby.

Let's get the job done, access to health insurance for all Americans.

DOMESTIC VIOLENCE AWARENESS MONTH/TEENS AGAINST DOMESTIC ABUSE

(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 rise today to recognize October as Domestic Violence Awareness Month.

Domestic violence is one of the most chronically underreported crimes in America, with 85 percent of the victims being women. In an effort to raise awareness about this often-concealed problem, Teens Against Domestic Abuse, TADA, will be joining with the Women's Fund of Miami-Dade County to host an event, ''Women Ending Domestic Violence.''

TADA is a local student activist group run by a caring and passionate young woman, Emily Martinez-Lanza, and her event will be next week, October 22, in Miami. Through education, awareness, and prevention, students are working to help break the cycle of domestic abuse.

I commend TADA for its efforts in promoting domestic violence education in our schools. I also commend the Women's Fund of Miami-Dade County for its outstanding contributions to ending domestic violence in our south Florida community.

As Domestic Violence Awareness Month reminds us, everyone deserves a safe home, one free from violence and free from abuse.

SUPPORT IRAN SANCTIONS ENABLING ACT

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

Mrs. KIRKPATRICK of Arizona. Mr. Speaker, I rise in support of House Resolution 1327, the Iran Sanctions Enabling Act of 2009.

This commonsense bill would empower State and local governments and educational institutions to divest from those foreign companies supporting Iran's energy sector if they so choose. I support the efforts of our diplomats both to engage Iran and to work with Iran's key trading partners to impose meaningful, multilateral sanctions.

However, if Iran still refuses to take meaningful steps towards transparency in halting its nuclear ambitions and if China and Russia refuse to go along with multilateral sanctions, then I believe it is critical that the President be prepared to act, including imposing crippling sanctions.

This bill will provide the President with the authority he needs.

PREMIUMS WILL RISE UNDER HEALTH CARE REFORM

(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, in the next few weeks, the House of Representatives will be taking up health care reform legislation.

A report released Monday by PricewaterhouseCoopers showed the Senate Finance Committee's version of the health care bill will impose stiff costs to the American people. According to the report, a family paying $12,300 currently for their health insurance policy would find themselves paying nearly $26,000, on average, by 2019 under this bill. Premiums for a single person would go up by $600 a year.

Mr. Speaker, Americans want reform which expands access to affordable health care and gives families the freedom to choose the policy which fits their needs. Americans want meaningful medical liability reform to help deter frivolous lawsuits, and they also want to be able to buy health insurance across State lines.

Republicans are willing to work with our colleagues to find bipartisan solutions to the hurdles standing in the way of health care reform.

□ 1015

HEALTH CARE REFORMS CLOSER

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

Mr. ALTMIRE. Mr. Speaker, with each House of Congress finally preparing to bring a health care bill to the floor, we are now closer to reform than we have been in decades. And while we still have a few hurdles to jump before the finish line, there are major issues on which there is widespread agreement. So what can the American people be sure will be in any health care reform bill that is passed?

That it will be against the law for insurance companies to drop your coverage once you get sick and that they will no longer be able to exclude you based on a preexisting condition; routine checkups and preventive care will be covered without copayment; and your insurance plan will be portable, even when you change jobs.

In short, Americans will be able to keep the coverage they have and be safeguarded against losing it when they change jobs or get sick. These reforms are long overdue, but they are now one step closer to reality.

RESOLVE

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

Mr. POE of Texas. Mr. Speaker, the Nation is at war in Afghanistan. The commander of the multinational forces says he needs several thousand more U.S. troops. But the United States has not sent him more troops. Our country is indecisive. Why do we delay?

Our enemy is not hesitant about their determination to continue to murder in the name of religion. Our inaction causes our national credibility and resolve to be in doubt. It encourages our foes and puzzles our allies.

If our troops needed more food, we would immediately send food. If our troops wanted more equipment, arms and vehicles, we would immediately send munitions. But if our troops want more troops, we stall, delay and ponder. Why?

It is said we need time to reevaluate the situation. Well, after years of fighting, are we not sure about our mission, our goal, our strategy? We are giving the impression to the world and to our military that we don't have the moral will to finish this war.

We can delay no longer. Our troops are already in the field. Their safety and success is of paramount importance. Let there be no question of our

resolve to eliminate the terrorists who threaten the innocents of the world.

And that's just the way it is.

RECOGNIZING EISENHOWER HIGH SCHOOL'S 50TH ANNIVERSARY

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

Mr. Speaker, I stand here today to recognize Eisenhower High School in my hometown of Rialto on the occasion of its 50th anniversary. This Saturday, October the 17th, the Rialto community will celebrate this important milestone.

Eisenhower first opened its doors in the fall of 1959, and since then has achieved great success in academics, athletics and community involvement. Eisenhower athletic teams have consistently won titles in a wide range of sports, including football, basketball, wrestling and swimming. In fact, this past winter the Eisenhower boys' basketball team won the California Interscholastic Federation's State title, marking the first time ever a school from San Bernardino County held the State title.

Eisenhower's impressive list of alumni include NFL Hall of Famer Ronnie Lott, baseball star Jeff Conine, golfer Brandi Burton, and Olympic speed skating gold medalist Derek Parra. In addition, my two sons, Joe Baca, Jr., former State Assemblyman and now Mayor Pro-Tem for the City of Rialto, and Jeremy Baca, who has done an outstanding job in work in the Inland Empire area, have also graduated from Eisenhower High School.

For their outstanding academics, Eisenhower High has been recognized both as a National Blue Ribbon School and a California Distinguished School.

I thank all the students, teachers and parents who have contributed so much to Eisenhower High and the Inland Empire community these past 50 years.

SCRAP H.R. 3200

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

Mr. FLEMING. Mr. Speaker, as a physician and a father and a Member of Congress, I join the majority of Americans that do not want the government takeover of our health care system. They are demanding Congress scrap H.R. 3200 and come together in a bipartisan fashion to craft a commonsense plan to reduce costs, expand access and increase the quality of care in a way that America can afford.

We need to create a health care plan that will ensure that the government does not interfere with the doctor-patient relationship, ensure that the government does not deny care on the basis of disease or years of life left, ensure that government does not break the bank at a time when America simply cannot afford it, ensure that if you lose or change your job, you and your family would continue have to access to affordable health care coverage, ensure that if you have a preexisting condition you will not be denied access to coverage, and, finally, ensure that any medical liability reform will be real and meaningful.

I challenge my colleagues to put principle above politics and represent the will of the American people when it comes to health care reform.

GIVING PEACE OF MIND AND HEALTH SECURITY

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

Ms. SCHAKOWSKY. Mr. Speaker, I want to share with my colleagues a letter I recently received from a constituent in Niles, Illinois. He writes:

''As one of your constituents, I urge you to move forward and pass comprehensive health reform, including a public option. I have been self-employed for 18 years. My continued ability to afford medical insurance and health care has been my biggest concern. Without a public option, those of us who do not have an employer-provided medical insurance are at the mercy the insurance industry. As an example, six years ago when I turned 55, my medical insurance premium increased 33 percent in 7 months. Each year I wonder if I will have to give up my business, because I will no longer be able to afford medical insurance on my own.''

We need to pass comprehensive reform this year to give my constituent and other self-employed individuals peace of mind and health security.

TESTIMONIAL ON SUSAN G. KOMEN RACE FOUNDATION AND BREAST CANCER AWARENESS MONTH

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BROWN of South Carolina. Mr. Speaker, today I stand as a proud cosponsor of a resolution honoring Nancy Goodman Brinker, founder of the Susan G. Komen for the Cure Foundation. This October marks the 25th anniversary of National Breast Cancer Awareness Month and the 27th anniversary of Komen for the Cure.

In the Palmetto State, breast cancer occurs in over 5,000 women a year and kills over 1,000, but according to the American Cancer Society, these numbers have been falling since the 1990s. However, there is always more to be done, and we can all get involved in promoting breast cancer awareness.

This Sunday is the 16th Annual Komen Lowcountry Race for the Cure in Charleston and I congratulate our local affiliate staff, Lindsay Wiltshire, Michelle Temple, Lucy Spears, Taffy Tamblyn and Patricia Simon for their hard work organizing this event. Their efforts bring us all closer to the ultimate goal of a world without breast cancer. We are very proud of them and all of their efforts in the First Congressional District.

EDUCATION KEY TO REBUILDING ECONOMY

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

Mr. CARNAHAN. Mr. Speaker, as we continue working to strengthen our economy and put Americans back to work, it is important to note that our economy has stabilized a great deal since the economic collapse a year ago. But there is still much more work to be done.

Because of the American Recovery and Reinvestment Act, an estimated 8,500 teaching jobs have been saved in my home State of Missouri alone. Without the Recovery Act, thousands of teachers would have lost their jobs. Hundreds of thousands of students would be losing out on individual attention vital to their education. It was the right thing to do to provide States with the resources to keep America's teachers teaching and continue investing in our children's education.

This stimulus is putting us on the road to recovery by putting money back in the pockets of middle-class Americans and making critical investments in our future, like education and preparing for today's clean energy jobs.

We must continue our aggressive push to put Americans back to work and make investments in ourselves for this new era of global competition. Rebuilding our economy must continue to be our top priority.

WHERE ARE THE JOBS?

(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 come to the floor today to ask a simple question: Where are the jobs?

When Congress was asked to rubber stamp the President's trillion dollar stimulus proposal last February, we were told that legislation was the only way to keep the national unemployment rate from rising above 8 percent and that it would create jobs. Unfortunately, as we all know, this so-called stimulus bill has failed to do either of these things.

Nearly 3 million people in the private sector have lost jobs in America since the stimulus bill was signed into law. And the national unemployment rate? 9.8 percent and climbing, the highest level in 26 years. Moreover, 15.1 million people who are unemployed are looking for work, again the largest number in history, and it includes my son, who is celebrating his 38th birthday today standing in the unemployment line.

Happy birthday, Billy.

In my home State of Georgia, my State has lost 116,000 jobs since the

stimulus was signed. I ask again, Mr. Speaker, where are the jobs?

BRINGING DOWN HEALTH INSURANCE COSTS

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

Mr. YARMUTH. Mr. Speaker, a lot of us have gotten a good chuckle over the last few days over the PricewaterhouseCoopers study of the impact of the Senate Finance Committee health reform bill on health insurance premiums. I mean, after all, after only a few days, they had to come out and say, well, we really didn't analyze the whole bill, and in fact if some of the cost reform measures were put into place, we would save money.

But they missed the important point. The most important point is that the Senate Finance Committee bill doesn't include the public option that provides real competition for America's health insurance companies. The House bill, H.R. 3200, does include that public option competitive force.

As I was home over the weekend, I talked to many people who just opened their renewal forms from their insurance companies and saw increases projected of 20, 25 and 30 percent. That is why the public option is so important.

We can bring down health insurance costs and we can provide competitive pressure on the health insurance companies if we adopt the public option in the House bill.

MEDIA GIVING PRESIDENT A FREE PASS

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

Mr. SMITH of Texas. Mr. Speaker, unemployment under President Obama is at a 26 year high. The last time unemployment was this high was when President Reagan took office.

Despite the similar unemployment figures during the Obama and Reagan Administrations, the media have treated President Obama far more favorably than they treated President Reagan, according to an analysis by the Business and Media Institute. BMI found that 91 percent of the stories mentioning the Reagan Administration and unemployment were negative, while only 7 percent of the Obama administration stories were negative. That is absolutely astounding. Furthermore, the networks connected the Reagan White House to negative job numbers almost twice as often as they have the Obama administration.

Why is the media giving President Obama a free pass? The media should report the facts, not play favorites.

PASS COMPREHENSIVE HEALTH INSURANCE REFORM

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

Mr. TONKO. Mr. Speaker, this past Sunday, America's Health Insurance Plans, the trade group representing the largest health insurance companies in this country, released a report. The insurance companies contend that health insurance reform will raise premiums on families by as much as $4,000 in the next 10 years.

I am here to tell you this morning, Mr. Speaker, that this is simply not true. Just last week, the Tax Foundation, a nonpartisan tax research group, released a report that said middle-class American families will see a savings of about $1,900 from the House's health reform bill.

Insurance companies are worried that health insurance reform is going to cut into their profits. This report is a last-ditch effort to stop this Congress from providing real relief to the millions of Americans who already are struggling with the high cost of health insurance.

Even the company hired to produce the report has issued a statement saying that they produced a skewed report that analyzes only part of the bill because that is what the insurance industry paid them to do. That company has since distanced itself from this report.

This report completely ignores critical policies that hold down the cost of health insurance, such as the grandfather policy that allows you to keep the plan you have, affordability credits, and the health insurance exchange.

PROVIDING MORE FREEDOM AND BETTER HEALTH CARE FOR AMERICANS

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

Mr. PENCE. Mr. Speaker, I respect the President of the United States of America. I pray for this President often in my private devotions. But after months of extraordinary public opposition to a government takeover of health care, opposition that spontaneously drew more than 1 million people to the West Front of this Capitol just one month ago, President Obama spoke words this weekend that were, frankly, hard to take.

He said in his radio address, ''What is remarkable is not that we have had a spirited debate about health insurance reform, but the unprecedented consensus that has come together behind it.''

Unprecedented consensus that has come together behind a government takeover of health care? Well, maybe here in Washington, D.C., but not across America.

There is an unprecedented consensus. The American people are fed up with runaway Federal spending and government takeovers. And now that the committee work is done and both chambers of the House and Senate are headed to the back rooms to write up health care reform, let's home and let's pray that the unprecedented consensus that will shape this bill will be based upon the consensus of the American people for more freedom and lower health care costs, and not the consensus in Washington for more government and higher taxes.

□ 1030

HAPPY HALLOWEEN TO THE INSURANCE INDUSTRY

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today just weeks before Halloween to unmask the health insurance industry. At long last they've revealed themselves to the American people as profit-mongers and protectors of CEO salaries.

For months, the industry engaged in a game of pretense. They danced with the President, the Congress and the American people, pretending that they care about reform. Now we see the industry and their lobbyists for what they are: a little shop of horrors. They're so opposed to reform that they're making up their own data, manipulating the results, and writing a so-called independent report to threaten the American people with increased premiums.

Mr. Speaker, this industry is not interested in health care or reform. For them it's profits, profits, and more profits at the expense of millions of Americans. Enough.

We have one message for the insurance industry, its lobbyists and millionaire CEOs: with or without you, we will achieve quality, affordable, and accessible health care for all Americans, with choice. What they've done is proved the need for a robust public health insurance option for real competition, affordability and accountability for the industry.

Let me close by thanking the health insurance industry for delivering this gift that proves that they can't be trusted. It's time for the industry to turn in their costumes. Happy Halloween. We're on to you.

HONORING THE ARMY NATIONAL GUARD 81ST BRIGADE COMBAT TEAM AND AIR NATIONAL GUARD OF THE STATE OF WASHINGTON

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

Mr. REICHERT. Mr. Speaker, I am proud to join my colleagues this morning in honoring the members of the Army National Guard 81st Brigade Combat Team and Air National Guard of the State of Washington on the completion of their recent deployment to Iraq.

These soldiers and their families have shown us the sense of duty, the sense of honor, and the sacrifice that we all aspire to and admire. Many of them know the pain of losing someone, a soldier, a fellow warrior, giving everything to defend the freedoms that we cherish in this country each and every day. And all of them know the perils of deployment, time away from their families, their children, their community, and possibly the ultimate sacrifice, their life.

This government comes here and performs its work each and every day. We can debate the issues each day because of the dedication of these soldiers and their families. And today, though it's not enough, we say thank you.

CONGRATULATING ST. JOHN THE BAPTIST GREEK ORTHODOX CHURCH ON ITS 50TH ANNIVERSARY

(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 congratulate St. John the Baptist Greek Orthodox Church as they celebrate their 50th anniversary as a congregation during the month of October.

As the first Greek Orthodox Church in southern Nevada, St. John has welcomed new Americans of Greek descent to Las Vegas and helped them feel at home in the community. St. John has educated thousands of children in the rituals and faith of the Greek Orthodox Church, ensuring the strength and vitality of the doctrine. Over the past 50 years, the church has expanded from a small group of patrons to a large community meeting in a beautiful church in the Third District.

Today, the church has a vibrant membership and is host to a community center and educational facility. The church is active in social justice projects that benefit children, seniors, the sick, and the poor. The church hosts regular events celebrating Greek heritage such as folk dancing and Easter egg hunts. And there's an annual Greek food festival in Las Vegas which is famous throughout the valley for its wonderful music, camaraderie, and the best food outside of Athens.

I again congratulate St. John the Baptist Church and the Greek Orthodox community for their 50 years of success, and I wish them 50 more.

NET NEUTRALITY

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to point out a timely editorial on net neutrality that ran recently in The Washington Post, and I'll submit it for the RECORD, ''The FCC's Heavy Hand,'' that ran on Monday, September 28, 2009. This editorial makes good points, but the bottom line is one I have been making since this issue came up so many years ago. The broadband marketplace has been, is, and will remain one of the most competitive areas in our economy.

Today, if you don't like your cable Internet, you switch to your phone company service. If you need mobility you can't get from your wire-line phone company, you purchase a wireless broadband plan. If you don't like one wireless provider's broadband plan, you ask the guy sitting next to you surfing the Web in the park who he uses for their wireless broadband, and you switch to that company.

Why do we have options? Because broadband companies have invested billions of dollars to build the best networks they can to attract as many customers as they can. Why would they block applications or content when they know the customer they're interfering with could just switch to another provider? They won't, as long as that customer isn't harming the network.

Mr. Speaker, the contrast is here. We should look at why the government needs to do such as addressing health care, and prices are spiraling out of control. Tens of millions of Americans have no choice on health care and having insurance, whereas, in the broadband market, there is plenty of competition and companies are competing. There could not be a more stark contrast for where government must act, and where competition in the marketplace is benefiting consumers, driving investment, and creating jobs. Further regulation is not the answer to keeping the Internet open; fostering competition and investment in broadband infrastructure is.

PRESIDENTS REAGAN AND OBAMA

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

Mr. COHEN. Mr. Speaker, I've listened to 1 minutes here, and some of my Republican colleagues have made comments I listened to. And one who I respect tremendously talked about President Reagan and President Obama, and certainly they have a lot in common. They're both dynamic speakers and great communicators. Both of them have had high unemployment rates during their first year in office.

But the commonality is that those high unemployment rates were caused by their predecessors. And the press properly pointed out that Jimmy Carter's failed policies in the late 1970s and George Bush's failed policy at the beginning of this century were the cause of the economic malaise that each of these great communicators, Presidents Reagan and Obama, found themselves with.

Each will find that the economies will improve. Reagan did, and Obama will, and this Congress is helping to improve this economy.

Another gentleman talked about health care and said we should pray. I'm Jewish, and at our Yom Kippur holiday it's said that we should pray for national leaders that have a government that is compassionate and just. I believe that compassion and justice dictates that we have a health care plan and take care of everybody. I think it's the basis of the Judeo-Christian philosophy.

MESSAGE FROM THE SENATE

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

S. 846. An act to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 1510. An act to transfer statutory entitlements to pay and hours of work authorized by the District of Columbia Code for current members of the United States Secret Service Uniformed Division from the District of Columbia Code to the United States Code.

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate to the text of the bill (H.R. 1016) ''An Act to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, and for other purposes.''.

The message also announced that pursuant to section 276n of title 22, United States Code, as amended, the Chair, on behalf of the President pro tempore, appoints the following Senator as Chairman of the United States-China Interparliamentary Group conference during the One hundred Eleventh Congress:

The Senator from Washington (Mrs. MURRAY).

The message also announced that pursuant to Executive Order 12131, renewed by Executive Order 13446, the Chair reappoints and appoints the following Members to the President's Export Council:

Reappointment:

The Senator from Texas (Mr. CORNYN).

Appointment:

The Senator from Idaho (Mr. CRAPO) vice the Senator from Wyoming (Mr. ENZI).

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.

RECOGNIZING THE VITAL ROLE FAMILY READINESS VOLUNTEERS PLAY IN SUPPORTING SERVICE MEMBERS AND THEIR FAMILIES

Mrs. DAVIS of California. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 408) recognizing the vital role family readiness volunteers play in supporting servicemembers and their families.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 408

Whereas since 2001, nearly 2,000,000 active duty and reserve sailors, soldiers, airmen, Marines, and Coast Guard personnel have deployed in support of Operation Enduring Freedom and Operation Iraqi Freedom;

Whereas the more than 1,800,000 family members of regular component members of the Armed Forces and an additional 1,100,000 family members of reserve component members make significant sacrifices on behalf of the United States in support of their loved ones deployed overseas;

Whereas the readiness of the United States Armed Forces is predicated on the ability of each member of the Army, Navy, Air Force, Marines, and Coast Guard to focus on their mission during deployments;

Whereas the military necessity of long and often unpredictable deployments, frequent relocations, and infrequent family contact for members of the Armed Forces can be extremely challenging for members and their families;

Whereas, in response to these sacrifices and challenges, family readiness volunteers from each branch of the Armed Forces have stepped forward to provide critical support during deployments to service members and their families;

Whereas the family readiness volunteer programs in each service help commanding officers have a better understanding of the welfare of the families within his or her command during a deployment and allow families to be informed about the status of their loved ones' unit overseas;

Whereas family readiness volunteers consist of Army Family Readiness Volunteers, Navy Ombudsmen, Coast Guard Ombudsmen, Air Force Key Spouse Volunteers, and Marine Corps Key Volunteers;

Whereas the thousands of family readiness volunteers are generally spouses of members of the Armed Forces who provide assistance to military families while also enduring the challenges of military life;

Whereas these volunteers are motivated by the desire to improve the lives of other military families and to assist future generations;

Whereas family readiness volunteers also connect the community with military families and local military installations, often leveraging donations and resources for military families;

Whereas family readiness volunteers provide their services on a voluntary basis, with little public recognition and financial assistance, and often contribute their own resources to help other military families; and

Whereas the outstanding performance of our service members is a testament to the great success of family readiness volunteers: Now, therefore, be it

Resolved, That the House of Representatives recognizes and honors the family readiness volunteers of each branch of the Armed Forces who selflessly devote their time, talent, energy, and resources in service to the United States and commends family readiness volunteers for their dedicated contributions to the quality of life of members of the Armed Forces and their families.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. DAVIS) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. DAVIS of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

Mrs. DAVIS of California. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in support of H. Res. 408. I introduced this resolution to honor the work of the Army's Family Readiness Volunteers, Air Force Key Spouse Volunteers, Navy Ombudsmen, Marine Corps Key Volunteers and Coast Guard Ombudsmen. Each day, thousands of these men and women volunteer their time to help improve the quality of life for military families by serving as a channel between deployed units and their loved ones at home. Most of these important volunteers are military spouses, frequently with a loved one deployed overseas.

I also introduced this measure to bring their efforts to the attention of all Americans. As chairwoman of the Military Personnel Subcommittee, I know that today's all-volunteer force is, in many ways, less integrated into the society that they are sworn to protect. My hope is that this resolution will help shed light on a group of dedicated volunteers that the average American may know little about but who are a crucial component of military readiness. I firmly believe that the outstanding performance of our servicemembers is directly connected to their efforts, and with today's high operational tempo, their services are as important as ever.

Family Readiness volunteers and ombudsmen help our military families solve a variety of problems and meet the challenges servicemembers and their families face before, during, and after deployments. As Admiral Mullen wrote when he was Chief of Naval Operations, ''A strong command Ombudsman Program, both ashore and afloat, will help ensure that families have the information necessary to meet the challenges of a military lifestyle.''

Across each service, these volunteers also assist newly enlisted servicemembers and spouses and their families with a wide range of issues, from understanding their health and retirement benefits to serving as a conduit of information to the command.

Mr. Speaker, I am fortunate enough to be able to meet with Navy ombudsmen in my district several times a year to discuss the issues that military families care most about, from everyday issues like day care to uniquely military issues such as coping with the deployment.

And, in fact, when I first came to Congress, it was a Navy ombudsman in San Diego who helped me understand the complex issues faced by our all-volunteer force. And just last week, I had the pleasure of meeting with over 100 Army Family Readiness Volunteers who traveled to Washington to learn how to improve their abilities to advocate on behalf of the families they help at home. I was inspired by the willingness of these women and men who traveled from across the United States for training that will ultimately help them support their soldiers.

When you meet with volunteers, you quickly realize that a key component to our overall military readiness is the readiness of our military families. In my view, and the view of our top military leaders, America's deployed men and women could not do their jobs abroad if they were constantly worried about their families back home. Simply put, Family Readiness volunteers and ombudsmen help reduce uncertainty and ease anxiety around deployments by keeping families involved so our servicemembers can stay focused on their mission.

Today, it would be really impossible for our military to mitigate some of the stresses of war if there was not the valuable and active family contact maintained by these individuals. With every year of war, these volunteers have taken on an increasing amount of responsibility, so much so that the services have even begun to compensate a small number of individuals for their efforts.

While volunteers help provide peace of mind for our deployed personnel, they also provide information about the status of a unit's deployment overseas.

I recall the role that the Navy ombudsmen played when the USS *New Orleans* and the USS *Hartford* collided in the Strait of Hormuz earlier this year. For the families of the sailors and marines aboard both ships, the news was startling. Families were all wondering the same things: Was their loved one injured? Was the ship still able to sail? How would the incident impact the length of their deployment?

The ombudsman for the USS *New Orleans*, a ship stationed in my district, recounted to my office how within 10 minutes of the news breaking, he had over 20 calls from concerned family members. It was at that point that he e-mailed his families a simple message, with the subject line reading: ''USS New Orleans Collision, Everyone is safe.'' His message at a time of need let the families know not to worry.

□ 1045

This ombudsman told my office, ''The emails and phone calls that I

fielded that day calmed my families. They were getting some bad news, but from a familiar voice . . . someone that they know and have spoken to . . . this does not necessarily make the news better but certainly more palatable.''

Many of the families of the sailors and marines aboard the USS New Orleans responded to the ship's ombudsman about the valuable service he provided. One family member wrote, ''Thank you so much for the updates. Having you as a connection to information to our loved ones has been critical and really important. My parents and I are incredibly grateful as we have been very worried about my sister.''

Another family member wrote and said, ''Thank you. You have been helpful through this difficult time. I appreciate the phone call and the reassurance that everything was okay.''

Thanks to the work of this ombudsman, families at home had the right information at the right time. This is the invaluable role family readiness volunteers play and will continue to play as long as our military is at war.

Before I yield back, Mr. Speaker, I would like to strongly encourage all of my colleagues who have not yet had the opportunity to meet with these men and women to reach out to the family readiness volunteers and ombudsmen in their districts or States. I hope that they will do that. I also hope my colleagues will help me recognize the important role readiness volunteers and ombudsmen play in helping military families and honor their enormous contribution to our Nation's defense by supporting this measure.

I reserve the balance of my time.

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

Mr. Speaker, I want to rise today in support of resolution 408 and thank the author, Representative DAVIS of California, for putting this resolution forward.

This resolution commends a large group of selfless and dedicated people, the vast majority of whom are volunteers, in organizations that provide support to the families and children of deployed members of the Armed Forces as well as to the servicemembers themselves.

Because these organizations go by various names and work quietly and effectively behind the scenes, it's important today that we acknowledge them explicitly. They are the Army Readiness Volunteers, the Navy Ombudsmen, the Coast Guard Ombudsmen, the Air Force Key Spouse Volunteers, and the Marine Corps Key Volunteers.

Our military families face extraordinary demands, stresses and challenges related to the service of their loved ones. To ease these burdens, family readiness groups unselfishly step in to connect military families with the community and with local military installations.

Among the approximately 2.9 million family members of those serving in the Active and Reserve components, the needs are many, and supporting these needs is a matter of military readiness. The support challenge is made more complex because virtually all the families of National Guard troops and Reservists reside in civilian communities spread across this Nation. Yet the family readiness groups have taken on that challenge to provide help and support, particularly during extended periods of mobilization and deployment.

Our military forces could not have sustained the stress related to repeated deployments and combat without the assistance, dedication, and outstanding work over the years of these family readiness groups. Today's resolution is a fitting way to celebrate and thank such dedicated volunteers.

Again, I want to thank Representative DAVIS for putting this resolution forward, and I urge my colleagues to support House Resolution 408.

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

Mrs. DAVIS of California. Mr. Speaker, at this time, I have no further requests for time, 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 (Mrs. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 408.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE 56TH BRIGADE COMBAT TEAM OF THE PENNSYLVANIA ARMY NATIONAL GUARD

Mr. SMITH of Washington. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 754) honoring the citizen-soldiers of the National Guard of the State of Pennsylvania, including the 56th Brigade Combat Team (Stryker) of the Pennsylvania Army National Guard on its return to the United States from deployment in Iraq.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 754

Whereas the members of the Army National Guard and Air National Guard of the State of Pennsylvania reside throughout the State and come from various communities, backgrounds, and professions;

Whereas units and members of the Pennsylvania National Guard have been deployed, and are continuously being deployed, in support of United States military operations at home and overseas in Iraq, Afghanistan, and dozens of other countries;

Whereas one such unit, the 56th Brigade Combat Team (Stryker) of the Pennsylvania Army National Guard, is composed of approximately 4,000 citizen-soldiers from throughout the State of Pennsylvania;

Whereas the 56th Brigade Combat Team (Stryker), following a mobilization and deployment to Kosovo in 2003, was placed on Federal active duty for a second overseas mobilization on September 19, 2008, and deployed to Iraq on January 15, 2009;

Whereas during the deployment of the 56th Brigade Combat Team (Stryker) in Iraq, the brigade was primarily engaged in convoy security, force protection, provincial reconstruction, and base operations missions; and

Whereas the 56th Brigade Combat Team (Stryker) returned to the United States and demobilized in September 2009, upon completion of one year of service in support of military operations in Iraq: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its gratitude to the members of the Army National Guard and Air National Guard of the State of Pennsylvania and their families for their service and sacrifice on behalf of the United States;

(2) commends the members of the 56th Brigade Combat Team (Stryker) of the Pennsylvania Army National Guard on the completion of their most-recent deployment to Iraq; and

(3) recognizes the achievements of the members of the 56th Brigade Combat Team (Stryker), and all other formerly and presently deployed Pennsylvania Army National Guard and Air National Guard units and members, for their exemplary service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. SMITH) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that all Members have legislative 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

Mr. SMITH of Washington. I yield as much time as he may consume to the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. HOLDEN. Mr. Speaker, I thank the gentleman from Washington for yielding me the time.

I rise in strong support of House Resolution 754, Mr. Speaker, to honor and say ''thank you'' to the members of the Pennsylvania National Guard from the 56th Stryker Brigade on their return home from Iraq and ''a job well done.'' And I want to commend and thank the gentleman from Pennsylvania (Mr. SHUSTER) and all the members of the Pennsylvania delegation for being cosponsors of this resolution.

Mr. Speaker, during the deployment of the 56th Stryker Brigade, I had the opportunity to travel to Mississippi and Louisiana with Congressman SHUSTER, Congressman GERLACH and Congressman DENT, and then we had the opportunity, along with Congresswoman DAHLKEMPER, to travel over to Iraq to see our citizen-soldiers in action. And I can tell you that we, as members of the Pennsylvania delegation and the entire Commonwealth of Pennsylvania, are very proud of our

citizen-soldiers' performance, as I believe the entire country is.

They have returned home with the job well done. As a matter of fact, when we had the opportunity to be in Iraq and meet with General Odierno and General Jacoby and talk about the performance of General Wright's soldiers under the command of Colonel Ferraro, they expressed how proud they were as commanders in theater for the job that was well done.

The Pennsylvania National Guard is the only National Guard who hosts a Stryker Brigade. And, Mr. Speaker, that did not happen by a lottery held at the Pentagon. It happened because of the strong professionalism, the training and the work that this brigade has done previously in their deployment. They are the second-most deployed National Guard unit of any in the country. And the reason is because of the job that they do when they are asked and they are called upon to serve our country and to serve the Commonwealth of Pennsylvania.

During their deployment, they served with distinction. The awards that were granted to the 56th Stryker Brigade include four Bronze Star Medal for Valor, 10 Army Commendation Medal for Valor, 33 Purple Hearts, and unfortunately they had two tragic deaths during their deployment, Staff Sergeant Mark Baum and Specialist Chad Edmundson. And certainly our prayers and thoughts go out to the families of those two who made the supreme sacrifice during their deployment.

Again, as a member of the Pennsylvania delegation speaking in concert with the other members of the delegation and on behalf of this entire body, I want to congratulate and commend the 56th Stryker Brigade on their performance.

Mr. SHUSTER. Mr. Speaker, at this time, I would like to yield such time as he might consume to my colleague from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I, too, rise today as an original cosponsor and strong supporter of House Resolution 754, and I would like to thank Congressman TIM HOLDEN of Schuykill County for introducing this resolution.

The United States National Guard is the oldest component of our Armed Forces, dating back to pre-Revolutionary War times. Over the past 8 years, we have witnessed thousands of Guard members answer the call as they are asked to fight in Iraq and Afghanistan.

Approximately 4,000 members of the Pennsylvania Guard were deployed to Iraq last fall, the largest deployment of the Pennsylvania National Guard since the Korean war. Prior to the 56th Stryker Brigade Combat Team's deployment to Iraq, I, along with some of my colleagues, TIM HOLDEN, BILL SHUSTER and JIM GERLACH, visited the Pennsylvania Stryker Brigade in Mississippi and Louisiana at Camp Shelby and Fort Polk as they prepared for their mobilization overseas.

In June 2009, I traveled to Iraq to meet with the Pennsylvania National Guard 56th Stryker Brigade and other Pennsylvania troops, accompanied by many Members who are here in the Chamber today, including Representative DAHLKEMPER.

During my visit to Iraq, I saw a significant improvement in the security conditions on the ground. And the fact that we were able to safely drive through the bustling streets of Baghdad was an encouraging and welcome development. I know, without a doubt, it is the sacrifice, perseverance and bravery of these young men and women that enabled such progress.

I am pleased that just 1 year later, the 56th Stryker Brigade is returning home. As of late September, most of the brigade has returned home. I am honored to be standing here today to pay tribute to these heroes. Our military families demonstrate tremendous bravery as they watch their loved ones go overseas to fight in harm's way for the freedoms we experience every day in this great Nation. We say ''thank you'' to the entire Pennsylvania National Guard for protecting the families and communities of our great Commonwealth and standing at the ready to defend our homeland.

I urge Members to support House Resolution 754.

Mr. SHUSTER. I continue to reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Mrs. DAHLKEMPER).

Mrs. DAHLKEMPER. Mr. Speaker, I want to thank the gentleman for recognizing me.

I want to rise today in proud and enthusiastic support to House Resolution 754, honoring the citizen-soldiers of the Pennsylvania National Guard, including the 56th Stryker Brigade Combat Team, known as the Stryker Brigade of the Pennsylvania Army National Guard, on its return to the United States from deployment in Iraq.

On January 15, 2009, the 56th Stryker Brigade was deployed to Taji, Iraq. Just last month, this extraordinary combat team, 4,000 strong, returned to their families in Pennsylvania after an incredibly successful deployment. They were welcomed home with proud, open arms throughout our State.

In June, I was grateful and honored to have had the opportunity to visit Iraq and to meet personally with members of the 56th Stryker Brigade from the Third District of Pennsylvania. These brave Pennsylvanians embodied the fire of patriotism and the humility of sacrifice. I was in awe of their accomplishments and the high standard of excellence by which they executed their mission.

Just yesterday, I was on a plane ride back to Washington sitting next to a general whose son's division from Fort Hood took the place of our 56th Stryker Brigade from Pennsylvania, and he mentioned to me how honored his son was to take over from such an excellent group of soldiers. It was certainly a joy and an honor to greet our troops as they returned to Cambridge Springs just last month, the division out of my district.

Never had I felt such intense pride in our country as I did when meeting these extraordinary soldiers and witnessing the sacrifices they have made so that we may live in freedom and prosperity.

Our Pennsylvania National Guard has answered the call to defend these United States of America and ensure the security of our people and our way of life. Today, we honor these Guardsmen and thank them for their service. In doing so, we also renew our pledge to provide our men and women in uniform with the highest quality of care and benefits they have earned. In doing so, we show our intense gratitude and enormous respect for our soldiers who so rightly deserve it.

Mr. Speaker, I offer my unwavering support of House Resolution 754. I thank Congressman HOLDEN for bringing this resolution forward. Our Pennsylvania National Guard and our 56th Stryker Brigade Combat Team certainly deserve this recognition. May God bless our troops.

Mr. SHUSTER. At this time, I would like to yield such time as he might consume to my colleague from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank my good friend, my colleague from Pennsylvania.

Mr. Speaker, I, too, rise today in support of House Resolution 754, a resolution commending the members of the 56th Stryker Brigade Combat Team of the Pennsylvania Army National Guard on the completion of their most recent deployment to Iraq. And I thank all of my Pennsylvania colleagues for their support of this resolution.

The Stryker is a combat vehicle similar to a tank but operates on wheels rather than on tracks. And the vehicle is essential to protecting our soldiers' lives and is vital to the Army's Interim Brigade Combat Teams. The 56th Stryker is a special unit not just to my home State, but my home. My son, Logan, served with the 56th Stryker Brigade before changing to Active Duty, and a number of my former Eagle Scouts from my scout troop serve currently with the 56th Brigade and serve proudly in Iraq.

The 56th Stryker Brigade was deployed in February of this year to Iraq and returned home this past summer. And while in Iraq, they captured some 80 hidden supply dumps, which caused severe shortages and disrupted enemy operations. Their service in Iraq and Afghanistan has not gone unnoticed and has saved many lives.

Upon arriving home last month, these heroes were finally embraced by their families, their friends and their loved ones. From Venango County to Lycoming County, many constituents from my district bravely and honorably served on this brigade. We say

''thank you, welcome home,'' and ''God bless you'' for your selfless service. Your actions will never be forgotten.

I urge my colleagues to support our troops and vote in the affirmative for the underlying resolution.

□ 1100

Mr. SMITH of Washington. Mr. Speaker, I continue to reserve.

Mr. SHUSTER. Mr. Speaker, it is an honor for me to rise today in support of House Resolution 754, which honors the citizen-soldiers of the Pennsylvania National Guard, including the 56th Stryker Brigade Combat Team of the Pennsylvania Army National Guard, on its return to the United States from a deployment in Iraq. I am proud to have authored this resolution with my colleague, Mr. HOLDEN from Pennsylvania. It is an honor, as I said, to speak in favor of this resolution and to have the support and cosponsorship of the entire Pennsylvania delegation.

The men and women being honored today are not only brave soldiers; they are also our neighbors, friends, and relatives. Their mission in Iraq was vital to our national security, and they served with honor and distinction.

In November of last year, I was joined by my colleagues, Mr. HOLDEN, Mr. GERLACH and Mr. DENT, to visit the members of the 56th Stryker Brigade when they were training at Camp Shelby in Mississippi and at Fort Polk in Louisiana in preparation for their deployment.

In June of this year, Mr. HOLDEN and I, along with Mr. DENT and Mrs. DAHLKEMPER, visited Iraq to meet with our deployed troops from Pennsylvania to thank them for their service. We also met with troops at Camp Liberty outside of Baghdad, and in Taji. While there, we also were able to meet with General Odierno, the commander of the Multinational Force in Iraq. And General Odierno spoke in glowing terms of the Pennsylvania Guard and told us that our soldiers are doing an outstanding job bringing security to Iraq.

I also had the opportunity to meet with many of my constituents, and there were dozens and dozens. And they truly are citizen-soldiers. I just want to highlight three of them. Lieutenant Colonel Sam Hayes, who is a native of Tyrone, Pennsylvania. His father also happened to be the former Pennsylvania Agriculture Secretary. Sergeant Buchannan, a resident of Altoona, Pennsylvania, and is employed by McAleers Plumbing and Heating. He is my plumber and spent time in my basement trying to fix leaky plumbing. So it is good to have Sergeant Buchannan home. And, finally, Sergeant Gibbons, another neighbor, a friend. His son plays on the Hollysburgh High School soccer team with my son. In fact, I will be on the sidelines tonight talking to Sergeant Gibbons.

I also wanted to thank and to remember Chad Edmundson, one of my constituents who gave the ultimate sacrifice. Our thoughts and our prayers continue to go out to his family and, again, to thank him for his service and his sacrifice to this Nation.

The text of this resolution speaks for itself. It is my pleasure to express our gratitude and commend our soldiers on their most recent deployment and recognize their achievements. I hope to be participating on November 8 in a major parade in Tyrone, Pennsylvania, welcoming home our soldiers.

I would also like to thank my staff for their work on this resolution, in particular my Army fellow, Lieutenant Colonel Eric Estep, for his great work and late hours in putting this together.

I urge all Members of the House to support this important resolution.

Ms. SCHWARTZ. Mr. Speaker, I rise in support of H. Res. 754, which honors the Pennsylvania National Guard's 56th Stryker Brigade Combat Team on its return to the United States from its deployment to Iraq.

The 56th Stryker Brigade is comprised of more than 4,000 citizen soldiers from across the Commonwealth.

The 56th served North of Baghdad and conducted more than 800 operations with the Iraqi Security Forces.

These soldiers served their country with great distinction, and it is my great honor to represent them in Congress.

I would also ask the House of Representatives to extend its deepest condolences to the families of two members of the 56th who gave the ultimate sacrifice while serving in Iraq.

Staff Sergeant Mark C. Baum, 32, of Quakertown, was killed when hit by small arms fire on Feb. 21 and

Specialist Chad A. Edmondson, 20, of Williamsburg, was killed by an improvised bomb explosion on May 27.

Passing this resolution today honors the memory of these brave soldiers of the 56th Stryker Brigade and marks the significant contribution that this unit has made to defend our Nation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 754.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING 100 YEARS OF MILITARY AVIATION

Mr. SMITH of Washington. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 445) recognizing 100 years of military aviation and expressing continued support for military aviators of the United States Armed Forces, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 445

Whereas Orville and Wilbur Wright secured the patent for their powered airplane in 1906, affording them the opportunity to compete for contracts with the Army;

Whereas the United States Army Signal Corps made its first purchase of an airplane, the Wright Military Flyer, in 1909 at a cost of $30,000;

Whereas the Wright Military Flyer carried a passenger over a distance of 125 miles;

Whereas today's military aircraft can travel around the world without landing;

Whereas the importance of military aviation and air superiority in battle was first demonstrated in World War I;

Whereas, during World War II, United States Naval aviation was decisive in reversing the Japanese advance and winning the war in the Pacific;

Whereas United States Army Air Corps played a crucial role in executing strategic bombing campaigns in both the European and Pacific theaters;

Whereas the National Security Act of 1947 established the United States Army Air Corps as a separate military branch, the United States Air Force;

Whereas the Vietnam War brought about new, more modern fighter jets and bombers, including the F–105 Thunderchief and the F–4 Phantom;

Whereas military aviators continue to provide invaluable offensive, defensive, logistical, and intelligence support to the Armed Forces;

Whereas military aviators have been on the front lines of combat and humanitarian missions in Iraq and Afghanistan;

Whereas the increase in technology over the last century has made military aircraft an essential component in the safety and security of the United States homeland; and

Whereas the National Air and Space Museum of the Smithsonian Institution will commemorate the centennial of military aviation with programs and exhibits throughout 2009: Now, therefore, be it

Resolved, That the House of Representatives recognizes 100 years of military aviation and expresses its continued support for military aviators of the United States Armed Forces.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. SMITH) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. SMITH of Washington. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I yield myself such time as I might consume.

I rise to support House Resolution 445 and thank my colleague from Texas (Mr. OLSON) for introducing this measure.

This resolution recognizes 100 years of military aviation and expresses continued support for military aviators of the United States Armed Forces.

As a member of the House Armed Services Committee, I am privileged to

be joined here today by a number of my colleagues in the House to recognize the service, sacrifice, professionalism, and commitment of all those who serve and have served our Nation as aviators in the United States Armed Forces.

Our Nation's military aviation began on August 2, 1909 when the United States Army accepted its first aircraft built by the Wright brothers. Military aviation quickly expanded to the other services. Less than 2 years later, in 1911, the Navy ordered its first aircraft. Marine Corps aviation had its inception in 1912 when the first Marine Corps officer reported for duty at the Naval Aviation Camp in Annapolis, Maryland, and qualified as a pilot less than 3 months later. Coast Guard aviation began in 1916, when its first officer received orders for flight training.

World War I focused more attention on aviation. Despite a combat record of only 9 months, February–November 1918, the Air Service made a respectable showing during World War I. The 740 American aircraft assigned to squadrons at the front on November 11, 1918, Armistice Day, represented little more than 10 percent of the total aircraft strength of Allied nations, but the Air Service had conducted 150 separate bombing attacks.

World War II began an enormous expansion of military aviation. The U.S. Army Air Forces strength in World War II would swell from 26,500 men and 2,200 aircraft in 1939 to over 2.2 million men and 63,000 aircraft by 1945. Similarly, U.S. naval aviation began the war with one small and seven large aircraft carriers, about 5,200 aircraft and about 27,000 men. During that war, this force grew to over 100 carriers of various types, over 40,000 aircraft, 160 airships, and 60,000 pilots.

After World War II, President Truman signed the National Security Act of 1947, which created today's Department of the Air Force. Since World War II, military aviation forces have played major roles in such conflicts as the Korean and Vietnam Wars, as well as all major humanitarian and combat operations. America's first seven astronauts were all military aviators, paving the way for future decades of American leadership in space.

Today's military aviators have been engaged in Operation Noble Eagle since September 2001, Enduring Freedom since October 2001, and Iraqi Freedom since March 2003, and are performing with valor, distinction, and steadfast commitment to accomplish this mission.

As a Representative of the Ninth District of the State of Washington, I would also like to take a moment to especially note McChord Air Force Base. Their service is part of the Air Mobility Command, primarily flying C–17s and serving our country across the world.

Mr. Speaker, I am pleased to honor 100 years of air service in the military. I urge my colleagues to join me in support of House Resolution 445 to recognize those 100 years of military aviation and express continued support for military aviators of the United States Armed Forces.

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

Mr. SHUSTER. Mr. Speaker, at this time, I would like to yield to my colleague from Texas, who served as a naval aviator, the gentleman from Texas (Mr. OLSON), for as much time as he may consume.

Mr. OLSON. I thank my colleague from Pennsylvania.

Mr. Speaker, it is my honor to rise today in support of House Resolution 445, a resolution I introduced earlier this year honoring 100 years of military aviation.

Before I begin my remarks, I would like to thank Armed Services Chairman SKELTON, Ranking Member MCKEON, as well as Subcommittee Chair Abercrombie and Ranking Member Bartlett.

Mr. Speaker, as a former naval aviator, I have firsthand knowledge of the vital and essential role the airmen of the United States military play in protecting our homeland and strengthening our global alliances.

Given the air superiority the United States enjoys today, it is easy to forget that 100 years ago there was much skepticism about the usefulness of aircraft for our Armed Forces. Shortly after the Signal Corps purchased its first aircraft for military purposes, ''Scientific American,'' a respected publication wrote, ''Outside of scouting duties, we are inclined to think that the field of the aeroplane will be rather limited. Because of its small carrying capacity and the necessity for its operation at great altitude, if it is to escape hostile fire, the amount of damage it will do by dropping explosives upon cities, forts, hostile camps, or bodies of troops in the field, to say nothing of battleships at sea, will be so limited as to have no material effects on the issues of a campaign.''

One hundred years later, American courage, ingenuity, and innovation have proven them very wrong. We have come a very long way since Assistant Secretary of the Navy, Theodore Roosevelt, recommended that the Secretary investigate Professor Samuel Langley's so-called ''flying machine'' and report on its potentiality for use in combat.

The earliest planes were open-cockpit, single-seat mounts, and the only weapon was a sidearm and perhaps a few bricks that could be dropped on the enemy. During World War I, America's first military aviators wrote their instruction manual as they lived it and created traditions that are still honored and followed today.

In the aftermath of Pearl Harbor, America's airmen delivered the first moral victory of World War II. Flying B–25s from the deck of the Aircraft Carrier Hornet 400 miles from the shore of Japan, Colonel Jimmy Doolittle and the Knights of the Air struck back and struck back hard. And less than 2 months later, U.S. military aviation changed world history at the Battle of Midway.

In 1947, Congress and President Truman wisely recognized the important role our country's airmen play on the battlefield and established the United States Air Force, a new, separate branch of military service.

From the hills of Korea, where our newest branch rose to the occasion and won 10 out of every 11 air engagements, to the jungles of Vietnam, where the ingenuity and versatility of our military aviators were tested like never before, the stories of the valor and the courage displayed by our country's airmen throughout our history are too numerous to tell.

On September 11, 2001, as F–16s were flowing low over Washington, D.C. and our country entered a new, unconventional war against an unknown enemy, America's brave airmen were on duty ready to defend. Whether pinpointing enemy fighters along the ridges of eastern Afghanistan from the cockpit of a P–3 Orion, manning a C–17 to deliver needed supplies to our troops on the ground, or operating strategic air strikes with a Predator drone from thousands of miles away, today in Iraq and Afghanistan our military aviators remain on guard.

General Curtis Lemay once said, If we maintain our faith in God, love of freedom, and superior global air power, the future looks good. And, today, as we look back on 100 years of military aviation in the United States of America, we honor the heroes of military aviation and thank them for the shining path they created for our country. Indeed, the future looks good.

I urge my colleagues to support House Resolution 445.

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

Mr. SHUSTER. Mr. Speaker, I rise in support of House Resolution 445, which was introduced by my friend from Texas (Mr. OLSON). As I added earlier, he served as a naval aviator. We appreciate his service.

This resolution recognizes 100 years of military aviation and expresses continued support for our military aviators in the United States Armed Forces.

As a member of the House Armed Services Committee, I am proud to speak in strong support of this resolution that honors the service, sacrifices, professionalism, and commitment of all those who have served as aviators.

For the last 100 years, the fact of the matter is that whether in times of peace or war, whether in Iraq or Afghanistan or somewhere else in the world, 24 hours a day, 7 days a week military aviators are always engaged, putting their lives at risk to protect our country. So I am honored to speak in favor of this resolution, and I urge my colleagues to vote in favor of H. Res. 445.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 445, as amended.

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

A motion to reconsider was laid on the table.

HONORING THE 81ST BRIGADE COMBAT TEAM OF THE WASHINGTON ARMY NATIONAL GUARD

Mr. SMITH of Washington. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 627) honoring the citizen-soldiers of the National Guard of the State of Washington, including the 81st Brigade Combat Team (Heavy) of the Washington Army National Guard, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 627

Whereas the members of the Army National Guard and Air National Guard of the State of Washington reside throughout the State and come from various communities, backgrounds, and professions;

Whereas units and members of the Washington National Guard have been deployed, and are continuously being deployed, in support of United States military operations at home and overseas in Iraq, Afghanistan, and dozens of other countries;

Whereas one such unit, the 81st Brigade Combat Team (Heavy) of the Washington Army National Guard, is composed of approximately 2,478 citizen-soldiers from throughout the State of Washington, 843 soldiers from the California Army National Guard, 80 soldiers from the Texas Army National Guard, 38 soldiers from the Indiana Army National Guard, 23 soldiers from the Arkansas Army National Guard, 20 soldiers from the United States Army Reserve, 13 soldiers from the Montana Army National Guard, 2 soldiers from the Kentucky Army National Guard, 2 soldiers from the Maryland Army National Guard, and 1 soldier from each of the Alabama Army National Guard, New Mexico Army National Guard, Virgin Island Army National Guard, Wisconsin Army National Guard, Hawaii Army National Guard, New York Army National Guard, Utah Army National Guard, Minnesota Army National Guard, Massachusetts Army National Guard, Illinois Army National Guard, and Michigan Army National Guard;

Whereas the 81st Brigade Combat Team was placed on Federal active duty for a second overseas mobilization on August 18, 2008, and deployed to Iraq in October 2008;

Whereas, during the deployment of the 81st Brigade Combat Team in Iraq, the brigade was primarily engaged in convoy security, force protection, provincial reconstruction, and base operations missions; and

Whereas the 81st Brigade Combat Team returned to the United States and demobilized in August 2009, upon completion of one year of service in support of military operations in Iraq: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its gratitude to the members of the Army National Guard and Air National Guard of the State of Washington and their families for their service and sacrifice on behalf of the United States;

(2) commends the members of the 81st Brigade Combat Team (Heavy) from the Washington Army National Guard, the Army Reserve, and the other State National Guards specified in the preamble on the completion of their most-recent deployment in Iraq; and

(3) recognizes the achievements of the members of the 81st Brigade Combat Team, and all other formerly and presently deployed Washington Army and Air National Guard units and members, for their exemplary service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. SMITH) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the resolution under consideration.

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

There was no objection.

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Mr. SMITH of Washington. Mr. Speaker, I yield myself as much time as I may consume.

I rise today to pay tribute to the men and women of the Washington National Guard, including the members of the 81st Brigade Combat Team, who recently returned from an overseas deployment in Iraq.

I want to thank the entire Washington State delegation, who have all cosponsored this resolution in honoring this unit for their service to our State and to our country.

Throughout the Nation, hundreds of thousands of men and women in the Guard and Reserves serve our country. Over the last 8 years, we have asked more of them than anybody could have possibly imagined, and every single time, they have answered that call at great personal sacrifice. These are men and women who have lives, they have other jobs, they have families, and it is highly unpredictable when they are going to be called up and asked to serve, and yet they always respond.

It is critical to the safety and security of our country that they do this. They do it with great courage and dedication, and they honor our country by their service.

In my home State, various elements of the Washington National Guard have been deployed over that time period overseas in Iraq and Afghanistan, but also we must remember that the Guard and Reserves serve us here at home as well. We have had numerous emergencies in the State of Washington during that time period on which the Guard and Reserves have helped us out. As well, we have had them deployed across the country in places like Louisiana. When Hurricane Katrina hit, they were called upon to do that. Their service continues for all of us in the State and across the country.

Most recently, the 81st Brigade Combat Team, led by Colonel Ronald Kapral and Command Sergeant Major Robert Sweeney, just completed their second 12-month deployment to Iraq. The brigade primarily engaged in convoy security, force protection, provincial reconstruction, and base operations missions around Iraq during their yearlong deployment.

They made our State proud during this service, as they have during all of their previous deployments. Again, this is done at no small sacrifice both by the individual members of our Army National Guard and also by their families, who have to deal with the disruption.

One of the most important things we can do in our State and across the country is to always support the families when the men and women are deployed, and to let them know that they are not alone in their service.

Their deployment was highly successful, honored by all who watched them serve. Tragically, one member of the team died during the course of his service. Specialist Samuel Stone, of Port Orchard, was killed on May 30, 2009. We all honor his loss and his service, and I ask that we keep him and his family in our thoughts and prayers.

The National Guard serves our State and our country in ways that most of us are unaware of, but it is absolutely critical to the security of our country. With our all-volunteer force, it simply could not function without men and women who are willing to take on this dual responsibility to continue in their civilian lives and who are also making themselves available for service whenever they are called, and they do not know when that is going to be.

As I said, it can be from the Governor in the State or across our country, or as has happened most recently, overseas deployments can come up when they are asked by our Federal Government to serve our Nation. Yet they are always ready, and they always respond, and they have served our Nation in a way that should make us all proud.

We literally could not have the national security we have in this country without their willingness to serve, and I thank the 81st Brigade Combat Team for their service on this most recent deployment, and I thank all those in the Washington National Guard who have served and who, today, stand ready to continue to serve. We honor their service. We thank them.

Again, I want to thank my colleagues in the Washington State delegation for unanimously signing onto this resolution honoring their service.

I reserve the balance of my time.

Mr. SHUSTER. I yield myself as much time as I may consume.

Mr. Speaker, I rise in strong support and as a cosponsor of House Resolution 627, which does recognize the service and sacrifices of members of the 81st Brigade Combat Team, Washington Army National Guard, during the unit's recent tour of duty in Iraq.

I want to commend Representative SMITH for putting forth this legislation. The 81st Brigade came home in August, having successfully completed its second overseas rotation. While in Iraq, its men and women performed admirably in a range of missions that included convoy security, force protection, provincial reconstruction, and base operations support.

The 3,500 remarkable men and women who comprised the brigade combat team came not only from the Washington State Army National Guard but from around the country, which is so typical of our Guard units today. That so many citizen soldiers came from so many different locations and different walks of life and operated so successfully is a tribute not only to the patriotism and to the commitment of those men and women but also to their professionalism, adaptability and leadership.

I urge all of my colleagues to support this resolution that expresses the House's gratitude to the 81st Brigade Combat Team for their service to our Nation. It commends them upon the completion of their most recent deployment, and it recognizes their achievements.

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

Mr. SMITH of Washington. Mr. Speaker, I yield as much time as he may consume to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I rise in strong support of this resolution and, most importantly, in strong support of the men and women of the 81st Brigade and of our entire National Guard, not only in Washington State but across the Nation.

These brave men and women have served our country multiple times, as my colleagues have said, not just in times of war but in times of peace. We have had catastrophic flooding in my district a number of times, and the National Guard has always been there to respond to that call. It has been my great privilege to join our National Guard during their training in Yakima, during deployment ceremonies here Stateside, at Camp McCoy, then again in Iraq, in Afghanistan, and back home.

I will tell you, as we all know, they make us proud every single day. They are truly the finest that America has to offer, and it is their example of courage, professionalism, integrity, and compassion more than anything else, in addition to their combat and civilian skills, which help them successfully complete their mission at home.

I want to particularly congratulate General Timothy Lowenberg, who has been an outstanding leader of the Guard, again during both war and peacetime; Colonel Sabatini, whom I met with this last week on a homecoming visit with the troops; and Daniel Kern, who served in Afghanistan while many of the other Guardsmen were in Iraq.

Particularly, I want to thank the families. As Congressman SMITH mentioned, the families serve as well. While their loved ones are overseas and are in harm's way, it is the families back home—the moms and dads, the brothers and sisters, and the children—who keep the home fires burning, and we must not forget them.

In knowing the fact that our unit is back home, we must keep in our hearts all those who are still deployed and who have been deployed.

I also want to mention the employers. Employer support of the Guard and Reserves is an incredibly important organization. They make sure that, when our men and women are deployed overseas, they have a chance to come home and resume their employment. Also, there are the educators who are helping people. There are our community colleges and universities and our vocational and technical education schools, which are helping retrain our soldiers when they come home.

Most importantly, I think it's essential that we acknowledge that Iraq is a better place because of the service of these men and women. Afghanistan is a better place. Our country is a better place, and we are grateful, and we cannot express in words our profound respect and gratitude.

I thank the gentleman for introducing the resolution.

Mr. SMITH of Washington. Mr. Speaker, I yield myself as much time as I may consume just to offer closing remarks.

I want to thank Congressman BAIRD for his very well-expressed remarks and Congressman SHUSTER for his support as well. I urge us to support this resolution honoring the 81st Brigade Combat Team for their service in Iraq. I think we also need to remember, as we go forward in a number of policy areas, the support that we need to show for the Guard and Reserves and for their families, whether we're talking about dealing with their retirement issues, with the GI Bill, as Congressman BAIRD mentioned, with the ability to retrain and to give more service to the men and women who serve in the Guard and Reserves—anything we can do to support them and make it easier and more possible for them to continue to serve and, as Brian mentioned, to make sure that their employers continue to employ them and to work with them.

We need to do this in this House as we work not just on these resolutions but on the legislation that offers the support that is so critical to the men and women who serve in the Guard and Reserves and to their families.

With that, I urge passage.

Mr. McDERMOTT. Mr. Speaker, I rise to voice my strong support for H. Res. 627, legislation I co-sponsored honoring the citizen soldiers of the National Guard of the State of Washington, including the 81st Brigade Combat Team of the Washington Army National Guard.

The National Guard plays a vital role in the defense of our communities and country. When we need them, they are always there, whether it be responding to a natural disaster at home or deploying to a combat zone overseas. The men and women of the Washington National Guard are our friends and neighbors, and their dedication and patriotism make us all very proud every time they put on the uniform.

More than 11,000 Washington State citizen soldiers have answered the call to duty since 9/11, including the 81st Brigade Combat Team that recently returned home from a mission in Iraq. Tragically, Specialist Samuel Stone, of Port Orchard, Washington, was killed during the deployment.

Outside my office in the Longworth House Office Building I have placed pictures of all the soldiers from the State of Washington who have died in Iraq and Afghanistan. Every day, visitors coming to or passing by the 7th Congressional District Office stop and look at the faces of the fallen. In so doing, we honor those who have died in service to their country and consider the consequences of sending soldiers off to war.

We are proud of the men and women of the Washington National Guard who willingly place themselves in harm's way to protect our lives, property and country. They deserve public recognition and our heartfelt thanks. I think of H. Res. 627 as a medal awarded to every citizen soldier for service above and beyond the call of duty. Thank you on behalf of a grateful State and Nation.

Mr. HASTINGS of Washington. Mr. Speaker, I rise today in support of H. Res. 627, a resolution honoring Washington's National Guard, and specifically the members of the 81st Brigade Combat Team. The brave men and women of the Army National Guard who make up the members of the 81st Brigade recently returned to Washington after a one-year deployment to Iraq where they served with honor, valor and distinction.

The 81st Heavy Brigade Combat Team is headquartered in Seattle, and is comprised of units from all over our state filling its ranks. Deploying to Iraq in August of 2008, this Brigade spent the next year in support of the mission of Operation Iraqi Freedom and our efforts to protect America and promote freedom and security in the Middle East. During their time in Iraq, the members of the Brigade were most frequently tasked with convoy security, force protection, provincial reconstruction and base operations.

Many members of the 81st Brigade live in Central Washington, with units headquartered in Pasco, Yakima and Moses Lake within my district. These soldiers are also members of our local communities. They are husbands and wives, small business owners, lawyers, and farmers. Not only do they fight to protect our freedoms overseas, but they also work every day for a brighter future back home.

The deployment of combat troops does not just affect those serving in Iraq, however. I must also recognize the support and sacrifice of the families of these brave soldiers. The patient and steadfast support of all the wives, husbands, mothers, fathers and children should be applauded; I send my thanks to each and every one of them today.

Our community and the entire nation are proud of these brave men and women, and we are glad to see them home safely. Soldier-citizens who voluntarily make such a tremendous sacrifice are what have kept our nation safe, free and strong for over 200 years. The work performed in support of Operation Iraqi Freedom is important—requiring personal commitment and sacrifice. Your service to our country will not be forgotten.

Mrs. McMORRIS RODGERS. Mr. Speaker, I rise today to recognize the return home of the 81st Brigade.

In August 2008, it was a cloudy day in Eastern Washington when our community said goodbye to the men and women serving in the 81st Brigade. These citizen soldiers volunteered to serve a year in Iraq. The day they departed, we all had tears in our eyes. However, I also saw in every mother, father, wife, husband, and friend how proud they were of their soldier. I am grateful for the uncommon commitment as a ''citizen soldier'' leaving not only family and friends, but putting your job and perhaps educational goals on hold.

I also want to applaud the families of the 81st Brigade. More often than not, as soon as a servicemember deploys, the spouse is faced with an unforeseen obstacle like their brand new car needing to go back to the shop or the refrigerator deciding not to work. The families of the 81st Brigade have much catching up to do. They will have a Thanksgiving to celebrate, Christmas presents to open, birthday candles to blow out, Easter eggs to hunt and many, many kisses and hugs to share.

The operations we face in Iraq and Afghanistan have now lasted longer than World War II. In the last five years our nation has tasked every branch of the military and every component; active duty, National Guard and Reserve. Each has responded admirably and consistently. Our Soldiers, Sailors, Airmen, and Marines are a vital part of that critical response in keeping America safe. We could not protect our nation if it were not for what each of them bring to the fight.

Mr. Speaker, the 81st Brigade recently returned on a sunny day back to Washington State. I am proud to welcome them home and congratulate them on a job well done.

Mr. SMITH of Washington. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 627, as amended.

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

A motion to reconsider was laid on the table.

MOURNING THE LOSS OF LIFE ON AMERICAN SAMOA AND SAMOA AFTER THE EARTHQUAKES AND TSUNAMIS ON SEPTEMBER 29, 2009

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 816) mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa and Samoa, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 816

Whereas, on September 29, 2009, at 1748 UTC, a powerful earthquake struck below the ocean about 140 miles southwest of Pago Pago, American Samoa, and 125 miles south of Samoa, centered only 11 miles below the seabed;

Whereas the earthquake registered 8.3 on the Richter scale and is recognized as the world's largest earthquake of 2009;

Whereas a second earthquake with a magnitude of 5.6 occurred at 1808 UTC in the vicinity of the first one;

Whereas the first undersea earthquake created a massive tsunami that crashed into American Samoa, Samoa, and neighboring Tonga, sweeping cars and people out to sea as survivors fled to high ground;

Whereas the tsunami, with towering waves that reached up to 20 feet in height and penetrated one mile inland, caused death and destruction on a nearly unprecedented scale;

Whereas the death toll, as of October 7, 2009, is estimated at 32 in American Samoa and 135 in the Independent State of Samoa;

Whereas many individuals and families affected in this region are now lacking basic survival necessities and there remains the risk of numerous additional deaths due to shortages of clean water, adequate shelter, food, sanitation, and basic healthcare;

Whereas the human cost of this disaster transcends mere statistics and has resulted in deeply personal tragedies for numerous families and communities in the region and throughout the world;

Whereas children in the United States Territory of American Samoa running for home unknowingly ran in the direction of the tsunami;

Whereas the villages of Fagamalo, Poloa, Amanave, Fai'lolo, Nua, Se'etaga, Afao, Asili, Amaluia, Leone, Fagasa, Fagatogo, Pago Pago, Aua, Afono, Vatia, Masefau, Faga'itua, Pagai, Utusia, Alofau, Auto, Alao, and Tula in American Samoa were devastated by the disaster;

Whereas in response to this disaster and call for assistance, the people of the United States have responded with a generous and heartfelt outpouring of aid;

Whereas a team of more than 300 responders from the Federal Emergency Management Agency (FEMA), the American Red Cross, the U.S. Army Corps of Engineers, the Department of Health and Human Services (HHS) and other Federal agencies is on the ground in American Samoa coordinating relief and recovery operations;

Whereas the United States Navy (USN), the United States Coast Guard (USCG), the Hawaii Air National Guard, and the U.S. Army Reserve American Samoa, under the leadership of Admiral Timothy J. Keating, Commander, U.S. Pacific Command (PACOM), and Command Sergeant Major (CSM) Iuniasolua T. Savusa, Senior Enlisted Leader, PACOM, with the support of Major General Robert G.F. Lee, the Adjutant General, State of Hawaii, provided critical transport of the life-saving and life-sustaining supplies and equipment to meet the immediate needs of the survivors, including more than 26,000 meals, 14,000 liters of water, 1,800 blankets, 800 tents, more than 800 cots, and 9 pallets of medical supplies and medical equipment in support of American Samoa's mass care operations;

Whereas foreign governments, including Kazakhstan, the People's Republic of China, the Republic of Korea, Palau, Thailand, Samoa, Fiji, Grenada, Hungary, Uzbekistan, Republic of China (Taiwan), Indonesia, Nauru, Australia, Cambodia, Vietnam, Japan, Pacific Islands Forum members, and the Alliance of Small Island States (AOSIS) sent messages of support and offers of aid to the people of American Samoa;

Whereas organizations including the Li Ka Shing Foundation, the Hanwha Group, Save the Children, the American Red Cross, Habitat for Humanity, Latter-day Saint Charities, Catholic Charities, the American Jewish Joint Distribution Committee (JDC), National Voluntary Organizations Active in Disaster, StarKist, Bumble Bee, the National Football League (NFL), and many others are providing assistance;

Whereas the Samoan community in areas such as California, Utah, Washington, and Hawaii have been instrumental in helping their ''aiga'' abroad;

Whereas President Barack H. Obama telephoned the Governor of American Samoa and American Samoa's Delegate to the United States House of Representatives to personally extend his and the First Lady's condolences to the families and loved ones of those who lost their lives in the earthquake and tsunami in American Samoa and the region, and to assure the Governor and the Delegate that he would speed the deployment of resources and provide the tools necessary for a full, swift, and aggressive response;

Whereas Secretary of State Hillary Rodham Clinton also telephoned American Samoa's Delegate in his capacity as Chairman of the House Foreign Affairs' Subcommittee on Asia, the Pacific and the Global Environment to convey her sympathy and offer her full support which subsequently included the authorization to airlift emergency supplies to Samoa;

Whereas Speaker of the House Nancy Pelosi issued a press statement on behalf of the entire Congress promising to quickly address the needs of American Samoa and the Americans who live there; and

Whereas Senate Majority Leader Harry Reid, House Majority Leader Steny H. Hoyer, Chairman John F. Kerry of the Senate Committee on Foreign Relations, Chairman Howard L. Berman of the House Committee on Foreign Affairs, Chairman Nick J. Rahall, II, of the House Committee on Natural Resources, as well as many other Members of Congress also offered expressions of support in the aftermath of the devastating tsunami: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa, Samoa, and Tonga;

(2) offers its deepest sympathy and condolences to the families of the many earthquake and tsunami victims, and to Head of State His Highness Tui Atua Tupua Tamasese and Prime Minister Tuilaepa Lupesoliai Sailele Malielegaoi of Samoa, as well as to His Majesty King George Tupou V and Prime Minister Feleti Vaka'uta Sevele of Tonga;

(3) pledges its full support to the people of American Samoa and the villages of Fagamalo, Poloa, Amanave, Fai'lolo, Nua, Se'etaga, Afao, Asili, Amaluia, Leone, Fagasa, Fagatogo, Pago Pago, Aua, Afono, Vatia, Masefau, Faga'itua, Pagai, Utusia, Alofau, Auto, Alao, and Tula as they begin the long and difficult process of rebuilding their homes and lives;

(4) recognizes the humanitarian response that is currently underway and commends the efforts of all persons and relief organizations who continue to alleviate the suffering by providing financial and material support;

(5) urges continued attention by donors and relief agencies to the needs of vulnerable

populations in the stricken areas, particularly the children and elderly who have been devastatingly affected by this disaster;

(6) expresses gratitude and appreciation to the foreign governments from around the world that are lending their support to the United States Territory of American Samoa;

(7) commends the over 100,000 Samoans residing in the United States from American Samoa and Samoa for coming to the aid of their ''aiga'' in the affected islands; and

(8) pays tribute to the people of American Samoa and Samoa for their strength of spirit and their deep and abiding faith in God which brings hope to all of us.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentleman from Washington (Mr. HASTINGS) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of this resolution mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa, in the independent state of Samoa and in Tonga.

On September 29, 2009, a powerful earthquake, which registered 8.3 on the Richter scale and is recognized as the world's largest earthquake of 2009, struck below the ocean about 140 miles southwest of Pago Pago and 125 miles south of Apia, in the state of Samoa, creating a massive tsunami, or tidal wave, that crashed into American Samoa, the Independent State of Samoa, and the Kingdom of Tonga, sweeping cars and people out to sea as survivors fled to high ground. The tsunami, or tidal wave, with towering waves that reached up to 20 feet in height and penetrated 1 mile inland, caused death and destruction on a nearly unprecedented scale.

The human cost of this disaster transcends mere statistics and has resulted in deeply personal tragedies for numerous families and communities in the region and throughout the world.

In the U.S. territory of American Samoa, children running for home unknowingly ran in the direction of the tsunami. The villages of Fagamalo, Poloa, Amanave, Failolo, Afao, Asili, Amaluia, Leone, Fagasa, Fagatogo, Pago Pago, Aua, Afono, Vatia, Lauli'i, Faga'itua, Masefau, Alao, Tula, and Aoa in American Samoa were devastated by the disaster. Villages were also wiped out in the independent state of Samoa.

In response to this tragedy, President Barack Obama speedily deployed the tools necessary for a full, swift and aggressive response by FEMA.

Secretary of State Hillary Clinton also offered her full support and authorized the airlift of emergency supplies to the independent state of Samoa.

Speaker of the House NANCY PELOSI issued a special statement on behalf of the entire Congress, promising to quickly address the needs of American Samoa and the Americans who live there.

Senate Majority Leader HARRY REID, House Majority Leader STENY HOYER, Chairman JOHN F. KERRY of the Senate Committee on Foreign Relations, Chairman HOWARD L. BERMAN of the House Committee on Foreign Affairs, Chairman NICK RAHALL of the House Committee on Natural Resources, as well as many other Members of Congress also offered expressions of support in these trying times.

I especially want to thank my colleague and dear friend, Congresswoman LAURA RICHARDSON, for her working side by side with my office in support of our Samoan communities living in her district and in Samoa, as well as in American Samoa. Congresswoman RICHARDSON has stood by us every step of the way and has earned her rightful place in our hearts for leaving no stone unturned in relief efforts.

I also want to thank our Samoan communities and congregations—churches from Hawaii, Washington, Utah, and California—which collected critical supplies that will now be airlifted or transported by surface transportation to Samoa and, hopefully, also to American Samoa.

I want to also thank the Reverend Liki Tiatia, the Reverend John Mailo, the Reverend Misipauena Tagaloa, and High Chief Loa Pele Faletogo, who have been instrumental in gathering emergency supplies for our families abroad.

With so many people in need of basic supplies, words cannot express how grateful I am to all of my fellow Americans and to our friends from around the world who have responded to this disaster and to our call for assistance with a generous and heartfelt outpouring of aid. More than 300 responders from the Federal Emergency Management Agency, the American Red Cross, the U.S. Corps of Engineers, the Department of Health and Human Services, and other Federal agencies are on the ground in American Samoa, coordinating relief and recovery operations.

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Organizations including the Li Ka Shing Foundation, the Hanwha Group, Save the Children, Habitat for Humanity, Latter-Day Saint charities, Catholic Charities, the American Jewish Joint Distribution Committee, tuna canneries like StarKist, Bumble Bee, even the Polynesian professional football players with the National Football League and the coalition of various Samoan organizations like the Office of Samoan Affairs and many others that are providing assistance.

The United States Navy, the Coast Guard, the Hawaii International Guard and the U.S. Army Reserves in American Samoa provided critical transport of the life-saving and life-sustaining supplies and equipment to meet the immediate needs of the survivors.

On behalf of the people of America Samoa, I express my gratitude for all of those who have stood by us when we have needed you most.

I also join with Governor Togiola Tulafono and First Lady Maryanne Togiola Tulafono of American Samoa conveying my deepest condolences to the families of the many earthquake and tsunami victims, and to the Head of State, his Highness Tui Atua Tupua Tamasese and Prime Minister Tuilaepa Lupesoliai Sailele Malielegaoi of Samoa, as well as to His Majesty King George Tupou V and Prime Minister Feleti Vaka'uta Sevele of Tonga.

As we begin the long and difficult process of rebuilding, we thank God for the prayers you have offered on our behalf and express appreciation to all persons and relief organizations who continue to alleviate our suffering.

In memory of those who are no longer with us, I urge my colleagues to support passage of House Resolution 816, mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa, Independent State of Samoa and the Kingdom of Tonga.

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

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

Mr. Speaker, as my friend from American Samoa said, a terrible tragedy occurred on September 29, 2009, in the South Pacific. American Samoa and Samoa were struck by separate tsunami waves which devastated numerous communities on each of the islands. We offer our deepest sympathies and condolences to the many victims in the region.

The outreach of support and humanitarian efforts to assist each of the islands in their recovery efforts has to be commended. Federal agencies, military services, foreign governments, relief organizations, and private citizens have all reached out to assist these island nations.

These islands face months, if not years, of recovery actions. They will depend on Congress and the continued efforts of the Federal Government, relief organizations, and private citizens to recover.

I urge all of us to be steadfast in our support for the communities on American Samoa and Samoa and assist them to recover from this terrible event.

Finally, I would like to commend and extend my best wishes to our friend and colleague, Eni Faleomavaega, who has worked tirelessly on behalf of his constituents to meet the needs of his

constituents who have suffered much during this very, very difficult period.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I thank my good friend and gentleman from Washington for his support and endorsement as well as the chairman of our Committee on Natural Resources, NICK RAHALL, for his support.

At this time I would like to yield 2 minutes to my distinguished friend and colleague, the gentlelady from the State of Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I rise today in support of H. Res. 816 which expresses the condolences of the Congress to the Samoans following the natural disasters in the South Pacific.

I cannot stress how much these terrifying events were so deeply felt throughout the State of Hawaii because of our close familial, historical, cultural, and geographical ties to these islands.

I would like to extend a heartfelt ''mahalo''—my thanks—to Hawaii's Army Air and Army Guard Medical Communication and search and rescue specialists who assisted in the recovery efforts. It is worth noting that this was the first time the Hawaii National Guard had deployed such a sizable tax force outside our State in support of a Pacific partner.

I would also like to thank the 15 Red Cross volunteers from Hawaii who focused on outreaching to the families who lost loved ones in the disasters and served meals that included local favorites like spam and saimin. I would also like to thank the many Hawaii businesses who made monetary or in-kind donations.

The outpouring of support for relief efforts from Hawaii's Samoan community has been tremendous. I know that much of their strength in the wake of these disasters is derived from their personal faith for which I have long had great admiration.

I want to close by letting my dear friend and colleague, Congressman ENI FALEOMAVAEGA, know that I stand ready along with other Members of Congress to continue to support his efforts to help the people of American Samoa and Samoa in any way that we can.

Mahalo.

Mr. HASTINGS of Washington. I reserve the balance of my time.

Mr. FALEOMAVAEGA. I thank the gentlelady for her kind remarks from the State of Hawaii.

At this time, I would like to yield 4 minutes to my good friend from California, Congresswoman LAURA RICHARDSON.

Ms. RICHARDSON. Mr. Speaker, I thank the gentleman for yielding, and I rise in strong support of H.R. 816, to mourn the loss of the lives and all of the tragedy that we had with the earthquake and the subsequent tsunami that devastated American Samoa and the independent State of Samoa.

May I first of all take a moment to really commend Congressman ENI FALEOMAVAEGA from American Samoa. There is no tougher time as a Member that we have when a disaster hits our community to respond where he has been working over the last week visiting all of the territories, all of the areas to assess and to understand how we can help best.

You might ask how I got involved. Why would an 8.3 magnitude earthquake 120 miles away, that caused a tsunami, that caused death throughout many of our communities, why would I be engaged? Well, in the United States we have over 80,000 Samoans who live here, over 52,000 who live in California, and almost 30,000 of those actually live in my district. So this is beyond an issue of just a concern of a community that had a disaster. It's actually family and friends and people that I've worked with for a long time who are looking for help and assistance.

So when we stand today, I want to stand in full support with Congressman ENI FALEOMAVAEGA to really look at the tragedy that has happened but also how we can move forward. The Congressman has been successful in working with the Secretary to be able to send aid this very week that's going to go to western Samoa which the chairman has been a chairman over for many years on the committee. But we need to continue to work so when disasters like this occur, we can get help and assistance quickly, and time should not be with delay

I also want to thank Secretary Clinton publicly for her assistance. We appreciate the initial efforts that had been done in American Samoa, but much more needs to be done, and we will work in concert to ensure that that continual work supplies things that many people care desperately for actually get to the people.

As I conclude my comments, I want to say that as Members, as we stand together to deal with this tragedy, people should know that there are over 60 organizations in my district who have now donated over 200,000 pounds of various supplies: water, food, clothing, things that people desperately need. But what they really need is they need to also know from us as leaders that they're not there alone, that we are watching what's happening, we are watching the response of FEMA and the other aspects of our government, and we are committed to them not only today but we're committed as they're going to have to rebuild which will take for many months to come.

I commend you, Congressman, for all your efforts. You passionately lead the people in your community. We're fortunate to have you here. And I will work with you and other members of our caucus to ensure not only this support, but all of the support that you need that you have us right there standing side by side.

Mr. HASTINGS of Washington. I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself 1 minute to again express my sincere appreciation to the comments by my dear friend and colleague, Congresswoman LAURA RICHARDSON.

Just to give my colleagues a sense of what took place, as I said earlier in my remarks, it was an earthquake right on the fringe of the Tonga Trench. The Tonga Trench is one of the two deepest trenches in the world, second only to the Marianas Trench. And when the earthquake struck at almost 7 in the morning, it caused tremors in the Samoan Islands for about 3 minutes, but the shock wave was traveling at about 500 miles an hour. So there was no way that anybody could possibly prepare for this disaster to occur because in a manner of minutes—I've seen tidal waves before, and what happens is that the water is totally sucked out from the shoreline from the reefs so pretty much you can prepare yourself to anticipate the coming of the tidal wave.

What made this disaster so different is the fact that the tremors occurred for about 3 or 5 minutes, then 5 minutes later, the tidal wave was up there 20 feet in height coming to the many people who were so surprised and shocked that early morning at 7 o'clock when the tidal wave came in.

So we're looking at two disasters: an earthquake that caused a lot of problems and then the tsunami. So the two disasters occurred at the same time.

I wanted to share that with my colleague that this is what made a very unusual disaster was because there was no way that anybody could properly prepare for what was coming when this earthquake occurred.

At this time, Mr. Speaker, I would like to yield 2 minutes to my colleague from the Virgin Islands, DONNA CHRISTENSEN.

Mrs. CHRISTENSEN. I thank you for yielding, and I want to rise also in strong support of H.R. 816, mourning the loss of life caused by the earthquake and tsunami that occurred on September 29, 2009, in American Samoa and Samoa, and to extend my thoughts and prayers and that of the people of the Virgin Islands to the victims of that 8.0 magnitude earthquake and tsunami that devastated our brothers and sisters in the U.S. territory of American Samoa and the Nation of Western Samoa and to offer our condolences to those that lost loved ones as a result of that tragedy.

Like my colleague from California, I've been to American Samoa several times with the Congressman. We were there in early August and visited his own village of Leone—which we heard so much about in the wake of the earthquake and the tsunami because they were so hard hit—and I remember how the people came out and welcomed us. They fed us. We had a joyous time with them. That evening they showered us with so many gifts, and we just hope that we can return those gifts to them in their time of greatest need.

As I speak to you, there is a young girl—and I wish I had her name with

me—who has started a drive at home for the people of American Samoa and Western Samoa. When I go back home on Saturday, I will join her at one of our shopping centers to continue to raise supplies and funds to help our neighbors.

I know as a Congresswoman from the U.S. Virgin Island, a community of islands that is also vulnerable to tropical disasters, I am very aware of the toll it can take on the people, infrastructure, and our time and resources. I know how hard it has been on our colleague, Mr. FALEOMAVAEGA to be home. I called him one morning, forgetting that it was 5 o'clock in the morning in American Samoa, but he was already up and preparing to go and visit just another area that had been devastated.

The people of my district, the U.S. Virgin Islands, have asked me to express their solidarity with the people of American Samoa at this time of their distress, and to extend our support to our colleague, Congressman ENI FALEOMAVAEGA, as they make and we make with them the necessary arrangements to mobilize and deploy urgently needed emergency assistance and to assure them that all of the American people, but especially those on the other off-shore territories, are ready to assist them.

In visiting American Samoa you cannot help but be struck by the strong community spirit that exists there and the strong faith, and I know that will bear them up through this difficult time, but they still need our support, and we're here for them.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 4 minutes to the gentlelady from Florida, the ranking member of the Foreign Relations Committee, Ms. ROS-LEHTINEN.

Ms. ROS-LEHTINEN. I thank the gentleman for the time.

Mr. Speaker, I was honored to join my good friend, Mr. FALEOMAVAEGA, in serving as an original cosponsor of this critical resolution. This resolution offers the condolences in a heartfelt way of the Congress to those who endured suffering and loss in American Samoa and Samoa and neighboring Tonga during the tragic events of September 29 and the aftermath. We join with the people of American Samoa, Samoa and the entire Samoan community here in the United States in mourning those who have died in this terrible disaster.

□ 1145

The previous tragic events of 2004 made us all keenly aware of the devastation which can be wrought by a tsunami after an earthquake takes place in ocean waters.

Waves from this tsunami in American Samoa were reportedly 20 feet high and rushed 1 mile inland, causing unprecedented death and destruction. The latest death toll reported is 32 dead in American Samoa and 135 dead in Samoa. Children mistakenly running in the direction of the tsunami were among the victims.

The Governor of American Samoa was quoted as saying that the quake and subsequent tsunami ranked right up there with some of the worst disasters to hit the area. Survivors are in urgent need of necessities, including water, adequate shelter, food, sanitation, and health care. Three hundred emergency responders have reportedly been dispatched by FEMA. The Red Cross, U.S. Army Corps of Engineers, and the Department of Health and Human Services are coordinating relief and recovery operations.

The U.S. military, under the direction of the U.S. Pacific Command in Hawaii, is providing emergency assistance, including food, water, tents, blankets, and medical supplies. In this regard, military personnel are helping their friends and colleagues, as the young people of American Samoa are well known for their patriotic spirit of service in the United States military, including in both Iraq and Afghanistan. We appreciate and honor that service.

I urge my colleagues to give their strong support to this resolution.

Mr. FALEOMAVAEGA. Mr. Speaker, again, I thank my good friend, the senior ranking member of our House Foreign Affairs Committee, for her kind comments, mentioning also about the military participation of the sons and daughters of American Samoa.

According to the recent reports of USA Today newspaper, American Samoans have the highest percentage per annum in the whole United States in terms of those who sacrificed their lives in the war in Iraq and Afghanistan, with about 136 percent above all States and territories. I do want to thank the gentlelady for reminding us of that.

Mr. Speaker, if I could ask how much more time do we have?

The SPEAKER pro tempore. The gentleman from American Samoa has 5 minutes remaining, and the gentleman from Washington has 16 minutes remaining.

Mr. FALEOMAVAEGA. I yield 1 minute to the gentlelady from California, my dear friend, Ms. CHU.

Ms. CHU. Mr. Speaker, I rise today in support of House Resolution 816. Last month's magnitude 8.0 earthquake in Samoa, Tonga, and American Samoa was devastating, setting off tsunamis that washed over islands killing 168 people.

The quake generated three separate tsunami waves, the largest measuring 5.1 feet, completely destroying villages, leaving families whose entire lives had washed away with nothing. On the small islands, ocean waters washed away houses, cars, and main access roads, making it all the more difficult for rescue parties and aid to reach hard-hit areas.

In the aftermath of the disaster, local aid agencies, foreign nations, the U.S. Coast Guard, and FEMA instituted a quick and much-needed response. With the lack of proper sanitation, water and shelter continuing to be a problem, I urge relief organizations to bolster their efforts to keep residents safe and healthy.

I commend President Obama for declaring American Samoa a major disaster area. My heart goes out to the Samoan community, many of whom live in my area of Los Angeles County.

Mr. HASTINGS of Washington. Mr. Speaker, I am very pleased to yield 1 minute to my namesake and friend from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. I thank my colleague for yielding. I did not ask my distinguished good friend, because I didn't know how many speakers he had, and I didn't want to interdict the program as it is set forth.

Mr. Speaker, I rise in very strong support of the resolution offered in a bipartisan fashion and demonstrating very strongly how we do respond to those who are in need.

In the case of ENI FALEOMAVAEGA, American Samoa has had for a considerable period of time a distinguished Member of this body who has helped so many of us when we have had difficulties such as in Hurricane Andrew. Those that live in these areas, or my friend that just spoke from Hawaii, all of us understand these dynamics.

ENI, our heart goes out to you. As one who has visited American Samoa with you on three different occasions and had the good fortune of bringing my son there, I just want you to know how heavy my heart was when I saw those places, and my heart goes out to you and all.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 1 minute to my good friend from the Northern Mariana Islands, Congressman SABLAN.

Mr. SABLAN. Mr. Speaker, 2 weeks ago I came to the floor to offer my condolences to the people of American Samoa and to their far-flung families who were still reeling from the initial shock from the tsunami and from the many losses suffered. Today, we meet in a more formal manner to broaden the expression of these condolences to include this House and all the people we represent from across our Nation.

I said before that the people of the Pacific, though separated by thousands of miles, feel that we are part of one family. We understand the vulnerability and isolation of life on an island in the midst of a sea, a vast sea. That shared understanding makes us one.

Today, I rise that all Americans, though separated by experience and culture, by language and distance, are part of one family. It is inexplicable how this may be so, but this evidence makes clear that it is so. When many of us are in need, as American Samoa is and will continue to be, then we find we are not alone. Then we remember we are all Americans.

Mr. FALEOMAVAEGA. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from American Samoa has 3 minutes remaining.

Mr. FALEOMAVAEGA. Mr. Speaker, at this time I yield 1½ minutes to my

good friend from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Speaker, I believe that there is but one race, and that is the human race. I believe that one God created all humanity to live in harmony. I am honored to be here today to express my sympathies and my oneness with the people of American Samoa, Indonesia, as well as the Philippines.

I also want to make it very clear that my district is a polyglot melting pot. It is, in fact, a culture of cultures. Because it is such, I have a special kinship and relationship with the persons who have been devastated by these natural disasters.

I believe that we cannot do enough to help them recover. But I also understand in my heart that when you cannot do enough, you have a duty to do all that you can. I want us to do more because these are our fellow human beings. They are part of the one race, the human race.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I again want to thank my good friend from Washington for his assistance and partnering with me in putting this resolution before our colleagues.

I also have a proverbial expression, going along with what my good friend from Texas has said, that, yes, there truly is only one race, and that's the human race. That's what makes this country so great.

I also believe that this country is but a microcosm of the whole world in itself, and the fact that it seeks no race or creed or boundaries to the extent that we are all fellow human beings, and whenever there is a need, it's our moral responsibility to do all that we can to give assistance.

There is also a saying among the Chinese people that says there are many acquaintances but very view friends.

I will say, Mr. Speaker, to express my deepest appreciation and gratitude to my colleagues who truly are my friends, when I am in need, just from the fact that many of our colleagues have had occasions of having to appear before the floor and expressing and asking for assistance when disasters occur in their States and their territories, this is what the Congress is all about. This is what democracy is all about in this great country.

Again, Mr. Speaker, I cannot say enough words to express my deepest appreciation and gratitude for the offered help from the administration, from our colleagues on the other side of the aisle, from everybody in the Congress, knowing of the difficulties that we are going through. I am going to say, our people are in good spirits. The prayer services, all that has been offered has been tremendous. I just want to say again, thank you to my colleagues.

Mr. RAHALL. Mr. Speaker, I rise in support of H. Res. 816 and to express my condolences and deepest sympathies to the people of American Samoa and Independent Samoa for the loss of life that was caused by the earthquakes and tsunamis that hit these islands on September 29, 2009.

Struck by towering waves that reached up to 20 feet in height, the people of American Samoa, Independent Samoa and Tonga are today confronting staggering losses of life and property as they watched helplessly as the inrushing sea swallowed up coastal towns and villages.

As of last week it is estimated that 32 American Samoans and 135 residents of Independent Samoa lost their lives. And today, many families in the affected areas still lack basic necessities resulting in the risk of additional deaths because of scarce clean water, shelter, food and basic health care.

I was pleased to have had the opportunity to visit American Samoa earlier this year with my good friend and colleague, Congressman ENI FALEOMAVAEGA, the author of the resolution we are debating today. Among the places we visited while we were there was the Village of Leone; one of the areas on American Samoa that was severely impacted. I want to express my profound condolences to the people of Leone for their suffering as well as to thank them once again for the warm welcome and hospitality they offered us.

I want to also commend Congressman FALEOMAVAEGA for his efforts in marshalling the response of the federal government in responding to the disaster in his home island. ENI and his staff labored around the clock to coordinate the efforts of FEMA, the Red Cross, Army Corps and the other federal agencies tasked by President Obama to speedily deploy all the resources and tools necessary for a full, swift and aggressive response.

Mr. Speaker, American Samoans in the Pacific and in the mainland United States are an integral part of our country's history and of our American social fabric. They are our brothers who fight valiantly in our wars and contribute immensely to the prosperity of our country. Today, I send my thoughts and prayers to the victims and their family members in this moment of grief and tragic loss. We stand in solidarity with our brothers and pray for their speedy recovery.

Mr. ABERCROMBIE. Mr. Speaker, I rise today to support H. Res. 816 in mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa and Samoa.

I want to express my sincere condolences to those that have lost family, friends and other important people in their lives. Despite this loss, the people of American Samoa and Samoa remain strong and resilient. They are continuing on, picking up the pieces of what can be salvaged, cleaning their homes and cities and helping each other through the struggles of trying to regain the life they once had. As thousands of people continue to struggle with this tragedy, I join my colleagues in our commitment to the relief efforts and offer support for the families of the many victims.

I would like to commend Representative ENI FALEOMAVAEGA for his tireless efforts to help relive the suffering and devastation in American Samoa. I will do everything I can to assist my friend and colleague in speeding any additional federal assistance needed to the area.

I am also proud of the rapid response by Major General Bob Lee and the Hawaii National Guard, which is a testament to their training and professionalism. I know FEMA, the Hawaii Red Cross and other relief organizations are on the ground, as well, aiding communities to cope with the devastation.

There are many people in Hawaii with friends or family back in American Samoa and Samoa. They are our brothers and sisters of the Pacific and we will do all we can to help and support them.

I urge my colleagues to support this resolution and the people of American Samoa and Samoa.

Ms. BORDALLO. Mr. Speaker, I rise today to offer my support and sympathy to the people of the U.S. Territory of American Samoa and Western Samoa in the aftermath of the devastating tsunami that hit the region last week. The wave claimed over 200 lives and left thousands more homeless. I ask that this body support our colleague, Congressman Faleomavaega and his community as they recover from this disaster. All necessary aid to this region in the South Pacific should be brought to bear for our fellow Americans.

We on Guam have experienced our share of disasters. I recognize the efforts of my constituents, many of whom have banded together to raise money and donate clothes, blankets, and food to the relief effort for Samoa. The people of American Samoa and Western Samoa have shown great courage in the face of this tragedy. Following the disaster they have pulled together and expressed their determination to recover what was lost. They deserve our backing and support in their time of need. My thoughts and prayers will remain with the families and those impacted by this disaster.

Mr. FALEOMAVAEGA. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 816, 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. FALEOMAVAEGA. 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.

EXPRESSING CONDOLENCES AND SUPPORT TO INDONESIA IN THE AFTERMATH OF THE EARTHQUAKE THAT STRUCK SUMATRA

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 810) expressing condolences to the citizens of Indonesia and support for the Government of Indonesia in the aftermath of the devastating earthquake that struck the island of Sumatra.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 810

Whereas, on September 30, 2009, a 7.6 magnitude earthquake originated northwest of

the city of Padang in West Sumatra, Indonesia;

Whereas over 700 lives have been lost, many are missing and injured, and thousands have been displaced as a result of collapsed homes and buildings;

Whereas the area of the earthquake is along the same fault line that caused the 2004 Indian Ocean tsunami that killed more than 230,000 people and caused many panicked residents to flee to higher ground in fear of another tsunami;

Whereas strong aftershocks continue to rock the region and create hazardous conditions for both residents and rescue workers;

Whereas the Indonesian Government sent relief teams Thursday from the capital, Jakarta, including army units to look for survivors and deliver food and medicine;

Whereas international aid agencies said they were sending rapid assessment teams to the area and preparing to rush in supplies;

Whereas the Indonesian Government stated that the earthquake destroyed more than 83,700 houses, approximately 200 public buildings, a total of 285 schools, and also caused extensive damage to an additional 100,000 buildings including hotels, mosques and shops, and approximately 20 miles of roads;

Whereas a damaged building in the main public hospital had to be evacuated, and patients are being treated outside and without electricity;

Whereas humanitarian aid agencies in the United States and around the world are mobilizing to provide much needed assistance to the relief and recovery efforts;

Whereas the United States offered assistance and immediately released $300,000 to help provide for the most immediate and pressing needs and an additional $3,000,000 has been set aside once greater need is determined;

Whereas the United States Government deployed a Disaster Assistance Response Team to provide assistance and is sending a field hospital, three United States Navy ships with helicopters and lift capability, and 45 metric tons of emergency relief commodities; and

Whereas President Susilo Bambang Yudhoyono and the Indonesian Government responded quickly to the disaster: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the loss of life and expresses its deepest condolences to the families of those killed and injured in the earthquake;

(2) recognizes the deep ties between the United States and Indonesia and expresses continued solidarity with the people of Indonesia during this time of crisis;

(3) applauds the courageous response of Indonesian and international rescue workers;

(4) supports President Obama's offer of United States assistance to Indonesia in response to this catastrophic event;

(5) urges the people of the United States to generously support those humanitarian aid agencies working to assist the people of Indonesia in this time of need; and

(6) expresses gratitude to the people of the United States who have generously supported those humanitarian aid agencies working to assist the people of Indonesia in this time of need.

The SPEAKER pro tempore (Mr. HOLDEN). Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of this resolution, and I yield myself such time as I may consume.

I would like to thank my good friend Congressman DAN BURTON of Indiana, distinguished member of the Committee on Foreign Affairs and co-Chair of the Indonesia Caucus, for his leadership in introducing this resolution.

This resolution extends our profound sympathy and condolences to the people of Indonesia for the terrible losses they suffered as a result of the massive earthquake that struck the island of Sumatra on September 30, 2009. Landslides triggered by the quake wiped out three villages in the province of West Sumatra. Nearly 700 lives were lost. Thousands have been injured and displaced, and a staggering number of houses, schools, and public buildings were destroyed or seriously damaged.

I want to extend my deepest sympathy and support to the Indonesian President Susilo Bambang Yudhoyono, who has been working tirelessly to deliver assistance to victims in response to this catastrophic event.

As a representative of American Samoa, a place that has also recently experienced calamity caused by a natural disaster, I know firsthand how difficult it is to see the people who elected you facing such profound losses. I also know how much it means to have support from friends and allies during these times of crisis.

Indeed, Indonesia has many friends around the world, as seen by the outpouring of international support for the earthquake relief efforts, which currently stands at about $16 million in financial commitments from more than 20 countries. For our part, the United States has released $300,000 for earthquake relief and has set aside an additional $3 million for recovery operations.

In addition, the Secretary of Defense has authorized $7 million for relief operations in Indonesia, which includes setting up a field hospital, sending three U.S. Navy ships with helicopters and lift capability, and 45 metric tons of emergency relief commodities.

□ 1200

These are all signs of enduring friendship between our two countries.

Time and time again, Indonesia has shown the world that democracy can not only survive, but thrive in a vibrant, multiethnic, moderate Islamic country. This resolution reflects our commitment to maintain a strong U.S.-Indonesia relationship and expresses our solidarity with the good people of Indonesia during these difficult times.

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

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

Mr. Speaker, I rise in support of this resolution, introduced by my good friend and colleague, DAN BURTON of Indiana, expressing the condolences of the Congress and the American people regarding the loss of life and property suffered by the people of Indonesia. The devastating earthquake which struck the island of Sumatra on September 30 has reportedly led to the deaths of at least 700 people and the displacement of thousands more from their homes.

The concern and the generosity of the American people is well-known to the people of Indonesia, as demonstrated following the devastating tsunami which struck their country in late December of 2004. The sight of U.S. military personnel engaged in tsunami rescue and relief operations made all Americans proud. The involvement of our two former U.S. Presidents in the Bush-Clinton Tsunami Relief Fund further demonstrated that when a crisis occurs, we are indeed our brothers' and sisters' keeper.

The United States came to Indonesia's assistance once again after this most recent earthquake. We provided $300,000 in immediate response and set aside an additional $3 million for further relief efforts. The U.S. Navy was once again deployed, with three ships being dispatched with helicopters to provide emergency relief and supplies.

We send the relief workers and the people of Indonesia our prayers and our best wishes for a rapid and full recovery as they continue their courageous efforts to assist the injured and to locate the missing.

I urge my colleagues to support this important resolution.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I rise today in support of H. Res. 810. I would like to thank Congressman DAN BURTON for his work on this resolution.

In February 2008, I visited Indonesia as a member of the House Democracy Partnership. While our focus was meeting with members of the Indonesian House of Representatives, we made it a point to also visit Banda Aceh on the island of Sumatra.

As you may recall, in December 2004, Banda Aceh was the closest major city to the epicenter of an Indian Ocean earthquake and suffered further damage by a tsunami that struck shortly afterwards. That earthquake measured 9.3 on the Richter scale.

The awesome power of the tsunami was brought home to us as leaders of Banda Aceh showed us how the whole

area had literally been leveled and ships from port were swept inland by the water's force. Of course, the human tragedy was incalculable. Children became orphans instantly. Mothers, fathers and families were devastated.

The recovery efforts in which the United States played a major role were extraordinary. What I was most impressed with, however, was the remarkable resiliency and spirit of the people of Banda Aceh. It is that same resiliency that I am sure will rise again out of the tragedies of the earthquakes and aftershocks of September 2009.

My thoughts are with those who were lost, their loved ones, and the tens of thousands of survivors who are struggling in the aftermath. I stand with President Obama in his offer of assistance that will help alleviate the suffering and provide relief in this region.

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

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

Mr. Speaker, I will say that Indonesia has come a long way in establishing its democracy, being the largest democratic country. It happens to be a Muslim country with a population of some 225 million people.

I want to also commend President SBY for all that he is trying to do in helping the good people of West Papua. There have been some difficulties along the way, but I suspect that every effort is being made to address the needs of the people of West Papua. Certainly I congratulate them on the recent national elections that were done in such a way that it was again demonstrated that democracy can happen in a Muslim country like Indonesia.

So I want us to realize that only 5 years ago we had a tsunami that also impacted Indonesia, that some 220,000 people died as a result of that terrible disaster, and for which I am very grateful that our country responded in such a way that I think the people of Indonesia deeply appreciated our assistance.

So we are at this again. Another disaster struck Indonesia, and I thank the administration for all the efforts that are being made to give assistance to the good people of Indonesia.

Mr. BURTON of Indiana. Mr. Speaker, I have the honor and privilege of co-chairing the Congressional Indonesia Caucus with my good friend, Congressman WEXLER. Accordingly, I want to take this moment to express my heartfelt condolences to the citizens of Indonesia, the President, and the Indonesian government in the aftermath of the devastating earthquakes that struck the West Sumatra region this past month.

On September 30, 2009, a 7.6 magnitude earthquake that originated northwest of the city of Padang (population: 900,000) led to the loss of 800 lives. Countless more remain missing and are presumed dead while thousands have been displaced from their homes that were either destroyed or remain unsafe as ongoing tremors continue to bring uncertainty to the area.

The quakes have devastated the region, destroying over 83,700 houses, 200 public buildings, 285 schools, and have also caused extensive damage to an additional 100,000 buildings including hotels, mosques, shops, and hospitals, and approximately twenty miles of roads. Lying near the intersection of shifting tectonic plates, Indonesia is prone to earthquakes and volcanic eruptions. Such devastation is yet another tragedy to strike the region, which is still recovering from the 2004 earthquake born from this very same fault line that resulted in the Indian Ocean tsunami and the loss of over 230,000 lives.

As a result, I am very pleased to join my colleagues today in passing House Resolution 810 expressing our condolences to the Indonesian people for the devastating earthquake and loss of life in their Sumatra region.

I would also like to commend the courage and perseverance of the Indonesian government and people as they work tirelessly with humanitarian organizations in distributing aid and mobilizing relief efforts. All the while, strong aftershocks continue to rock the region and create hazardous conditions for both residents and rescue workers.

There is still much to be done, yet the Indonesian government and countless other humanitarian and private groups continue to provide emergency assistance to those in need.

The U.S. also shows our support as we reaffirm our commitment by releasing millions in aid and contributing to the widespread international response. We continue to regard Indonesia as an important ally, recognizing its recent democratic transition and transformation into the world's third largest democracy. In addition, hosting the world's largest Muslim majority, the people of Indonesia demonstrate that Islam and democracy are not mutually exclusive and can successfully work in tandem. Thus, we look forward to fostering future cooperation between the United States and Indonesia in the areas of trade, national security, and cultural awareness and appreciation.

The Indonesian people have seen tremendous change in the last decade, and they once again continue to persevere through tragedy. It is my hope that our nations will only continue to grow in our commitment to one another and to freedom, justice, and democracy.

I would like to thank Congressman BERMAN and Ranking Member ILEANA ROS-LEHTINEN for helping to move this important resolution to the floor.

And, again I extend my heartfelt condolences to the Indonesian people and the family and friends of those who are suffering greatly as a result of this disaster.

Ms. ROS-LEHTINEN. Mr. Speaker, we yield back the balance of our time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 810.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COMMEMORATING THE CANONIZATION OF FATHER DAMIEN DE VEUSTER TO SAINTHOOD

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 786) commemorating the canonization of Father Damien de Veuster, SS.CC. to sainthood, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 786

Whereas Father Damien de Veuster, SS.CC. was born Joseph de Veuster in Tremelo, Belgium, on January 3, 1840, and in 1859, at age 19, he entered the Congregation of the Sacred Hearts of Jesus and Mary in Louvain and selected Damien as his religious name;

Whereas in 1863, Father Damien received permission to replace his ill brother, and sailed to the Hawaiian Islands to perform missionary work;

Whereas Father Damien arrived in Honolulu, Hawaii on March 19, 1864, was ordained to the priesthood at the Cathedral of Our Lady of Peace on May 21, 1864, and began his pastoral ministry on the island of Hawaii;

Whereas the Hawaiian Government deported individuals infected with leprosy, now also known as Hansen's disease, to a peninsula on the island of Molokai, to prevent further spread of the disease, and Bishop Louis Maigret, SS.CC. sought the help of Father Damien and other priests to provide spiritual assistance for the sufferers of Hansen's disease;

Whereas several priests volunteered to work on Molokai for a few months, but Father Damien requested to remain permanently with the individuals suffering from Hansen's disease, and was among the first to leave for the island of Molokai on May 10, 1873;

Whereas for 16 years, Father Damien served as a voice of hope and a source of consolation and encouragement for the individuals afflicted with Hansen's disease;

Whereas working together, Father Damien and the people isolated on the Kalaupapa peninsula accomplished remarkable achievements, including building houses and hospitals, taking care of the patients' spiritual and physical needs, building 6 chapels, constructing a home for boys and a home for girls, and burying the hundreds who died during his years on the island of Molokai;

Whereas Father Damien died on April 15, 1889, after contracting Hansen's disease, and his remains were transferred to Belgium in 1936, where he was interred in the crypt of the church of the Congregation of the Sacred Hearts at Louvain;

Whereas in 1938, the process for beatification for Father Damien was introduced at Malines, Belgium;

Whereas in April 1965, the Legislature of the State of Hawaii selected Father Damien as the first of its two selections for the National Statuary Hall Collection in the U.S. Capitol;

Whereas, on April 15, 1969, a statue of Father Damien and a statue of King Kamehameha I, gifts from the State of Hawaii, were unveiled at the Capitol Rotunda;

Whereas, on July 7, 1977, Pope Paul VI declared Father Damien ''venerable'', the first of 3 steps that lead to sainthood;

Whereas, on June 4, 1995, Pope John Paul II declared Father Damien ''Blessed Damien'', and his feast is on May 10, the day Father Damien first entered the island of Molokai; and

Whereas Father Damien will be canonized a saint on October 11, 2009, by Pope Benedict XVI: Now, therefore, be it

Resolved, That the House of Representatives honors and praises Father Damien for his legacy, work, service, and his insistence on recognizing the human rights and dignity of every individual, particularly those who lived alongside him at the Hansen's disease settlement on the island of Molokai.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Mr. Speaker, this resolution commemorates the canonization of Father Damien de Veuster for his selfless works ministering to those suffering from Hansen's disease, also known as leprosy, on the Hawaiian island of Molokai. I would also like to thank my good friend Ms. HIRONO from the State of Hawaii for sponsoring and authoring this resolution and for working to ensure that Father Damien's legacy is never forgotten.

Many of us here and our colleagues who walk the Halls of the Congress have oftentimes passed by the distinctive statue of Father Damien in the Capitol, yet few of us understood that this was a man who essentially gave his life in order to help others.

In 1863, at the age of 23, Father Damien left his home in Belgium, sailing to Hawaii to perform missionary work. At that time, the Hawaiian Government deported those who had contracted Hansen's disease to a place called Kalaupapa on the island of Molokai to prevent the spread of the disease. Though he was aware of the risks of contracting leprosy, Father Damien decided to move to Molokai permanently in order to be with those who suffered there.

Isolated from society on the Kalaupapa peninsula on the island of Molokai, Father Damien and those to whom he ministered had many remarkable achievements: building schools and hospitals, constructing churches and homes, and attending to the spiritual and physical needs of those suffering from Hansen's disease, or leprosy.

For 16 years, Father Damien served as a voice of hope and a source of consolation and encouragement for individuals afflicted with Hansen's disease, until he died on April 15, 1889, after contracting the disease himself.

In 1977, recognizing his life of good works and the sacrifice he made in helping others, Pope Paul VI began the process that would ultimately lead to sainthood for Father Damien.

Mr. Speaker, just last Sunday, Father Damien was finally canonized as a saint by Pope Benedict XVI.

I urge all my colleagues to honor the life and accomplishments of Father Damien and his legacy of self-sacrifice by supporting this resolution.

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

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

Mr. Speaker, I rise in support of this resolution commemorating the canonization of Father Damien on Sunday, October 11, by Pope Benedict XVI. I thank Ms. HIRONO and the Hawaiian delegation for introducing this resolution honoring a true American hero.

When Father Damien first arrived in Hawaii as a missionary in 1864, he was only 24 years old. After the Hawaiian Government ordered the quarantine of those affected with leprosy to a settlement on the island of Molokai, Father Damien volunteered to go minister to their care.

The Catholic bishop introduced Father Damien to his new 816 parishioners in the year 1873 as ''one who will be a father to you, and one who loves you so much that he does not hesitate to become one of you, to live and die with you.''

While Father Damien's first action was to build a church, he did not limit his role to that of a priest. He dressed ulcers, built homes and beds, built coffins and dug graves. Father Damien's arrival was a turning point for the disease-afflicted community, which, given new hope, built homes instead of shacks, constructed new schools and organized working farms.

Father Damien contracted the disease as a result of this ministry and died at the age of 49 on April 15, 1889, a date still commemorated in Hawaii.

No less an authority than Mahatma Gandhi wrote the following concerning Father Damien: ''The political and journalistic world can boast of very few heroes who compare with Father Damien of Molokai. It is worthwhile to look for those sources of such heroism.''

Given his work with those who suffered from a disease which carried a social stigma, Father Damien has also become the unofficial patron of those afflicted with HIV/AIDS. The world's only Roman Catholic memorial chapel dedicated to those who have died of HIV/AIDS, located in Montreal, Canada, is consecrated to him.

We in the Congress have long been aware of the deep affection felt by the people of the Aloha State for their adopted son. A statue of Father Damien was one of the two sent from the then-new State of Hawaii to be placed in the Nation's Capitol in 1965.

We all fervently wish that this past Sunday's canonization of yet another American saint will bring blessings to our country at a time of economic uncertainty at home and perils abroad.

I urge my colleagues to strongly support this resolution.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, years ago it was my privilege to have been invited by the famous native Hawaiian navigator Nainoa Thompson to be a member of the crew of the famous Hawaiian voyaging canoe Hokule'a. We sailed from Tahiti, and it took us about 27 days until finally we sighted the famous mountains of Mauna Kea.

Part of our traveling along the Hawaiian chain of islands was that we also visited the famous peninsula called Kalaupapa on the island of Molokai where we visited and stayed there, resting before we went on to the island of Oahu. It was there, Mr. Speaker, that I saw the legacy of Father Damien's work in dealing with the native Hawaiian people, or anybody who contracted leprosy who was sent to that island to remain there for the rest of their lives.

The unfortunate stories that I have heard in the treatment of these people is that they were just dropped off, not even on the wharf. They were just simply taken there, and they had to swim to the islands in order to get there. What a terrible way of treating those people that were screened or realized that they had Hansen's disease.

But I just wanted to describe the memory of seeing the school and the grave sites and the little community that was built, for which Father Damien was very responsible in helping those who were in need and the people who contracted Hansen's disease on the island of Molokai on this particular peninsula, the beautiful, beautiful peninsula of Kalaupapa, very, very historical; and I know this is true also to our native Hawaiian community.

Mr. Speaker, I yield 3 minutes to my good friend, the distinguished author of this legislation, the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I would like to thank my friends, the gentleman from American Samoa and the gentlelady from Florida, for their kind remarks in support of this resolution.

I rise today in support of my resolution commemorating the canonization of Father Damien, a member of the congregation of the Sacred Hearts of Jesus and Mary, to sainthood this past Sunday, October 11, 2009.

We can all celebrate the life of St. Damien, a man who put his faith and principles into action in the service of a group of people who suffered not only the physical effects of leprosy, now known as Hansen's disease, but also from the terrible stigma associated with the disease.

□ 1215

Father Damien is recognized for his 16 years of selfless service to the people who were forcibly isolated on the peninsula of Kalaupapa, on the island of Molokai, Hawaii, because they were diagnosed with Hansen's disease. Living among the people of Kalaupapa from 1873 to 1889, he eventually contracted the disease, ultimately died from its effects, and was buried on Molokai.

The policy of exiling persons with the disease that was then known as leprosy began under the Kingdom of Hawaii and continued under the governments of the Republic of Hawaii, the Territory of Hawaii and the State of Hawaii. Children, mothers and fathers were forcibly separated and sent to Kalaupapa, which for most of its history could only be accessed by water or via a steep mule trail. Children born to parents at Kalaupapa were taken away from their mothers and sent to orphanages or to other family members outside Kalaupapa. Hawaii's isolation laws for people with Hansen's disease were not repealed until 1969, even though medications to control the disease have been available since the late 1940s.

I believe that all people, regardless of their religious beliefs, can recognize truly extraordinary persons who give of themselves without reserve for the betterment of their fellow human beings. Father Damien was surely such a person. No sickness was as feared as leprosy in the late 1800s, but he volunteered to serve at Kalaupapa and requested to stay there in order to serve those who were most shunned. He recognized the human rights and inherent dignity of all people, especially those he lived alongside at Kalaupapa.

Father Damien worked with the people of Kalaupapa to improve their living conditions. A skilled carpenter, he led in the building of houses and hospitals, six chapels, a home for boys and a home for girls. At the same time, he ministered to the spiritual and physical needs of his parishioners and helped to bury the hundreds who died during his years there.

It is noteworthy that shortly after Hawaii became a State, Father Damien was the first selection of the State legislature to be memorialized in a statue as part of the National Statuary Hall in Washington, DC. Despite the fact that he was not born in Hawaii and lived so long ago, Hawaii's people recognize that his life embodied the true spirit of aloha, which means, love, compassion, mercy, grace, and malama, which means to care for.

Last week in Louvain, Belgium, prior to the canonization, some 400 Hawaii residents, including 11 former Hansen's disease patients from Kalaupapa, attended a mass with the King and Queen of Belgium near St. Damien's birthplace. Addressing those who came all the way from Hawaii, Cardinal Danneels, a native of Belgium said, ''We gave life to Father Damien. You gave him back as a saint. We thank you.''

I have visited Father Damien's grave at Kalawao on the Kalaupapa peninsula, and as you can see by this photo that was taken when I visited Kalaupapa, it seems almost unreal. It is a beautiful place where tremendous suffering took place, but also a place imbued with great spiritual feeling. Father Damien's grave site is marked on this photo in the far left.

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

Mr. FALEOMAVAEGA. I yield the gentlewoman an additional 1 minute.

Ms. HIRONO. I hope that you will have the opportunity to visit Kalaupapa at some point in your lives. I know that you will be deeply moved, as I was, by the example of this man, this saint, as well as by the courage and perseverance of the people he dedicated his life to serving.

Ms. ROS-LEHTINEN. Mr. Speaker, we have no further requests for time, and I yield back the balance of our time.

Mr. FALEOMAVAEGA. I would like to ask just a couple more minutes to say I want to share with my colleagues another beautiful story, a legacy of Father Damien. This is a story about a native Hawaiian leader by the name of Jonathan Napela. And when this Hawaiian leader found out that his wife had contracted Hansen's disease, he went with her to Kalaupapa, lived with her throughout the rest of his life, and he also contracted Hansen's disease because of the love that he had for his wife, and they lived there, working with Father Damien and other leaders there in this little community of Kalaupapa.

And I just wanted to note that for the RECORD. This famous native Hawaiian leader by the name of Jonathan Napela also was a beautiful story of how much he was able to help the community there in Kalaupapa and the island of Molokai.

Mr. ABERCROMBIE. Mr. Speaker, I rise today to support H. Res. 786 in commemorating the canonization of Father Damien de Veuster to sainthood.

The canonization of Father Damien completes his ascension to sainthood and gives universal veneration to a life of extraordinary commitment, charity, and faith. It has been more than 120 years since his death on the Kalaupapa Peninsula on the island of Molokai, but Father Damien's life continues to illuminate for all humankind the pathway of service to the needy.

Father Damien's mission in life and the journey he took to fulfill it were inspired by a simple yet profound compassion, to recognize the human rights and dignity of every individual, particularly those who were cast aside to Kalaupapa. He challenged the orthodoxies of his own church and the government to provide the needed resources to care for Hansen's disease patients who had been banished to Kalaupapa—attracting worldwide attention to his demonstration of humanity.

He lived, worked, and died in geographic isolation with the people he cared for, but his timeless teachings and inspiration have reached a vast congregation that reaches around the world without regard to time and place. Father Damien's hope and devotion continue to strengthen all of us today, and his sainthood affirms this for eternity.

I urge my colleagues to support this resolution and Father Damien's work and legacy, a timeless example of compassion and dedication.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 786, 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. FALEOMAVAEGA. 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.

CELEBRATING 90 YEARS OF UNITED STATES-POLISH DIPLOMATIC RELATIONS

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 266) celebrating 90 years of United States-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 266

Whereas the United States established diplomatic relations with the newly independent Second Polish Republic in April 1919;

Whereas the year 2009 marks the 20th anniversary of the fall of communism in Poland, as well as the restoration of democracy and market economy in that country;

Whereas the year 2009 marks the 10th anniversary of Poland's accession to the North Atlantic Treaty Organization (NATO);

Whereas the year 2009 marks the 5th anniversary of Poland's accession to the European Union (EU);

Whereas the year 2009 marks the 50th anniversary of the Fulbright Educational Exchange Program in Poland;

Whereas Poland has overcome a legacy of foreign occupation and period of communist rule to emerge as a free and democratic nation;

Whereas Poland is a valued partner in the fight against global terrorism and has contributed troops to the stabilization and reconstruction efforts in Afghanistan and Iraq; and

Whereas Poland has cooperated closely with the United States on issues such as democratization, nuclear nonproliferation, human rights, regional cooperation in Central and Eastern Europe, and reform of the United Nations: Now, therefore, be it

Resolved, That the House of Representatives—

(1) celebrates the 90th anniversary of United States-Polish diplomatic relations;

(2) congratulates the Polish people on their great accomplishments as a free democracy; and

(3) expresses appreciation for Poland's steadfast partnership with the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The gentleman from American Samoa is recognized.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. I yield myself such time as I may consume.

Mr. Speaker, I am in strong support of House Resolution 266, which celebrates 90 years of diplomatic relations between the United States and Poland. I wish to thank my good friend, the distinguished gentleman from the State of Illinois (Mr. LIPINSKI) for his authorship and introduction of this bill that enables the House to join the Senate in marking this significant anniversary and reaffirming our friendship with an important ally.

It is remarkable to think that it has been only 20 years since Poland began to emerge from a period marked by war, Communist rule and occupation. On June 4, 1989, the good people of Poland voted in semi-democratic parliamentary elections. They resulted in a landslide victory for opposition candidates fielded by the Solidarity trade union over the ruling Communists. The new government moved swiftly to reestablish democratic practices and a free market economy.

This election marked a turning point in the region, as other Soviet satellite states in Central and Eastern Europe regained their freedom by the end of 1989. Poland undertook internal reforms that enabled its rapid integration into the Euro-Atlantic community. Indeed, 2009 marks the fifth anniversary of Poland's membership with the European Union and the 10th anniversary of its accession to NATO. Poland has since been playing an active role in the international community, helping to secure peace and stability through its contributions to civilian and military operations in Afghanistan and Iraq.

In addition, Poland has been a strong ally of the United States. This year we are marking 90 years of diplomatic relations, with the United States being the first country to recognize the newly independent Second Polish Republic in January 1919. This was particularly fitting given the key role played by President Woodrow Wilson in demanding that an independent Poland be included in the Treaty of Versailles.

Since that time, there has continued to be a close friendship between our two peoples and countries. The estimated 10 million of our fellow Polish Americans who comprise 3 percent of the U.S. population have made considerable contributions to the cultural, economic, social, and political fabric of our great Nation. I welcome the planned visit by Vice President BIDEN to Poland later this month, as it provides an excellent opportunity to affirm our strong bilateral relationship.

I strongly support this resolution and urge my colleagues to do the same.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume. I rise today in strong support of House Resolution 266, which celebrates 90 years of U.S.-Polish diplomatic relations and the fact that Poland has proven to be a strong partner for the United States in advancing freedom around the world.

Poland has come a long way since throwing off the yoke of Communism 20 years ago. In fact, it was only 2 months ago that Poles celebrated the 20th anniversary of the first free and democratic parliamentary elections in their country, held in 1989, which followed decades of Communist rule and Soviet domination of Poland. The election, in fact, helped provide the inspiration for the peoples of other Central and Eastern European nations to subsequently free themselves from the shackles of the Communist regimes in their countries.

Today, Poland is a free and democratic country and a full and valued member of a number of international organizations, including the European Union and NATO. Through NATO, Poland is a full ally of the United States and, in that role, has significantly contributed to the United States-led efforts to fight global terrorism.

This resolution, Mr. Speaker, celebrates the 90th anniversary of the U.S.-Polish diplomatic relations. It congratulates the Polish people on their great accomplishments as a great democracy, and it expresses appreciation for Poland's partnership with the United States.

Given the specific intent of the resolution before us today dealing with the importance of our relationship with our ally, Poland, I would like to comment on the recent decision by President Obama to cancel the long-range missile defense project with Poland. We could debate the recent decision to cancel the long-range missile defense project in Poland, a decision with which many of us, obviously, disagree. In light of the history of Eastern Europe over the past century, and of Poland, in particular, we should exercise care in the ways that we arrive at decisions that have great consequence to our allies in that region.

In this instance, the decision to cancel the missile defense project was communicated to Polish officials only the night before it was announced. The decision was also announced on the 70th anniversary of the invasion of the Soviet Union of Poland in 1939. What an insult. In light of the timing of the decision, and given that Russian troops invaded Georgia last year, should we have been surprised when our Polish allies reacted with alarm at the suddenness of the announcement? I think not.

In short, Mr. Speaker, our relationship with Poland requires skillful handling and needs to take into account what Poland has experienced over the past 100 years in order to avoid sending unintended and potentially damaging messages to such a close ally.

Mr. Speaker, I support the resolution before us today.

I reserve the balance of our time.

Mr. FALEOMAVAEGA. Mr. Speaker, at this time I would like to yield 3 minutes to the distinguished gentleman, the author of this piece of legislation, the gentleman from Illinois (Mr. LIPINSKI).

□ 1230

Mr. LIPINSKI. Mr. Speaker, I rise today in strong support of H. Res. 266, celebrating 90 years of diplomatic relations between the United States and Poland and recognizing Poland's critical role in advancing freedom and democracy across the globe. We must never forget Lech Walesa's leadership inside Poland and the Polish pope, Pope John Paul II's leadership from the outside which helped lead to the collapse of the Soviet Union and the collapse of the wall separating the East and West and the freedom that that brought to so many hundreds of millions of people around the world.

As a Polish American, as the co-Chair of the Congressional Caucus on Poland, and as someone who represents part of the most Polish city outside of Poland, I'm especially proud to sponsor this resolution. I would like to thank the gentleman from New Jersey (Mr. SMITH) for working with me on this resolution and on other important issues.

In addition to marking the 90th anniversary of U.S.-Poland diplomatic relations, this year also marks the 20th anniversary of the fall of communism in Poland, the 10th anniversary of Poland's accession to NATO, and the 5th anniversary of Poland's membership in the European Union.

Ninety years ago, there were already 150,000 Polish immigrants in and around Chicago. The Polish American Association recently noted that following World War II, ''Polish Americans made up a large part of the countless families moving into Chicago suburbs, especially southwest suburbs such as Oak Lawn and Hickory Hills and western suburbs such as Berwyn and Lyons.'' These are all areas I represent, and such communities are one reason our countries are so close.

Poland's struggle against communism and its emergence as a free and democratic nation are a great chapter in the history of the 20th century. In recent years, Poland has strongly supported the United States diplomatically and militarily, helping to combat global terrorism and contributing troops in Iraq and Afghanistan.

Mr. Speaker, I urge my colleagues to join me in supporting this resolution and in conveying America's thanks to the Polish people. Poland has been one of our Nation's best friends and strongest allies. We must honor this relationship and make sure that we work to continue it and work to strengthen that relationship with great respect.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm very pleased to yield 4 minutes to the gentleman from Arizona (Mr. FRANKS), a member of the Armed Services and Judiciary Committees and the co-Chair of the House Missile Defense Caucus.

Mr. FRANKS of Arizona. I thank the gentlelady, as always.

Mr. Speaker, it is a privilege for me to stand here today in strong, wholehearted support of our cherished ally, the nation of Poland, and in strong support of House Resolution 266. And I want to thank Mr. LIPINSKI, a cherished friend of mine, for his willingness to put forth this resolution.

After the recently announced decision by the Obama administration abandoning our promised missile defense interceptors in Poland, our allies' newspaper headlines stated the situation in rather stark terms, Mr. Speaker. One Polish newspaper had the headline, ''Betrayed! The USA has sold us to the Russians and stabbed us in the back.''

Now, Mr. Speaker, it's a travesty beyond words that the United States of America, the bastion of freedom throughout the entire world, would give reason to a loyal ally like Poland to write headlines like that. Poland has strongly supported the United States diplomatically and militarily and has joined with us courageously in combating global terrorism and has contributed troops to the coalitions led by the United States of America both in Afghanistan and in Iraq.

For these reasons and so many others, Mr. Speaker, I'm honored to stand here today with my colleagues to warmly congratulate the Polish people on their remarkable accomplishments as a free nation and to express our gratitude for Poland's steadfast partnership with the United States and to affirm our clear and unwavering support for the free democratic nation of Poland.

Mr. Speaker, I would go one step further by stating that one of the best ways we could demonstrate our deep love and appreciation for the nation and people of Poland would be to prove that we mean this by extending the Visa Waiver Program to our Polish allies. We've already extended the Visa Waiver Program to 35 other allies, including other European nations like Belgium, the Czech Republic, Denmark, Estonia, Lithuania, and Latvia, and I strongly believe we should have extended this same courtesy to our allies in Poland long ago. Poland repealed its own visa requirement back in 1991 and allows Americans to travel throughout Poland without the use of a visa.

The nation of Poland has proven time and again, Mr. Speaker, its steadfast dedication to the cause of human freedom as well as its friendship with the United States, and it is appropriate that they understand that America is grateful. And I just reiterate my gratitude to Mr. LIPINSKI and Ms. ROS-LEHTINEN.

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

Mr. FALEOMAVAEGA. Mr. Speaker, at this time, I yield 1½ minutes to my good friend, the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Speaker, I rise in wholehearted support of this resolution. I thank Representative LIPINSKI for his outstanding work that he has done to bring this resolution to the floor.

In 1919, the United States established diplomatic relations with the newly formed Polish Republic. After 90 years of diplomatic relations, our relations have never been stronger.

Over the last 90 years, the Polish people have overcome profound challenges, and Poland has emerged as a beacon for democracy and economic revitalization. In the 1980s, Polish workers rose against the Soviet elite, and despite significant oppression, forced democratic elections in 1989 and was a significant factor in the fall of the Iron Curtain. Despite the decades of Soviet control, over the last 20 years, the Polish economy has expanded dramatically and now is one of the economic engines of Europe.

Over the years, Poland has cooperated closely with the United States on issues such as democratization, nuclear proliferation, human rights, regional cooperation in Eastern Europe, and reform of the United Nations.

Today we can recognize these great contributions and reaffirm our commitment to our relationship with this great ally by voting in support of this resolution. I urge my colleagues, Mr. Speaker, to vote in support of House Resolution 266.

Mr. ADERHOLT. Mr. Speaker, I would like to also join in support of H. Res. 266, celebrating 90 years of diplomatic relations between the United States and the Polish Republic.

In those years, Poland has suffered invasion, and then the cruel domination of communism.

The religious faith and the courage of Poland's people carried them out of those dark years, and Poland today is a beacon of democracy to the rest of the world.

With an impressive history, Poland is also poised to be a leader of Europe's future.

I visited Poland with a group of other Members, so I have a firsthand sense of the hospitality of Poland, and also of Poland's commitment to freedom and national security.

I am very disappointed in President Obama's decision not to follow through with the placing of ground-based missile defense systems in Poland. In the United States House of Representatives and in the Senate, there are still many supporters of such a system.

I appreciate the serious debates and commitments Poland has made to be an ally of the United States on missile defense, and I will continue to urge full cooperation between the United States and Poland on this matter.

Mr. FALEOMAVAEGA. Mr. Speaker, at this time, I have no further speakers and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 266, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING THE 140TH ANNIVERSARY OF THE BIRTH OF MAHATMA GANDHI

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 603) recognizing the 140th anniversary of the birth of Mahatma Gandhi.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 603

Whereas October 2, 2009, marks the 140th anniversary of the birth of Mahatma Gandhi;

Whereas Mahatma Gandhi was a great political leader, devout and spiritual Hindu, and leader of India's nationalist movement;

Whereas all his life Gandhi courageously supported, and in fact gave his life for, the cause of Hindu Muslim amity;

Whereas Gandhi helped to make India the largest democracy in the world;

Whereas his philosophy of nonviolent civil disobedience has influenced people around the world for the betterment of mankind;

Whereas Gandhi developed the term Satyagraha, meaning vindication of truth, not by inflicting suffering on others but through nonviolent and patient self-suffering;

Whereas his autobiography ''My Experiments with Truth'' reveals the inner voice of one of history's most spiritual leaders;

Whereas Gandhi counseled humankind to ''Hate the sin, and love the sinner'', urged people everywhere to ''be the change you want to see in the world'', and reminded the world that ''Freedom is not worth having if it does not connote the freedom to err''; and

Whereas as a result of his timeless legacy, Gandhi's name has come to symbolize freedom and justice around the world: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 140th anniversary of the birth of Mahatma Gandhi;

(2) acknowledges and commends Mahatma Gandhi's unique and lasting role in the establishment of the state of India and its

democratic institutions, which will be revered for generations to come; and

(3) congratulates the visionary leadership of Mahatma Gandhi, which enhanced the rapidly deepening friendship between the United States and India, the world's oldest and largest democracy, respectively.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. FALEOMAVAEGA) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The gentleman from American Samoa is recognized.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of the resolution and yield myself such time as I may consume.

This resolution recognizes the 140th anniversary of the birth of Mahatma Gandhi, one of the 20th century's greatest political leaders, a devout and spiritual Hindu, and the father of India's nationalist movement.

While much has been said about the great works of Gandhi's life, it is important that we never forget that without Gandhi, the fates of what is now the world's largest democracy, India, and the oldest democracy, the United States, would likely be far different.

Mahatma Gandhi served as an inspiration for a movement that ended the rule of the British Raj and created a free and independent Indian state. I might also add, Mr. Speaker, it ended the rule of the British Empire. But of equal significance, especially to us in this Chamber today, Mahatma Gandhi inspired the American civil rights movement that hailed one of America's most remarkable social and political transformations.

By advocating nonviolence, a radical new form of resistance, Mahatma Gandhi transformed the methods used around the world to protest oppression. Mahatma Gandhi developed the term ''Satyagraha,'' meaning vindication of truth not by inflicting suffering on others but through nonviolent and patient self-suffering. He counseled humankind to ''hate the sin and love the sinner'' and urged people everywhere to ''be the change you want to see in the world.'' The late Reverend Martin Luther King, Jr., became the agent, an instrument, of that change here in the United States.

In India, at a time when sectarian tensions threatened to disrupt the independence movement, Mahatma Gandhi encouraged dialogue between Muslim and Hindu community leaders, working to cool passions and put an end to religious-based violence.

Though his life was cut tragically short by an assassin's bullet, his legacy is seen in the over 1.5 billion people who inhabit the free and independent countries of the Indian subcontinent and by our own embrace of the principles of nonviolent political action, unity, and religious tolerance within the United States.

I urge all my colleagues to honor the 140th anniversary of the birth of the great Mahatma Gandhi by supporting this resolution.

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

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

I rise in support of House Resolution 603, a measure recognizing the 140th anniversary of the birth of Mahatma Gandhi. At the outset, let me express my deep appreciation to our distinguished chairman, Mr. HOWARD BERMAN, my good friend from California, for his strong support of this bipartisan resolution and to the co-Chairs of the India Caucus for their cosponsorship.

Mr. Speaker, I introduced this resolution to honor the extraordinary life and the legacy of Mahatma Gandhi. The broad outlines in the life story of this remarkable human being are, of course, generally well known: his struggles as a young lawyer in South Africa for the civil liberties and the political rights of Indian immigrants; his return to India and his leadership in the long and complex struggle for home rule and then independence; and his campaign against violent communalism and terror, a struggle that ultimately cost him his life.

In the course of this journey, Gandhi believed and developed the distinctive philosophy of nonviolence. This philosophy has influenced so many great figures of world history from Nehru to the Reverend Martin Luther King, Jr., to Aung San Suu Kyi.

Today, Cuban dissidents and political prisoners such as Dr. Oscar Elias Biscet turn to Gandhi's tenets of peaceful civil disobedience to challenge the Cuban tyranny and demand the freedom of the Cuban people.

In a world too often worked marked by violence and vast inequity, Gandhi said, ''be the change you want to see in the world.''

''Be the change you want to see in the world.'' This reminds us all of the need for personal integrity in the struggle for peaceful change and the fullest respect for human dignity.

Mr. Speaker, as we have all come to understand, the life and the teachings of this deeply philosophical and spiritual man have touched millions of people around the world. Indeed, in world affairs, the person who arguably affected change more than anyone else, more effectively than anybody else, was Mahatma Gandhi.

Mr. Speaker, ultimately, what was it about this complex and enigmatic man that made him one of the most iconic figures of the 20th century? As a recent biographer noted, fundamentally, Gandhi was a man of vision and action, who asked many of the most profound questions that face humankind as it struggles to live in a community. It was this confrontation out of a real humanity which marks his true stature and which makes his struggles and glimpses of enduring significance to us all. As a man of his time who asked the deepest questions, even though he may not have had all of the answers, he became a man for all times and all places.

Mr. Speaker, I strongly urge support for this resolution, and with that, I reserve the balance of my time.

□ 1245

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

I want to commend and thank the gentlelady from Florida, our ranking member of our House Foreign Affairs Committee, for authoring this resolution and giving remembrance to our Nation about the legacy and life of this great human being.

You know, the unusual thing about my reading about this great person, Mahatma Gandhi, was that he was a firm believer not only in the Guida, but also in the Bible. He believed in a lot of the principles that were taught by Jesus Christ in the Bible itself. And as I recall a statement of the Good Book saying, Love your enemies, do good to them who hate you, I think gives the great substance of what Gandhi had said, hate the sin, but not the sinner. And I think in the same way he tried to say to the British Empire, he loves the British people, but he did not like what the British Government was doing to his people.

I think it was at the time when he had just completed his legal studies from Oxford University that he was given an assignment to go to South Africa to help one of the Indian community people there with some of the problems.

And it was on that train ride that he purchased a first-class ticket on this train, and the porter there stopped him saying, You're not supposed to sit on that first-class trip; you are supposed to be out in the baggage area where all the nonwhite people are supposed to be sitting. And he protested and said, I bought a first-class ticket, I deserve it, and there should be no reason why I shouldn't sit in the first-class cabin on the train. And for that, he was not only beaten, but he was left to himself and the train went on.

It was in that given experience that Mahatma Gandhi said, Something is wrong here; and from there he started believing that the British colonial rule of his people just did not seem to fit right as far as the way that the Indian people were being treated by the British.

For that, Mr. Speaker, history has well spoken. I don't have the exact quote that was given by Albert Einstein that said no mortal in the last 100

years has ever been given as an example of this one human being that, by the way, the former Prime Minister, Winston Churchill, described him as a ''naked fakir,'' in very derogatory terms, I suppose, in that respect because Mr. Winston Churchill believed that the British Empire should rule for another 1,000 years perhaps.

But I must say that, yes, there is absolutely no question that the life and the legacy of this great man, Mahatma Gandhi, literally transformed even the civil rights movement here in our own country. And for good, I say, yes, absolutely, influenced people like Rosa Parks, and especially the great and the late Martin Luther King, Jr. for what he has done to transform American Society, making it better than what it was.

I would like to quote to my colleagues what Albert Einstein said: ''I believe Gandhi's views were the most enlightened of all the political men in our time.''

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

Ms. ROS-LEHTINEN. To close on our side, Mr. Speaker, I would like to yield 4 minutes to the gentleman from California (Mr. ROYCE), the ranking member on the Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. ROYCE. Mr. Speaker, let me thank the gentlelady from Florida.

As cochairman of the Congressional Caucus on India and Indian Americans, I rise in support of House Resolution 603, recognizing the 140th anniversary of the birth of Mahatma Gandhi.

Today, we give special remembrance to one of the most revered people of the last century. Preaching nonviolence, Gandhi dedicated his life's work to helping others. As a leader in the Indian National Congress, Gandhi led campaigns to ease poverty. He led the campaigns to expand women's rights. And of course he is remembered for his efforts to build religious amity. Above all else, however, Gandhi worked tirelessly to free his nation and helped direct India into a new era of democracy.

His methods to do this included leadership by example. It included his organizational ability. It also included peaceful civil disobedience as a tool and his power to persuade by force of argument. These were the ways in which he motivated those not only in his own nation, but around the world to this cause.

Having traveled to India during the second round of voting during India's recent election, the largest democratic display the world has ever seen, I would have to say that Gandhi himself would indeed have been proud of how far his nation has come. Under his guidance, India has become a pluralistic democracy of many religions and ethnic groups, I think probably as pluralistic as the United States. We are here today to help keep the spirit of Gandhi alive and to remember his remarkable achievements.

Before I close, I would also like to extend my best wishes to the millions of people that will celebrate Diwali this Saturday; I certainly hope it will be a joyous occasion.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 603.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SYMPATHY FOR THE CITIZENS OF THE PHILIPPINES DEALING WITH TROPICAL STORM KETSANA AND TYPHOON PARMA

Mr. FALEOMAVAEGA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 800) expressing sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 800

Whereas, on September 26, 2009, Tropical Storm Ketsana made landfall on the Philippines with the heaviest rainfall in 40 years equivalent to a typical month of rain during monsoon season;

Whereas 80 percent of the capital, Manila, was submerged under water as a result;

Whereas at least 3,000,000 persons have been affected by Tropical Storm Ketsana;

Whereas more than 135,470 families or 686,000 persons have been forced into evacuation centers;

Whereas the casualties, as of October 9, 2009, include at least 237 dead, 308 injured, and 37 missing;

Whereas more than 4,640 houses were damaged or destroyed;

Whereas Tropical Storm Ketsana has caused at least $4,800,000,000 in damages;

Whereas following the devastation caused by Tropical Storm Ketsana, Typhoon Parma hit land October 2, 2009, bringing with it more torrential rain causing further flooding, landslides, crop damaged, and killing at least 193 more people;

Whereas the United States and the Philippines have a unique and enduring relationship that is based on shared history and commitment to democratic principles, as well as on strong economic ties;

Whereas the historical and cultural links between the Philippines and the United States remain important; and

Whereas the Filipino American community is the second largest Asian-American group in the United States with a population of approximately 3,100,000: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the terrible loss of life caused by Tropical Storm Ketsana and Typhoon Parma that occurred on September 26, 2009, and October 1, 2009;

(2) expresses its deepest condolences to the families of the many victims;

(3) urges President Obama to continue to support the Philippines with emergency relief supplies, logistical, transportation assistance, and financial support; and

(4) works closely with the Government of the Philippines to improve disaster mitigation techniques and compliance among all key sectors of their societies.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from American Samoa (Mr. Faleomavega) and the gentlewoman from Florida (Ms. ROS-LEHTINEN) each will control 20 minutes.

The Chair recognizes the gentleman from American Samoa.

GENERAL LEAVE

Mr. FALEOMAVAEGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I may consume.

Mr. Speaker, this resolution extends our profound sympathies and condolences to the good people of the Philippines for the terrible losses they suffered as a result of Tropical Storm Ketsana and Typhoon Parma. I would like to thank my good friend and colleague, Representative JACKIE SPEIER from California, for her leadership in introducing this important legislation.

On September 26, Typhoon Ketsana brought the heaviest rainfall in 40 years, leaving 80 percent of Manila under water. The storm killed more than 330 people, left nearly 40 missing, forced more than 135,000 families into evacuation centers, and destroyed or badly damaged nearly 40,000 houses. Eight days later, Typhoon Parma hit the Philippines, causing further destruction in areas that were still saturated by the previous storm and resulting in the loss of an additional 28 lives.

I certainly would like to express my deepest condolences and sympathies to the families who lost their loved ones in the storms and to those who were injured and displaced from their homes. It is my sincere hope that the good people of the Philippines will find strength and solace knowing that the world stands by them in these very trying times.

The United States and the Philippines continue to maintain close ties based upon historical relations, common interests, and shared values. The Filipino American community is the second largest Asian American group in the United States, and they make an invaluable contribution to our own country here in America.

This resolution reflects our steadfast commitment to this relationship, as well as our strong desire for a speedy recovery of our friends in the Philippines who are suffering from the aftermaths of these two major natural disasters.

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

Ms. ROS-LEHTINEN. Mr. Speaker, to open the debate on our side of the aisle, I am so pleased to yield such time as he may consume to the gentleman from California (Mr. ROYCE), the ranking member on the Subcommittee on Terrorism, Nonproliferation, and Trade.

Mr. ROYCE. I thank the gentlelady for yielding.

Mr. Speaker, I rise in support of House Resolution 800, expressing condolences to the people and Government of the Philippines in the aftermath of the devastating storms that struck the Philippines.

Several weeks ago, Tropical Storm Ketsana and Typhoon Parma inundated the Philippines with heavy rains, forcing the evacuation of more than half a million people and killing more than 600. Typhoon Parma was particularly savage, making landfall twice—which of course complicated rescue efforts—and destroying much of the crop in one of the Philippines' main rice-producing regions.

While the loss of life from these storms is tragic, that tragedy is compounded by the survivors' loss of livelihood. U.S. troops have been quick to respond in the aid efforts, helping in rescue and clean-up missions.

So, again, we express our sincerest condolences to the people of the Philippines; and we let them know that their friend, the United States, stands with them in solidarity as they begin the process of recovering from this tragedy.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield 4 minutes to the author and the sponsor of this important legislation, the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I would like to thank Chairman BERMAN, Ranking Member ROS-LEHTINEN, the subcommittee chairman Mr. FALEOMAVAEGA, and Ranking Member MANZULLO for shepherding this resolution through the Foreign Affairs Committee so swiftly.

I also want to single out Chairman FALEOMAVAEGA for his exceptional leadership representing American Samoa. I am blessed with many Samoan friends and constituents in my district, and I am a proud cosponsor of the chairman's resolution recognizing the relief efforts in American Samoa and Samoa.

Likewise, I want to commend Congressman BURTON for introducing a similar resolution recognizing the devastation in Indonesia, of which I am also a cosponsor.

Mr. Speaker, I rise in support of House Resolution 800, which I introduced shortly after two successive typhoons hit the Republic of the Philippines. Tragically, the situation has worsened since then, and the death toll is now estimated at more than 600. In addition, millions more are displaced and estimates of damage run well into the billions of dollars.

On September 26, Typhoon Ketsana battered Manila and nearby provinces, resulting in at least 337 deaths, 308 injured, and 37 missing. Then, just one week later, as Filipinos labored around the clock on recovery efforts, Typhoon Parma struck Luzon, the heart of the Philippine agricultural region which supplies half of the nation's supply of rice. Typhoon Parma decimated roads, bridges, entire villages, and vast tracts of rice patties waiting to be harvested later this month.

Nearly 200 have perished from this second typhoon, with many still missing and countless more families grieving their loved ones. It is clear that the people of the Philippines will be profoundly affected by these twin tragedies long after the water has receded and the streets swept clean of mud and debris. House Resolution 800 recognizes the hardship caused by Typhoons Ketsana and Parma and salutes the resilience and strength of our friends, the Filipino people.

My resolution also urges our government to continue providing emergency relief, logistical support, and financial assistance, and to work with Philippine officials and nongovernment organizations to improve disaster preparedness programs to mitigate the heartbreak, havoc and loss of life that could be caused by future storms.

Mr. Speaker, the historical and cultural links between the Philippines and the United States run deeper than any flood waters. I am honored to represent the largest Filipino American community of any district in the continental United States. Nationally, Americans of Filipino descent are the second largest population of Asian Americans in our country, numbering some 3.1 million Americans.

I urge my colleagues to support H. Res. 800 to show our friends, the good people of the Philippines, that as they stood with us in World War II, the American people stand with them during this time of great need.

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

I rise in support of this resolution expressing profound sympathy to our good friends and allies, the people of the Philippines, for the loss of life and property that they have suffered in the recent storms which devastated their country.

I also wish to express condolences to those among the over-3 million members of our Filipino American community who lost loved ones or who had family and friends injured in the floods and the landslides.

□ 1300

Over 600 people are now reported dead, and over 4,000 homes have been destroyed. An estimated 400,000 persons in Manila and in its vicinity had to flee their homes after 80 percent of the capital was submerged by water. The damage is estimated to be almost $5 billion. I was pleased to note that the Agency for International Development, AID, has allocated $1.8 million in emergency relief funds.

The ties between the United States and the Philippines are among the strongest we have with any Asian country. Our two peoples have stood together in war and in peace, with Filipino comrades-in-arms enduring, with our own veterans, the siege of Corregidor and the Bataan Death March. The Filipino people then fought bravely for over 3 years, waiting for General MacArthur to fulfill his pledge to return. More recently, Manila has served as a stalwart ally in the war on terrorism being waged in southeast Asia.

So your loss is our loss. When the people in the Philippines mourn, we also mourn. As friends and allies, we will continue to stand by you.

I urge my colleagues to strongly support this resolution.

I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I do thank the gentlewoman and the author of this resolution, Ms. SPEIER, for her most eloquent statement. I thank her also for her offered help concerning what happened in my own district in American Samoa.

At this time, I yield 1 minute to the gentlewoman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, I rise today in support of House Resolution 800.

Tropical Storm Ketsana ravaged the Philippines, dumping more than a month's worth of rain in just 12 hours. It was one of the worst storms in 40 years, causing landslides and submerging entire towns. Then, not even a week later, Typhoon Parma hit the already waterlogged nation, leaving as much as 36 inches of rain in some areas and causing landslides that imprisoned many residents. With 700 deaths and almost 4 million people who have lost their homes, it is imperative to make sure that the many homeless are provided with shelter.

I commend all of the relief organizations and nations who sent aid to those affected by the disaster. My heart goes out to the Filipino community both abroad and here, many of whom live in my district and who are so worried about their friends and relatives.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time.

I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from the Northern Mariana Islands (Mr. SABLAN).

Mr. SABLAN. Mr. Speaker, I rise today in support of House Resolution 800, expressing sympathy for the citizens of the Philippines, dealing with Tropical Storm Ketsana and Typhoon Parma.

These natural disasters have laid waste to much of the northern Philippines. Thousands of Filipinos have not only suffered the losses of their loved ones but of all of their worldly possessions. Images of Filipinos carrying their dead and dying out of the wreckage and attempting to start life anew have dominated our news coverage in recent days.

In the Northern Mariana Islands, the disaster is a personal tragedy to the one-half of the population who are from the Philippines and who are directly impacted by the disasters. These are family; these are friends; these are neighbors. Their loss is also our loss.

Yet there has also been hope. Many local and charitable institutions from around the world, including those in the Northern Mariana Islands, have stepped up to answer President Gloria Macapagal-Arroyo's call for help from the international community. I am proud to say that the Northern Mariana Islands community has been quick to respond where our Governor, our bishop, our people, and many community organizations, such as the United Filipino Workers and CREAM, to name a few, have made great efforts to assist with the disasters in the Philippines by sending both money and other donations to the victims.

I hope we follow their examples and continue to support the Philippines in their time of need.

Mr. FALEOMAVAEGA. Mr. Speaker, how much time do we have left?

The SPEAKER pro tempore. The gentleman has 12 minutes remaining.

Mr. FALEOMAVAEGA. Mr. Speaker, at this time, I yield 2 minutes to the distinguished gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Speaker, I rise today in support of H. Res. 800, which expresses the sympathy of the Congress to citizens of the Philippines after Tropical Storm Ketsana and Typhoon Parma.

I would like to thank Congresswoman JACKIE SPEIER for her work on this resolution. She has painted a picture of the devastation that is very hard to remove from our minds.

My heart is with those who are lost. It is with their loved ones, and with the tens of thousands of survivors who are struggling in the aftermath of these cataclysmic events.

The Filipino community in Hawaii, one of the largest outside of the Philippines, has come together out of a sense of damayan, or empathy, to help support relief efforts. Since the storms, many families have sent balikbayan boxes, or care packages, carrying everything from canned food to clothing to their families and friends in the Philippines.

While not an exhaustive list, I would like to recognize the work of the following community organizations in Hawaii: the United Filipino Council of Hawaii, the Oahu Filipino Community Council, the Filipino Community Center, Inc., the Filipino Chamber of Commerce, the Honolulu Filipino Jaycees, the Hawaiian Lodge of Free and Accepted Masons, and the Kasama Filipino studies club at Leeward Community College.

The Filipino community, as well as all others in the State of Hawaii, have come together to provide what supportive relief we can, and we will continue to do so.

Maraming salamat po. Thank you.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 800, which expresses sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma. I support this resolution because the devastation caused by these two events has created tragic and lasting effects that the world should recognize.

Tropical Storm Ketsana landed on the Philippines on September 26 and deluged the islands with the heaviest rainfall in over 40 years. The capital city of Manila was 80 percent underwater. Nearly 700,000 people have taken refuge in the evacuation shelters. The casualties from Tropical Storm Ketsana are listed at 277 dead and dozens more missing. All told, over 3 million people in the Philippines were impacted. The number of homes destroyed number more than 4,600 and the cost of the damage is estimated at $4.8 billion.

The damage from Tropical Storm Ketsana was an incredible tragedy by itself, but the impact was compounded when the Philippines was hit by Typhoon Parma less than a week later. On October 2, Parma brought intense rain, causing more flooding. The combination of disasters caused landslides, ruined crops, and brought more deaths. At least 16 people died as a result of Typhoon Parma.

In the week after Parma hit, media reports revealed that the Philippines faced other threats caused by these disasters. The flooding spread debris across the islands and helped boost the mosquito population. The result was a dramatic increase in the prevalence of disease and an increased threat to the health of residents of the Philippines. It is reported that $128 million worth of crops were destroyed, including rice. The loss of those food staples will cause the nation to have to import rice to prevent a food shortage. The devastation will cause lasting economic damage, which may especially hurt the poor who are not able to return to their jobs and garner wages.

My home city of Houston, Texas is home to one of the largest Filipino communities in the United States. As news came in of the disasters, my constituents waited nervously to hear of the fate of loved ones in the Philippines. My heart goes out to those families who have been touched by the devastation caused by these natural disasters.

In the days before Tropical Storm Ketsana made landfall, I had the pleasure of meeting with Congressman Hermilando Mandanas of the Philippines House of Representatives. A sense of optimism for the future of the Philippines pervaded that meeting. It is my sincere hope that in the months after the period of mourning and the reconstruction begins, that the people of the Philippines are able to regain their spirit. The future of the Philippines is bright and it is my wish that the sadness and sense of loss caused by Tropical Storm Ketsana and Typhoon Parma do not scar the Philippines.

Mr. ABERCROMBIE. Mr. Speaker, I rise today to support H. Res. 800 and extend my sympathies for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma.

With a large Filipino community in Hawaii, and the historical and cultural ties that bind our two countries, the impact of these natural disasters hits close to home. I want to express my sincere condolences to those who have experienced losses in their families and to the many thousands more who are displaced and still struggling with this tragedy. I join my colleagues in our commitment to the relief efforts in the Philippines and in our continued support to the families of the many victims.

U.S. military forces and civilian agencies are supporting local Philippine efforts by distributing relief supplies and assisting in rescuing victims from inundated areas of Manila. As part of this effort, the U.S. Agency for International Development has so far allocated $1.8 million to respond to the disaster. Our Hawaiian ohana stands ready to further assist our friends in the Philippines.

I urge my colleagues to rise in support of this legislation.

Mr. BILBRAY. Mr. Speaker, as cochairman of the U.S.-Philippine Friendship Caucus, I wish to offer my sincere condolences to the citizens of the Philippines that have suffered so much due to the devastation left by Tropical Storms Ketsana and Parma. Since September 26, 2009, the flooding that has occurred due to record amounts of rainfall has forced the evacuation of hundreds of thousands of people, destroyed over 4,000 homes and left more than 700 people dead.

This is a tragic event that reminds us of the fragility of human life when confronted by the forces of Mother Nature. Sadly, the deadly results of Tropical Storms Ketsana and Parma continue to do damage and wreak havoc on the health and well being of the citizens of the Philippines. As Congress offers its condolences, our friends in the Philippines try to restore order to their country.

As an American, I am proud that more than 700 United States Marines and sailors are on the ground in the Philippines providing food and clean drinking water directly to her citizens. With that said, I want to reaffirm the United States commitment to doing all we can to help our friends in the Pacific. Our thoughts and prayers are with the Filipino people and I urge my colleagues to support the underlying resolution.

Ms. BORDALLO. Mr. Speaker, I rise today in support of House Resolution 800, legislation introduced by my colleague, Congresswoman JACKIE SPEIER of California. This resolution expresses sympathy for the citizens of the Philippines as they recover from Tropical Storm Ketsana and Typhoon Parma.

Tropical Storm Ketsana and Typhoon Parma caused widespread landslides and flooding in the Philippines. More than 600 Filipinos have lost their lives due to these storms, and I offer my sincere condolences to their families and friends. H. Res. 800 encourages the U.S. government to work closely with the Philippine government to improve disaster response and also urges President Obama to continue his support of disaster relief efforts in the Philippines.

Just last week, a 22-member team from the Guam National Guard flew to the Philippines to provide medical relief and to support the armed forces of the Philippines as they continue the recovery process. Many of my constituents have family members, who were affected by this storm, and I commend the Filipino community of Guam, who were the first to mobilize our larger Guam community to quickly come together to collect relief items and provide financial assistance to those affected by this natural disaster.

I thank my colleague, Congresswoman SPEIER, for introducing this legislation, and I urge my colleagues to support H. Res. 800.

Mr. FALEOMAVAEGA. Mr. Speaker, I have no further speakers at this time.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 800, 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. FALEOMAVAEGA. 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.

AIRLINE SAFETY AND PILOT TRAINING IMPROVEMENT ACT OF 2009

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3371) to amend title 49, United States Code, to improve airline safety and pilot training, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3371

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Airline Safety and Pilot Training Improvement Act of 2009''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. FAA Task Force on Air Carrier Safety and Pilot Training.
Sec. 4. Implementation of NTSB flight crewmember training recommendations.
Sec. 5. Secretary of Transportation responses to safety recommendations.
Sec. 6. FAA pilot records database.
Sec. 7. FAA rulemaking on training programs.
Sec. 8. Aviation safety inspectors and operational research analysts.
Sec. 9. Flight crewmember mentoring, professional development, and leadership.
Sec. 10. Flight crewmember screening and qualifications.
Sec. 11. Airline transport pilot certification.
Sec. 12. Flight schools, flight education, and pilot academic training.
Sec. 13. Voluntary safety programs.
Sec. 14. ASAP and FOQA implementation plan.
Sec. 15. Safety management systems.
Sec. 16. Disclosure of air carriers operating flights for tickets sold for air transportation.
Sec. 17. Pilot fatigue.
Sec. 18. Flight crewmember pairing and crew resource management techniques.

SEC. 2. DEFINITIONS.

(a) DEFINITIONS.—In this Act, the following definitions apply:

(1) ADVANCED QUALIFICATION PROGRAM.—The term ''advanced qualification program'' means the program established by the Federal Aviation Administration in Advisory Circular 120–54A, dated June 23, 2006, including any subsequent revisions thereto.

(2) AIR CARRIER.—The term ''air carrier'' has the meaning given that term in section 40102 of title 49, United States Code.

(3) AVIATION SAFETY ACTION PROGRAM.—The term ''aviation safety action program'' means the program established by the Federal Aviation Administration in Advisory Circular 120–66B, dated November 15, 2002, including any subsequent revisions thereto.

(4) FLIGHT CREWMEMBER.—The term ''flight crewmember'' has the meaning given that term in part 1.1 of title 14, Code of Federal Regulations.

(5) FLIGHT OPERATIONAL QUALITY ASSURANCE PROGRAM.—The term ''flight operational quality assurance program'' means the program established by the Federal Aviation Administration in Advisory Circular 120–82, dated April 12, 2004, including any subsequent revisions thereto.

(6) LINE OPERATIONS SAFETY AUDIT.—The term ''line operations safety audit'' means the procedure referenced by the Federal Aviation Administration in Advisory Circular 120–90, dated April 27, 2006, including any subsequent revisions thereto.

(7) PART 121 AIR CARRIER.—The term ''part 121 air carrier'' means an air carrier that holds a certificate issued under part 121 of title 14, Code of Federal Regulations.

(8) PART 135 AIR CARRIER.—The term ''part 135 air carrier'' means an air carrier that holds a certificate issued under part 135 of title 14, Code of Federal Regulations.

SEC. 3. FAA TASK FORCE ON AIR CARRIER SAFETY AND PILOT TRAINING.

(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration shall establish a special task force to be known as the ''FAA Task Force on Air Carrier Safety and Pilot Training'' (in this section referred to as the ''Task Force'').

(b) COMPOSITION.—The Task Force shall consist of members appointed by the Administrator and shall include air carrier representatives, labor union representatives, and aviation safety experts with knowledge of foreign and domestic regulatory requirements for flight crewmember education and training.

(c) DUTIES.—The duties of the Task Force shall include, at a minimum, evaluating best practices in the air carrier industry and providing recommendations in the following areas:

(1) Air carrier management responsibilities for flight crewmember education and support.

(2) Flight crewmember professional standards.

(3) Flight crewmember training standards and performance.

(4) Mentoring and information sharing between air carriers.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, and before the last day of each 180-day period thereafter until termination of the Task Force, the Task Force shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing—

(1) the progress of the Task Force in identifying best practices in the air carrier industry;

(2) the progress of air carriers and labor unions in implementing the best practices identified by the Task Force;

(3) recommendations of the Task Force, if any, for legislative or regulatory actions;

(4) the progress of air carriers and labor unions in implementing training-related, nonregulatory actions recommended by the Administrator; and

(5) the progress of air carriers in developing specific programs to share safety data and ensure implementation of the most effective safety practices.

(e) TERMINATION.—The Task Force shall terminate on September 30, 2012.

(f) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Task Force.

SEC. 4. IMPLEMENTATION OF NTSB FLIGHT CREWMEMBER TRAINING RECOMMENDATIONS.

(a) RULEMAKING PROCEEDINGS.—

(1) STALL AND UPSET RECOGNITION AND RECOVERY TRAINING.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to require part 121 air carriers to provide flight crewmembers with ground training and flight training or flight simulator training—

(A) to recognize and avoid a stall of an aircraft or, if not avoided, to recover from the stall; and

(B) to recognize and avoid an upset of an aircraft or, if not avoided, to execute such techniques as available data indicate are appropriate to recover from the upset in a given make, model, and series of aircraft.

(2) REMEDIAL TRAINING PROGRAMS.—The Administrator shall conduct a rulemaking proceeding to require part 121 air carriers to establish remedial training programs for flight crewmembers who have demonstrated performance deficiencies or experienced failures in the training environment.

(3) DEADLINES.—The Administrator shall—

(A) not later than 180 days after the date of enactment of this Act, issue a notice of proposed rulemaking under each of paragraphs (1) and (2); and

(B) not later than 24 months after the date of enactment of this Act, issue a final rule for the rulemaking in each of paragraphs (1) and (2).

(b) STICK PUSHER TRAINING AND WEATHER EVENT TRAINING.—

(1) MULTIDISCIPLINARY PANEL.—Not later than 120 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary panel of specialists in aircraft operations, flight crewmember training, human factors, and aviation safety to study and submit to the Administrator a report on methods to increase the familiarity of flight crewmembers with, and improve the response of flight crewmembers to, stick pusher systems, icing conditions, and microburst and windshear weather events.

(2) REPORT TO CONGRESS AND NTSB.—Not later than one year after the date on which the Administrator convenes the panel, the Administrator shall—

(A) submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the National Transportation Safety Board a report based on the findings of the panel; and

(B) with respect to stick pusher systems, initiate appropriate actions to implement the recommendations of the panel.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) FLIGHT TRAINING AND FLIGHT SIMULATOR.—The terms ''flight training'' and ''flight simulator'' have the meanings given those terms in part 61.1 of title 14, Code of

Federal Regulations (or any successor regulation).

(2) STALL.—The term ''stall'' means an aerodynamic loss of lift caused by exceeding the critical angle of attack.

(3) STICK PUSHER.—The term ''stick pusher'' means a device that, at or near a stall, applies a nose down pitch force to an aircraft's control columns to attempt to decrease the aircraft's angle of attack.

(4) UPSET.—The term ''upset'' means an unusual aircraft attitude.

SEC. 5. SECRETARY OF TRANSPORTATION RESPONSES TO SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—The first sentence of section 1135(a) of title 49, United States Code, is amended by inserting ''to the National Transportation Safety Board'' after ''shall give''.

(b) AIR CARRIER SAFETY RECOMMENDATIONS.—Section 1135 of such title is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) ANNUAL REPORT ON AIR CARRIER SAFETY RECOMMENDATIONS.—

''(1) IN GENERAL.—The Secretary shall submit to Congress and the Board, on an annual basis, a report on the recommendations made by the Board to the Secretary regarding air carrier operations conducted under part 121 of title 14, Code of Federal Regulations.

''(2) RECOMMENDATIONS TO BE COVERED.—The report shall cover—

''(A) any recommendation for which the Secretary has developed, or intends to develop, procedures to adopt the recommendation or part of the recommendation, but has yet to complete the procedures; and

''(B) any recommendation for which the Secretary, in the preceding year, has issued a response under subsection (a)(2) or (a)(3) refusing to carry out all or part of the procedures to adopt the recommendation.

''(3) CONTENTS.—

''(A) PLANS TO ADOPT RECOMMENDATIONS.—For each recommendation of the Board described in paragraph (2)(A), the report shall contain—

''(i) a description of the recommendation;

''(ii) a description of the procedures planned for adopting the recommendation or part of the recommendation;

''(iii) the proposed date for completing the procedures; and

''(iv) if the Secretary has not met a deadline contained in a proposed timeline developed in connection with the recommendation under subsection (b), an explanation for not meeting the deadline.

''(B) REFUSALS TO ADOPT RECOMMENDATIONS.—For each recommendation of the Board described in paragraph (2)(B), the report shall contain—

''(i) a description of the recommendation; and

''(ii) a description of the reasons for the refusal to carry out all or part of the procedures to adopt the recommendation.''.

SEC. 6. FAA PILOT RECORDS DATABASE.

(a) RECORDS OF EMPLOYMENT OF PILOT APPLICANTS.—Section 44703(h) of title 49, United States Code, is amended by adding at the end the following:

''(16) APPLICABILITY.—This subsection shall cease to be effective on the date specified in regulations issued under subsection (i).''.

(b) ESTABLISHMENT OF FAA PILOT RECORDS DATABASE.—Section 44703 of such title is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively; and

(2) by inserting after subsection (h) the following:

''(i) FAA PILOT RECORDS DATABASE.—

''(1) IN GENERAL.—Before allowing an individual to begin service as a pilot, an air carrier shall access and evaluate, in accordance with the requirements of this subsection, information pertaining to the individual from the pilot records database established under paragraph (2).

''(2) PILOT RECORDS DATABASE.—The Administrator shall establish an electronic database (in this subsection referred to as the 'database') containing the following records:

''(A) FAA RECORDS.—From the Administrator—

''(i) records that are maintained by the Administrator concerning current airman certificates, including airman medical certificates and associated type ratings and information on any limitations to those certificates and ratings;

''(ii) records that are maintained by the Administrator concerning any failed attempt of an individual to pass a practical test required to obtain a certificate or type rating under part 61 of title 14, Code of Federal Regulations; and

''(iii) summaries of legal enforcement actions resulting in a finding by the Administrator of a violation of this title or a regulation prescribed or order issued under this title that was not subsequently overturned.

''(B) AIR CARRIER AND OTHER RECORDS.—From any air carrier or other person (except a branch of the Armed Forces, the National Guard, or a reserve component of the Armed Forces) that has employed an individual as a pilot of a civil or public aircraft, or from the trustee in bankruptcy for such air carrier or person—

''(i) records pertaining to the individual that are maintained by the air carrier (other than records relating to flight time, duty time, or rest time), including records under regulations set forth in—

''(I) section 121.683 of title 14, Code of Federal Regulations;

''(II) paragraph (A) of section VI, appendix I, part 121 of such title;

''(III) paragraph (A) of section IV, appendix J, part 121 of such title;

''(IV) section 125.401 of such title; and

''(V) section 135.63(a)(4) of such title; and

''(ii) other records pertaining to the individual's performance as a pilot that are maintained by the air carrier or person concerning—

''(I) the training, qualifications, proficiency, or professional competence of the individual, including comments and evaluations made by a check airman designated in accordance with section 121.411, 125.295, or 135.337 of such title;

''(II) any disciplinary action taken with respect to the individual that was not subsequently overturned; and

''(III) any release from employment or resignation, termination, or disqualification with respect to employment.

''(C) NATIONAL DRIVER REGISTER RECORDS.—In accordance with section 30305(b)(8) of this title, from the chief driver licensing official of a State, information concerning the motor vehicle driving record of the individual.

''(3) WRITTEN CONSENT; RELEASE FROM LIABILITY.—An air carrier—

''(A) shall obtain the written consent of an individual before accessing records pertaining to the individual under paragraph (1); and

''(B) may, notwithstanding any other provision of law or agreement to the contrary, require an individual with respect to whom the carrier is accessing records under paragraph (1) to execute a release from liability for any claim arising from accessing the records or the use of such records by the air carrier in accordance with this section (other than a claim arising from furnishing information known to be false and maintained in violation of a criminal statute).

''(4) REPORTING.—

''(A) REPORTING BY ADMINISTRATOR.—The Administrator shall enter data described in paragraph (2)(A) into the database promptly to ensure that an individual's records are current.

''(B) REPORTING BY AIR CARRIERS AND OTHER PERSONS.—

''(i) IN GENERAL.—Air carriers and other persons shall report data described in paragraphs (2)(B) and (2)(C) to the Administrator promptly for entry into the database.

''(ii) DATA TO BE REPORTED.—Air carriers and other persons shall report, at a minimum, under clause (i) the following data described in paragraph (2)(B):

''(I) Records that are generated by the air carrier or other person after the date of enactment of this paragraph.

''(II) Records that the air carrier or other person is maintaining, on such date of enactment, pursuant to subsection (h)(4).

''(5) REQUIREMENT TO MAINTAIN RECORDS.—The Administrator—

''(A) shall maintain all records entered into the database under paragraph (2) pertaining to an individual until the date of receipt of notification that the individual is deceased; and

''(B) may remove the individual's records from the database after that date.

''(6) RECEIPT OF CONSENT.—The Administrator shall not permit an air carrier to access records pertaining to an individual from the database under paragraph (1) without the air carrier first demonstrating to the satisfaction of the Administrator that the air carrier has obtained the written consent of the individual.

''(7) RIGHT OF PILOT TO REVIEW CERTAIN RECORDS AND CORRECT INACCURACIES.—Notwithstanding any other provision of law or agreement, the Administrator, upon receipt of written request from an individual—

''(A) shall make available, not later than 30 days after the date of the request, to the individual for review all records referred to in paragraph (2) pertaining to the individual; and

''(B) shall provide the individual with a reasonable opportunity to submit written comments to correct any inaccuracies contained in the records.

''(8) REASONABLE CHARGES FOR PROCESSING REQUESTS AND FURNISHING COPIES.—The Administrator may establish a reasonable charge for the cost of processing a request under paragraph (1) or (7) and for the cost of furnishing copies of requested records under paragraph (7).

''(9) PRIVACY PROTECTIONS.—

''(A) USE OF RECORDS.—An air carrier that accesses records pertaining to an individual under paragraph (1) may use the records only to assess the qualifications of the individual in deciding whether or not to hire the individual as a pilot. The air carrier shall take such actions as may be necessary to protect the privacy of the individual and the confidentiality of the records accessed, including ensuring that information contained in the records is not divulged to any individual that is not directly involved in the hiring decision.

''(B) DISCLOSURE OF INFORMATION.—

''(i) IN GENERAL.—Except as provided by clause (ii), information collected by the Administrator under paragraph (2) shall be exempt from the disclosure requirements of section 552 of title 5.

''(ii) EXCEPTIONS.—Clause (i) shall not apply to—

''(I) de-identified, summarized information to explain the need for changes in policies and regulations;

''(II) information to correct a condition that compromises safety;

''(III) information to carry out a criminal investigation or prosecution;

''(IV) information to comply with section 44905, regarding information about threats to civil aviation; and

''(V) such information as the Administrator determines necessary, if withholding the information would not be consistent with the safety responsibilities of the Federal Aviation Administration.

''(10) PERIODIC REVIEW.—Not later than 18 months after the date of enactment of this paragraph, and at least once every 3 years thereafter, the Administrator shall transmit to Congress a statement that contains, taking into account recent developments in the aviation industry—

''(A) recommendations by the Administrator concerning proposed changes to Federal Aviation Administration records, air carrier records, and other records required to be included in the database under paragraph (2); or

''(B) reasons why the Administrator does not recommend any proposed changes to the records referred to in subparagraph (A).

''(11) REGULATIONS FOR PROTECTION AND SECURITY OF RECORDS.—The Administrator shall prescribe such regulations as may be necessary—

''(A) to protect and secure—

''(i) the personal privacy of any individual whose records are accessed under paragraph (1); and

''(ii) the confidentiality of those records; and

''(B) to preclude the further dissemination of records received under paragraph (1) by the person who accessed the records.

''(12) GOOD FAITH EXCEPTION.—Notwithstanding paragraph (1), an air carrier may allow an individual to begin service as a pilot, without first obtaining information described in paragraph (2)(B) from the database pertaining to the individual, if—

''(A) the air carrier has made a documented good faith attempt to access the information from the database; and

''(B) has received written notice from the Administrator that the information is not contained in the database because the individual was employed by an air carrier or other person that no longer exists or by a foreign government or other entity that has not provided the information to the database.

''(13) LIMITATIONS ON ELECTRONIC ACCESS TO RECORDS.—

''(A) ACCESS BY INDIVIDUALS DESIGNATED BY AIR CARRIERS.—For the purpose of increasing timely and efficient access to records described in paragraph (2), the Administrator may allow, under terms established by the Administrator, an individual designated by an air carrier to have electronic access to the database.

''(B) TERMS.—The terms established by the Administrator under subparagraph (A) for allowing a designated individual to have electronic access to the database shall limit such access to instances in which information in the database is required by the designated individual in making a hiring decision concerning a pilot applicant and shall require that the designated individual provide assurances satisfactory to the Administrator that—

''(i) the designated individual has received the written consent of the pilot applicant to access the information; and

''(ii) information obtained using such access will not be used for any purpose other than making the hiring decision.

''(14) AUTHORIZED EXPENDITURES.—Out of amounts appropriated under section 106(k)(1), there is authorized to be expended to carry out this subsection such sums as may be necessary for each of fiscal years 2010, 2011, and 2012.

''(15) REGULATIONS.—

''(A) IN GENERAL.—The Administrator shall issue regulations to carry out this subsection.

''(B) EFFECTIVE DATE.—The regulations shall specify the date on which the requirements of this subsection take effect and the date on which the requirements of subsection (h) cease to be effective.

''(C) EXCEPTIONS.—Notwithstanding subparagraph (B)—

''(i) the Administrator shall begin to establish the database under paragraph (2) not later than 90 days after the date of enactment of this paragraph;

''(ii) the Administrator shall maintain records in accordance with paragraph (5) beginning on the date of enactment of this paragraph; and

''(iii) air carriers and other persons shall maintain records to be reported to the database under paragraph (4)(B) in the period beginning on such date of enactment and ending on the date that is 5 years after the requirements of subsection (h) cease to be effective pursuant to subparagraph (B).

''(16) SPECIAL RULE.—During the one-year period beginning on the date on which the requirements of this section become effective pursuant to paragraph (15)(B), paragraph (7)(A) shall be applied by substituting '45 days' for '30 days'.''.

(c) CONFORMING AMENDMENTS.—

(1) LIMITATION ON LIABILITY; PREEMPTION OF STATE LAW.—Section 44703(j) (as redesignated by subsection (b)(1) of this section) is amended—

(A) in the subsection heading by striking ''LIMITATION'' and inserting ''LIMITATIONS'';

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A) by striking ''paragraph (2)'' and inserting ''subsection (h)(2) or (i)(3)'';

(ii) in subparagraph (A) by inserting ''or accessing the records of that individual under subsection (i)(1)'' before the semicolon; and

(iii) in the matter following subparagraph (D) by striking ''subsection (h)'' and inserting ''subsection (h) or (i)'';

(C) in paragraph (2) by striking ''subsection (h)'' and inserting ''subsection (h) or (i)'';

(D) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''or who furnished information to the database established under subsection (i)(2)'' after ''subsection (h)(1)''; and

(E) by adding at the end the following:

''(4) PROHIBITION ON ACTIONS AND PROCEEDINGS AGAINST AIR CARRIERS.—

''(A) HIRING DECISIONS.—An air carrier may refuse to hire an individual as a pilot if the individual did not provide written consent for the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute the release from liability requested under subsection (h)(2)(B) or (i)(3)(B).

''(B) ACTIONS AND PROCEEDINGS.—No action or proceeding may be brought against an air carrier by or on behalf of an individual who has applied for or is seeking a position as a pilot with the air carrier if the air carrier refused to hire the individual after the individual did not provide written consent for the air carrier to receive records under subsection (h)(2)(A) or (i)(3)(A) or did not execute a release from liability requested under subsection (h)(2)(B) or (i)(3)(B).''.

(2) LIMITATION ON STATUTORY CONSTRUCTION.—Section 44703(k) (as redesignated by subsection (b)(1) of this section) is amended by striking ''subsection (h)'' and inserting ''subsection (h) or (i)''.

SEC. 7. FAA RULEMAKING ON TRAINING PROGRAMS.

(a) COMPLETION OF RULEMAKING ON TRAINING PROGRAMS.—Not later than 14 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule with respect to the notice of proposed rulemaking published in the Federal Register on January 12, 2009 (74 Fed. Reg. 1280; relating to training programs for flight crewmembers and aircraft dispatchers).

(b) EXPERT PANEL TO REVIEW PART 121 AND PART 135 TRAINING HOURS.—

(1) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary expert panel comprised of, at a minimum, air carrier representatives, training facility representatives, instructional design experts, aircraft manufacturers, safety organization representatives, and labor union representatives.

(2) ASSESSMENT AND RECOMMENDATIONS.—The panel shall assess and make recommendations concerning—

(A) the best methods and optimal time needed for flight crewmembers of part 121 air carriers and flight crewmembers of part 135 air carriers to master aircraft systems, maneuvers, procedures, take offs and landings, and crew coordination;

(B) the optimal length of time between training events for such crewmembers, including recurrent training events;

(C) the best methods to reliably evaluate mastery by such crewmembers of aircraft systems, maneuvers, procedures, take offs and landings, and crew coordination; and

(D) the best methods to allow specific academic training courses to be credited pursuant to section 11(d) toward the total flight hours required to receive an airline transport pilot certificate.

(3) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the National Transportation Safety Board a report based on the findings of the panel.

SEC. 8. AVIATION SAFETY INSPECTORS AND OPERATIONAL RESEARCH ANALYSTS.

(a) REVIEW BY DOT INSPECTOR GENERAL.—Not later than 9 months after the date of enactment of this Act, the Inspector General of the Department of Transportation shall conduct a review of aviation safety inspectors and operational research analysts of the Federal Aviation Administration assigned to part 121 air carriers and submit to the Administrator of the Federal Aviation Administration a report on the results of the review.

(b) PURPOSES.—The purpose of the review shall be, at a minimum—

(1) to review the level of the Administration's oversight of each part 121 air carrier;

(2) to make recommendations to ensure that each part 121 air carrier is receiving an equivalent level of oversight;

(3) to assess the number and level of experience of aviation safety inspectors assigned to such carriers;

(4) to evaluate how the Administration is making assignments of aviation safety inspectors to such carriers;

(5) to review various safety inspector oversight programs, including the geographic inspector program;

(6) to evaluate the adequacy of the number of operational research analysts assigned to each part 121 air carrier;

(7) to evaluate the surveillance responsibilities of aviation safety inspectors, including en route inspections;

(8) to evaluate whether inspectors are able to effectively use data sources, such as the Safety Performance Analysis System and the Air Transportation Oversight System, to assist in targeting oversight of air carriers;

(9) to assess the feasibility of establishment by the Administration of a comprehensive repository of information that encompasses multiple Administration data sources and allowing access by aviation safety inspectors and operational research analysts to assist in the oversight of part 121 air carriers; and

(10) to conduct such other analyses as the Inspector General considers relevant to the purpose of the review.

(c) REPORT TO CONGRESS.—Not later than 90 days after the date of receipt of the report submitted under subsection (a), the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report—

(1) that specifies which, if any, policy changes recommended by the Inspector General under this section the Administrator intends to adopt and implement;

(2) that includes an explanation of how the Administrator plans to adopt and implement such policy changes; and

(3) in any case in which the Administrator does not intend to adopt a policy change recommended by the Inspector General, that includes an explanation of the reasons for the decision not to adopt and implement the policy change.

SEC. 9. FLIGHT CREWMEMBER MENTORING, PROFESSIONAL DEVELOPMENT, AND LEADERSHIP.

(a) RULEMAKING PROCEEDING.—

(1) IN GENERAL.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to require each part 121 air carrier to take the following actions:

(A) Establish flight crewmember mentoring programs under which the air carrier will pair highly experienced flight crewmembers who will serve as mentor pilots and be paired with newly employed flight crewmembers. Mentor pilots shall receive, at a minimum, specific instruction on techniques for instilling and reinforcing the highest standards of technical performance, airmanship, and professionalism in newly employed flight crewmembers.

(B) Establish flight crewmember professional development committees made up of air carrier management and labor union or professional association representatives to develop, administer, and oversee formal mentoring programs of the carrier to assist flight crewmembers to reach their maximum potential as safe, seasoned, and proficient flight crewmembers.

(C) Establish or modify training programs to accommodate substantially different levels and types of flight experience by newly employed flight crewmembers.

(D) Establish or modify training programs for second-in-command flight crewmembers attempting to qualify as pilot-in-command flight crewmembers for the first time in a specific aircraft type and ensure that such programs include leadership and command training.

(E) Ensure that recurrent training for pilots in command includes leadership and command training.

(F) Such other actions as the Administrator determines appropriate to enhance flight crewmember professional development.

(2) COMPLIANCE WITH STERILE COCKPIT RULE.—Leadership and command training described in paragraphs (1)(D) and (1)(E) shall include instruction on compliance with flight crewmember duties under part 121.542 of title 14, Code of Federal Regulations.

(3) STREAMLINED PROGRAM REVIEW.—

(A) IN GENERAL.—As part of the rulemaking required by subsection (a), the Administrator shall establish a streamlined process for part 121 air carriers that have in effect, as of the date of enactment of this Act, the programs required by paragraph (1).

(B) EXPEDITED APPROVALS.—Under the streamlined process, the Administrator shall—

(i) review the programs of such part 121 air carriers to determine whether the programs meet the requirements set forth in the final rule referred to in subsection (b)(2); and

(ii) expedite the approval of the programs that the Administrator determines meet such requirements.

(b) DEADLINES.—The Administrator shall issue—

(1) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) not later than 24 months after such date of enactment, a final rule under subsection (a).

SEC. 10. FLIGHT CREWMEMBER SCREENING AND QUALIFICATIONS.

(a) REQUIREMENTS.—

(1) RULEMAKING PROCEEDING.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to require part 121 air carriers to develop and implement means and methods for ensuring that flight crewmembers have proper qualifications and experience.

(2) MINIMUM REQUIREMENTS.—

(A) PROSPECTIVE FLIGHT CREWMEMBERS.—Rules issued under paragraph (1) shall ensure that prospective flight crewmembers undergo comprehensive pre-employment screening, including an assessment of the skills, aptitudes, airmanship, and suitability of each applicant for a position as a flight crewmember in terms of functioning effectively in the air carrier's operational environment.

(B) ALL FLIGHT CREWMEMBERS.—Rules issued under paragraph (1) shall ensure that, after the date that is 3 years after the date of enactment of this Act, all flight crewmembers—

(i) have obtained an airline transport pilot certificate under part 61 of title 14, Code of Federal Regulations; and

(ii) have appropriate multi-engine aircraft flight experience, as determined by the Administrator.

(b) DEADLINES.—The Administrator shall issue—

(1) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) not later than 24 months after such date of enactment, a final rule under subsection (a).

SEC. 11. AIRLINE TRANSPORT PILOT CERTIFICATION.

(a) RULEMAKING PROCEEDING.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to amend part 61 of title 14, Code of Federal Regulations, to modify requirements for the issuance of an airline transport pilot certificate.

(b) MINIMUM REQUIREMENTS.—To be qualified to receive an airline transport pilot certificate pursuant to subsection (a), an individual shall—

(1) have sufficient flight hours, as determined by the Administrator, to enable a pilot to function effectively in an air carrier operational environment; and

(2) have received flight training, academic training, or operational experience that will prepare a pilot, at a minimum, to—

(A) function effectively in a multipilot environment;

(B) function effectively in adverse weather conditions, including icing conditions;

(C) function effectively during high altitude operations;

(D) adhere to the highest professional standards; and

(E) function effectively in an air carrier operational environment.

(c) FLIGHT HOURS.—

(1) NUMBERS OF FLIGHT HOURS.—The total flight hours required by the Administrator under subsection (b)(1) shall be at least 1,500 flight hours.

(2) FLIGHT HOURS IN DIFFICULT OPERATIONAL CONDITIONS.—The total flight hours required by the Administrator under subsection (b)(1) shall include sufficient flight hours, as determined by the Administrator, in difficult operational conditions that may be encountered by an air carrier to enable a pilot to operate safely in such conditions.

(d) CREDIT TOWARD FLIGHT HOURS.—The Administrator may allow specific academic training courses, beyond those required under subsection (b)(2), to be credited toward the total flight hours required under subsection (c). The Administrator may allow such credit based on a determination by the Administrator that allowing a pilot to take specific academic training courses will enhance safety more than requiring the pilot to fully comply with the flight hours requirement.

(e) RECOMMENDATIONS OF EXPERT PANEL.—In conducting the rulemaking proceeding under this section, the Administrator shall review and consider the assessment and recommendations of the expert panel to review part 121 and part 135 training hours established by section 7(b) of this Act.

(f) DEADLINE.—Not later than 36 months after the date of enactment of this Act, the Administrator shall issue a final rule under subsection (a).

SEC. 12. FLIGHT SCHOOLS, FLIGHT EDUCATION, AND PILOT ACADEMIC TRAINING.

(a) GAO STUDY.—The Comptroller General shall conduct a comprehensive study of flight schools, flight education, and academic training requirements for certification of an individual as a pilot.

(b) MINIMUM CONTENTS OF STUDY.—The study shall include, at a minimum—

(1) an assessment of the Federal Aviation Administration's oversight of flight schools;

(2) an assessment of the Administration's academic training requirements in effect on the date of enactment of this Act as compared to flight education provided to a pilot by accredited 2- and 4-year universities;

(3) an assessment of the quality of pilots entering the part 121 air carrier workforce from all sources after receiving training from flight training providers, including Aviation Accreditation Board International, universities, pilot training organizations, and the military, utilizing the training records of part 121 air carriers, including consideration of any relationships between flight training providers and air carriers;

(4) a comparison of the academic training requirements for pilots in the United States to the academic training requirements for pilots in other countries;

(5) a determination and description of any improvements that may be needed in the Administration's academic training requirements for pilots;

(6) an assessment of student financial aid and loan options available to individuals interested in enrolling at a flight school for both academic and flight hour training;

(7) an assessment of the Federal Aviation Administration's oversight of general aviation flight schools that offer or would like to offer training programs under part 142 of title 14, Code of Federal Regulations; and

(8) an assessment of whether compliance with the English speaking requirements applicable to pilots under part 61 of such title is adequately tested and enforced.

(c) REPORT.—Not later than 120 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 13. VOLUNTARY SAFETY PROGRAMS.

(a) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate a report on the aviation safety action program, the flight operational quality assurance program, the line operations safety audit, and the advanced qualification program.

(b) CONTENTS.—The report shall include—

(1) a list of—

(A) which air carriers are using one or more of the voluntary safety programs referred to in subsection (a); and

(B) the voluntary safety programs each air carrier is using;

(2) if an air carrier is not using one or more of the voluntary safety programs—

(A) a list of such programs the carrier is not using; and

(B) the reasons the carrier is not using each such program;

(3) if an air carrier is using one or more of the voluntary safety programs, an explanation of the benefits and challenges of using each such program;

(4) a detailed analysis of how the Administration is using data derived from each of the voluntary safety programs as safety analysis and accident or incident prevention tools and a detailed plan on how the Administration intends to expand data analysis of such programs;

(5) an explanation of—

(A) where the data derived from such programs is stored;

(B) how the data derived from such programs is protected and secured; and

(C) what data analysis processes air carriers are implementing to ensure the effective use of the data derived from such programs;

(6) a description of the extent to which aviation safety inspectors are able to review data derived from such programs to enhance their oversight responsibilities;

(7) a description of how the Administration plans to incorporate operational trends identified under such programs into the air transport oversight system and other surveillance databases so that such system and databases are more effectively utilized;

(8) other plans to strengthen such programs, taking into account reviews of such programs by the Inspector General of the Department of Transportation; and

(9) such other matters as the Administrator determines are appropriate.

SEC. 14. ASAP AND FOQA IMPLEMENTATION PLAN.

(a) DEVELOPMENT AND IMPLEMENTATION PLAN.—The Administrator of the Federal Aviation Administration shall develop and implement a plan to facilitate the establishment of an aviation safety action program and a flight operational quality assurance program by all part 121 air carriers.

(b) MATTERS TO BE CONSIDERED.—In developing the plan under subsection (a), the Administrator shall consider—

(1) how the Administration can assist part 121 air carriers with smaller fleet sizes to derive benefit from establishing a flight operational quality assurance program;

(2) how part 121 air carriers with established aviation safety action and flight operational quality assurance programs can quickly begin to report data into the aviation safety information analysis sharing database; and

(3) how part 121 air carriers and aviation safety inspectors can better utilize data from such database as accident and incident prevention tools.

(c) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Science, Commerce, and Transportation of the Senate a copy of the plan developed under subsection (a) and an explanation of how the Administration will implement the plan.

(d) DEADLINE FOR BEGINNING IMPLEMENTATION OF PLAN.—Not later than one year after the date of enactment of this Act, the Administrator shall begin implementation of the plan developed under subsection (a).

SEC. 15. SAFETY MANAGEMENT SYSTEMS.

(a) RULEMAKING.—The Administrator of the Federal Aviation Administration shall conduct a rulemaking proceeding to require all part 121 air carriers to implement a safety management system.

(b) MATTERS TO CONSIDER.—In conducting the rulemaking under subsection (a), the Administrator shall consider, at a minimum, including each of the following as a part of the safety management system:

(1) An aviation safety action program.

(2) A flight operational quality assurance program.

(3) A line operations safety audit.

(4) An advanced qualification program.

(c) DEADLINES.—The Administrator shall issue—

(1) not later than 90 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(2) not later than 24 months after the date of enactment of this Act, a final rule under subsection (a).

(d) SAFETY MANAGEMENT SYSTEM DEFINED.—In this section, the term ''safety management system'' means the program established by the Federal Aviation Administration in Advisory Circular 120–92, dated June 22, 2006, including any subsequent revisions thereto.

SEC. 16. DISCLOSURE OF AIR CARRIERS OPERATING FLIGHTS FOR TICKETS SOLD FOR AIR TRANSPORTATION.

Section 41712 of title 49, United States Code, is amended by adding at the end the following:

''(c) DISCLOSURE REQUIREMENT FOR SELLERS OF TICKETS FOR FLIGHTS.—

''(1) IN GENERAL.—It shall be an unfair or deceptive practice under subsection (a) for any ticket agent, air carrier, foreign air carrier, or other person offering to sell tickets for air transportation on a flight of an air carrier to not disclose, whether verbally in oral communication or in writing in written or electronic communication, prior to the purchase of a ticket—

''(A) the name (including any business or corporate name) of the air carrier providing the air transportation; and

''(B) if the flight has more than one flight segment, the name of each air carrier providing the air transportation for each such flight segment.

''(2) INTERNET OFFERS.—In the case of an offer to sell tickets described in paragraph (1) on an Internet Web site, disclosure of the information required by paragraph (1) shall be provided on the first display of the Web site following a search of a requested itinerary in a format that is easily visible to a viewer.''.

SEC. 17. PILOT FATIGUE.

(a) FLIGHT AND DUTY TIME REGULATIONS.—

(1) IN GENERAL.—In accordance with paragraph (3), the Administrator of the Federal Aviation Administration shall issue regulations, based on the best available scientific information—

(A) to specify limitations on the hours of flight and duty time allowed for pilots to address problems relating to pilot fatigue; and

(B) to require part 121 air carriers to develop and implement fatigue risk management plans.

(2) MATTERS TO BE ADDRESSED.—In conducting the rulemaking proceeding under this subsection, the Administrator shall consider and review the following:

(A) Time of day of flights in a duty period.

(B) Number of takeoff and landings in a duty period.

(C) Number of time zones crossed in a duty period.

(D) The impact of functioning in multiple time zones or on different daily schedules.

(E) Research conducted on fatigue, sleep, and circadian rhythms.

(F) Sleep and rest requirements recommended by the National Transportation Safety Board and the National Aeronautics and Space Administration.

(G) International standards regarding flight schedules and duty periods.

(H) Alternative procedures to facilitate alertness in the cockpit.

(I) Scheduling and attendance policies and practices, including sick leave.

(J) The effects of commuting, the means of commuting, and the length of the commute.

(K) Medical screening and treatment.

(L) Rest environments.

(M) Any other matters the Administrator considers appropriate.

(3) DEADLINES.—The Administrator shall issue—

(A) not later than 180 days after the date of enactment of this Act, a notice of proposed rulemaking under subsection (a); and

(B) not later than one year after the date of enactment of this Act, a final rule under subsection (a).

(b) FATIGUE RISK MANAGEMENT PLAN.—

(1) SUBMISSION OF FATIGUE RISK MANAGEMENT PLAN BY PART 121 AIR CARRIERS.—Not later than 90 days after the date of enactment of this section, each part 121 air carrier shall submit to the Administrator for review and approval a fatigue risk management plan.

(2) CONTENTS OF PLAN.—A fatigue risk management plan submitted by a part 121 air carrier under paragraph (1) shall include the following:

(A) Current flight time and duty period limitations.

(B) A rest scheme that enables the management of fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on pilots; and

(iii) fatigue countermeasures.

(C) Development and use of a methodology that continually assesses the effectiveness of the program, including the ability of the program—

(i) to improve alertness; and

(ii) to mitigate performance errors.

(3) PLAN UPDATES.—A part 121 air carrier shall update its fatigue risk management plan under paragraph (1) every 2 years and submit the update to the Administrator for review and approval.

(4) APPROVAL.—

(A) INITIAL APPROVAL OR MODIFICATION.—Not later than 9 months after the date of enactment of this section, the Administrator

shall review and approve or require modification to fatigue risk management plans submitted under this subsection to ensure that pilots are not operating aircraft while fatigued.

(B) UPDATE APPROVAL OR MODIFICATION.—Not later than 9 months after submission of a plan update under paragraph (3), the Administrator shall review and approve or require modification to such update.

(5) CIVIL PENALTIES.—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 447 of title 49, United States Code, for purposes of the application of civil penalties under chapter 463 of that title.

(6) LIMITATION ON APPLICABILITY.—The requirements of this subsection shall cease to apply to a part 121 air carrier on and after the effective date of the regulations to be issued under subsection (a).

(c) EFFECT OF COMMUTING ON FATIGUE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall enter into appropriate arrangements with the National Academy of Sciences to conduct a study of the effects of commuting on pilot fatigue and report its findings to the Administrator.

(2) STUDY.—In conducting the study, the National Academy of Sciences shall consider—

(A) the prevalence of pilot commuting in the commercial air carrier industry, including the number and percentage of pilots who commute;

(B) information relating to commuting by pilots, including distances traveled, time zones crossed, time spent, and methods used;

(C) research on the impact of commuting on pilot fatigue, sleep, and circadian rhythms;

(D) commuting policies of commercial air carriers (including passenger and all-cargo air carriers), including pilot check-in requirements and sick leave and fatigue policies;

(E) post-conference materials from the Federal Aviation Administration's June 2008 symposium entitled ''Aviation Fatigue Management Symposium: Partnerships for Solutions'';

(F) Federal Aviation Administration and international policies and guidance regarding commuting; and

(G) any other matters as the Administrator considers appropriate.

(3) PRELIMINARY FINDINGS.—Not later than 90 days after the date of entering into arrangements under paragraph (1), the National Academy of Sciences shall submit to the Administrator its preliminary findings under the study.

(4) REPORT.—Not later than 6 months after the date of entering into arrangements under paragraph (1), the National Academy of Sciences shall submit to the Administrator a report containing its findings under the study and any recommendations for regulatory or administrative actions by the Federal Aviation Administration concerning commuting by pilots.

(5) RULEMAKING.—Following receipt of the report of the National Academy of Sciences under paragraph (4), the Administrator shall—

(A) consider the findings and recommendations in the report; and

(B) update, as appropriate based on scientific data, regulations required by subsection (a) on flight and duty time.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

SEC. 18. FLIGHT CREWMEMBER PAIRING AND CREW RESOURCE MANAGEMENT TECHNIQUES.

(a) STUDY.—The Administrator of the Federal Aviation Administration shall conduct a study on aviation industry best practices with regard to flight crewmember pairing and crew resource management techniques.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3371.

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

There was no objection.

Mr. COSTELLO. I yield myself as much time as I may consume.

Mr. Speaker, I thank you, and I rise in support of H.R. 3371, the Airline Safety and Pilot Training Improvement Act.

This legislation will improve aviation safety, and it is one of the strongest aviation safety bills in decades. The bipartisan legislation is authored by Chairman OBERSTAR, Ranking Member PETRI, and me. I would like to thank them for their leadership and hard work to bring this legislation to the floor today.

I also want to thank the families of those who perished in the Colgan accident in Buffalo for their input, cooperation, and persistence. Some of them are here with us today.

In addition, the subcommittee worked very closely with the pilot groups, the airlines, the National Transportation Safety Board, the Department of Transportation inspector general, and members of the Aviation Subcommittee, as well as other Members of Congress, such as Congresswoman LOUISE SLAUGHTER, Congressman BRIAN HIGGINS and Congressman CHRISTOPHER LEE, who also helped shape the legislation.

At our Aviation Subcommittee hearing on June 11, I stated that we would not wait on the FAA to go forward with the rulemaking process. Rather, we would move legislation through the Congress to improve safety and to improve pilot training, and that is exactly what we did. On July 30, H.R. 3371 was reported favorably out of the Transportation and Infrastructure Committee. The bill has many cosponsors from both sides of the aisle.

Mr. Speaker, today is an important day for aviation safety. Ranking Member PETRI and I held an Aviation Subcommittee hearing on June 11 on ''Regional Air Carriers and Pilot Workforce Issues.'' The testimony we heard was nearly unanimous—that Congress and the FAA must raise the bar on the current minimum pilot training standards. At the end of the hearing, I stated our intention to pursue legislation.

The bill before us fulfills our commitment to address these safety issues, and we will continue to conduct rigorous oversight to ensure that these measures are implemented after the bill is enacted.

Regional airlines have been involved in the last six fatal U.S. airline accidents, and pilot performance has been implicated in three of these accidents, not including Colgan. It is time to strengthen pilot training requirements and qualifications. Those, among other important issues, are addressed in this legislation.

To address pilot qualifications, the bill increases the minimum flight hours required to be hired as an airline pilot. Currently, individuals only need a commercial pilot's license to be a commercial pilot, which is a minimum of 250 flight hours. Based on the witnesses' testimonies in our hearing, meetings and a roundtable discussion with airline pilots, there is a consensus that 250 hours simply is not enough experience to be an airline pilot, and that safety would be improved by raising the standard.

Under H.R. 3371, all airline pilots must obtain an Airline Transport Pilot license, which is currently needed to be an airline captain. It requires a minimum of 1,500 flight hours, additional aeronautical knowledge, crew resources management, and greater flight proficiency testing.

In addition to the ATP, the bill goes a step further to put in place new statutory requirements to strengthen the qualitative minimum requirements a pilot must have to qualify for an ATP. For example, an individual must be able to function effectively in a multipilot environment. We also require pilots to be trained to fly in adverse weather conditions, including icing.

The subcommittee is looking at this issue very closely. In fact, Ranking Member PETRI and I are convening a roundtable tomorrow to discuss what steps can be taken to mitigate ground and in-flight icing and how icing can affect commercial and general aviation aircraft.

In addition, because pilot groups, the FAA administrator and flight education universities have all cited the need to strengthen pilot academic training, the bill allows the FAA administrator to give credit towards the 1,500-flight-hour requirements if a flight school or a university provides academic training that exceeds the strengthened minimum ATP requirements in the bill.

To reiterate, this bill, one, will require all pilots to hold an ATP certificate; two, will strengthen the minimum requirements for an ATP; and

three, will provide a flight-hour credit for coursework that exceeds the strengthened minimum requirements. In addition, the administrator can only award these credits on the basis that specific academic courses will enhance safety more than flight experience.

H.R. 3371 goes a long way to strengthening both the qualitative and quantitative training requirements to become an airline pilot.

The bill mandates several outstanding NTSB recommendations related to pilot training that were discussed at the hearing, such as stall and upset recovery, and remedial training. We require the FAA to convene a multidisciplinary panel on stick pusher training and for the FAA to act on the panel's recommendations. We are also mandating that the Secretary of Transportation must provide Congress with an annual report on each open NTSB recommendation.

To address concerns regarding professional standards, the bill requires regional and major airlines to create pilot mentoring programs pairing highly experienced pilots with junior pilots. New-hire pilots and pilots in command are required to receive leadership training and must undergo instruction on compliance with sterile cockpit regulations.

Also, the bill creates a task force of experts to evaluate best practices in the airline industry regarding mentoring, pilot training and intercarrier information sharing. The task force will report to Congress every 180 days on the progress of implementing these best practices.

To ensure that airlines can make informed hiring decisions, the bill also requires the FAA to create and maintain an electronic pilot records database.

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The database will allow airlines to quickly assess and have access to the pilot's comprehensive record for the purposes of hiring only. The database will have records of the pilot's license, aircraft ratings, check rides, notice of disapproval, and other flight proficiency tests.

Fatigue has been on the NTSB's ''most wanted list'' since 1990. The bill directs the FAA to implement a new pilot flight and duty time rule. An updated rule will more adequately reflect the operating environment of today's pilots and will reflect scientific research on fatigue. In addition, the bill requires air carriers to create fatigue risk management systems to proactively mitigate fatigue.

Many of us are concerned about the relationship between pilot commuting and fatigue. This is an issue that needs to be looked at more closely. Therefore, the bill directs the National Academy of Sciences to conduct a study on the impact of commuting on pilot fatigue. The bill requires all Internet Web sites that sell airline tickets to show on the first Web page display which air carrier is operating the flight, including multiple flight segments.

Finally, to recap, the bill increases the minimum flight hours required to be hired as an airline pilot to 1,500 hours and an ATP license. Now an individual needs only 250 hours to receive their commercial pilot's license and fly in the left seat of a cockpit as a First Officer. The bill requires the First Officer to have at least 1,500 hours and an ATP.

We are strengthening the ATP by requiring strong qualitative requirements such as knowing how to fly in a multi-pilot environment, being trained to fly in adverse weather conditions, including icing. It mandates several outstanding NTSB recommendations related to pilot training and requires the Secretary of Transportation to provide an annual report to Congress on each NTSB recommendation that is still open.

It mandates regional and major airlines to create pilot mentoring programs, it requires the FAA to create and maintain an electronic pilot database to ensure that airlines can make informed hiring decisions. It directs the FAA to implement the flight and duty time rules and requires airlines to create fatigue management systems.

It directs the National Academy of Science to study the relationship between pilot commuting and fatigue. It requires all Internet Web sites that sell airline tickets to explicitly say which air carriers are operating the flight, including multi legs of flight.

Mr. Speaker, this is most comprehensive safety bill that has come before this Congress in many, many years. It provides important steps to address many safety concerns raised at our hearing. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 3371, the Airline Safety and Pilot Training Improvement Act.

Safety is the highest priority of the Transportation and Infrastructure Committee, as we've heard from our subcommittee chairman. Even the most well-funded, technologically advanced transportation system is worth less if it cannot move its users from point to point in the safest possible manner. Although the U.S. airline industry's safety record is the envy of the world, recent events offer proof that this safety legislation is needed.

Since 2003, there have been six fatal commercial air carrier accidents. Every one of those six involved regional airlines. In four of the six accidents, the National Transportation Safety Board cited pilot performance as a potential factor. The most recent accident of Colgan Flight 3407 was again a stark reminder that we must remain ever vigilant in our pursuit of aviation safety.

In response to these accidents, the National Transportation Safety Board has made several recommendations related to pilot training, pilot fatigue, the availability of pilot records, and voluntary safety reporting programs. The bill before us is an important step toward improving safety by implementing the NTSB pilot training requirements

To address what FAA Administrator Randy Babbitt has identified as a lapse in professionalism on the flight deck, the bill directs the FAA to conduct a rulemaking to improve flight crew member mentoring, professional development, and leadership.

This bipartisan legislation contains several provisions that will help mitigate the dangers associated with pilot fatigue. H.R. 3371 directs the FAA administrator to update and issue new pilot flight and duty time requirements. It also requires the Federal Aviation Administration to coordinate with the National Academy of Sciences in order to conduct a joint study on the effects of pilot commuting.

The bill mandates that all commercial air carriers submit a fatigue risk management plan to the FAA within 90 days of enactment. Pilot fatigue poses a significant risk to air transportation, and I am glad this bill takes measures to eliminate its dangerous consequences.

H.R. 3371 will improve access to pilot records by creating a secure, consolidated FAA-managed database. The database will contain all Part 121 pilots' performance, training, and testing records, and it will enable air carriers to gain a more accurate and complete perspective when making hiring decisions. All commercial carriers will be required to access this database and prescreen an applicant's comprehensive record before making a final decision on hiring.

These are just a few of the provisions included in this important legislation. I would like to express my appreciation for the open, bipartisan manner in which this bill was put together. This collective effort demonstrates that aviation safety is, as it always should be, a nonpartisan issue.

I also want to thank the families of Continental Flight 3407. Their efforts to improve regional airline safety have been most helpful as we drafted the bill before us.

In the other body, the Commerce Committee has included several provisions in its mark of the FAA reauthorization bill that address some of the same issues in the bill before us today. I urge my colleagues in the Senate to complete consideration of their reauthorization package so that we may conference these bills together before the end of this year. These issues are too important to leave to languish due to inaction.

While some have concerns about certain provisions of the bill, I support moving the bill forward and addressing those concerns during the House and Senate conference.

Again, I thank the chairman, as well as my colleagues, for their work on

this important bill, and our subcommittee chairman, Representative COSTELLO from Illinois.

I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, at this time I yield 2 minutes to the chairperson of the Rules Committee, the gentlewoman from New York, Congresswoman SLAUGHTER.

Ms. SLAUGHTER. Mr. Speaker, I want to express my great gratitude to Mr. COSTELLO for the incredible work that he's done on this in such a short period of time. And those of us who live in the area of the Colgan crash are greatly in his debt. I thank Mr. PETRI for all of the good work. I think this is indeed one of the best safety bills that we've done since I've been in Congress.

Nothing in the bill before us can do anything to bring back the lives that were lost on that cold night in Buffalo back in February when Colgan Air Flight 3407 fell to the ground and exploded into fire. But I am happy to be here today because the House is moving forward with legislation that includes the strong new set of guidelines for improving passenger and crew safety.

This Act will mean safer flights for all of us. As we learned during the NTSB hearings into this issue over the summer, there are far too many pilots flying regional planes who are overextended, undertrained, or exhausted.

The bill establishes comprehensive preemployment screening for prospective pilots and requires airlines to establish pilot mentoring programs so that the highly experienced pilots can mentor more junior pilots, surely an issue in the Colgan crash. In fact, junior pilots will no longer fly alongside a junior pilot under the bill.

In addition, there are new mandates that grew out of the NTSB safety hearings earlier this year: requiring the FAA to ensure that pilots are trained on stall recovery and upset recovery, mandates that the FAA convene a multidisciplinary panel on pilot training for stick pusher operations, and then take action to implement the recommendations of the panel.

It came as a surprise to me that the NTSB ideas were only suggestions to the FAA. So obviously we're going to have to make sure that they're implemented.

There is also a section in the bill to create the new database which Mr. COSTELLO has explained, but most importantly, it requires the Secretary of Transportation to give us an annual report on what they're doing to address each open NTSB recommendation pertaining to small air carriers like Colgan.

I am so grateful for this bill.

Mr. PETRI. Mr. Speaker, at this time I yield such time as he may consume to an original coauthor of the bill who is before us who has been heavily involved in the deliberations on the bill from its inception, our colleague from New York, Representative CHRIS LEE.

Mr. LEE of New York. Mr. Speaker, I rise in support today of H.R. 3371, the Airline Safety and Pilot Training Improvement Act which I introduced with my western New York colleagues, Ms. SLAUGHTER and Mr. HIGGINS.

Mr. Speaker, this bill, unfortunately, arose out of a tragedy. This past February on an icy evening in Buffalo, Continental Connection Flight 3407, operated by regional carrier Colgan Air, crashed into a home killing all 49 people on board and one person on the ground.

Among those on board Flight 3407: a prominent human rights activist, a 9/11 widow, a retired Air Force Reservist, an accomplished jazz guitarist, a cantor at a Williamsville temple, the director of a youth services program, an expectant mother who was going to be due at the end of May, a program manager for Northrop Grumman, a second-year law student, the daughter of a Holocaust survivor, and a Vietnam veteran with two Purple Hearts.

The families of these victims—many of whom are here, and I am honored that they are here today. I've used their personal heartache to advocate for stronger standards for commercial airline pilots. It is due to their tireless efforts that we have come so far.

Being a commercial airline pilot is not an entry-level position. Commercial pilots are entrusted with the lives of our mothers, daughters, sons, and fathers, and we and they both deserve to have them as well-trained as possible. This bill dramatically improves training by requiring commercial airline pilots an FAA airline transport pilot license which requires a minimum of 1,500 flight hours.

In addition, H.R. 3371 requires the first page of a Web site that sells airline tickets to disclose the airline carrier that operates each segment of the flight. From combating pilot fatigue to improving training practices, establishing an electronic pilot records database, and increasing transparency, H.R. 3371 is an important first step in improving commercial airline safety.

I would like to thank again my colleagues, Mr. HIGGINS and Ms. SLAUGHTER, for the support they have given to the families and victims of the Flight 3407 tragedy, as well as Chairmen COSTELLO and OBERSTAR and Ranking Members PETRI and MICA for their hard work on these issues.

While it's horrifying to think that this tragedy could have been avoided, this legislation is a testament to the courage and the strength of the Flight 3407 families who, again, have worked tirelessly to enact these meaningful reforms.

I urge my colleagues to support this legislation and enable these long-overdue reforms.

Mr. COSTELLO. Mr. Speaker, at this time I yield 2 minutes to the gentleman from New York who was instrumental in working with us to craft this bill, Congressman HIGGINS.

Mr. HIGGINS. I thank the gentleman for yielding.

Mr. Speaker, I am pleased to join my colleagues in support of H.R. 3371, the Airline Safety and Pilot Training Improvement Act of 2009. I especially want to thank my colleagues from western New York, Congressman CHRIS LEE and Congresswoman LOUISE SLAUGHTER.

On February 12, 50 lives were lost when Continental Connection Fight 3407 crashed into a house in Clarence, New York, 5 miles from the Buffalo Niagara International Airport. Earlier this year, I said that the devastation felt in the aftermath of this tragedy can never be undone. This was an avoidable tragedy, and we owe it to the families and the victims and to all air passengers to learn from this experience and change the system to improve flight safety. This bill will start to do that.

The Airline Safety and Pilot Training Improvement Act of 2009 will address the many factors that caused the crash of Flight 3407. The bill would require all commercial pilots to obtain an Airline Transport Pilots license which requires a minimum of 1,500 flight hours.

□ 1330

It requires the FAA to ensure that pilots are better trained to recover from stalls, and it would create a database to provide access to pilots' comprehensive records. The bill also established new risk management plans to reduce pilot fatigue and to enhance pilot training for flying in inclement weather, including icy conditions.

This legislation dramatically improves upon the safety of our airways. However, I do have concerns with language in the bill that would give the FAA administrator the authority to allow academic class time to count as class hours towards the 1,500-hour flight requirement. While additional academic class time is important, if we want experienced pilots, there is simply no replacement for flight hours. As this legislation continues through Congress, I will work to perfect the language to ensure high-quality training.

I want to thank Chairman OBERSTAR, Chairman COSTELLO, Ranking Members MICA and PETRI for their leadership. I would also like to thank the families, some of whom are here today and many of whom who were here for many months, including Kevin Kuwik and Karen Eckert, for their commitment to making from this tragedy something positive.

Mr. PETRI. I yield such time as he may consume to the ranking member of the full Transportation and Infrastructure Committee, my colleague, JOHN MICA, from Florida.

Mr. MICA. Mr. Speaker and my colleagues, I am pleased to come to the House today and join in a bipartisan effort to pass the regional commuter airline safety legislation. I really don't need a prepared speech to talk about this, having been involved with Mr. COSTELLO, Mr. OBERSTAR, our ranking member of the Aviation Subcommittee, Mr. PETRI, on almost a

daily basis for a number of weeks. In fact, having chaired the Aviation Subcommittee and now a leader of the full committee, I can't think of any issue we have probably spent more quality time on and a more bipartisan effort. If all the legislation was fashioned in the manner in which this was, I think Congress would be in great shape and held in great esteem by the public.

As you have heard today, this legislation comes as a result of a tragedy. We have had the good fortune of having our large passenger aircraft not have really a significant incidence of fatalities since, I believe, November of 2001, but we have had at least, since 2003, six regional commuter aircraft crashes, and we have had over 155 deaths in an even shorter period of time.

That prompted me, and I brought the record, and I will probably put it in the RECORD, my calls for looking at commuter airline safety. Unfortunately, the crash in Buffalo, the sixth crash that we had, and the families that have been mentioned here today who had victims in Flight 3407, also took up the banner, turned a horrible personal tragedy and loss into something positive and have worked in a positive fashion to craft good legislation.

Let me just cite for the record that we all came together and we entered in drafting legislation. We introduced it in a bipartisan fashion, as we say around here, the big four, Mr. OBERSTAR and myself, Mr. PETRI, Mr. COSTELLO. Then we thought we had done what we needed to do. But it wasn't long before that legislation saw the light of day, and we got to folks talking about the provisions.

One of the more controversial provisions was going from a smaller number of flight hours to 1,500 flight hours. We felt, we believed then and we firmly believe today, that commuter and regional aircraft passengers shouldn't be second-class passengers. The pilot that's in the cockpit of those smaller aircraft should have the same skills and training, background and educational experience as those pilots in larger commercial aircraft.

After we introduced that, we found, in fact, that we needed to fine-tune the legislation and make certain that the type of hours aren't just simple flight hours. If someone is towing a banner, for example, does that qualify you to fly commercial passenger aircraft as someone flying in, say, the tropics and never experienced a de-icing? If someone is flying a mail route and never had passengers in an aircraft, a crop duster, might rack up 1,500 hours; that wasn't what we wanted.

We sat down. We sat down with experts, pilots. We sat down with officials from the Federal Aviation Administration. We sat down with all the parties who could provide us guidance. I think what we came up with is the best possible guidelines for FAA to ensure that we have quality, qualified pilots in the cockpit of regional carriers.

I just want to thank again everyone who has participated.

Now, let me say that the challenge is just beginning. We have not had an FAA reauthorization, I think, since I have chaired the subcommittee. We just got an FAA administrator some months ago. We were one of the longest times without an administrator. Our overall bill, FAA bill that sets policy projects and all of the important aspects of aviation safety, is still not in place.

Mr. OBERSTAR and I, Mr. PETRI, Mr. COSTELLO, we have done our due diligence in the House. We all need now to work on the other body. It is my hope that we can incorporate this legislation into the master FAA reauthorization and get that signed by the President into law so that, again, we can ensure for regional passengers of commercial aircraft, for the flying public, and for all aircraft in our skies and for the future the best possible safety measures in law.

Mr. COSTELLO. Mr. Speaker, at this time, I yield 2 minutes to the gentleman from Ohio, who is a member of the subcommittee, who is an experienced pilot and who made invaluable contributions to this legislation, Mr. BOCCIERI.

Mr. BOCCIERI. Mr. Speaker, Chairman OBERSTAR, Chairman COSTELLO, Ranking Members MICA and PETRI, thank you for bringing this bill to the floor today.

I remember my parents telling me: don't just tell me what you believe; show me what you have done and I will tell you what you believe. By us bringing this bill to the floor today, we can now discount the feelings and thoughts that we just believe that we should have safer skies. We are now doing what should be required to make airline travel as safe as possible.

Taken on a whole, Mr. Speaker, airline travel is extremely safe in the United States. However, that is component and functional upon the pilots flying and the training that they receive. In fact, this air crew, by all standards, was a very experienced crew. Yet what we found through NTSB reports and the later testimony by the FAA is that that air crew and this airline did not train their pilots to adequately recover from a stall.

Now, we can measure these types of instant recovery patterns and the upset stall recovery that needs to happen based on simulation. This bill will now force pilots and their trainers to make certain that they will not only recognize a stall, but be able to recover from a stall and be adequately trained on the equipment in their airplane.

We will increase the number of hours for regional pilots. We will add crew resource management that will help pilots cut down on the chatter while they are flying. Important stall recovery procedures will be implemented through pilot training programs that will allow simulation.

We will also end these share agreements, because when you and I buy a ticket, we want to know that we are flying with the air carrier that we sign up and we pay for, and that's going to change in this bill. Not only are we going to allow these regional airlines to cut corners, to shave times and shoot for the minimums, because when we asked this airline why they were not trained to adequately recover from this, they said the FAA did not require them to do this; that will end. We are going to do this now.

Don't tell me what you believe. Show me what you have done and I will tell you what you believe.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to the former chairman of the Aviation Subcommittee, my colleague from Tennessee, JOHN DUNCAN.

Mr. DUNCAN. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise mainly to commend, first of all, Chairman OBERSTAR, who I have always referred to as Mr. Aviation in this Congress, and my own ranking member, Mr. MICA, who has been so kind to me. I especially want to commend my good friends, Chairman COSTELLO and Ranking Member PETRI, who have worked so hard to bring this legislation to fruition and bring it to the floor today.

Unless you have worked on legislation like this, you just can't imagine all of the details that have to be ironed out, all the competing interests that have to be brought together. I especially want to thank them for taking into consideration the needs of our great educational institutions that have aviation programs, such as Embry-Riddle and Middle Tennessee State University in my own State of Tennessee, and many others.

As Ranking Member PETRI just mentioned, I had the privilege of serving for 6 years as chairman of the Aviation Subcommittee. I enjoyed that very much, and I think it's very important work that I had the privilege of doing then and that they are working so hard on now.

We have the best aviation system in the world, without any question. Unfortunately, we have more people killed in 3½ months on the Nation's highways than have been killed in all of the U.S. aviation accidents combined since the Wright brothers' flight in 1903. It's an amazing record.

But you can never rest on your laurels, and you should always be trying to make things better. We have the best airlines and we have the best pilots, but everybody should always be trying to improve and get better. Certainly, when we are faced with the tragedy of a major crash such as we have heard mentioned several times here already today, it's a terrible thing, especially for those who have been killed and their families. We all need to do everything we can and we certainly try to do everything we can to make our aviation system even safer.

I am pleased to be associated with these gentlemen and also with this legislation. I urge my colleagues to support this very fine bill.

Mr. COSTELLO. Mr. Speaker, at this time, I yield to the distinguished chairman of the full committee, Chairman OBERSTAR, as much time as he may consume.

Mr. OBERSTAR. I thank the gentleman from Illinois, Chair of the Subcommittee on Aviation, for the splendid job he has done, for the diligent, time-consuming, engaged work that he has dedicated to bringing this bill to the House floor today; and to our colleague, Mr. PETRI, a senior member on the Aviation Subcommittee on the Republican side who has also contributed an enormous amount of time and energy and work. We appreciate the kind words of Mr. DUNCAN and Mr. MICA, my ranking member and counterpart, and to the congressional delegation of Members whose constituents included those lost lives in this tragic crash.

It is so often the case that tragedy brings us to the House floor to right a wrong and correct gaps in safety in aviation, in railroad, in trucking, in passenger rail service, transit systems. We should be ahead of the game. We should be prescriptive rather than reactive. This legislation will do that for us. It will make us prescriptive in the field of aviation.

This bill, when enacted into law, will be the most significant improvement in raising the standards of pilot qualifications since 1958, when the FAA was established. There has been a great deal of concentration of public interest in the number of hours required to serve in the flight deck, in the left-hand or the right-hand seat.

This bill is much more than hours served. We have a current standard that a pilot need only a commercial pilot's certificate, 250 hours, in some cases only 190 hours.

□ 1345

Well, to fly an aircraft you need a lot more experience, a lot more flight experience. You need more aeronautical knowledge. You need weather training. You need training in crew resource management in the flight deck so that you have a plan, as in the case of Galaxy Airlines when a sound was heard in the flight deck and all three personnel in the flight deck began troubleshooting and no one was flying the aircraft. You need a flight management plan. And in that case, the aircraft crashed and 93 people died.

We raised the standards for the airline transport pilot certification. The pilot must have flight training, academic training, and operational experience to function effectively and efficiently in an operational environment. You have to be part meteorologist to understand weather conditions. You need training for how to cope with icing, high-altitude operations, multipilot crew, and operating an aircraft under difficult conditions, say, when the autopilot is off.

Those are the raised standards that we include in this legislation, including a number of recommendations from the National Transportation Safety Board; remedial training, stall and upset recovery training. You can't get that just on the ground in a simulator. You need that training at six and seven miles in the air, when there is no curb to pull over and look under the hood or call for help. That training has to be instilled in the pilot, in the captain in command and the first officer, before they get in the flight deck.

We also create an air carrier safety and pilot training task force to identify the best practices in the industry for pilot training, professional standards, intercarrier information-sharing and mentoring.

All of these are important. But not just to have those standards. We require them to report to the Congress every 180 days, and I thank Mr. COSTELLO for insisting on that and for the oversight he has conducted. We are going to stay on top of this thing. This full committee and this subcommittee are not going to just fold our hands after the bill passes and say ''job well done.'' ''Job just begun'' is our method and is our standard.

For pilot fatigue, we require new flight and duty time rules within a year. You know, it took 14 years to get flight and duty time for flight attendants.

So these and a whole host of others are wrapped up with a directive to the General Accounting Office to do an evaluation of flight schools upon enactment of this legislation and report back to Congress. That is a complete package: new standards, higher standards, more requirements, more oversight, reporting to the Congress and keeping our hands on to make sure there are no more Colgan tragedies.

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

Mr. PETRI. Mr. Speaker, I have no further requests for time. I urge my colleagues to pass this bill.

Mr. COSTELLO. I would ask the ranking member if he would yield 30 seconds to me, since I am out of time.

Mr. PETRI. I yield such time as he may consume to my chairman, Mr. COSTELLO.

Mr. COSTELLO. I thank the ranking member for yielding 30 seconds to me.

In closing, let me reiterate that this is the strongest aviation and pilot training bill, as Chairman OBERSTAR said, in over half a decade. It is a good bill. It deserves our support. I urge my colleagues to support this legislation.

Ms. RICHARDSON. Mr. Speaker, as a member of the Transportation and Infrastructure Committee and a cosponsor of this bill I rise to lend my strong support of Airline Safety and Pilot Training Improvement Act of 2009. This important piece of legislation increases commercial pilot training requirements and requires the Federal Aviation Administration to convene a multidisciplinary review panel aimed at improving pilot response to a variety of conditions. It would also create an FAA task force to identify industry best practices.

These are just a few of the many safety improvements in this bill. And while the safety record of our aviation system is admirable, mistakes in the sky can devastate hundreds of lives and we must do everything possible to ensure our pilots are adequately trained, well rested, and best practices are always used.

I urge my colleagues to pass this important piece of legislation to make the skies safer for us all.

Mr. HOLT. Mr. Speaker, I rise today in support of H.R. 3371, the Airline Safety and Pilot Training Improvement Act.

On February 12, 2009, 50 lives were lost when Continental Flight 3407 crashed outside of Buffalo, New York. This was truly a national tragedy, one that has raised serious concerns about the safety and oversight of our nation's aviation system.

I would like to take a moment to honor the lives of three of the passengers on Flight 3407 from New Jersey's 12th Congressional District, which I have the privilege to represent in Congress. I have spoken with and heard from their families and friends, and my thoughts and prayers go out to them as they cope with the loss of these outstanding individuals. As they mourn, they have been vigilant in working to ensure that we address the serious safety concerns that led to this crash.

Lorin Maurer from Princeton was a fundraiser for the athletics division of Princeton University. According to her coworkers she was a bright and rising star. She was also a dedicated volunteer for the Greater Princeton Junior League. According to her fellow volunteers she was ''an enthusiastic woman who not only had great ideas for improving our community, but took the actions necessary to achieve our goals.'' I would like to thank Lorin's boyfriend Kevin Kuwik for his hard work on behalf of the families of Flight 3407.

Ron Gonzalez of North Brunswick was a tireless advocate for his community. According to his sister he was a true advocate for life. His humanitarian efforts included running the New York City Marathon, and volunteering for the New York State Healthy Heart Program, HIV AIDS Community Services, and the New York State Prevention Planning Group. Ron worked at New Brunswick Tomorrow where he managed a school based program for at-risk children within New Brunswick Public Schools. During Ron's tenure with New Brunswick Tomorrow, he worked hard to save children who were in crisis due to domestic violence, drugs, gangs, and other social ills. His passing is a great loss to our community.

Coleman Mellett from East Brunswick was a talented jazz guitarist. Coleman's talent was evident from a young age. He came in second at the scholarship competition at the East Coast Jazz Festival while he was still in high school. Coleman played with a number of talented musicians including Chuck Mangione's band. He also released the solo album Natural High in 2007 which demonstrated the depth of his talent. I can only imagine the music that we have lost with Coleman's passing.

Many of the family members of the victims of Flight 3407 are at the Capitol today to remind us that we in Congress need to take action to prevent another tragedy of this scale.

A series of National Transportation Safety Board (NTSB) hearings exposed the disturbing fact that this tragedy was preventable. The pilots had received inadequate training on how to recover from a stall and how to proceed in

icing conditions. Severe pilot fatigue also was identified as the cause of the crash. The NTSB found that regional carriers are held to lower safety standards than national carriers despite regional airlines' accounting for one-half of all scheduled flights in the United States. As a result, five of the last seven fatal commercial plane crashes involved regional carriers.

As more Americans rely on commuter airlines for air service, the Federal Aviation Administration (FAA) must take aggressive action to ensure that there is no difference in the level of safety provided by different air carriers. However, the NTSB hearings also made clear that the FAA has failed to issue regulations based on previous NTSB recommendations to establish uniform standards for training and performance. We owe it to the families and friends of the victims of the Flight 3407 to take action to prevent such tragedies in the future.

Earlier this year I joined my colleagues from upstate New York, CHRISTOPHER LEE and BRIAN HIGGINS in introducing the One Level of Safety Act. Our legislation would require regional carriers to meet the same training and safety standards of national carriers. Additionally, it would require the FAA to implement the unfulfilled NTSB recommendations that were found to be responsible for this crash. I would like to thank Chairman COSTELLO for including a number of these provisions in the Airline Safety and Pilot Training Improvement Act that we are considering today. I am proud to be an original cosponsor of this bill and I urge my colleagues to support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 3371, 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. COSTELLO. 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.

RECOGNIZING THE 40TH ANNIVERSARY OF THE GEORGE BUSH INTERCONTINENTAL AIRPORT IN HOUSTON, TEXAS

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 138) recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 138

Whereas the George Bush Intercontinental Airport in the City of Houston, Texas (referred to in this resolution as ''IAH''), was first opened for operation on June 8, 1969;

Whereas in 1997, IAH was named in honor of the Nation's 41st President, George Herbert Walker Bush, a longtime resident of Houston who, as a Member of the Houston congressional delegation, was present at the 1969 opening of the airport;

Whereas IAH is the largest airport in Houston, serving over 43,000,000 passengers in 2008, is the 8th-largest airport in the United States and the 16th-largest in the world for total passengers served;

Whereas more than 700,000,000 people have passed through IAH's gates since its opening;

Whereas IAH has grown to become a world-class international gateway offering service to more than 109 domestic and 65 nonstop international destinations in over 32 countries;

Whereas in 1990, the City of Houston named the IAH international arrivals building, now the IAH Terminal D, in honor of the distinguished Congressman for the 18th District of Texas, George Thomas ''Mickey'' Leland, a renowned antipoverty activist who died tragically in 1989 while on a humanitarian visit to Ethiopia;

Whereas IAH operates the largest passenger international arrivals facility in the Nation and was selected by the Department of State and the Department of Homeland Security as the first ''Model Port'' for its efficiency in welcoming international passengers arriving in the United States;

Whereas IAH is a regional and world leader in air cargo processing, consolidation, and distribution;

Whereas IAH is a critical component of the Houston economy, supporting more than 151,000 jobs and contributing over $24,000,000,000 in economic benefits to the Houston region; and

Whereas IAH serves 30 airlines and is the headquarters and major hub for award-winning Continental Airlines, which is celebrating its 75th anniversary in 2009: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) recognizes the 40th anniversary of the founding of the George Bush Intercontinental Airport; and

(2) congratulates officials of the George Bush Intercontinental Airport, the Houston Airport System, and the City of Houston, Texas, for the airport's record of excellent service to the citizens of Houston and the national air transportation system.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Con. Res. 138.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, I rise in support of H. Con. Res. 138, introduced by the gentlewoman from Texas (Ms. JACKSON-LEE).

The concurrent resolution recognizes the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas, and congratulates officials of the airport and the City of Houston for the airport's service to Houston's citizens and the national air transportation system.

Houston Intercontinental Airport is the largest airport in Houston, serving over 43 million passengers in 2008, and is the eighth largest airport in the United States. The airport has grown to become a world-class international gateway and is a regional and world leader in air cargo processing, consolidation, and distribution.

Finally, the airport supports more than 151,000 jobs and contributes over $24 billion annually to the Houston regional economy.

Mr. Speaker, I urge my colleagues to join me in supporting H. Con. Res. 138.

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 House Concurrent Resolution 138, recognizing the 40th anniversary of the George H.W. Bush Intercontinental Airport in Houston, Texas.

George H.W. Bush Intercontinental, as has been pointed out, is the eighth largest airport in these United States and served over 43 million passengers in 2008 alone. The airport offers flights to over 32 countries and is the world leader in air cargo processing, consolidation, and distribution.

George H.W. Bush Intercontinental is vital to the economic stability of the greater Houston area. The airport contributes almost $24 billion in direct benefits to the region and supports more than 151,000 jobs. The airport is a valuable part of our national airspace system and is very important to the greater Houston area.

Mr. Speaker, I ask my colleagues to join me in supporting this resolution honoring the 40th anniversary of George H.W. Bush Intercontinental Airport.

I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield 4 minutes to the author of this legislation, the gentlelady from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman from Illinois and as well the chairman and ranking member of the Aviation Subcommittee for your leadership on a number of issues that have been on the floor of the House today.

I thank my cosponsors, who realize in this time of a challenging economy how important the aviation industry is in being an economic engine; how many of our tourists that come to Washington, DC, many drive, but many of them fly, and they want to fly on a safe and secure system.

As the chairwoman of the Subcommittee on Transportation Security and Infrastructure Protection, Mr. COSTELLO and myself have common interests about security and safety, but we also are glad for our Nation's airports.

Our Nation's airports are large and small; they are rural and urban. I applaud them all. But I am excited to

stand with my colleagues to recognize one of the strongest airports in the Nation, the George H. Bush Intercontinental Airport in Houston, Texas, and is the subject of this resolution, H. Con. Res. 138 that I authored. I would like to thank my cosponsors, Mr. CULBERSON, Mr. MCCAUL, Mr. OLSON, and Mr. GENE GREEN.

I sponsored this resolution to acknowledge the importance of airport travel and to recognize that this airport in Houston, Texas, is an economic engine and to realize that the airport's record of excellent service to the citizens of Houston and the national air transportation system is deserving of acclamation and applause, for their great service has been a critical component of Houston's economy, supporting more than 151,000 jobs and contributing over $24 billion in economic benefits to the Houston region over a period of time.

The George Bush Intercontinental Airport in the City of Houston was first opened for operation on June 8, 1969, 40 years ago. In 1997, it was named in honor of the Nation's 41st President, George Herbert Walker Bush, who happens to be a resident, along with his wife, Mrs. Bush, of Houston, Texas. He was also a member of the Houston congressional delegation, and he was present at the 1969 opening of the airport.

In 1990, the City of Houston named IAH's International arrivals building, now terminal D, in honor of my predecessor, Congressman Mickey Leland of the 18th Congressional district, who died tragically on a humanitarian effort trying to help the starving and ravished people of Ethiopia. He was also a figure who cared about people.

Our airport cares about people. It served over 43 million passengers in 2008. It is the eighth largest airport in the United States and the 16th largest in the world for total passengers served, with more than 700 million people having passed through its gates since its opening.

The airport has grown to be worldwide. We are building new terminals now. The anchor airline is Continental; but we are open to the many, many other airlines, as well as international airlines, because this is an international city. Houston is the fourth largest city in the Nation, but soon to be in this new census the possibility of being the third largest city in the Nation.

George Bush Intercontinental Airport has 109 domestic and 65 nonstop international destinations in over 32 countries. We are a part of the economic engine of this great country.

I would also like to note that George H.W. Bush, since we are concerned about being secure, was the President who asked for the Pan Am 103 report on the tragedy of Pan Am 103. He asked the Congress to establish the Pan Am 103 commission, and that commission was part of the effort of being able to respond to that tragedy. George Bush as President received both the victims of that tragedy and the report while he was in the White House, and our now chairman of the full committee, Chairman OBERSTAR, was then the chairman of the Aviation Committee, served on the commission, and this Congress has implemented 63 of the 64 proposals of that particular commission. That means we worked hand-in-glove to help improve airline and airport security.

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

Mr. COSTELLO. I yield the gentlelady an additional minute.

Ms. JACKSON-LEE of Texas. In supporting these airlines and supporting this airport, we are very pleased that this airport has been the recipient of many, many awards and as well many, many thank-you's from the employees to the traveling public. We are now in new construction for expansion.

I want to congratulate the City of Houston and the leadership of the Houston Intercontinental Airport, named for the 41st President of the United States, for providing the kind of economic engine that says to the world, we are open, we are friendly, and says to the City of Houston, we are your economic engine, too!

I ask my colleagues to support this legislation.

Mr. Speaker, I rise before you today in support of House Concurrent Resolution 138, Recognizing the 40th anniversary of the George Bush Intercontinental Airport in my home city of Houston, Texas. I would like thank my co-sponsors, Representative CULBERSON, Rep. GENE GREEN, Rep. MCCAUL, and Rep. OLSON.

I sponsored this resolution to recognize the 40th anniversary of the George Bush Intercontinental Airport and congratulate officials of the George Bush Intercontinental Airport, the Houston Airport System, and the city of Houston, Texas, for the airport's record of excellent service to the citizens of Houston and the national air transportation system. For their great service has been a critical component of the Houston economy, supporting more than 151,000 jobs and contributing over $24,000,000,000 in economic benefits to the Houston region.

The George Bush Intercontinental Airport in the city of Houston, Texas was first opened for operation on June 8, 1969. In 1997, it was named in honor of the Nation's 41st President, George Herbert Walker Bush, a longtime resident of Houston who, as a Member of the Houston congressional delegation, was present at the 1969 opening of the airport. In 1990, the city of Houston named the IAH international arrivals building, now Terminal D, in honor of the distinguished Congressman for the 18th District of Texas, George Thomas "Mickey" Leland, a renowned antipoverty activist who died tragically in 1989 while on a humanitarian visit to Ethiopia.

IAH is the largest airport in Houston, serving over 43,000,000 passengers in 2008, is the 8th largest airport in the United States and the 16th largest in the world for total passengers served, with more than 700,000,000 people have passed through its gates since opening. Our airport has grown to become a world-class international gateway offering service to more than 109 domestic and 65 nonstop international destinations in over 32 countries, and today remains a regional and world leader in air cargo processing, consolidation, and distribution.

The George Bush Intercontinental Airport in Houston operates the largest passenger international arrivals facility in the Nation and was selected by the Department of State and the Department of Homeland Security as the first "Model Port" for its efficiency in welcoming international passengers arriving in the United States.

Bush Intercontinental is located approximately 23 miles north of downtown Houston, near the Sam Houston Tollway (Beltway 8 North). The airport is operated and maintained by the City of Houston Department of Aviation. The Houston Airport System functions as an enterprise fund and does not burden the local tax base for airport operations, maintenance or capital improvements. IAH currently ranks 3rd in the United States among U.S. airports with scheduled non-stop domestic and international service (over 170 destinations). With more than 29 destinations in Mexico, IAH offers service to more Mexican destinations than any other U.S. airport. Furthermore, this airport is the 8th busiest airport in the U.S. for total passengers. For these reasons and more we ask for my colleagues to support this bill.

Mr. PETRI. Mr. Speaker, at this time I yield such time as he may consume to our hardworking colleague from the greater Houston area in the State of Texas, Representative PETER OLSON.

Mr. OLSON. Mr. Speaker, I also would like to thank Chairman COSTELLO and Ranking Member PETRI for all your hard work to get this resolution to this point.

In June of this year, George Bush Intercontinental Airport in Houston celebrated its 40th anniversary. Intercontinental is the largest airport in Houston and served more than 43 million passengers in 2008, making it the eighth largest airport in the United States and the 16th largest airport in the world.

□ 1400

Serving as Houston's gateway to the world, Intercontinental operates one of the largest international passenger arrival facilities in our country. With five terminals and 125 gates, Intercontinental gives passengers the option of service to over 170 nonstop destinations in more than 30 countries around the world. It is one of few airports in the world with five, five, air carrier runways, and the ability to handle triple simultaneous takeoffs and landings in all sorts of weather.

Intercontinental is a key driver for the greater Houston area economy. The airport supports more than 151,000 jobs and contributes more than $24 billion in economic benefits to the Houston region. Bush Intercontinental Airport is an important part of keeping the goods and people moving around our great nation and the entire world.

I ask that my colleagues join me in supporting House Concurrent Resolution 138 and recognizing Intercontinental's 40th anniversary.

Mr. OBERSTAR. Mr. Speaker, I rise in support of this legislation, H. Con. Res. 138, introduced by the gentlewoman from Texas (Ms. JACKSON-LEE), which recognizes the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas, and congratulates officials of the airport and the City of Houston for the airport's service to Houston citizens and the national air transportation system. I thank Representative JACKSON-LEE for her leadership on this measure.

Houston Intercontinental Airport is the eighth largest airport in the United States, serving over 43 million passengers in 2008. The airport offers 109 domestic and 65 nonstop international destinations in over 32 countries by 30 airlines. More than 700 million passengers have travelled through the airport since it opened in 1969. Furthermore, the airport contributes more than 151,000 jobs and $24 billion in economic benefits to the Houston region. For air cargo, the airport is a regional and world leader in processing, consolidation, and distribution.

I urge my colleagues to join me in supporting H. Con. Res. 138.

Mr. PETRI. I have no further requests for time. I urge my colleagues to support this resolution.

I yield back the balance of my time.

Mr. COSTELLO. Mr. Speaker, we have no further requests for time. I urge my colleagues to support this legislation.

I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 138.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMENDING RUSS MEYER ON HIS INDUCTION INTO THE NATIONAL AVIATION HALL OF FAME

Mr. COSTELLO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 719) commending Russ Meyer on his induction into the National Aviation Hall of Fame, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 719

Whereas the leadership of Russell (Russ) W. Meyer, Jr., former chairman and chief executive officer of Cessna Aircraft Company and a leading proponent of general aviation, has had a dramatic impact on the continued growth of the aviation industry in Kansas and throughout the United States;

Whereas Russ Meyer was one of the principal advocates for the General Aviation Revitalization Act of 1994 (Public Law 103–298; 108 Stat. 1552);

Whereas Russ Meyer was instrumental in the development of the ''Be A Pilot Program'', which has resulted in tens of thousands of new pilots and contributed more than $200,000,000 to the United States economy through general aviation operations;

Whereas Russ Meyer was the originator of the Citation Special Olympics Airlift, in which hundreds of owners of Citation aircraft transport athletes from around the country to the Special Olympics National Games; and

Whereas Russ Meyer will join fellow residents of Kansas Olive Beech and Walter Beech, Lloyd Stearman, Clyde Cessna, Amelia Earhart, and Joe Engle in the National Aviation Hall of Fame: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends Russ Meyer for being inducted into the National Aviation Hall of Fame;

(2) recognizes the achievements of Russ Meyer during his lifetime of service to the aviation industry; and

(3) directs the Clerk of the House of Representatives to transmit a copy of this resolution to Russ Meyer.

The SPEAKER pro tempore (Mr. SCHIFF). Pursuant to the rule, the gentleman from Illinois (Mr. COSTELLO) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H. Res. 719.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 719, introduced by the gentleman from Kansas (Mr. TIAHRT). The resolution recognizes Russell W. Meyer, Jr., for his achievements and lifetime of service to the aviation industry and commends him on his induction into the National Aviation Hall of Fame.

As a leading proponent of aviation, Russ demonstrated strong leadership as the former chairman and chief executive officer of Cessna Aircraft Company. He was instrumental in supporting innovative aviation programs and played a key role in the development of the Be A Pilot program that resulted in tens of thousands of new pilots and contributed more than $200 million to the economy.

Russ has served on three Presidential commissions and was one of the principal architects of the General Aviation Revitalization Act of 1994.

In 1995 he received one of aviation's most prestigious individual honors, the Wright Brothers Memorial Trophy. It is awarded annually on the anniversary of the Wright brothers' first powered flight.

Mr. Speaker, I urge my colleagues to join me in honoring one of America's pioneers in aviation by supporting H. Res. 719.

I reserve the balance of my time.

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 719, recognizing and honoring Russell W. Meyer, Jr., on his induction into the National Aviation Hall of Fame. Probably best known for his role as chairman and chief executive officer of Cessna Aircraft for 28 years, Mr. Meyer is an enthusiastic member of the general aviation community. In the mid-1990s, when the entire general aviation industry was on the brink, he helped push the General Aviation Revitalization Act of 1994 to enactment.

Through the development of the Be A Pilot program, Mr. Meyer did his best to share his love of flying with others. And when Special Olympics athletes faced challenges in transportation to the Games, he organized the Citation Special Olympics Airlift, partnering athletes with Cessna Citation owners and pilots to provide a ride to the Games. In addition to his philanthropic work with the aviation industry, Russ Meyer was also an active philanthropist for local charities in and around his hometown.

For his accomplishments as both an Air Force and Marine Corps aviator, a successful aircraft manufacturing executive and a philanthropist, we honor Russ Meyer and congratulate him on his induction into the National Aviation Hall of Fame.

I urge my colleagues to support the resolution.

I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, we have no further speakers on our side.

I reserve the balance of our time.

Mr. PETRI. Mr. Speaker, I yield such time as he may consume to our colleague from Kansas, Representative TODD TIAHRT.

Mr. TIAHRT. Mr. Speaker, I want to first thank Chairman COSTELLO for his leadership on this legislation and also Ranking Member PETRI for his help in recognizing Russ Meyer.

It's with great pleasure that I come to the floor today to commend Russ W. Meyer, Jr., for his induction into the National Aviation Hall of Fame. In April, Russ joined astronauts Ellen Collins, the late Edward White, and movie legend Jimmy Stewart in the class of 2009.

Russ has had a distinguished career both in the private and public arena. While attending Harvard Law School, Russ served with the United States Marine Corps Reserves from 1958 to 1961. After a few years in the private practice of law, Russ entered the aviation industry as president and CEO of Grumman American Aviation Corporation in Cleveland, Ohio. Then Russ came to Wichita, Kansas. Russ joined the Cessna Aircraft Company as executive vice president in June of 1974. One year later he became the chairman and CEO.

There are few who have done more for the general aviation community than Russ. He led Cessna, both as chairman and CEO, for a total of 23 years. During his time with Cessna, Russ led the expansion of the Cessna line of business jets, the world's most popular line of mid-sized jets.

Russ Meyer recognized that business jets are a tremendous productivity tool. It is productivity that has helped our economy grow. We are the number one economy of the world, and it's not because we have fewer regulations. We have more. It's not because we have the lowest wages. We're among the highest. It's because of visionaries like Russ Meyer who gave the American people the ability to do the same work in less time, making us the most productive and strongest workforce and economy in the world.

In the 1980s, the general aviation industry was faced with a tremendous hurdle that threatened to eliminate a big portion of the general aviation aircraft market. Aircraft manufacturers were forced to cease production of their piston-powered aircraft due to liability issues that extended over the life of the aircraft. In response to this threat, Russ put his leadership to work on Capitol Hill. He became one of the principal advocates for the General Aviation Revitalization Act of 1994. This bill provided limited liability on general aviation aircraft and revitalized the general aviation industry.

But this is just one of many contributions Russ has given to the industry as a whole. Far beyond his leadership in the business sector, Russ is also a philanthropist. One person described Russ as one who has a big heart and wants to serve the underserved. This isn't just talk. Russ was the chairman of a campaign to construct a 42,000-square-foot complex for the Boys and Girls Club of South Central Kansas. He led the fundraising effort and raised over $9 million for the project.

Russ was also the originator of the Citation Special Olympics Airlift, where hundreds of Citation airplane owners from around the country transport athletes to the national Special Olympic Games. Russ is also a member of the Kansas Aviation Hall of Fame, a Wright Brothers Memorial Trophy holder, has served on three Presidential commissions, and the list goes on.

Like many others, I've known Russ to be a man of vision and action. Whenever Russ takes on a project, he has the ability to rally and inspire everyone around him behind a common goal. Every community wants a Russ Meyer. Every community needs a Russ Meyer. The children of South Central Kansas needed him, and Russ delivered. The aircraft industry needed him, and Russ delivered. He's a big reason why Wichita is known as the air capital of the world.

Once again, I am pleased today that the United States House of Representatives will congratulate and commend Russ W. Meyer, Jr., on his induction into the National Aviation Hall of Fame.

Mr. DICKS. Will the gentleman yield?

Mr. TIAHRT. I will be glad to yield to the gentleman from Washington State (Mr. DICKS).

Mr. DICKS. I want to commend my colleague from Kansas for the extraordinary statement about Russ Meyer, who I have known over the years as you've stated, one of the true leaders in general aviation. And I'd also like to mention my good friend, who was very sick out there in Boise, Idaho, Ed Stimson.

Ed was the head of general aviation manufacturing and worked with Russ, and they were a great team. Your colleague, your predecessor, Dan Glickman worked very hard on the general aviation liability legislation, which was an extraordinary piece of work that completely changed the dynamics and helped general aviation recover. And I was a cosponsor of that legislation. But Russ Meyer is just one of the great leaders in general aviation history.

I commend the gentleman for his remarks and urge the passing of this resolution.

Mr. TIAHRT. I thank the gentleman from Washington State, and I appreciate his contributions to the aircraft industry as well. He's been a stalwart in helping us get American jobs made by American companies, American aircraft.

Mr. OBERSTAR. Mr. Speaker, I rise in support of this legislation, H. Res. 719, introduced by the gentleman from Kansas (Mr. TIAHRT), which commends Russell W. Meyer, Jr. for his induction into the National Aviation Hall of Fame, and for his many contributions to general aviation.

Russ Meyer is an accomplished individual. He earned a Bachelor of Arts from Yale University and a law degree from Harvard University. From 1955–1961, Meyer served as a fighter pilot in both the Air Force and the Marine Corps Reserves. Later, Meyer was Chairman and Chief Executive Officer of Cessna Aircraft Company from 1975 to 2003. In this role, Meyer won two Collier Trophies for expanding the Cessna's Citation line of business jets.

Meyer was an advocate for the General Aviation Revitalization Act of 1994, which placed fair and reasonable limitations on the time period during which a manufacturer would be legally liable for aircraft defects. He also contributed to thousands of new pilots taking flight in the United States with the "Be a Pilot Program." This program helped to reduce the cost of flight schools for new pilots.

To assist athletes traveling to the Special Olympics National Games, Meyer founded the Citation Special Olympics Airlift, which coordinates transportation to the games on Cessna owners' aircraft. In 1995, he won the Wright Brothers Memorial Trophy for this important work.

I urge my colleagues to join me in supporting H. Res. 719.

Mr. PETERSON. Mr. Speaker, I have no further requests for time.

I yield back the balance of my time.

Mr. COSTELLO. Mr. Speaker, we have no further requests for time. I urge passage of this legislation.

I yield back the balance of our time

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and agree to the resolution, H. Res. 719, as amended.

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

A motion to reconsider was laid on the table.

MARITIME WORKFORCE DEVELOPMENT ACT

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2651) to amend title 46, United States Code, to direct the Secretary of Transportation to establish a maritime career training loan program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2651

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 ''Maritime Workforce Development Act''.

SEC. 2. MARITIME EDUCATION LOAN PROGRAM.

(a) IN GENERAL.—Chapter 517 of title 46, United States Code, is amended by adding at the end the following:

''§ 51705. Maritime career training loan program

''(a) ESTABLISHMENT.—The Secretary of Transportation shall establish a maritime career training loan program (in this section referred to as the 'program') in accordance with the requirements of this section.

''(b) PURPOSE.—The purpose of the program shall be to make maritime career training loans available to eligible students to provide for the training of United States mariners.

''(c) ADMINISTRATION.—The program shall be carried out by the Secretary, acting through the Administrator of the Maritime Administration.

''(d) DUTIES.—The Secretary shall—

''(1) allocate, on an annual basis, the award of loans under the program based on the needs of students;

''(2) develop an application process and eligibility criteria for the award of loans under the program;

''(3) approve applications for loans under the program based on the eligibility criteria and allocations made under paragraph (1); and

''(4) designate maritime training institutions at which loans made under the program may be used.

''(e) DESIGNATION OF MARITIME TRAINING INSTITUTIONS.—

''(1) IN GENERAL.—In designating maritime training institutions under subsection (d)(4), the Secretary—

''(A) may include Federal, State, and commercial training institutions and nonprofit training organizations, except that undergraduate students at the United States Merchant Marine Academy shall not be eligible for loans under the program;

''(B) shall designate institutions based on geographic diversity and scope of classes offered;

''(C) shall ensure that designated institutions have the ability to administer the program; and

''(D) shall ensure that designated institutions meet requirements to provide training instruction for appropriate Coast Guard-approved training instruction.

''(2) EXCLUSIONS.—The Secretary—

''(A) may exclude from participation in the program a maritime training institution that has had severe performance deficiencies, including deficiencies demonstrated by audits or program reviews conducted during the 5 calendar years immediately preceding the present year;

''(B) shall exclude from participation in the program a maritime training institution that has delinquent or outstanding debts to the United States, unless such debts are being repaid under or in accordance with a repayment arrangement satisfactory to the United States, or the Secretary in the Secretary's discretion determines that the existence or amount of any such debts has not been finally determined by the appropriate Federal agency;

''(C) may exclude from participation in the program a maritime training institution that has failed to comply with quality standards established by the Department of Labor, the Coast Guard, or a State; and

''(D) may establish such other criteria as the Secretary determines will protect the financial interest of the United States and promote the purposes of this section.

''(f) STATE MARITIME ACADEMIES.—

''(1) USE OF FUNDS FOR LOANS TO STUDENTS ATTENDING STATE MARITIME ACADEMIES.—The Secretary may obligate not more than 50 percent of the amounts appropriated to carry out this section for a fiscal year for loans to undergraduate students attending State maritime academies receiving assistance under chapter 515 of this title.

''(2) ACADEMIC STANDARDS FOR STUDENTS.—Students at State maritime academies receiving loans under the program shall maintain satisfactory progress toward the completion of their course of study as evidenced by the maintenance of a cumulative C average, or its equivalent, or academic standing consistent with the requirements for graduation, as determined by the institution.

''(g) LOAN AMOUNTS AND USE.—

''(1) MAXIMUM AMOUNTS.—The Secretary may not make loans to a student under the program in an amount that exceeds $15,000 in a calendar year or $60,000 in the aggregate.

''(2) USE OF LOAN PROCEEDS.—A student who receives a loan under the program may use the proceeds of the loan only for postsecondary expenses incurred at an institution designated by the Secretary under subsection (d)(4) for books, tuition, required fees, travel to and from training facilities, and room and board.

''(h) STUDENT ELIGIBILITY.—To be eligible to receive a loan under the program, a student shall—

''(1) be eligible to hold a license or merchant mariner document issued by the Coast Guard;

''(2) provide to the Secretary such information as the Secretary may require, including all current Coast Guard documents, certifications, proof of United States citizenship or permanent legal status, and a statement of intent to enter a maritime career;

''(3) meet the enrollment requirements of a maritime training institution designated by the Secretary under subsection (d)(4); and

''(4) sign an agreement to—

''(A) complete a course of instruction at such a maritime training institution; and

''(B) maintain a license or document and work under the authority of the license or document and any associated endorsements for at least 18 months following the date of graduation from the maritime program for which the loan proceeds will be used.

''(i) ADMINISTRATION OF LOANS.—

''(1) CONTENTS OF LOAN AGREEMENTS.—Any agreement between the Secretary and a student borrower for a loan under the program shall—

''(A) be evidenced by a note or other written instrument that provides for the repayment of the principal amount of the loan and any origination fee, together with interest thereon, in equal installments (or, if the student borrower so requests, in graduated periodic installments determined in accordance with such schedules as may be approved by the Secretary) payable quarterly, bimonthly, or monthly, at the option of the student borrower, over a period beginning 9 months from the date on which the student borrower completes study or discontinues attendance at the maritime program for which the loans are used at the institution approved by the Secretary and not exceeding 10 years;

''(B) include provision for acceleration of repayment of the whole, or any part, of such loan, at the option of the student borrower;

''(C) provide the loan without security and without endorsement;

''(D) provide that the liability to repay the loan shall be canceled upon the death of the student borrower, or if the student borrower becomes permanently and totally disabled, as determined in accordance with regulations to be issued by the Secretary;

''(E) contain a notice of the system of disclosure of information concerning default on such loan to credit bureau organizations; and

''(F) include provisions for deferral of repayment, as determined by the Secretary.

''(2) RATE OF INTEREST.—A student borrower who receives a loan under the program on or after January 1, 2010, and before October 1, 2015, shall be obligated to repay the loan amount to the Secretary, together with interest beginning in the period referred to in paragraph (1)(A), at a rate to be determined as follows:

''(A) For a loan for which the first disbursement is made on or after January 1, 2010, and before October 1, 2011, 5.6 percent on the unpaid principal balance of the loan.

''(B) For a loan for which the first disbursement is made on or after October 1, 2011, and before October 1, 2012, 4.5 percent on the unpaid principal balance of the loan.

''(C) For a loan for which the first disbursement is made on or after October 1, 2012, 3.4 percent on the unpaid principal balance of the loan.

''(3) DISCLOSURE REQUIRED PRIOR TO DISBURSEMENT.—

''(A) IN GENERAL.—The Secretary shall at or prior to the time the Secretary makes a loan to a student borrower under the program, provide thorough and adequate loan information on such loan to the student borrower. The disclosures required by this paragraph may be made as part of the written application material provided to the student borrower, as part of the promissory note evidencing the loan, or on a separate written form provided to the student borrower.

''(B) CONTENTS.—The disclosures shall include—

''(i) the address to which communications and payments should be sent;

''(ii) the principal amount of the loan;

''(iii) the amount of any charges collected at or prior to the disbursal of the loan and whether such charges are to be deducted from the proceeds of the loan or paid separately by the student borrower;

''(iv) the stated interest rate on the loan;

''(v) the yearly and cumulative maximum amounts that may be borrowed;

''(vi) an explanation of when repayment of the loan will be required and when the student borrower will be obligated to pay interest that accrues on the loan;

''(vii) a statement as to the minimum and maximum repayment term that the Secretary may impose, and the minimum monthly payment required by law and a description of any penalty imposed as a consequence of default, such as liability for expenses reasonably incurred in attempts by the Secretary to collect on a loan;

''(viii) a statement of the total cumulative balance, including the loan applied for, owed by the student borrower to the Secretary, and an estimate of the projected monthly payment, given such cumulative balance;

''(ix) an explanation of any special options the student borrower may have for loan consolidation or other refinancing of the loan;

''(x) a statement that the student borrower has the right to prepay all or part of the loan, at any time, without penalty;

''(xi) a statement summarizing circumstances in which repayment of the loan or interest that accrues on the loan may be deferred, and a brief notice of the program for repayment of loans, on the basis of military service, pursuant to the Department of Defense educational loan repayment program (10 U.S.C. 16302);

''(xii) a definition of default and the consequences to the student borrower if the student borrower defaults, together with a statement that the disbursement of, and the default on, a loan under this part shall be reported to a credit bureau or credit reporting agency;

''(xiii) to the extent practicable, the effect of accepting the loan on the eligibility of the student borrower for other forms of student assistance; and

''(xiv) an explanation of any cost the student borrower may incur in the making or collection of the loan.

''(C) INFORMATION TO BE PROVIDED WITHOUT COST.—The information provided under this paragraph shall be available to the Secretary without cost to the student borrower.

''(4) REPAYMENT AFTER DEFAULT.—The Secretary may require any student borrower who has defaulted on a loan made under the program to—

''(A) pay all reasonable collection costs associated with such loan; and

''(B) repay the loan pursuant to an income contingent repayment plan.

''(5) AUTHORIZATION TO REDUCE RATES AND FEES.—Notwithstanding any other provision of this section, the Secretary may prescribe by regulation any reductions in the interest rate or origination fee paid by a student borrower of a loan made under the program as the Secretary determines appropriate to encourage ontime repayment of the loan. Such reductions may be offered only if the Secretary determines the reductions are cost neutral and in the best financial interest of the United States.

''(6) COLLECTION OF REPAYMENTS.—The Secretary shall collect repayments made under the program and exercise due diligence in such collection, including maintenance of all necessary records to ensure that maximum repayments are made. Collection and servicing of repayments under the program shall be pursued to the full extent of the law, including wage garnishment if necessary. The Secretary of the Department in which the Coast Guard is operating shall provide the Secretary of Transportation with any information regarding a mariner that may aid in the collection of repayments under this section.

''(7) REPAYMENT SCHEDULE.—A student borrower who receives a loan under the program shall repay the loan quarterly, bimonthly, or monthly, at the option of the student borrower, over a period beginning 9 months from the date the student borrower completes study or discontinues attendance at the maritime program for which the loan proceeds are used and ending not more than 10 years after the date repayment begins. Provisions for deferral of repayment shall be determined by the Secretary.

''(8) CONTRACTS FOR SERVICING AND COLLECTION OF LOANS.—The Secretary may—

''(A) enter into a contract or other arrangement with State or nonprofit agencies and, on a competitive basis, with collection agencies for servicing and collection of loans under this section; and

''(B) conduct litigation necessary to carry out this section.

''(j) REVOLVING LOAN FUND.—

''(1) ESTABLISHMENT.—The Secretary shall establish a revolving loan fund consisting of amounts deposited in the fund under paragraph (2).

''(2) DEPOSITS.—The Secretary shall deposit in the fund—

''(A) receipts from the payment of principal and interest on loans made under the program; and

''(B) any other monies paid to the Secretary by or on behalf of individuals under the program.

''(3) AVAILABILITY OF AMOUNTS.—Amounts in the fund shall be available to the Secretary, without further appropriation—

''(A) to cover the administrative costs of the program, including the maintenance of records and making collections under this section; and

''(B) to the extent that amounts remain available after paying such administrative costs, to make loans under the program.

''(4) MAINTENANCE OF RECORDS.—The Secretary shall maintain accurate records of the administrative costs referred to in paragraph (3)(A).

''(k) ANNUAL REPORT.—The Secretary, on an annual basis, shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the program, including—

''(1) the total amount of loans made under the program in the preceding year;

''(2) the number of students receiving loans under the program in the preceding year; and

''(3) the total amount of loans made under program that are in default as of the date of the report.

''(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2010 through 2015—

''(1) $10,000,000 for making loans under the program; and

''(2) $1,000,000 for administrative expenses of the Secretary in carrying out the program.

''§ 51706. Maritime recruitment, training, and retention grant program

''(a) STRATEGIC PLAN.—

''(1) IN GENERAL.—Not later than one year after the date of enactment of this section, and at least once every 3 years thereafter, the Secretary of Transportation, acting through the Administrator of the Maritime Administration, shall publish in the Federal Register a plan that describes the demonstration, research, and multistate project priorities of the Department of Transportation concerning merchant mariner recruitment, training, and retention for the 3-year period following the date of publication of the plan.

''(2) CONTENTS.—A plan published under paragraph (1) shall contain strategies and identify potential projects to address merchant mariner recruitment, training, and retention issues in the United States.

''(3) FACTORS.—In developing a plan under paragraph (1), the Secretary shall take into account, at a minimum—

''(A) the availability of existing research (as of the date of publication of the plan);

''(B) the need to ensure results that have broad applicability;

''(C) the benefits of economies of scale and the efficiency of potential projects; and

''(D) the likelihood that the results of potential projects will be useful to policymakers and stakeholders in addressing merchant mariner recruitment, training, and retention issues.

''(4) CONSULTATION.—In developing a plan under paragraph (1), the Secretary shall consult with representatives of the maritime industry, labor organizations, and other governmental entities and parties with an interest in the maritime industry.

''(5) TRANSMITTAL TO CONGRESS.—The Secretary shall transmit copies of a plan published under paragraph (1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

''(b) DEMONSTRATION PROJECTS.—

''(1) IN GENERAL.—The Secretary may award grants to a maritime training institution to carry out demonstration projects that implement the priorities identified in the plan prepared under subsection (a)(1), for the purpose of developing and implementing methods to address merchant mariner recruitment, training, and retention issues.

''(2) GRANT AWARDS.—Grants shall be awarded under this subsection on a competitive basis under guidelines and requirements to be established by the Secretary.

''(3) APPLICATIONS.—To be eligible to receive a grant for a project under this subsection, a maritime training institution shall submit to the Secretary a grant proposal that includes, at a minimum—

''(A) information demonstrating the estimated effectiveness of the project; and

''(B) a method for evaluating the effectiveness of the project.

''(4) ELIGIBLE PROJECTS.—Projects eligible for grants under this subsection may include—

''(A) the establishment of maritime technology skill centers developed through local partnerships of industry, labor, education, community-based organizations, economic development organizations, or Federal, State, and local government agencies to meet unmet skills needs of the maritime industry;

''(B) projects that provide training to upgrade the skills of workers who are employed in the maritime industry;

''(C) projects that promote the use of distance learning, enabling students to take courses through the use of media technology, such as videos, teleconferencing, and the Internet;

''(D) projects that assist in providing services to address maritime recruitment and training of youth residing in targeted high poverty areas within empowerment zones and enterprise communities;

''(E) the establishment of partnerships with national and regional organizations with special expertise in developing, organizing, and administering merchant mariner recruitment and training services; and

''(F) the establishment of maritime training programs that foster technical skills and operational productivity in communities in which economies are related to or dependent upon the maritime industry.

''(c) PROJECTS AUTHORIZED.—

''(1) PROJECTS.—The Secretary may award grants to carry out projects identified in a plan published under subsection (a)(1) under which the project sponsor will—

''(A) design, develop, and test an array of approaches to providing recruitment, training, or retention services to one or more targeted populations;

''(B) in conjunction with employers, organized labor, other groups (such as community coalitions), and Federal, State, or local agencies, design, develop, and test various training approaches in order to determine effective practices; or

''(C) assist in the development and replication of effective service delivery strategies for the national maritime industry as a whole.

''(2) RESEARCH PROJECTS.—The Secretary may award grants to carry out research projects identified in a plan published under subsection (a)(1) that will contribute to the solution of maritime industry recruitment, training, and retention issues in the United States.

''(3) MULTISTATE OR REGIONAL PROJECTS.—The Secretary may award grants to carry out multistate or regional projects identified in a plan published under subsection (a)(1) to effectively disseminate best practices and models for implementing maritime recruitment, training, and retention services designed to address industry-wide skill shortages.

''(4) GRANT AWARDS.—Grants shall be awarded under this subsection on a competitive basis under guidelines and requirements to be established by the Secretary.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2010 through 2015—

''(1) $10,000,000 for making grants under this section; and

''(2) $1,000,000 for administrative expenses of the Secretary in carrying out this section.''.

(b) CONFORMING AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

''51705. Maritime career training loan program.

''51706. Maritime recruitment, training, and retention grant program.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland (Mr. CUMMINGS) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. CUMMINGS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 2651.

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

There was no objection.

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

Mr. Speaker, as chairman of the Subcommittee on the Coast Guard and Maritime Transportation, I rise today in strong support of the Maritime Work Force Development Act, H.R. 2651, legislation which I authored to address the education and training needs of our Nation's merchant mariners. I thank Congressman OBERSTAR, the chairman of the full committee on Transportation and Infrastructure, Congressman MICA, the ranking member on the full committee, and Congressman LOBIONDO, the ranking member of the Coast Guard Subcommittee, for working with me to support our maritime work force.

H.R. 2651 would amend title 46 of the United States Codes to direct the Secretary of Transportation to establish a student loan program to attract the next generation of workers to the good paying jobs available in the maritime industry.

□ 1415

The loan program will also help those already in the industry obtain the certifications and the training they need to move ahead in their careers.

In October of 2007, I convened a hearing in the Coast Guard Subcommittee to examine trends in the maritime workforce. According to the Bureau of Transportation Statistics, in 2006, there were more than 38,000 on-the-water jobs in sea, coastal, and Great Lakes transportation, and nearly 23,000 jobs in the inland water transportation industry. Many of those who currently work in the industry are nearing retirement age. Thus, the Maritime Administration has indicated that at the time of our hearing, the average age of a mariner with a master's license was 51, while the average age of a chief engineer was 50.

Additionally, significant new standards for training and continuing education have been applied to mariners through the 1995 amendments to the Convention on Standards of Training, Certification and Watchkeeping. These standards have rightly been set to improve safety in the maritime industry by reducing human factors as the causes of maritime accidents, but they have also imposed expensive and very time-consuming training requirements on mariners, particularly on those who are looking to upgrade a document or license to move up the career ladder.

While there are many facilities in the United States that provide outstanding training programs for those seeking to enter or advance in the maritime field, tuition can be extremely expensive. Further, the types of training programs in which mariners enroll are unique and are not easily served by existing loan programs. Mariners who have already begun their careers rarely enroll in 2- or 4-year educational programs. Instead, typically, they enroll in multiweek courses to obtain a specific new certification, and they enroll in such courses several times a year.

I drafted H.R. 2651 in an effort to provide to individuals in the maritime industry a loan program that is tailored to their specific needs and to the types of training programs that serve them. Using the model of existing student loan programs, H.R. 2651 creates a maritime-focused student loan program through which individuals can receive up to $60,000 in loans over the course of a lifetime. H.R. 2651 also authorizes the appropriation of $10 million in each of fiscal years 2010 through 2015 to support these loans.

Additionally, H.R. 2651 authorizes the appropriation of $10 million in each of fiscal years 2010 through 2015 to enable the Department of Transportation to award grants to maritime training institutions to support their efforts to develop and implement programs to address mariner recruitment, training, and retention issues.

In my district in Baltimore, I have been working closely with the Maritime Industries Academy, a public high school with a maritime theme. I have assembled a board of maritime and education professionals who have worked in an advisory capacity with the school for 2 years and who are now creating a formal foundation to support the school, which opened this current 2009–2010 school year in a new location and with an enrollment level that has tripled in the last 2 years.

The grant program that is authorized by H.R. 2651 would support the growing number of maritime-themed educational institutions, including high schools, throughout the country as they work to expand maritime education opportunities and attract new individuals to a field critical to the success of our national economy.

Finally, Mr. Speaker, I again want to thank Chairman OBERSTAR, Ranking Member MICA, Ranking Member LOBIONDO, and all of our subcommittee for their hard work on H.R. 2651 and urge the adoption of this legislation by the House today.

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

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

I rise in support of H.R. 2651, the Maritime Workforce Development Act. The bill will provide needed training and educational opportunities for merchant mariners and those interested in working in the maritime trades. The U.S. Merchant Marine is an important component to our national and economic security, and I support this effort to strengthen this important sector of our workforce.

The bill directs the Maritime Administration to establish a program to support continuing education at approved maritime training institutes and undergraduate training at the five State maritime academies. Loan recipients would be required to commit at least 18 months of service at sea as a condition of participation in the program. This program will improve the opportunities available to those currently serving as merchant mariners and attract new entrants to the maritime workforce.

The bill also directs the Maritime Administration to develop a strategic plan to enhance merchant mariner recruitment, training, and retention, and to fund demonstration projects to further the goals outlined in the plan.

This measure is an important component of the House's ongoing work to support the U.S. Merchant Marine. I strongly support the bill and ask all Members to do the same.

At this point, I would yield 5 minutes to our colleague from North Carolina, VIRGINIA FOXX.

Ms. FOXX. Mr. Speaker, I want to thank my colleague, Mr. PETRI, for yielding me some time.

When I was going over the bills for this week, this bill sort of flew out at me. It seems like a very innocuous bill, like motherhood and apple pie, the kind of thing that we should be doing here. We know that there are a lot of people needed in the maritime industry.

I visited the Merchant Marine Academy last year. I had a wonderful visit there and was told by the administrators there that there is a huge demand for their graduates, that they have about 10 job offers for every graduate and that we need more people who have excellent education and training in the maritime skills.

However, this bill I think is not doing what we would like for it to do, and it raises more questions, I think, than it answers. I have asked some of the questions of the staff, and I don't get the kind of answers that I think we need to be getting.

I'm very keen on our having accountability for any way that we authorize or spend money, and there is really no accountability in this bill at all. There is no statement of the demand. It says that there were 162,000 jobs in the U.S. water transportation sector in 2006, up from nearly 148,000 jobs reported in 2002, and it says, in the summary, there's a perceived future shortage of workers, not an actual one. So we are going to authorize a program for a perceived need.

The headlines out this week are that our military has gone way beyond its goals in recruiting people, and I suspect that with unemployment as high as it is right now, many, many people are going into skilled trades programs trying to get the kind of licensure they need to get jobs. But again, this bill doesn't present that information. It doesn't say that there are people being turned away from these State programs that are helping these people get the skills they need. It doesn't tell how many people are being turned away from the Merchant Marine Academy.

I am very much concerned that this program is going to be a lot like the program that was funded in 2004 with an earmark requested by DAVID PRICE which gave $10 million in the Federal budget to a program at UNC Chapel Hill for a new effort to help deployed soldiers of the National Guard and Army Reserves.

An article has said, 5 years later, the citizen-soldiers support program has spent $7.3 million, but the money has accomplished little for the people it was supposed to help. And, Mr. Speaker, I would like to enter into the RECORD the complete article that I'm referencing. Mr. Speaker, it goes on to say that an internal review found that the program produced reams of paperwork but few concrete results.

Because there's no accountability in this bill, we are giving huge discretion to the Secretary to handle this money. We are not outlining the kinds of things that we, as a Congress, should be outlining. We are not demanding any kind of results from the money that is being spent. And it's a lot of money. It's $110 million over 2010 to 2014, $22 million in 2014.

There's a program to give $10 million for grants to maritime training institutions to establish demonstration projects and other programs to increase mariner recruitment, training,

and retention. There is no evidence that such programs need to be out there. Again, we don't know how many people are already applying for such programs.

This money also is going to be available to unions and to community action groups such as ACORN. It's going to very nebulous groups of people.

I have a great concern, again, about how we are going to have any accountability from this program. We, in Congress, have an obligation to make sure that any money that we are spending is being spent as well as it could be spent. We have an almost 10 percent unemployment rate in the country. We are taxing people who are working for a living, and we are taxing them to give the money to programs like this for which, again, there is no accountability and no idea that we are going to get our money's worth out of it. I just think it's very unfair to the American public.

We may need to do this kind of program. I know that the Merchant Marine people told me that we need better educated, better trained people, but I don't think this is the right program.

[From the Raleigh News and Observer, Sept. 25, 2009]

PROGRAM PROVIDES LITTLE HELP FOR SOLDIERS

CORRECTION

A Sept. 25 front-page article on the Citizen Soldier Support Program stated four of the program's eight employees earned more than $100,000. Only three employees do: One employee reduced her work schedule to three-quarter time and earns $77,250. October 6, 2009.

In 2004, U.S. Rep. David Price inserted a $10 million program into the federal budget, sending the money to UNC—Chapel Hill for a new effort to help deployed soldiers of the National Guard and Army Reserves.

Five years later, the Citizen Soldier Support Program has spent $7.3 million, but the money has accomplished little for the people it was supposed to help. One-quarter of the money has gone to the university for overhead, and a large part of the rest has been spent on well-paid consultants, six-figure salaries and travel.

Half of the eight full-time employees are paid more than $100,000 a year, including a deputy director who has been reimbursed $76,000 for food, travel and lodging when she commutes from her home in northern Virginia to North Carolina.

An internal review found that the program produced reams of paperwork but few concrete results.

''The program has produced volumes of documentation, but the vast majority of this documentation is devoted to conceptual verbiage about how the program will function,'' the review said. ''The CSSP is vulnerable to the accusation that it spends too much money on administrative overhead and low-priority, 'nice-to-do' activities and not enough time on activities directly relevant to its mission.''

The head of the N.C. National Guard, Major Gen. William Ingram, has worked with the program since its inception. He said he has experienced many meetings, lots of discussion and stacks of paperwork.

''We're feeding you ideas, we're working with you, but we're not seeing any results,'' Ingram said in an interview. ''We're not seeing a whole lot of action; there's a lot of discussion, but . . . no results.''

Ingram said that after four years, the National Guard recently received the first tangible service from the program: a database of North Carolina mental health providers experienced with the military and problems such as post-traumatic stress disorder or traumatic brain injury.

On Thursday, UNC—Chapel Hill Chancellor Holden Thorp told the UNC Board of Trustees that he has ordered the program to shape up.

''The program has serious flaws,'' Thorp said. ''We need the program to show drastic improvement in a short period of time.''

16,000 WARRIORS

In 2004, as the U.S. military ramped up operations in Iraq and continued the war in Afghanistan, more and more members of the National Guard and Army Reserves were being mobilized. In all, 16,000 members of the N.C. Guard have been deployed, some of them two or three times.

Price, a Chapel Hill Democrat, saw a need, and he used a controversial method to address it. He inserted an ''earmark,'' an appropriation for a specific project that a member of Congress can include in the budget.

The program was to help soldiers in the North Carolina National Guard and Army Reserves, with the idea that it could serve as a model and eventually be expanded to other states.

Citizen soldiers are scattered around the state in civilian communities. They arid their families lack the institutional support and military community available to soldiers stationed at bases such as Camp Lejeune or Fort Bragg.

''The new program aims to better address challenges Guard and Reserve members and their families face both when they are deployed into duty and when they return home,'' according to an UNC news release from August 2004.

Price said that the program is worthy of federal funding and that he still supports its goals.

''The check isn't just sent out and forgotten about,'' Price said. ''If these funds haven't been utilized in the most effective way, we need to correct it.''

ANONYMOUS COMPLAINT

The program started in March 2005; the current end date is December 2009, though UNC has asked for a one-year extension but no more money.

In June 2008, Rep. Sue Myrick received an anonymous fax complaining that the program spent millions with nothing to show for it. Myrick forwarded it to Erskine Bowles, president of the UNC system.

One month later, Peter Leousis, who oversees the program, assured Myrick in a letter that the program had accomplished much.

''We have been and will continue to be good stewards of the taxpayers' dollars in accomplishing CSSP's mission,'' Leousis wrote.

Reached by telephone recently, Leousis said he would like to discuss the program, but he and his staff have been told by his superiors not to talk to reporters.

SCATHING REVIEW

On Feb. 17, seven months after Leousis assured Myrick all was well, Tony Waldrop, vice chancellor for research and economic development, ordered a committee to review the organization.

The university redacted substantial parts of that review and a related internal audit before release, citing personnel laws. Thorp said the removed sections discuss the actions and job performance of specific employees.

The report listed a host of problems with the program: overpaid employees; employees performing below expectations; an excessive reliance on outside consultants; an unclear chain of command that creates confusion inside and outside the program; few practical results; little or no evaluation; and disproportionate administrative costs.

The review committee said it could neither confirm nor refute the suspicion that ''the CSSP may have squandered a substantial portion of its funding on overpaid, under-supervised staffers who spent too much of the time attending to the organization and its shifting priorities and too little time providing real value to groups serving soldiers and their families.''

The deputy director for military relations, Susann Kerner-Hoeg, earns a salary of $129,600. Kerner-Hoeg works from her home in northern Virginia, and the program pays for her travel, lodging and meals when she comes to Chapel Hill. The program has spent $76,558 over the past three years for Kerner-Hoeg's flights, rental cars, hotel rooms and meals.

During the same period, the program paid $313,600 to Kent Peterson & Associates of Kansas City, KA. Peterson, a consultant, served as the director of community relations.

It is routine for the university to get a cut of grant money. Academic institutions, which provide administrative support and office space, routinely receive portions of grants for administrative overhead. The figure often runs as high as 46 percent.

TURNING IT AROUND?

Waldrop, the vice chancellor in charge of the program, said the review and audit have put it on the right footing.

Waldrop said the program can list some accomplishments: the database of mental health providers; one-day training for 2,000 mental health providers on military culture and the after-effects of war-related injuries; and consulting with the Army Reserve's Yellow Ribbon program.

Neil Caudle, an associate vice chancellor who headed the review committee, said the program is still committed to helping soldiers.

''In six months to a year, we'll be in the right place,'' Caudle said.

[From the Carolina Journal, Oct. 9, 2009]

DELEGATION DENOUNCES EXCESSES IN CITIZEN-SOLDIER PROGRAM

(By David N. Bass)

RALEIGH.—An embattled university program meant to assist soldiers returning from Iraq and Afghanistan must shape up or lose its taxpayer funding, say many of the same North Carolina congressional lawmakers who supported the program's initial federal commitment five years ago.

The Citizen-Soldier Support Program, housed at the Odum Institute for Research in Social Sciences at the University of North Carolina at Chapel Hill, is meant to connect veterans and their families with support systems in local communities. But the program has drawn criticism in recent weeks after an internal UNC–CH review flagged a series of management, personnel, and financial problems.

As Carolina Journal and the News & Observer of Raleigh reported, CSSP has burned through most of its $10 million in federal funding with little to show for it. Over half of Kits employees earn six-figure salaries, and some have racked up extensive traveling expenses, laying the groundwork for rumors that CSSP ''may have squandered a substantial portion of its funding on overpaid, under-supervised staffers,'' according to the internal review.

The program has also faced criticism for agreeing to pay a Kansas-based consultant

up to $340,000 and for reimbursing its deputy director, who lives in northern Virginia, for travel between her home and CSSP's offices in Carrboro.

Those expenses, mixed with other problems identified by the university review, have raised objections among North Carolina's congressional delegation.

''This program appears to have produced almost no results—other than nice salaries for consultants and bureaucrats,'' said Rep. Virginia Foxx, R–5th District.

''Many of our guardsmen have been deployed two or three times to Iraq and Afghanistan, and that takes a heavy toll on their families back home,'' said Rep. Brad Miller, a Democrat from the 13th District. ''But worthy goals do not excuse poor performance. I won't support the program again unless the program fixes the problems that the university's internal review found.''

Miller's colleague in the House, 4th District Democrat David Price, was responsible for securing the largest chunk of federal funding—$5 million in 2005. In a statement e-mailed to CJ in late August, Price acknowledged problems in the program but said that UNC—Chapel Hill ''has taken concrete steps to address these issues.''

The $5-million earmark had unanimous support from the state's congressional delegation, according to a UNC–CH press release from June 2005. A number of lawmakers are now having second thoughts, however.

''I will not continue to support federally funded programs that do not reach the goals originally intended for the recipients. The American taxpayers deserve better,'' said Rep. Walter Jones, R–3rd.

''The program has failed to put the needs of our Reserve Component members and their families first, and I do not think that the program should be allowed to continue as it currently is administered,'' said 9th District GOP Rep. Sue Myrick.

Myrick said she received an anonymous complaint in 2008 about abuses in. the CSSP and subsequently contacted UNC system President Erskine Bowles.

''In his response he gave me assurance that each of the allegations would be reviewed,'' Myrick said. ''Now, I'm again receiving anonymous faxes about the program, and with the results of the latest audit now public—it's not good.''

Foxx said excesses in the program are an example of why she took a no-earmark pledge in 2007. ''Too much taxpayer money gets frittered away like this with little to no oversight,'' she said.

Calls and e-mails to spokesmen for Reps. G.K. Butterfield, D–1st; Mike McIntyre, D–7th; Larry Kissell, D–8th; and Patrick McHenry, R–10th, were not returned by press time.

Reached by phone, Doug Abrahms, spokesman for 11th District Democratic Congressman Heath Shuler, noted that Shuler was not in Congress when funding for CSSP was first authorized. Asked if Shuler would support continued funding, Abrahms said, ''It's not something that's on his agenda right now.''

DEADLINE SET

Since reports on the internal review first surfaced in late August, university officials have said that improvements need to be made or else CSSP should be terminated.

''We need this program to show dramatic improvement in a short period of time to remain viable'' said UNC–CH Chancellor Holden Thorp at a Board of Trustees meeting Sept. 24.

Kimrey Rhinehardt, vice president for federal relations at UNC General Administration, sent an e-mail dated Aug. 17 to Bowles recommending that CSSP's behavioral health initiative be terminated.

As for the entire program, Rhinehardt wrote, ''I think that the CSSP leadership should be permitted a supervised opportunity to dramatically improve the Program subject to review by their National Advisory Committee and Review Committee. If momentum does not tend toward progress by October 23, 2009, then remaining federal funds should be returned and the program should be terminated.''

The review committee that authored the internal report is continuing to monitor the program, said UNC–CH spokesman Mike McFarland.

Mr. CUMMINGS. I yield myself such time as I may consume.

I'm sitting here and I'm amazed what I just heard. We spend phenomenal amounts of money on so many things, and we are talking about many young people simply trying to have an opportunity to be all that God meant for them to be.

We've got a situation where we have an industry that is growing, and the question that has arisen many times is whether we are, as a country, being innovative. Are we preparing our people for the opportunities that come forth or are we sitting back and allowing them to get to a certain point, and then when they try to enter the doors that will allow them to rise up to go into the fields that they want to go into, then we say, ''Sorry. Too bad. All the money is gone''?

There's something absolutely incredibly wrong with that picture. It's very easy to come down and say, oh, the mariners don't need this money, when, in fact, the costs of the mariner's education has gone up tremendously. It is very easy to say that we don't need this when the age of our folks who are in the industry is at 50 and we need to begin to bring in new people, and we are constantly talking about jobs in America and making sure that our people have the opportunities that they deserve. Something is wrong with the picture when their opportunity comes up and, the next thing you know, we take a hike on them.

One of the things I will say is that this industry is growing. We've had a little bit of a slowdown here recently because of the economic situation, but anybody who knows anything about the maritime industry knows that after this economic situation is over, we will be increasing at a very rapid pace and to a very large extent.

And so while I respect the gentlelady for her comments, what I will say is that this is money that is needed, and it is money that—as I have often said, our children are the living messages that we send to a future we will never see. The question is what kind of message do we send to the future if our children are unprepared, if they are unprepared to take on the responsibilities that lie in front of them? Must we always go overseas to get people to come to do these jobs? We are trying to educate our own, and that is what this is all about.

Mr. Speaker, I have no other speakers, and I would assume that the gentleman would have a closing statement.

I reserve the balance of my time.

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

Ms. RICHARDSON. Madam Speaker, as a member of the Transportation and Infrastructure Committee I rise to lend my strong support to H.R. 2651, The Maritime Workforce Development Act which will help strengthen our maritime industry by providing loans to students who are pursuing a maritime education. I want to thank my colleague Representative CUMMINGS for bringing this bill to the floor and bringing attention to this important issue.

Having the port of Long Beach in my district, I know the importance of a well educated maritime industry. I also know how few Americans now pursue careers in the maritime industry and we should do what we can to make maritime education possible and affordable to all.

This bill goes a long way towards rectifying problems in our maritime training and I want to thank Mr. CUMMINGS for his work rectifying this important issue. I ask that my colleagues today support this bill, and continue to support our maritime industry.

Mr. OBERSTAR. Mr. Speaker, I rise today in strong support of H.R. 2651, the ''Maritime Workforce Development Act''. H.R. 2651 directs the Secretary of Transportation to establish a maritime career training and loan program. I thank the gentleman from Maryland (Mr. CUMMINGS) for working on this important piece of legislation.

The maritime industry anticipates a continuing shortage of qualified merchant mariners. Due to projected increases in commercial maritime traffic and a maritime workforce that is approaching retirement age, a maritime training program is needed to help ensure that our nation will continue to have skilled and experienced U.S. citizen merchant mariners. Such a program can begin in high schools by creating maritime training curriculum for students to obtain the basic knowledge of the maritime industry and skills to gain an entry-level job.

H.R. 2651 also creates a maritime loan program that meets the needs and training requirements of mariners, which they may not get through a traditional two- or four-year educational institution.

Mariners have certification courses that can last from two weeks to several months and their courses are typically taken between voyages. When mariners seek to enhance their credentials, they need a loan program that helps them with expenses while they are taking the time off to pursue certifications or licenses. H.R. 2651 creates a loan program to help mariners pay for their books, tuition, fees, room and board, and travel to and from their training facilities.

In these tough economic times with high unemployment rates, it is critical for there to be a mechanism to aid people interested in a maritime career, whether they are recent high school graduates or if they graduated from high school 10 or 20 years ago. There is a shortage of maritime workers and a high percentage of mariners are approaching retirement age. Something must be done now to fill the gap and help sustain an adequate number of qualified mariners. To that end, H.R. 2651

authorizes $10 million for each of fiscal years 2010 to 2015 to fund the education of mariners, and sustain our vital maritime industry.

H.R. 2651 also requires the Secretary of Transportation to establish a maritime recruitment, training, and retention grant program. The Secretary is directed to consult with representatives of the maritime industry, labor organizations, other governmental entities and maritime industry interests. This program will be imperative to the maritime industry in recruiting new mariners, keeping current mariners, and assisting them with training and upgrading their licenses. H.R. 2651 authorizes $10 million for each of fiscal years 2010 to 2015 to fund grants to support this program.

The nation's maritime cargo volumes are expected to double by 2020. As waterborne commerce expands in the United States, there is a great need to meet the labor demands that the continued growth in the maritime industry is expected to create. H.R. 2651 creates mechanisms to ensure that our nation will be well equipped to handle the welcomed maritime growth.

I urge my colleagues to join me in supporting H.R. 2651.

Mr. CUMMINGS. Mr. Speaker, I yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and pass the bill, H.R. 2651, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GEORGE P. KAZEN FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2423) to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ''George P. Kazen Federal Building and United States Courthouse'', and to designate the jury room in that Federal building and United States courthouse as the ''Marcel C. Notzon II Jury Room'', as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2423

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

SECTION 1. BUILDING DESIGNATION.

(a) DESIGNATION.—The Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, shall be known and designated as the ''George P. Kazen Federal Building and United States Courthouse''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the ''George P. Kazen Federal Building and United States Courthouse''.

SEC. 2. EFFECTIVE DATE.

This Act shall take effect on the first day on which George P. Kazen is no longer serving as a Federal judge.

□ 1430

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

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 2423.

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

There was no objection.

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

Mr. Speaker, H.R. 2423, as amended, is a bill to designate the federal building and United States courthouse located at 1300 Victoria St. in Laredo, Texas as the George P. Kazen Federal Building and United States Courthouse.

Congressman CUELLAR introduced this bill, which has bipartisan support. Judge Kazen has served the people of the southern judicial district of Texas with great distinction and dedication since 1979. He is a graduate of the University of Texas, and the University of Texas Law School. After serving in private practice in Laredo, Texas he was nominated to the federal bench by President Jimmy Carter in 1979. He served in the southern district of Texas and served as Chief Judge in that district from 1996 until 2003.

Judge Kazen was also very active in his community, serving as a member in the U.S. Air Force, founding the Laredo Legal Aid Society, and serving in numerous capacities in civic organizations in South Texas. Judge Kazen served as President of the Laredo Civic Music Association, the Boys' and Girls' Clubs of Laredo, the St. Augustine-Ursuline School Board, and as a member of the Laredo Community College Board of Trustees.

It is both fitting and proper to honor Judge Kazen's distinguished public career with this designation. I support H.R. 2423 as amended and urge my colleagues to join me in supporting this bill.

Mr. Speaker, I yield such time as he may consume to the author of the bill, Mr. CUELLAR of Texas.

Mr. CUELLAR. Thank you very much for yielding.

Mr. Speaker, I rise today to recognize the outstanding contributions of a fine public servant in Laredo, Texas, Judge George P. Kazen. This is an individual that has dedicated the majority of his life to upholding the justice system in south Texas.

In 1979, President Jimmy Carter appointed Judge George P. Kazen to be a United States district judge. For four decades, he served south Texas as a tireless advocate for fairness under the law. From 1996 to 2003, he was the chief judge of the United States Southern District, which includes the areas of Houston, Galveston, Victoria, Laredo, Corpus Christi, McAllen and Brownsville in Texas. Judge Kazen is also a JAG officer for the United States Air Force, and in 1965 he received the United States Air Force Commendation Medal.

Judge Kazen is married to Barbara Ann and they have four children. He is, without a doubt, a selfless public servant who has been a tremendous credit to the city of Laredo and the State of Texas and our great Nation.

I also want to recognize Judge Kazen's Federal magistrate, the Honorable Marcel Notzen. Since 1967, Marcel Notzen, the magistrate, served for four decades in front and behind the bench, as an attorney, as a law partner, and most recently as a U.S. magistrate for the Southern District. Judge Notzen is married to Nora Lee, and they have six children.

It is with great pride that I authored this legislation, H.R. 2423, to name the United States Courthouse located at 1300 Victoria Street in Laredo, Texas, as the George B. Kazen Federal Building and United States Courthouse in honor of George Kazen. It is also my legislative intent, Mr. Speaker, to name the jury room in the United States courthouse as the Marcel C. Notzen, II Jury Room. I think this is a way to thank these two individuals who have worked so hard for their Nation as judges.

I want to thank all of my Texas colleagues for helping me recognize these exceptional individuals. By recognizing these individuals, their contributions will be remembered and they will continue to inspire those individuals who follow their lead in preserving the American justice system.

I urge my colleagues to support this legislation.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, after hearing the eloquent explanation from the sponsor of the legislation, I thank him for his leadership on this bill and many others.

This bill would designate a Federal building and courthouse in Laredo, Texas as the ''George P. Kazen Federal Building and United States Courthouse.''

Judge Kazen has served on the District Court for the Southern District of Texas since 1979.

From 1996 to 2003, Judge Kazen served as chief judge and, earlier this year he assumed senior status.

Prior to his appointment to the federal bench, Judge Kazen was in the private practice of law.

Earlier in his career he served in the JAG Corp as a U.S. Air Force Captain and worked as a briefing attorney for the Texas Supreme Court.

He received both his bachelor's degree and law degree from the University of Texas.

His career demonstrates his dedication to public service and the law.

I have no objections to the passage of this legislation.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 2423, as amended, a bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas as the ''George P. Kazen Federal Building and United States Courthouse''.

The Federal building and U.S. Courthouse designation will become effective when Judge George P. Kazen retires and is no longer serving as a federal judge. The bill was introduced by the gentleman from Texas (Mr. CUELLAR) and has bipartisan support.

George P. Kazen was born in Laredo, Texas, in 1940. In 1960, he earned a bachelor's degree in Business Administration from the University of Texas. He later earned his law degree from the University of Texas School of Law in 1961. Kazen began his professional career as a Briefing Attorney for the Texas Supreme Court in 1961 and 1962. From 1962 to 1965, he was a U.S. Air Force Captain in the JAG Corps. Following his military service, Kazen worked in a private practice in Laredo until 1979.

In 1979, President Jimmy Carter nominated George P. Kazen as a U.S. District Court Judge for the Southern District of Texas. Judge Kazen has served on the bench for more than 30 years, including as Chief Judge from 1996 to 2003. On May 31, 2009, he assumed senior status on the court.

During his tenure on the bench, Judge Kazen considered a wide variety of cases. In Luna v. Van Zandt, a 1982 case, he invalidated a Texas statute that allowed for the detaining of individuals perceived as mentally ill for up to 14 days without a commitment hearing. In addition, Judge Kazen has testified before Congress and written several articles on issues of Federalism and the courts. Outside of the courtroom, Judge Kazen is a stalwart of his community, serving on numerous civic organizations in South Texas.

Given Judge George P. Kazen's exemplary public service, it is fitting to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse".

I urge my colleagues to join me in supporting H.R. 2423.

Mr. MARIO DIAZ-BALART of Florida. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and pass the bill, H.R. 2423, 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. HIRONO. 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.

NATIONAL WOMEN'S HISTORY MUSEUM ACT OF 2009

Ms. HIRONO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1700) to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1700

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 ''National Women's History Museum Act of 2009''.

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(3) COMMITTEES.—The term ''Committees'' means the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate.

(4) MUSEUM.—The term ''Museum'' means the National Women's History Museum, Inc., a District of Columbia nonprofit corporation exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986.

(5) PROPERTY.—The term ''property'' means the property located in the District of Columbia, subject to survey and as determined by the Administrator, generally consisting of Squares 325 and 326. The property is generally bounded by 12th Street, Independence Avenue, C Street, and the James Forrestal Building, all in Southwest Washington, District of Columbia, and shall include all associated air rights, improvements thereon, and appurtenances thereto.

SEC. 3. CONVEYANCE OF PROPERTY.

(a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—Subject to the requirements of this Act, the Administrator shall convey the property to the Museum on such terms and conditions as the Administrator considers reasonable and appropriate to protect the interests of the United States and further the purposes of this Act.

(2) AGREEMENT.—As soon as practicable, but not later than 180 days after the date of enactment of this Act, the Administrator shall enter into an agreement with the Museum for the conveyance.

(3) TERMS AND CONDITIONS.—The terms and conditions of the agreement shall address, among other things, mitigation of developmental impacts to existing Federal buildings and structures, security concerns, and operational protocols for development and use of the property.

(b) PURCHASE PRICE.—

(1) IN GENERAL.—The purchase price for the property shall be its fair market value based on its highest and best use as determined by an independent appraisal commissioned by the Administrator and paid for by the Museum.

(2) SELECTION OF APPRAISER.—The appraisal shall be performed by an appraiser mutually acceptable to the Administrator and the Museum.

(3) TERMS AND CONDITIONS FOR APPRAISAL.—

(A) IN GENERAL.—Except as provided by subparagraph (B), the assumptions, scope of work, and other terms and conditions related to the appraisal assignment shall be mutually acceptable to the Administrator and the Museum.

(B) REQUIRED TERMS.—The appraisal shall assume that the property does not contain hazardous substances (as defined in section 101 of CERCLA (42 U.S.C. 9601)) which require response action (as defined in such section).

(c) APPLICATION OF PROCEEDS.—The purchase price shall be paid into the Federal Buildings Fund established under section 592 of title 40, United States Code. Upon deposit, the Administrator may expend, in amounts specified in appropriations Acts, the proceeds from the conveyance for any lawful purpose consistent with existing authorities granted to the Administrator, except that the Administrator shall provide the Committees with 30 days advance written notice of any expenditure of the proceeds.

(d) QUIT CLAIM DEED.—The property shall be conveyed pursuant to a quit claim deed.

(e) USE RESTRICTION.—The property shall be dedicated for use as a site for a national women's history museum for the 99-year period beginning on the date of conveyance to the Museum.

(f) REVERSION.—

(1) BASES FOR REVERSION.—The property shall revert to the United States, at the option of the United States, without any obligation for repayment by the United States of any amount of the purchase price for the property, if—

(A) the property is not used as a site for a national women's history museum at any time during the 99-year period referred to in subsection (e); or

(B) the Museum has not commenced construction of a museum facility on the property in the 5-year period beginning on the date of enactment of this Act, other than for reasons beyond the control of the Museum as reasonably determined by the Administrator.

(2) ENFORCEMENT.—The Administrator may perform any acts necessary to enforce the reversionary rights provided in this section.

(3) CUSTODY OF PROPERTY UPON REVERSION.—If the property reverts to the United States pursuant to this section, such property shall be under the custody and control of the Administrator.

(g) CLOSING DEADLINE.—The conveyance pursuant to this Act shall occur not later than 3 years after the date of enactment of this Act. The Administrator may extend that period for such time as is reasonably necessary for the Museum to perform its obligations under section 4(a).

SEC. 4. ENVIRONMENTAL MATTERS.

(a) AUTHORIZATION TO CONTRACT FOR ENVIRONMENTAL RESPONSE ACTIONS.—The Administrator is authorized to contract, in an amount not to exceed the purchase price for the property, with the Museum or an affiliate thereof for the performance (on behalf of the Administrator) of response actions (if any) required on the property pursuant to CERCLA.

(b) CREDITING OF RESPONSE COSTS.—Any costs incurred by the Museum or an affiliate thereof pursuant to subsection (a) shall be credited to the purchase price for the property.

(c) RELATIONSHIP TO CERCLA.—Nothing in this Act may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(b) of CERCLA (42 U.S.C. 9620(b)).

SEC. 5. INCIDENTAL COSTS.

Subject to section 4, the Museum shall bear any and all costs associated with complying with the provisions of this Act, including studies and reports, surveys, relocating tenants, and mitigating impacts to existing Federal buildings and structures resulting directly from the development of the property by the Museum.

SEC. 6. LAND USE APPROVALS.

(a) EXISTING AUTHORITIES.—Nothing in this Act shall be construed as limiting or affecting the authority or responsibilities of the National Capital Planning Commission or the Commission of Fine Arts.

(b) COOPERATION.—

(1) ZONING AND LAND USE.—Subject to paragraph (2), the Administrator shall reasonably cooperate with the Museum with respect to any zoning or other land use matter relating to development of the property in accordance with this Act. Such cooperation shall include consenting to applications by the Museum for applicable zoning and permitting with respect to the property.

(2) LIMITATIONS.—The Administrator shall not be required to incur any costs with respect to cooperation under this subsection and any consent provided under this subsection shall be premised on the property being developed and operated in accordance with this Act.

SEC. 7. REPORTS.

Not later than one year after the date of enactment of this Act, and annually thereafter until the end of the 5-year period following conveyance of the property or until substantial completion of the museum facility (whichever is later), the Museum shall submit annual reports to the Administrator and the Committees detailing the development and construction activities of the Museum with respect to this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Hawaii (Ms. HIRONO) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from Hawaii.

GENERAL LEAVE

Ms. HIRONO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 1700.

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

There was no objection.

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

Mr. Speaker, I am pleased to support H.R. 1700, as amended, as bill which directs the Administrator of General Services to sell at fair market value property in Southwest Washington, DC to the National Women's History Museum, Inc., a District of Columbia non-profit corporation for the purpose of establishing a museum dedicated to women's history.

This bill was introduced by Mrs. MALONEY and co-sponsored by many members including Subcommittee Chair NORTON, Ranking Member Mr. DIAZ-BALART and myself.

The National Women's History Museum was founded in 1996, and has been seeking a permanent physical location in the Nation's capital since its inception. According to museum officials, the museum intends to build a "green" building that will cost between $250 and $350 million. The costs will include designs, plans, construction, and two years of operation. The permanent museum is expected to be a focal point that will have permanent and temporary exhibits, special events, and education materials that highlight women's social, political, and intellectual contributions to history. According to the museum, this facility will house the first permanent and comprehensive record of women's history.

The National Women's History Museum will have five years to raise funds to construct the museum. If, after five years, the fundraising has not been successful, the property will revert back to the Federal government, thus the government's interests are protected.

In general the museum will bear the costs of the sale, including the appraisal.

This bill has bipartisan support and I urge my colleagues to join me in supporting H.R. 1700 as amended.

I yield such time as she may consume to the author of this legislation, Mrs. MALONEY.

Mrs. MALONEY. Thank you so much for yielding.

This is a very important day for women's history. Today, we are recognizing the immense contributions women have made to our Nation by voting to help create the National Women's History Museum.

I am grateful to Chairman OBERSTAR for his support in moving this bill through committee. And of course I thank my partner in this, Chairwoman ELEANOR HOLMES NORTON, whose dedication and commitment in creating a museum about women has been persistent and strong. And I thank her staff, Susan Brita, and mine, Orly Isaacson, for their hard work.

We have been working on this effort for well over 10 years to provide women, comprising 53 percent of our population, recognition of their many contributions that are the very fabric of our country. I strongly urge my colleagues to vote in favor of this bipartisan bill and bring the Women's History Museum to the National Mall.

There are 211 statues in the Capitol Building, each honoring a leader from our Nation's history, but only 11 of these statutes are of female leaders. Of America's 2,004 historic landmarks, fewer than five chronicle the achievements of women. Even more troubling, a recent study revealed that only one of every 10 people identified in the 18 most commonly used U.S. history textbooks is female.

The museums and memorials in Washington are one measure of what our society values. We already have museums for stamps and for spies, but not one dedicated to women. This bill would honor our Nation's foremothers and inspire future generations of women leaders by providing a space on the National Mall to honor women's contributions to American history.

From Susan B. Anthony to Sojourner Truth to Oprah Winfrey, from Hattie Caraway, the first woman elected to the United States Senate, to Sonia Sotomayor, our Nation's first Latina woman appointed to the U.S. Supreme Court, the story of what women have contributed to the American way of life is a very long, overdue story.

The bill directs the General Services Administration to sell property located across from the National Mall at 12th and Independence to the museum at a fair market price. Reasonable time frames are included for the transfer of the property and the beginning of construction. The museum will be built and maintained with private funds.

I urge my colleagues to support the National Women's History Museum, and in so doing, honor our mothers, sisters, wives, and daughters.

I am really thrilled that it is here before us on the floor today. For too long, women's history has been missing from textbooks, memorials, museums, exhibits, and many other venues. With this bill designating a permanent building site, this museum will bring to life and tell all the stories of American history, male and female alike.

I would also like to recognize and thank the National Women's History Museum, and especially Joan Wages, their president. The museum played a leading role in moving the suffragist's statue out of the basement into the living room of the Capitol, Statuary Hall. They have been working with me and ELEANOR HOLMES NORTON on this project well over 10 years. I look forward to continuing our work together as we see the museum built right across from our National Mall, and that we have, for the first time, a national museum dedicated to the many contributions of women.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this is a nonpartisan, not-for-profit educational institution dedicated to preserving, interpreting, and celebrating the diverse and important historic contributions of women and integrating this rich heritage fully into our Nation's history in a place where everyone will be able to see, everyone will be able to visit right here in the heart of the Nation's Capital.

Again, H.R. 1700 is intended to help pave the way for a women's museum in the Nation's Capital dedicated to recognizing the significant contributions of women throughout our wonderful and rich history. And despite the significant contributions of women throughout the history of our country, frankly, women continue to be underrepresented in exhibits featured in our museums.

The stories and contributions of women are critical to understanding our history as a Nation. And this is one way, just one way, that we can ensure that this history is passed along to our sons and to our daughters.

I think it is very befitting that this legislation would provide a prominent site for the National Women's History Museum near the National Mall, again, right here in our Nation's Capital.

I am pleased to be a cosponsor of this bill, along with approximately 50 other of my colleagues. I also want to recognize the work of not only Representative MALONEY and Chairwoman NORTON, who chairs our subcommittee with great distinction, but also Senator SUSAN COLLINS, who has worked tirelessly over the previous Congresses on legislation to secure a site for the National Women's History Museum.

I support the passage of this legislation, Mr. Speaker, and I urge my colleagues to do so same.

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

Ms. HIRONO. Mr. Speaker, I yield 2 minutes to the Honorable ELEANOR HOLMES NORTON of Washington, D.C.

Ms. NORTON. I thank you for yielding. And I thank the ranking member of the subcommittee for working with me to make sure that this bill came to the floor today. I especially thank my good friend, the original sponsor of this bill, the gentlewoman from New York, who has worked tirelessly to make sure this bill got done. And I want to take note of the women who for 10 years have never given up on this idea.

I had to overcome a presumption against transferring Federal property, so I encountered many difficulties in trying to get this bill through. But women never say no, and that is very important to achieving what is long overdue, this bill.

And note what the mission of the National Women's Museum is: to research, collect and showcase the contributions of women in professional fields as well as honor women's roles in nurturing their families and communicates. Women are absent from the Mall. Women are absent from prominent government sites. Part of it has to do with inequality of women in our society, that they haven't as often done what comes to light, but even when what comes to light comes, they are not recognized. That's why we need a women's museum. We note that this year there are women winning Nobel Prizes in science and economics, which shows you that you are going to have a lot to honor in this museum very quickly.

We went through regular order. The Women's museum has to buy the parcel at market value. They have 5 years to raise the money or it reverts back to the government. That is regular order; that's the way it always is when we transfer a property. But the women are geared up and ready to go, and I thank all concerned for making this bill possible today, especially my partner in this enterprise, the gentlelady from New York, and most of all the women themselves who refused to give up and now have what they deserve.

□ 1445

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. HIRONO. I yield 2 minutes to the gentleman from Virginia, the Honorable JIM MORAN.

Mr. MORAN of Virginia. Mr. Speaker, in a perfect world, this legislation would not be necessary, but gosh sakes, only 5 percent of our national historic landmarks are in recognition of the accomplishments of more than half of our population. This is long overdue.

I want to particularly recognize the sponsor, Chairwoman CAROLYN MALONEY; Joan Wages, who was head of the National Women's History Museum idea for a number of years; MAZIE HIRONO; and of course, her very able assistant for our public buildings, Susan Brita. All of these folks, who happen to be women, have brought this about.

I want to underscore the fact that it simply authorizes the General Services Administration to convey a parcel of real property near the National Mall for the establishment of the National Women's History Museum. Fair market rates prevail, and the museum will be funded with private contributions. Since it is for women, about women and by women, they're going to achieve that contrary to some of the other things we've attempted. This is going to be a museum that all of the Nation's population is going to be very proud of. It's long overdue. Let's get it done.

Thanks to all who were involved in making it happen.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. HIRONO. I yield 2 minutes to the gentlewoman from California, the Honorable LYNN WOOLSEY.

Ms. WOOLSEY. Thank you, Madam Hirono, and thank you to the gentlewoman from New York for all you do for women day in and day out.

Mr. Speaker, I rise in strong support of H.R. 1700, the National Women's History Museum Act of 2009. It is important because Congress and our Nation, as a whole, must find ways to honor the important roles of women, roles that women have played in shaping our very country.

Unfortunately, before the 1970s, the subject of women's history was largely missing from our schools, and it was absent completely in media coverage and in cultural celebrations. That's why, when I chaired the Sonoma County Commission on the status of women in 1978, the commission's education task force initiated a Women's History Week celebration, centered around international women's history day. That celebration, that very celebration, started a national movement.

In 1981, Congress responded to the growing popularity of Women's History Week, which was led by the women from my community in Sonoma County, by making it a national observance, and it eventually expanded the week to a month in 1987. During National Women's History Month, many cities and towns celebrate women's contributions through parades and other activities.

By building a National Women's History Museum, we will ensure that our Nation celebrates women not just during 1 month but throughout the year, every year, and it will ensure that young families, young girls and young boys come to Washington, D.C., to visit the women's museum and to remember what women have contributed and are contributing.

Again, I would like to thank my colleague from New York, Representative MALONEY, for her leadership.

I urge my colleagues to support this important bill.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Ms. HIRONO. I yield 1 minute to the gentleman from Pennsylvania, the Honorable CHAKA FATTAH.

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

Mr. FATTAH. Let me thank the gentlewoman, and let me thank the sponsor of this bill, the gentlewoman from New York.

Mr. Speaker, I rise in one of my proudest moments in the House to support this legislation. As the father of three daughters, I am looking forward to the day I can bring them to the museum here in Washington to learn about the great achievements that continue until this day of women throughout the United States of America in all fields and endeavors.

So I congratulate the sponsor, and I hope for its favorable consideration.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time.

Ms. HIRONO. Mr. Speaker, I want to thank all of the speakers who supported this resolution. As a woman, of course, it has special meaning to me as well as to all of the other women in the House.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 1700, as amended, a bill to direct the Administrator of the General Services Administration to sell, at fair market value, real property in southwest Washington, DC, commonly known as the "Cotton Annex" site, to the National Women's History Museum, Inc., NWHM, a District of Columbia nonprofit corporation, for the purpose of establishing a museum dedicated to women's history. The site is bounded by 12th Street SW., Independence Ave., the James Forrestal Building, and C Street SW. The NWHM is a nonpartisan, educational institution with a mission of highlighting and celebrating the historic contributions of women in the United States. The bill was introduced by the gentlewoman from New York (Mrs. MALONEY) and has bipartisan support.

H.R. 1700 requires that fair market value of the property be determined by highest and best use, as determined by an independent appraisal commissioned by the Administrator of the General Services Administration, GSA, and paid for by the museum.

The National Women's History Museum will have 5 years to raise funds to construct the museum. If, after 5 years, the fundraising effort has not been successful, the property will revert back to the Federal Government. The Federal Government is further protected by limiting use of the parcel as a site for the National Women's History Museum for 99 years.

It is with great pleasure and satisfaction that I support H.R. 1700, as amended. The committee has worked with staff from the Women's Museum for almost 10 years to find a suitable site, determine an appropriate disposal method, and identify terms and conditions that were acceptable to GSA.

I urge my colleagues to join me in supporting H.R. 1700.

Ms. HIRONO. I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Hawaii (Ms. HIRONO) that the House suspend the rules and pass the bill, H.R. 1700, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings

will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 768, by the yeas and nays;

H.R. 1327, by the yeas and nays;

H. Res. 816, by the yeas and nays;

H. Res. 786, by the yeas and nays;

H.R. 3371, by the yeas and nays.

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

SUPPORTING NATIONAL WORK AND FAMILY MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 768, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from the Northern Mariana Islands (Mr. SABLAN) that the House suspend the rules and agree to the resolution, H. Res. 768, as amended.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 17, as follows:

[Roll No. 775]

YEAS—415

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

NOT VOTING—17

Adler (NJ)
Andrews
Bilirakis
Bishop (UT)
Cao
Carney
Cole
Conyers
Hirono
Holt
Kilroy
Mollohan
Schock
Serrano
Shuster
Wasserman Schultz
Wexler

□ 1515

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. COLE. Mr. Speaker, on Wednesday, October 14, 2009, I was unavoidably detained and I missed the first vote in a series of five votes. I missed rollcall vote No. 775.

Had I been present and voting, I would have voted as follows: Rollcall vote No. 775: "yea" (on agreeing to H. Res. 768).

IRAN SANCTIONS ENABLING ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1327, 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 gentleman from Massachusetts (Mr. FRANK) that the House suspend the rules and pass the bill, H.R. 1327, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 6, not voting 12, as follows:

[Roll No. 776]

YEAS—414

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger

Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Higgins
Hill
Himes
Hinojosa
Hodes
Hoekstra
Holden
Holt
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pascrell
Pastor (AZ)
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
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—6

Flake
Hinchey
Jones
Kucinich
McDermott
Paul

NOT VOTING—12

Boren
Cao
Carney
Conyers
Herseth Sandlin
Hirono
Honda
Mollohan
Shuster
Walz
Wasserman Schultz
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1527

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WALZ. Mr. Speaker, due to unforeseen circumstances, I missed rollcall vote No. 776 on motion to suspend the rules and pass H.R. 1327, the Iran Sanctions Enabling Act of 2009 as amended. Had I been present, I would have voted "yea."

Ms. HERSETH SANDLIN. Mr. Speaker, I regret that I was unable to participate in a vote on the floor of the House of Representatives today.

The vote was on H.R. 1327 as amended, the Iran Sanctions Enabling Act of 2009. Had I been present, I would have voted "yea" on that question.

MOURNING THE LOSS OF LIFE ON AMERICAN SAMOA AND SAMOA AFTER THE EARTHQUAKES AND TSUNAMIS ON SEPTEMBER 29, 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 816, as amended, 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 American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 816, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 0, not voting 10, as follows:

[Roll No. 777]

YEAS—422

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

NOT VOTING—10

Cao
Carney
Conyers
Hirono
Honda
Mollohan
Shuster
Wasserman Schultz
Watt
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). One minute remains in this vote.

□ 1534

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

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa, Samoa, and Tonga.''.

A motion to reconsider was laid on the table.

AIRLINE SAFETY AND PILOT TRAINING IMPROVEMENT ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3371, 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 gentleman from Illinois (Mr. COSTELLO) that the House suspend the rules and pass the bill, H.R. 3371, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 409, nays 11, not voting 12, as follows:

[Roll No. 778]

YEAS—409

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

NAYS—11

Bishop (UT)
Blackburn
Broun (GA)
Flake
Graves
Inglis
Paul
Price (GA)
Sensenbrenner
Westmoreland
Whitfield

NOT VOTING—12

Cao
Carney
Conyers
Hall (TX)
Hirono
Honda
Johnson, E. B.
Mollohan
Schrader
Shuster
Wasserman Schultz
Wexler

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). After the pending vote on H.R. 3371, the unfinished business will be on House Resolution 786, which originally had been slated as an earlier vote.

□ 1544

Messrs. WESTMORELAND, BROUN of Georgia and INGLIS changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMEMORATING THE CANONIZATION OF FATHER DAMIEN DE VEUSTER TO SAINTHOOD

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 786, as amended, 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 American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and agree to the resolution, H. Res. 786, as amended.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 14, as follows:

[Roll No. 779]

YEAS—418

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri

Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Capito
Capuano
Cardoza
Carnahan
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
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
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—14

Boswell
Brown-Waite, Ginny
Cao
Capps
Carney
Conyers
Hall (TX)
Hirono
Hodes
Honda
Mollohan
Shuster
Wasserman Schultz
Wexler

□ 1602

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

RECOGNIZING 10TH ANNIVERSARY OF THE ATLANTIC INTRACOASTAL WATERWAY ASSOCIATION

Ms. NORTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 465) recognizing the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary, and for other purposes, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 465

Whereas the Atlantic Intracoastal Waterway (AIWW) was authorized by the Rivers and Harbors Act of 1937 to provide a safe inside navigation channel for commercial shipping, support for and encouragement of interstate commerce, and safe harbor and protection for shipping from inclement weather and wartime enemy attack;

Whereas the AIWW, completed in 1940, runs along the southeast coast of the United States from Norfolk, Virginia, to Key West, Florida, and measures 1,088 miles long;

Whereas segments of the intracoastal waterway on the Atlantic Coast received their initial congressional authorization through Rivers and Harbors Acts beginning in 1880;

Whereas the AIWW is a vital transportation system providing safe, reliable, and efficient navigation for commercial, recreational, and military vessels;

Whereas the Corps of Engineers is currently engaged in flood control, hydropower production, environmental restoration, maintenance dredging, lock maintenance, recreation, and navigation projects along the AIWW;

Whereas, according to the Corps of Engineers, in 2007 the AIWW supported the transportation of 2,543,000 tons of freight traffic, including commodities such as wheat, corn, soybeans, electrical machinery, iron, coal, gasoline, fabricated metal products, and electrical machinery;

Whereas, according to the Corps of Engineers, in 2007 the AIWW supported a total of 34,184 trips made by recreational, commercial, and military vessels;

Whereas the AIWW is an integral transportation network supporting the Armed Forces through the shipment of military equipment, fuel, and generators between Norfolk, Virginia, and Kings Bay, Georgia;

Whereas the Dismal Swamp Canal, on the AIWW, is the oldest operating artificial waterway in the United States and has been placed on the National Register of Historical Places, was registered as an engineering landmark in 1988, and was included in the National Park Service's Underground Railroad Network to Freedom Program in 2004;

Whereas the AIWW has enhanced the lives of the residents of Virginia, North Carolina, South Carolina, Georgia, and Florida, as well as the greater southeastern United States, for more than 6 decades;

Whereas the wildlife, flora, and fauna along the AIWW provide ample recreational opportunities for birdwatchers, photographers, and boaters;

Whereas the Atlantic Intracoastal Waterway Association was organized in 1999 to address the navigation challenges of the AIWW and to encourage the continuation and further development of waterborne commerce and recreation on the AIWW;

Whereas the Association has voiced the interests of commercial and recreational users of the AIWW, earning the title of ''Voice of the Waterway'';

Whereas the Association has been an advocate for maintenance of the AIWW to promote safe, cost-effective navigation; and

Whereas the Association promotes the AIWW as a vital marine highway along the Atlantic coast, providing safe navigation for commercial and recreational vessels: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of the Atlantic Intracoastal Waterway to recreational, commercial, and military vessels and to the history and quality of life of the citizens of the United States; and

(2) acknowledges the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

the District of Columbia (Ms. NORTON) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous remarks on H. Res. 465.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 465 offered by Mr. BROWN of South Carolina. This resolution recognizes the importance of the Atlantic Intracoastal Waterway and acknowledges the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary.

The waterway was authorized by the Rivers and Harbors Act of 1937 for the purpose of supporting and encouraging interstate commerce. Today, the waterway allows for the safe and efficient transportation of goods along the Atlantic coast from Norfolk, Virginia, to Key West, Florida.

The waterway is comprised of numerous channels and rivers that were once separate and distinct. For example, the Dismal Swamp Canal was once a 22-mile-long waterway that supported commercial vessels traveling between Virginia and North Carolina. In 1929, however, it was purchased by the Federal Government for half a million dollars and incorporated into a larger transportation network. Today, the Dismal Swamp Canal is an integral part of the waterway and is recognized as the oldest operating artificial waterway in the United States. Additionally, it is also on the National Park Service's Underground Railroad Network to Freedom program.

The waterway holds great significance to those who live in the southeastern United States. It enables waterborne transportation to move smoothly and efficiently and provides numerous recreational opportunities for anglers and boating and enthusiasts.

It is appropriate to recognize the importance of the waterway to the quality of life of our citizens and to the thousands of commercial, recreational, and military vessels that utilize the system each year.

This resolution also acknowledges the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary. This association has worked over the last decade as an advocate for keeping the waterway open and safe for navigation. It is appropriate to recognize its numerous contributions.

Mr. Speaker, I support this resolution and urge my colleagues to support it as well.

I reserve the balance of my time.

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

According to the Chesapeake Convention and Tourism Bureau, Edgar Allen Poe reportedly wrote parts of his famous poem ''The Raven'' while traveling the Dismal Swamp Canal, which was later to become part of the Atlantic Intracoastal Waterway.

The Atlantic Intracoastal Waterway, AIWW, was authorized by the Rivers and Harbors Act of 1937 to provide a safe inside navigation channel for commercial shipping. Completed in 1940, the AIWW runs along the southeast coast of the United States from Norfolk, Virginia, to Miami, Florida, measuring 1,088 miles long.

The Atlantic Intracoastal Waterway is also used extensively by recreational boaters. Studies have shown that recreational boaters bring millions of dollars to State budgets. The waterway is also used by vessels not equipped for ocean travel or for when weather conditions make the ocean too rough to travel.

The Atlantic Intracoastal Waterway has a good deal of commercial activity. Products shipped include fuel oil, gasoline, asphalt, fertilizers, chemicals, wood chips, wood, limestone, sand, gravel, iron, steel, slag, lime, fabricated metal products, soybeans, vegetables, produce, and electrical machinery, all of which are shipped along the Atlantic Intracoastal Waterway.

The Atlantic Intracoastal Waterway Association was organized in 1999 to address the navigation challenges of the waterway and to encourage the continuation and further development of waterborne commerce and recreation on the AIWW of Virginia, North Carolina, South Carolina, Georgia, and Florida. The association has been an outspoken advocate for regular dredging and adequate maintenance to promote safe, cost-effective navigation along the AIWW and is known as the ''Voice of the Waterway.''

Today, we recognize the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary.

And with that, I reserve the balance of my time.

Ms. NORTON. I have no further speakers, and I reserve the balance of my time.

Mr. BOOZMAN. With that, Mr. Speaker, I yield as much time as he might desire to the gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. Mr. Speaker, I thank my good friend from Mr. Arkansas (Mr. BOOZMAN) for yielding and the gentlelady from the District of Columbia (Ms. NORTON) for her support of this resolution.

Mr. Speaker, while only 10 years old, the Atlantic Intracoastal Waterway Association, AIWWA, has become a strong voice representing the interests of commercial and recreational users of the Atlantic Intracoastal Waterway by promoting the waterway as a vital marine highway along the Atlantic coast, providing safe navigation for commercial and recreational vessels.

The association was organized in 1999 to address the navigational challenges of the Atlantic Intracoastal Waterway and to encourage the continuation and further development of commerce and recreation on the AIWW. At present, the association has more than 200 members consisting of tug and barge companies, shippers, port facilities, marinas, dredging companies, and others with an interest in the waterway.

The AIWW was completed in 1940 and runs along the southeast coast of the United States from Norfolk, Virginia, to Key West, Florida, and measures 1,088 miles long. It has historically served as an important shelter for mariners from the stormy seas of the Atlantic. Since it runs parallel to Interstate 95, the waterway has the potential to become a major marine highway, serving as a safe, fuel-efficient, and economical alternative to congested highways and rail lines.

Every ton of traffic that runs through a marine highway like AIWW is a ton of traffic that isn't on our congested highway system. I have heard from multiple shippers visiting my office that would love to have a nonhighway shipping option. AIWW connects all of the east coast ports. The potential for coastal traffic between these ports is significant and has the ability to have a major impact on smaller ports like Georgetown in my district. In fact, if the AIWW could be developed as a marine highway, the South Carolina State Ports Authority has estimated business growth at the Port of Georgetown could be more than 2.5 million tons of cargo a year. However, the waterway faces significant funding challenges.

In South Carolina alone, the Army Corps estimates that the need of the waterway will total some $14.5 million in fiscal year 2010, yet the administration has requested less than $800,000 for maintenance. Indeed, to bring the entire waterway up to standards and to keep it there will require over $100 million in investment; yet administration after administration continues to shortchange the AIWW in their budget, barely requesting enough money to control the mosquitos.

This is no way to treat such a valuable potential resource, and I want to tip my hat to the AIWWA for their efforts to showcase the potential for the waterway not just to the communities it touches, but to the entire Nation. I'm proud to support the waterway and will continue to fight to ensure that it is not only maintained but improved to improve freight movement and open new economic doors for communities along its banks.

Mr. BOOZMAN. Mr. Speaker, having no more speakers on the subject, we do support the adoption of H. Res. 465 recognizing the Atlantic Intracoastal Waterway Association, the good work that they have done over the last 10 years, and with that, I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, along with the gentleman from Arkansas and the gentleman from South Carolina who is the author of this resolution, we are pleased to support this resolution.

Mr. OBERSTAR. Mr. Speaker, I rise today in support of H. Res. 465, recognizing the 10th anniversary of the Atlantic Intracoastal Waterway Association.

The Atlantic Intracoastal Waterway (Waterway) runs from Norfolk, Virginia, to Key West, Florida, and has been in existence for more than seventy years. The once distinct channels and rivers that now make up the Waterway were brought together to create a continuous waterborne transportation network along the southeastern coast of the Atlantic.

The Waterway has enriched the lives of those in the southeast and served the greater United States by allowing for the safe and efficient transportation of commercial goods along the coast.

This resolution recognizes the importance of the Atlantic Intracoastal Waterway to the quality of life of the citizens in the United States, and to the thousands of recreational, commercial, and military vessels that use the system annually.

The resolution also acknowledges the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary. This association has worked tirelessly over the last decade to keep the Waterway open and safe for navigation.

I urge my colleagues to join me in supporting H. Res. 465.

Mr. KLEIN of Florida. Mr. Speaker, I rise today in support of House Resolution 465 and to thank the gentleman from South Carolina, Mr. BROWN, for introducing this important bill. I have had the good fortune of working with the distinguished gentleman on other legislation, and I can say that on this and other issues, he serves his constituents well.

Mr. Speaker, H. Res. 465 acknowledges the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary, and it recognizes the importance of the Atlantic Intracoastal Waterway to recreational, commercial, and military vessels and to the history and quality of life of the citizens of the United States.

Having a congressional district with over 75 miles along the Intracoastal Waterway, I know firsthand its importance to South Florida. It serves as a crucial thoroughfare for the two ports in my district, the Port of Palm Beach and Port Everglades. In fact, the Army Corps of Engineers reported that over 2.5 million tons of freight traffic was shipped along the Intracoastal Waterway in 2007 alone, including commodities such as wheat, corn, and soybeans.

But the Intracoastal Waterway provides Americans with more than just economic activity. Just go out on the water any day of the week in my congressional district and you'll see recreational boaters traveling on the Intracoastal Waterway. Boating is an iconic symbol for South Florida, and the Intracoastal Waterway serves as an important part of that. Simply put: South Florida would not be the boating capital of the world without it.

I also want to take a moment and commend the work of the Florida Inland Navigation District, or FIND. They maintain our state's portion of the Intracoastal Waterway, from Jacksonville to Miami. Created in 1927 by the Florida State Legislature, FIND is a special taxing district charged with helping to maintain the Intracoastal Waterway with the Army Corps of Engineers. They are an important entity and perform an often unheralded job, so I wanted to take this moment to commend the men and women employed by FIND for helping to maintain one of Florida's most important natural resources.

In closing, I want to again thank the gentleman from South Carolina for introducing House Resolution 465, urge my colleagues to support its passage.

Ms. NORTON. At this time, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and agree to the resolution, H. Res. 465, as amended.

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

A motion to reconsider was laid on the table.

□ 1615

DALE WILSON—NATIONAL DISABLED AMERICAN VETERAN OF THE YEAR

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

Ms. FOXX. Mr. Speaker, today I rise to praise Dale Wilson, a remarkable veteran from Troutman, North Carolina, who was named the 2009 National Disabled American Veteran of the Year by the Disabled American Veterans.

Dale Wilson lost both of his legs and his right arm while serving in the Marine Corps in Vietnam; but for a Silver Star recipient who paid such a heavy price for his country, Wilson demonstrates remarkable humility, good will, and an astonishingly positive attitude. He is well known for his strident belief that his life is rich and full despite what many could call a severe disability. His days are full of service to his community and his fellow veterans. He counts his family, his community, and his service to his country as dear blessings. And you won't catch him complaining about the hand that was dealt him.

Dale Wilson is the sort of marine that gives the Marine Corps such a proud reputation, and his recognition by the DAV is well deserved. I know that his example serves to inspire those who know and love him to remember their many blessings and to love the country that Wilson sacrificed so much for.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

U.N.'S REPORT ON ISRAEL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, this week at the United Nations another assault is being launched on the democratic Jewish State of Israel, an assault that the United States must unequivocally oppose and defeat.

Predictably, this assault has its roots in the U.N.'s so-called ''Human Rights Council,'' an institution that has been hijacked by dictatorships and gross human rights violators.

This past winter, in Operation Cast Lead, Israel defended its citizens—and its existence—against the actions of Hamas and other violent extremist groups in Gaza. The Human Rights Council responded by passing a resolution authorizing a so-called ''fact finding mission'' to investigate Operation Cast Lead. This mission's mandate had nothing to do with fact finding and everything to do with persecuting Israel for defending herself.

The mandate prejudged Israel's guilt, authorizing the mission to investigate only assumed human rights violations by Israel. The mandate did not include or even mention the thousands of rocket attacks and mortar attacks spanning 8 years by Hamas and other violent extremist groups in Gaza against civilian targets in southern Israel.

Then, last month this so-called ''fact finding mission'' released its report. It's a 575-page collection of distortions and double standards. The report made baseless accusations that Israel's military had deliberately attacked civilians. The report disregarded extensive evidence that violent extremist groups in Gaza used civilians as human shields, operating from schools, from mosques, from hospitals. It ignored the Israeli military's extraordinary efforts to target its operations in order to minimize civilian casualties. It gave a free pass to the Iranian and the Syrian regimes, which provide material and financial assistance to Hamas and other murderous groups in Gaza.

Finally, this report recommended further persecution of Israel through follow-up action by the U.N. Security Council, the General Assembly, the Human Rights Council, and the International Criminal Court, among others. In fact, today, the Security Council met at the request of the Libyan regime and considered this very biased report.

Later this week, with the blessing of the U.N. Secretary General, the Human Rights Council is expected to hold a special session on this report. What will they do? They will pass yet another resolution condemning Israel, and only Israel.

And what has the U.S. done in response to this anti-freedom onslaught? While acknowledging that the report and its mandate were biased, administration officials still claim that the report raised serious issues and should be

considered seriously by that rogues gallery known as the Human Rights Council. Is this how the United States supports Israel and counters the anti-Semitic and anti-Israel bias that is present every day at the U.N.?

We must recognize what is at stake here. If the democratic political and military leaders of Israel can be hauled before an unaccountable court for defending their nation against violent extremists in Gaza, then how long before U.S. officials and those of other NATO countries will face the same for defending our Nation against al Qaeda and other such threats? Ultimately, this report is an effort by the enemies of freedom to deprive democracies of the right of self-defense, making it open season for global jihadists to come after Israel or the U.S. and other free nations.

As the leadership of the Simon Wiesenthal Center stated in a recent letter to our ambassador, Susan Rice, consideration of this report is a prescription for disaster not only for Israel, but for the United States and every country that fights violent extremism.

Mr. Speaker, we must oppose any effort to grant consideration or legitimacy in any forum to this irredeemably biased U.N. report. We must support the right of Israel, the right of the U.S., the right of all democracies to defend ourselves and our citizens.

Once again, Mr. Speaker, it is time for the U.S. to lead. Thank you, Mr. Speaker, for the time.

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.)

COST-OF-LIVING ADJUSTMENT FOR SENIORS

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

Mr. DEFAZIO. Next month, the government is going to go to the expense of sending out a letter to well over 40 million Social Security recipients telling them they are not going to get a cost-of-living adjustment, but they didn't experience inflation this year. Now, the only problem with that is the way we measure inflation is heavily oriented toward nonessential consumer goods of which seniors do not buy a lot.

Seniors have to buy certain essentials; pharmaceuticals, up double digits in the last year. Seniors buy health insurance, Medigap policies up high single digits in the last year. Seniors have rent, utilities, probably also up depending upon where they live. But they are not entitled to a COLA because of a defect in the way we calculate COLAs.

I have tried to fix this for years by having a special calculation for seniors and not one for younger consumers, which is essentially what the CPI is oriented towards. It isn't even very reflective of the cost of average American families. It is very skewed. It was skewed beginning in the Reagan years, and it has never been fixed to try and understate real inflation to real Americans.

In this case, we have an opportunity. We could fix this injustice to our seniors and help those most in need, many of whom are either principally or totally dependent upon a Social Security income. We could give them a one-time $250 payment, which would equate to almost a 2 percent cost-of-living adjustment. That would cover the increase in their Medicare part B premium, maybe some of their Medigap insurance, maybe a little bit of what they're having to pay in higher pharmaceutical costs. For many seniors it could avert a disaster in terms of their personal budgets.

So I have introduced legislation, along with 14 of my colleagues—today, I reintroduced it—which would give a one-time $250 payment to 48.9 million people who are on OASDI, that is Social Security and disability, 5.1 on SSI, 1.4 million veterans, and 200,000 railroad retirees.

Now, I want to be fiscally responsible; I don't want to take it out of the Social Security trust fund which is looking toward problems some 37 years down the road or so, or starting in 2037. So I would pay for this, and it's quite simple: in order to give this benefit to over 50 million people, something for them to make ends meet and scratch by, all we have to do is ask that that select group of Americans—many of whom work on Wall Street—who will earn over $1.4 million this year, that for their earnings over $1.4 million they pay the same Social Security tax as every working American who earns less than $106,000. The tax now is only applied to income up to $106,000. After that, you don't pay it. That means if you earn $1.4 million, your tax rate is about 7 percent of someone who earns $40,000 a year.

Let's make it fair. I hear a lot about flat taxes and fairness. Let's make it fair; let's make it flat. Let's ask those people who are earning over $1.4 million to pay the same percentage of that income in Social Security tax as people who earn less than $106,000. And if they did that just for 1 year, we could give those 50 million seniors and disabled and veterans and railroad retirees a small, $250 one-time cost-of-living adjustment. I think it's only fair in this tough economy that those at the absolute tiptop just do a little bit more to help those most in need.

I recommend this legislation to my colleagues.

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.)

THE RULE OF LAW IS BEING IGNORED

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

Mr. POE of Texas. Mr. Speaker, the open borders crowd is at it again, pushing for amnesty for people that are illegally in the United States.

It is bad public policy to give a wink and a nod to people who continue to advocate the exploitation of American border laws for their own personal agenda. A nation cannot survive in freedom without just following the law. The very future of any civilization rests upon the rule of law.

Now, we are a self-governing people. That means we are a Nation of laws. We don't get to choose what laws we follow and what ones we don't. That would mean complete chaos. If people want to come to the United States legally, by all means let them come legally. Sign the guest book at the port of entry so we know who you are, so we know the purpose of your visit and whether or not you mean harm to American citizens. That means everybody who comes here, not just a select few.

The push to reward illegal behavior today by granting amnesty only encourages more of the same illegal behavior. A new Zogby-Washington Times poll in Mexico found that 56 percent of Mexican nationals surveyed said that if we pardon illegal immigrants here, it will encourage more of them to come across the border illegally.

The poll also showed that most folks in Mexico think their countrymen who come here still owe their loyalty to Mexico, not America. Now, these are things the open borders crowd won't tell you. Many people come here and don't want to become Americans; they just want the personal benefits of being in the United States without any obligation to the country. And amnesty will only encourage more illegal entry.

□ 1630

Anyone who comes to this country permanently owes this Nation the respect of learning what it means to be an American—embracing the melting pot concept. They should honor the sacrifices of the men and women who have made our history great in these 200-plus years. This mighty Nation is the beacon of liberty, and it did not happen by chance. It came through hard work and sacrifice in the name of freedom. It came from following a set of principles and ideals, and it came from following the rule of law—laws passed by our representative form of government with the consent of the governed.

The American dream is not about money; it's about liberty, and those

who come here owe this Nation an obligation to understand that. They need to learn what freedom is and how we go about keeping it, and a big part of that is following the law.

Solving the problems of illegals and the crisis they have created will not be an easy task before us. There are those who want amnesty and who support policies that promote more illegal entry and lawlessness. These are unacceptable in a post-9/11 world. We can start by enforcing the law and showing we are serious about it. We also need to eliminate policies in this country that encourage and ignore illegal entry.

Such policies include easy access to jobs with little enforcement on employers who knowingly hire illegals; free health care and free education, policies that don't promote assimilation; and the inability of local law enforcement to assist Federal immigration authorities.

We need to upgrade interior enforcement of immigration laws. Many people come here legally, then they never go home, because this Nation doesn't do much about visa overstays. Border security is a national security issue. We just witnessed recently a Jordanian national who came here legally, who overstayed his visa and then tried to blow up a Dallas skyscraper. Thanks to the work of law enforcement, this bombing plot was averted.

We owe an obligation to the future of this Nation to guard and secure our borders, to permit entry of only people who will benefit our Nation and to keep up with those who enter as guests of our country. It is not too much to require that people legally enter the United States or don't come at all.

And that's just the way it is.

A TALE OF TWO COUNTRIES

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

Ms. KAPTUR. Mr. Speaker, the announcement today that JPMorgan Chase, the largest bank in our country, turned a $3.6 billion profit in the most recent quarter brings to mind Charles Dickens' 19th-century English masterpiece, ''A Tale of Two Cities,'' except this is the United States, and it's the 21st century, and it's a tale not of two cities but of two countries.

There is one country where giant banks are making so much money that they are setting aside enough to pay each worker in their investment banking divisions $353,834. That country is Wall Street. The other country is where I come from—Toledo, Ohio—and places like it across the Nation where the majority of the American people live. Toledo, Ohio, where the median household annual income is not even one-tenth of that amount—it's $35,216. It's not even one-tenth as much as JPMorgan Chase is setting aside for bonuses for its investment banking employees.

In one country, banks that are too big to fail privatize their profits. They're taking more, but they socialize their losses, putting their trillion-dollar mistakes on the backs of the American taxpayers. In the other country, which I represent, families that are too small to matter lose their jobs to globalization, and they lose their homes to foreclosure. These same banks finance the outsourcing of their jobs, and they restrict credit to Main Street businesses across our country.

In one country, financial commentators cheer as the Dow Jones Industrial Average goes over 10,000. In the other country, where I live, the unemployment rate is rising, exceeding 13 percent. While housing values fall more than 10 percent in a single year and foreclosures are going up 94 percent, JPMorgan Chase is the top forecloser in the Ninth Congressional District of Ohio, and they don't even show up for meetings with the people being affected. There is something wrong with this picture. There is something really wrong with our country, and there is something really wrong with our economy.

Even one of the Wall Street analysts picked it up today in his comments to the Associated Press, saying, ''Wall Street is picking up quite smartly, while Main Street continues to suffer.''

How can that be? How can the stock market be so oblivious to the pain that American families are feeling? Granted, a rising stock market might help 401(k)s and pension plans and individual portfolios, but not everybody is celebrating. In fact, the majority isn't. Furthermore, how can this stock market rally last when national unemployment is close to 10 percent and, in some regions, far above that? How can the bullish sentiment override the reality in the other America where unemployment and foreclosures have turned the American dream into a nightmare for so many people—for so many millions and millions and millions of our fellow citizens?

Perhaps congratulations are in order to JPMorgan on its quarterly report. I would only ask Chase and the other banks to remember who came to their rescue, because the people who bailed them out, the people in the other America—beyond Wall Street, those people—are still really hurting. The communities that they live in are really hurting. Our food banks are up 53 percent in requests, and donations are down 13 percent. This economic depression is widening across this country, but there are some folks in that other country who don't seem to care at all.

EXTEND THE FIRST-TIME HOMEBUYER TAX CREDIT

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

Mr. MORAN of Kansas. Mr. Speaker, like many parts of the country, the Kansas housing market has struggled along with our Nation's economy. One important tool that has strengthened the housing market and has limited the economic decline has been the $8,000 first-time homebuyer tax credit. However, unless Congress takes immediate action, this valuable credit will expire on November 30.

I come here with a message for my colleagues and the leaders of the House of Representatives: Congress must act quickly to renew the first-time homebuyer tax credit.

A Realtor from Manhattan, Kansas, wrote me about the importance of the homebuyer tax credit. She noted that the credit had been extremely helpful to the Kansas economy. She says: During these challenging economic times, the first-time homebuyer tax credit has injected new life into the housing market and has helped stimulate many local economies through the stabilization of housing prices.

However, our housing market remains fragile, and more progress is needed to further stabilize our communities. The homebuyer tax credit works. Since its enactment in February, the IRS has reported more than 1.4 million taxpayers have claimed the homebuyer credit. This incentive will lead 400,000 prospective first-time homebuyers to purchase homes who probably would not have without the help of the tax credit.

Moreover, it's estimated that each sale generates $63,000 in additional goods and services that benefit the economy. There are tax savings for taxpayers which generate more revenue than the aggregate amount of the original tax cut. Along with falling home prices, the homebuyer credit has helped put the housing market on the track to recovery.

While market conditions have improved, as the Realtor says, the market remains fragile. The housing tax credit needs to be extended to make sure that the economic gains that have been made are not lost.

In order to build on that economic progress, the tax credit should be expanded. I've introduced H.R. 2905, the Homebuyer Tax Credit Expansion Act of 2009, which would extend the $8,000 tax credit beyond its November 30 expiration. In addition, this legislation would expand the tax credit to all homebuyers, not just to first-time buyers.

I've asked the Speaker of the House and the chairman of the Ways and Means Committee to bring this bill or similar legislation to the floor for a vote. At the very least, Congress should pass a 1-year extension of the credit before it expires. It can take several months to go from contract to closing, and the tax credit will soon become unavailable for many buyers well before the November 30 expiration date. An extension must be passed soon if homebuyers are going to continue to take advantage of the tax credit.

Homeownership and the knowledge that one has equity in one's home can

significantly improve our economy. We should not allow this important tax credit to expire. Congress must act quickly now to renew the first-time homebuyer tax credit.

WE ARE OUR BROTHERS' AND SISTERS' KEEPER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Thank you, Mr. Speaker, for your kindness and generosity.

I rise today for a number of thank yous and acknowledgments.

First of all, I think it is very important to acknowledge, when tragedy occurs, how important it is that this country, as it has often done, rallies around those around the world to help them in their time of need.

I want to pay tribute to one of our colleagues—to the delegate from American Samoa, Congressman FALEOMAVAEGA—who has in the last couple of weeks been subjected to terrible tragedies at home, for on September 29, 2009, American Samoa and other areas in the surrounding areas were impacted by an 8.3 earthquake, 8.3 on the Richter scale, which was recognized as the world's largest earthquake of 2009. Out of that earthquake came a terrible tsunami, one that struck American Samoa, Samoa and neighboring Tonga, sweeping people and cars out to sea as survivors fled to high ground.

We remember the tsunami of some years ago that impacted Sri Lanka, Indonesia and India in parts. I traveled to Sri Lanka, and realized that the devastation was enormous. So, when there was a tsunami with waves that reached up to 20 feet in height and that penetrated 1 mile inland, we knew how devastating that had to be. It caused death and destruction of a nearly unprecedented amount. The death toll as of October 7 is estimated at 32 in American Samoa and 135 in the independent state of Samoa.

Many individuals and families have suffered and are impacted, now lacking basic survival necessities, and they remain at risk of additional death due to the shortage of clean water and of adequate shelter and food. My colleague who represents the area has been working without ceasing, but the deep human disaster is evident.

So I rise today to thank the 300 responders from FEMA; the American Red Cross; the U.S. Army Corps of Engineers; the Department of Health and Human Services; and from other Federal agencies which rushed forward to help our fellow world citizens: The United States Navy; the United States Coast Guard; the Hawaii Air and National Guard; the U.S. Army Reserve; American Samoa under the leadership of Admiral Timothy J. Keating, commander of the U.S. Pacific Command; many, many others; and the foreign governments who came to their aid.

So it is important that we recognize that we are, in fact, our brothers' and sisters' keeper, and we thank those who have already come forward, but we look forward in this Congress to continue to work, as we have worked before, to ensure that they are re-stabilized. We must recognize the humanitarian response that is currently underway. We are, in essence, commending them, but it is important that we continue to encourage donors and other relief agencies to work with these vulnerable organizations in stricken areas because we know, having experience in the United States with the fires in California, with the floods in the Midwest, and with the terrible hurricanes in Florida, Louisiana and Texas, and we understand disaster. We are grateful for those who have helped, but we want and we need continued help.

We commend the over 100,000 Samoan residents in the United States from American Samoa and Samoa for coming to the aid of their fellow brothers and sisters. It is important for this Congress to not only pay tribute but to recognize that people are still hurting.

Let me end this by again thanking our American Representative—our delegate from American Samoa—and by thanking him for his strength.

Just for a moment, Mr. Speaker, I turn very briefly to join with my colleague who spoke earlier, Congresswoman KAPTUR, to say this point: Americans are still suffering. Foreclosures are still happening. Small businesses are still not getting access to capital. I beseech those who have received the larger part of the bailout because it was necessary to restore capital markets in a capitalistic system. None of us adhere to socialism, but we do adhere to helping ourselves and helping our brothers and sisters across America.

It is crucial for the banks of America to lend to Americans—to taxpayers, to homeowners, to business owners. Let them expand. Let them add new employees. Let them keep their homes. The tight credit market is choking us. It is killing hardworking Americans who, as I said, are the beneficiaries but yet the benefactors of those who are in need around the world, and it is important for our banks to listen. They were bailed out. They'd better listen to the American people.

□ 1645

IRAN'S NUCLEAR PROGRAM MUST BE STOPPED

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. I appreciated what my colleague just said about the banks, and one of the things that I think we ought to focus on in addition to that is that we are not energy independent and we're not allowed the drill off the Continental Shelf or in the ANWR in Alaska or do other exploration for a number of reasons, not the least of which is, quote-unquote, environmental.

But at the same time we won't allow offshore drilling here, we just gave Brazil $2 billion so they can drill off their shores. It just doesn't make any sense to me. We ought to be spending that money here at home exploring for oil so we can move towards energy independence. We have a 400- or 500-year supply of natural gas and we have plenty of oil if we just could go get it, and we can do it in an environmentally safe way.

Now the reason I bring that up is because one of the big problems we face is we get 35 to 40 percent of our oil from the Middle East, and one of the big problems facing the United States and the world right now is Iran. Iran has been developing a nuclear program, a nuclear weapons program for some time, and our position in the United States now, under the new administration, is to try to work with them, to talk with them to stop them with their nuclear development program. And if they don't, we're going to try to get a sanctions bill passed.

Now, we have a bill sponsored by the chairman of the International Relations Committee, Mr. BERMAN, that has over 300 cosponsors—I happen to be one of them—and we believe we ought to bring that bill to the floor as quickly as possible to try to put pressure on Iran to stop the development of the nuclear weapons program.

But the administration, I think, has suggested we should wait. They were trying to bring China and Russia on board, and China and Russia are not going to be on board. So we should do it by ourselves and we should do it expeditiously.

Let me tell you why I think it's so important. If Iran continues down this path, Israel—whom Iran has said they want to destroy—will have no choice but to defend itself. They cannot let Iran develop a nuclear bomb and a delivery system. If they do that, they will be able to destroy Israel and millions of Jews in Israel in a very short period of time. It will be another Holocaust.

So what will happen? If they get too far down the path, if we don't put pressure on them to stop—and they don't stop—I believe Israel will have no choice but to attack Iran. And if they attack Iran, that could end up in being a major conflagration in the entire Persian Gulf area.

Now, why is that important to us? We get 35 to 40 percent of our energy from the Persian Gulf area. If that goes up in smoke, we will lose 35 to 40 percent of the energy that we have in this country because we're not energy independent.

The lights that we have, the gasoline in our cars, the fuel we use to heat our houses, everything that needs energy will suffer, and we will have severe economic problems if this problem isn't

dealt with before a tragedy occurs over there.

This really bothers me. We tried to work with North Korea some time ago during the Clinton administration. We even had an agreement with them that they would stop their nuclear development program if we gave them some things, and we did. And what did they do? They lied and they went ahead with their program, and they are a nuclear power. They're using missiles that would be intercontinental in scope, testing them over the sea of Japan right now. And they've done that a number of times.

So we have to worry about them. We have to worry about North Korea and what they're going to do next. Can you imagine what it will be like once Iran develops a nuclear weapons program? They are committed to destroying Israel. They are committed to forcing their view of religion and religious beliefs on much of the rest of the world, and it could be a real problem for us. They don't like America very much either. And so we have a myriad of problems facing us if we don't get on with putting as much pressure as possible on Iran and doing it right now.

As we speak, they're developing their nuclear weapons program. They said they're going to let U.N. nuclear experts come in and police the area and see what they're doing. I don't believe that. I believe they will let us see one or two spots, but they're going to go on with their nuclear development program.

We must put pressure on them now. We must put pressure on them immediately, because if we don't, we're toying with a major problem, a major economic problem for America as well as a possible holocaust in that part of the world in the very near future.

IMPORTANCE OF INDUSTRY CLUSTERS TO A NATION

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

Mr. SOUDER. Mr. Speaker, I'm going to make a number of comments here that will be in the RECORD tomorrow. We'll also have the things I refer to—because I'm going to make a number of points—on our Web site in the next hour.

President Obama made his first visit after the stimulus package passed to Elkhart, Indiana, to Concord High School for a town hall meeting that straddles Congressman DONNELLY's and my district. Unemployment was 15.3 percent when he visited. It went higher, up to close to 20 percent. It's now at 16.5, I believe. In other words, we've gone backwards.

What he said that day—referring to a previous campaign visit there—''I promised you back then that, if elected, I'd do everything I could to help this community recover and that's why I come back today because I intend to keep my promise.''

Now, some interesting things have been happening. We've heard about blaming the banks. You know, business, to invest, has to have an idea that a recovery is coming. It has to request the money. And part of the challenge here if they're uncertain whether they're going to get taxed in a small business tax, if they're uncertain whether they are going to be taxed in health care, if they're uncertain of what the energy costs are going to be in Indiana—because ours are projected to get hit harder than any other congressional district in America, and I have the number one manufacturing district—they aren't asking to borrow and the banks don't know how to value the assets.

We have to have a recovery, not taxes and pressures on industry. There's a classic book, ''Competitive Advantage of Nations'' by Michael Porter. He's written a lot of books since then, including one on health care I don't particularly agree with. But he's a very reflective man, and these are the basic principles of how you develop clusters.

He says, ''Creating competitive advantage in sophisticated industries demands improvement and innovation—finding better ways to complete and exploiting them globally, and relentlessly upgrading the firm's products and processes.''

In another section of the book he says, We ''must create new advantages at least as fast as competitors can replicate old ones.''

He also points out the United Kingdom, in their R&D, is among the highest compared to GDP of any nations, but top heavy government R&D. They don't have the private sector R&D, so they don't have the growth, and the growth they have is in the wrong areas.

Now, why do I bring this up? In a newsletter of ''ORTHOKNOW, Strategic Insights Into the Orthopedic Industry,'' John Engelhardt reports the 10 to 30 percent tax in the Senate Finance Committee's bill that was passed yesterday would lead to roughly a tax of 50 percent of the R&D that the orthopedics industry does. For example, Zimmer—based in my district—in the orthopedics cluster, Zimmer would be taxed $94.7 million and their R&D is $194 million. They're the biggest orthopedic company.

Biomet—which I believe is the fourth or fifth biggest orthopedic company—would be taxed $60.9 million. R&D estimate for 2008 was 82.2, and they had a loss.

Now, Michael Porter points out when you lose one or two, you lose that competitive pressure, that you cannot sustain R&D with the new taxes, especially if at the margins the cost of the tax is greater than the profits of the firm, let alone the R&D.

I also refer to a USA Today article of this morning that says, ''Orthopedic Industry Has Enjoyed Fine Health.'' And it goes to Warsaw, Indiana in my district where three of the five biggest of the orthopedic companies, plus Medtronic, plus Orthopediatric, plus 6,000 direct feeding, plus as you move to South Bend and over to Fort Wayne and down to Indianapolis—and in fact throughout the Midwest—and then if you look at the whole industry of the United States, it's a cluster.

We had this theory in America that we were going to move up the ladder. And as other countries beat us on labor, we would do things like pharmaceuticals, like orthopedics, like biotechnology. We'd be the cutting edge, except now we're going to tax them to death.

So guess what this article says? They're looking at going overseas. I've already heard this. Why won't they go offshore if they can get cheaper labor? They can get engineering research, they can get government subsidies to some degree, but most importantly, they're going to go where they can do R&D and the combination cheaper than they can do it in the United States. A tax won't bring in revenue, a tax will drive our clusters away. To put the taxes on the most innovative clusters is unbelievable. I just don't understand, particularly in a State where the President said not 30 miles away from the center of the orthopedic industry where many of these parts people are, ''I promise you it will improve.''

The maverick CEO, Dane Miller, and the story of Biomet illustrates another myth that these are some sort of rich billionaires. It talks how he put a titanium hip in his own body because initially they wouldn't believe it, then it worked, and that's partly how we got the innovation today.

I encourage people to read this bio of Dane Miller.

[From Orthoknow, Oct. 2009]

SUCCESS FEES FOR ORTHOPAEDICS?

(By John A. Engelhardt)

In the Senate Finance Committee's healthcare reform bill, partial financing will come from ''fees'' imposed on the manufacturers of medical devices. As I review what is being proposed, I am (nearly) at a loss for words. The total cost to medical device companies will be $40 billion over ten years. That's $4 billion a year. Here is how it shakes down.

The U.S. medical device industry in 2009 is projected to be valued at $91.3 billion. Orthopaedic revenues generated in the U.S. in 2008 reached $21.7 billion. Assuming flat growth from 2008 to 2009, orthopaedics would then comprise 23.7% of the total medical device industry in the U.S. in 2009.

America's Healthy Future Act of 2009, ''Annual Fee on Manufacturers and Importers of Medical Devices,'' would impose an aggregate fee of $4 billion on the medical device industry, payable annually, beginning in 2010. Each company's fee would be calculated based on its relative market share of U.S. sales for the prior year with covered domestic sales taken into account as follows:

0% of sales up to $5 million

50% of sales over $5 million and up to $25 million

100% of sales over $25 million

According to our calculations, if orthopaedics represents 23.7% of the total medical device industry, then its portion of

the $4 billion would be $949 million. Exhibit 1 summarizes the fees assessed for several companies.

You will note that this is not being called a tax. Thus, it is NOT deductible by these companies as a legitimate business expense. Let me just repeat that for effect. It is NOT deductible by these companies as a legitimate business expense!

The ''fee'' adds up to about four percent of orthopaedic product sales for the companies. Since it is not deductible, that automatically comes OFF the bottom line. The loss drops right through the P&L. Here are some highlights.

In the case of Exactech, it wipes out nearly 40% of its earnings. The value of the company will decrease a pro rata amount, losing $60 million in shareholder value.

In 2008, Osteotech made a small profit of $2.2 million. Under the Senate proposal, the company would pay $3MM in fees! This is a company struggling back to health. How long would they be able to remain a viable entity?

Biomet, in the midst of a rebuilding and restructuring, lost $749MM in 2008. Under the new plan, it would pay almost $61MM. I am not making this up.

Alphatec would have to pay about $3MM for the pleasure of having lost about $25MM!

Study Exhibit 1 carefully. You'll find yourselves asking many questions. What planet are we on? Where did these Senators go to school?

Did they even go to school? Maybe they didn't have math in their school.

It is very hard to argue with the economics of orthopaedic care. It has been positively documented for a half century.

Many people describe joint replacement as among mankind's most significant achievements, not only for the suffering it relieves but for its economic value to society. Recently, others have published the more compelling metrics of orthopaedic treatment in response to the reform debates. (See the ORTHOWORLD Position Paper on Healthcare Reform, www.orthoworld.com/site/index.php/main/healthcare, and Connections, the blog of Biomet CEO, Jeffrey R. Binder, www.biomet.com/corporate/ceo Blog/.)

It's as if, in their infinite wisdom, our representatives have identified the achievers and propose to levy a cost on them to help support the underachievers.

These companies have done too well, helped too many people, created too many good quality jobs. Shouldn't we be holding them up as an example to others, in order to encourage efficiency and reward performance?

I can think of no other term for this than a penalty for success. In essence, these companies will have to pay for the right to do business in their own country.

Forgive me if I am having trouble grasping the idea that if you fail, the government gives you taxpayer's money to bail you out. If you succeed, that same government fines you?

I hope not to insult any of you reading this when I suggest exactly what this will cause, because it is so obvious to us thinking folks.

1. Jobs will be lost. These companies are massive providers of extremely high quality jobs. They will be forced to pare down their workforces.

2. Jobs will be moved overseas. In order to make up the margin deficits, good corporate stewards will examine all opportunities to drive costs down.

3. R&D budgets will be reduced and innovation will slow.

4. U.S. companies will focus on the markets outside the States where the penalties don't apply. They'll get four more cents on a dollar of sales if the sale is ex-U.S.

5. The cost of healthcare will not budge.

6. When the plan fails, the government will just come back for more.

What's next? Bonus points for product recalls?

And so it goes. We take from the most successful, and give to the least, until such time as a steady state of mediocrity is reached. This goes way beyond everyone getting an award in the T-Ball tournament.

I will hereby propose a new Mediocrity Czar, whose job it will be to ensure that all aspects of society are put on an even playing field. Here are some suggestions.

SPORTS

LeBron James will be required to give every point over 20 per game to the other team.

Michael Phelps will have to swim with a cinderblock tied to his leg to allow all those who have never won a gold medal to do so.

Tiger Woods will be required to carry his own bag, and will not be allowed to set it down during play.

BUSINESS

Bill Gates and Steve Jobs will have a portion of their brains removed until such time as those pesky competitors of theirs catch up.

POLITICS

No action needed.

Perhaps there is more that orthopaedics can do to contribute.

All sales reps and distributors will have their commission structures modified such that the more they sell, the less they make. Those who sell more than $5MM per year will give a portion of their commissions to those who didn't sell squat.

Surgeon reimbursement will be inversely proportional to surgical volume.

If a surgeon is too talented and popular with patients, he/she will be required to strike that patient soundly with a stick at the end of each office visit.

This should help just about everyone rise to the middle.

A generation ago, some of the people reading this article and their forebears were called upon by mankind to help eliminate the suffering of millions of people crippled by arthritis, debilitated by back pain and homebound by injuries.

You responded with joint replacement, spinal fusion and arthroplasty, arthroscopy and soft tissue repair and trauma technologies, and the result was that these lost souls were able to return to active lives as healthy contributors to society.

You are called upon again today, as we seek to find a way to treat the millions of new orthopaedic patients stressing the system. Only this time we're broke.

So it looks as if we are being asked to pay for the right to contribute further.

Surely there is a better solution that will not undo a century of progress in healing.

[From Kaiser Health News]

ORTHOPEDIC INDUSTRY HAS ENJOYED FINE HEALTH

(By Julie Appleby)

WARSAW, IND.—Travis Funk, laid off a year ago from his job finishing boat interiors, hopes to land a job in a field he thinks has more promise: making artificial hips and knees for an aging population.

''I figured the best thing to do was get into the orthopedic industry,'' says Funk, 29, who is taking algebra, blueprint reading and computer programming classes at Ivy Tech Community College here several nights a week. He hopes knowledge gained in the 12-month program will earn him a job in Warsaw, a small town in a lake-dotted part of rural Indiana known as the ''orthopedic manufacturing capital of the world.''

Zimmer Holdings, Biomet and DePuy Orthopaedics are based here, along with several smaller companies and suppliers. Together, they generate nearly a third of the estimated $32 billion in global orthopedic device sales.

For much of the past decade, times have been good for the industry, with hefty profits from steadily rising sales of its artificial hips and knees, bone screws and other devices worldwide. More than 700,000 hip and knee replacements are performed in the U.S. each year. That number could double by 2016, driven partly by osteoarthritis and other ailments, researchers told the American Academy of Orthopaedic Surgeons' annual meeting last February.

Yet, the industry, succeeding even as some other U.S. manufacturing sectors are slumping, does face challenges:

The recession has curbed demand for orthopedlc devices worldwide as patients delay treatment, forcing layoffs at some companies.

A proposal that passed the Senate Finance Committee on Tuesday would place up to $40 billion in new taxes on the medical device industry in the next decade.

Device makers say such a tax would stifle job growth and innovation, adding to unemployment in regions such as Warsaw. But the health overhaul proposals could also bring benefits to the area, such as helping provide subsidies so unemployed workers such as Funk could purchase health insurance.

Senate Finance Committee Chairman, Max Baucus, D-Mont, who proposed the tax, sees the levy as the device industry's fair share in helping pay legislation that could bring it millions of new insured customers.

Orthopedic device industry profits are healthy: Zimmer Holdings and Stryker Corp. show five-year average gross profit margins of 76.5% and 68.3%, respectively, according to Thomson Reuters. Medical equipment and suppliers as a whole showed five-year gross margins of 59% compared with 45.8% for the S&P 500.

Drugmakers and hospitals have agreed to help finance part of the legislation, expected to cost more than $800 billion over a decade, according to a Congressional Budget Office estimate.

Drugmakers, for example, agreed to what they say is an $80 billion deal that includes cutting by half the prices they charge patients who hit a coverage gap in the Medicare drug program. Hospitals agreed to a $155 billion cut in Medicare reimbursements over a decade.

Jeffrey Binder, president and CEO of Biomet, says the device industry faces a double whammy.

''This particular fee is completely out of proportion with what any other sector has agreed to do,'' he says. ''It would cost our company alone $45 million to $50 million a year. That's equivalent of approximately 800 jobs.''

In addition. device makers, who sell directly to hospitals, will be under pressure to lower their prices as hospitals attempt to absorb their own cuts related to the health care overhaul, Binder says.

NO GUARANTEES

The fate of the tax is uncertain. A number of Democrats and Republicans oppose it.

So, too, dogs the industry's trade group, the Advanced Medical Technology Association (AdvaMed), which says the tax would be passed on to consumers in higher prices—or result in job cuts.

The $4 billion-a-year tax on the $130 billion medical device industry ''is a devastating prospect,'' particularly for smaller companies, AdvaMed President and CEO Stephen

Ubl said at a news briefing in Washington on Tuesday. The industry is lobbying hard against the tax, but Ubl says it supports other elements of the legislation, such as finding new ways to compare which drugs, devices and treatments work best.

Senate Finance Committee staff, speaking to reporters Monday, said the device tax is a flat amount based on each company's market share, not product prices, a provision meant to discourage passing the fee to consumers.

The controversy about the device tax illustrates how difficult it is for lawmakers to find ways to pay for their ambitious health care ideas. For months, proposals have come and gone—and come back again—from fees on soft drinks to levies on the wealthy. A windfall-profits tax on health insurers and an excise tax on expensive individual health policies are under consideration. Device makers are just taking their turn in the hot seat.

''Congress has a not-in-my-backyard problem in health reform,'' says Robert Laszewski, an Alexandria, Va.-based health policy consultant. ''Everyone wants it, but someone else has to pay for it.''

PLUSES AND MINUSES

The health care debate in Washington might seem a long way from this community 2½ hours north of Indianapolis. But the topic is top-of-mind for the executives who run the device companies, the physicians who use the products produced in the plants, and people seeking jobs in the industry.

Funk is among the growing number of uninsured in Warsaw and its surrounding area. About 19% of people here have no health insurance, compared with 15.4% nationally, according to the most recent census data.

For Funk, the proposed tax is ''a toss-up.'' If health reform is approved, he would likely qualify for subsidies to help him buy insurance. But the tax might make it more difficult for him to find work in the industry.

Today, device makers employ about 6,000 people in Kosciusko County, accounting for nearly 19% of the county's private-sector jobs, according to a September report from BioCrossroads, a group formed by venture capitalists and philanthropic organizations to boost the life sciences industry in Indiana.

''It's the only thing that provides a ray of sunshine in that part of the state,'' says Robert Guell, professor economics at Indiana State University.

Jobs run the gamut, from Ph.D. chemists to machinists. Workers at Biomet and the other plants use high-tech computerized lathes to craft hips and knees from titanium. At Zimmer, which has its own foundry workers in heat-protective suits pull molten-hot molds of joints from giant furnaces, Upstairs, scientists in nearly soundless offices research the next advance in device technology.

Medical device jobs in Kosciusko County pay well, averaging more than $81,000 annually, according to BioCrossroads.

For a time, experienced workers were often lured from one company to another.

There was so much movement,''you almost had to keep a scorecard to know where your neighbor was working,'' says Thomas Krizmanich, an orthopedic surgeon who lives and works in Warsaw. He says he has to be careful not to offend patients who work for one of the three big device makers by implanting them with competitors' products.

''Every company would like you to use 100% of their product,'' Krizmanich says. ''It can be difficult to make three companies happy.''

The sagging economy has slowed job hopping—and hiring—in the past year. In August, unemployment in Kosciusko County, which includes Warsaw, was 11.6%, vs. the national average of 9.7%, says database service Proximity. But that was far below that of neighboring Elkhart, where the jobless rate is 16%, in part due to a sharp downturn in the recreational-vehicle-building industry.

LEAVING THE AREA?

The proposed tax on device makers is not the only issue dampening future employment prospects here.

Other countries are offering huge incentives lure device makers overseas, where labor costs and other expenses may be lower.

Zimmer Holdings and Biomet already have manufacturing plants in Europe and China. And while Biomet's Binder says those plants mainly serve emerging markets, he acknowledges that some lower-skill production jobs have moved overseas.

It's unlikely that orthopedic device manufacturing will leave the USA entirely because the high-tech skills are hard to transfer, says Larry Davidson, director of the Center for the Business of Life Sciences at Indiana University.

''What has been helpful for that industry and will continue to provide jobs in the U.S. and Indiana is that it's harder for that industry to separate the technology and product development from the manufacturing,'' Davidson says.

Others are not so sanguine.

''It's conceivable that (device makers) could move everything eventually,'' says Nick Deeter, president and CEO of OrthoPediatrics, a Warsaw-based firm that develops orthopedic devices designed for children. He buys components from manufacturers based in the USA and abroad. ''Machines do all the work now. Someone starts them and stops them. Even though it's a high-tech product, it doesn't take a skill.'' Other states and countries have tried to get Deeter to move his headquarters.

''I have a pile of business cards from companies in Ireland,'' he says. ''Akron, Ohio, recently offered us a $3 million grant to move.'' But he stayed, with the help of $4.4 million in grants and other incentives from Indiana.

The ongoing recession means job openings in the device industry are fewer and attract many more applicants, says Melissa Denton, workforce and economic development director at Ivy Tech in Warsaw.

Enrollment in Ivy Tech's advanced orthopedic manufacturing skills training program has grown so fast, now at 400 students, that the school has had to move into larger quarters twice since last year.

Funk expects to complete his training soon, although he might pursue a two-year degree: ''I just hope someone hires me.''

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

(Mr. GOHMERT 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 North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY 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 Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona 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 Georgia (Mr. WESTMORELAND) is recognized for 5 minutes.

(Mr. WESTMORELAND 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 North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX 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 Florida (Mr. POSEY) is recognized for 5 minutes.

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

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

(Mrs. BACHMANN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HEALTH CARE

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

Mr. AKIN. Mr. Speaker, this evening we're going to be continuing on a familiar theme for many, probably the single issue that rivets the attention of Americans perhaps more than any single debate and discussion and, that is the change to American health care. This is not, of course, a small debate. It is a debate that involves a question of, to a large degree, whether the government is going to take over 18 percent of our economy. That's not a small section of our economy, 18 percent, nor is it a small question.

Not only economically is it a big question, every one of us has to live inside our own bodies. So it is a very personal question. We have to live inside our bodies, and we're dependent on health care, and we hope that we can continue to enjoy the high quality of health care that we have had in America.

But people recognize that there are problems with American health care. Those problems largely are not so much in the delivery of the health care but rather in how the health care is being paid for. So there are stresses in the system as to who's going to pick up the tab on it.

We've seen a lot of examples of different departments of the Federal Government. It does amaze me just in a commonsense point of view why people would really want to trust their own personal health care with any department in the Federal Government when I think of the profound inefficiencies within many departments of government.

We don't think of the post office as being a model of efficiency, the IRS as being any particular model of compassion or precision. If you think about the Energy Department, the Energy Department was founded on the idea that we had to make sure that America never had to rely on foreign sources of energy. Since that time, the Energy Department has grown in employees, and we have also grown on our dependence on foreign oil.

Then you've got, of course, the Education Department. That is a model of something that I wouldn't put my trust in. In fact, there was a study done on the Education Department some years ago that concluded that if a foreign nation had done to America what the Education Department had done, it would be viewed as an act of war.

Yet there are people in spite of this—and we've seen the Federal emergency management in response to Katrina and other departments of the Federal Government. In spite of that, people want to turn over 18 percent of our economy to the government.

Well, when the government does too much, there are some things that we tend to see as becoming problematic. One of them is that you get some inefficiencies. You could get excessive expenses, degraded quality, or bureaucratic rationing.

□ 1700

Is this something we need to worry about when we are talking about health care? Somebody quipped that if you think health care is too expensive now, just wait until it's free. We will take a look.

Here is what was proposed in the House plan, right here. It's a 1,000 page bill, but you can summarize it in this nifty flowchart. All of the colored boxes are new parts, new moving pieces.

You could see that it certainly doesn't meet the test of simplicity, that's for sure. People who have looked at this and studied it long enough say, I want to be the health care czar. He's the guy who makes all the decisions and determines who gets care and who doesn't.

Tonight, we are going to be talking on the subject of health care. A lot of new information is breaking, new estimates from the Senate as to how much their plan is going to cost and how much is going to be taken out of Medicare on that plan.

I am joined by some good friends of mine here, and I am thinking my friend GT is here. I am just going to recognize and yield to you, my friend, a Congressman who has not been here that many years and yet who has already earned a reputation far in disproportion to the amount of time he has served, and long on the common sense department, which I think we need a whole lot more of that common sense.

Mr. THOMPSON of Pennsylvania. Well, I thank my good friend and, actually, 10 months, just about 10 months is what I have been here. The world I came from, actually, was the health care world. I mean, I had spent 28 years working in health care services as a therapist, health care manager in rural hospitals, licensed nursing home administrator.

I came here knowing with a commitment that we could do better with the health care system we had, that we can improve all four principles of health care: access, affordability, quality, and choice.

Mr. AKIN. Slow down just a minute now. The four basic principles of health care, do that again.

Mr. THOMPSON of Pennsylvania. Access, affordability, quality, and choice.

By choice, I mean strengthening that vital decisionmaking relationship between the physician and the patient, and not having the government or a bureaucrat being wedged between those two.

Mr. AKIN. Doctor-patient, yes.

Mr. THOMPSON of Pennsylvania. Doctor-patient relationship, yes. I happen to think we have a pretty good system. Not that we couldn't improve on it. I came with ideas on how to do that. Unfortunately, the ideas I brought with my almost 30 years of experience have been largely ignored by the majority side, by the Democratic Party.

I find that the proposals put out there, specifically House Resolution 3200, in many ways I can find where that proposal, that the Democratic health care proposal, would make all four of those principles worse.

Mr. AKIN. That doesn't sound like a very good idea. Just probing a little bit, though, you made a comment. You said that you came here with 20-plus years of health care experience. You came here with ideas that could improve the system, and we have been accused for months, both by the President and others, as saying the Republicans don't have any ideas, yet you had quite a few ideas.

Mr. THOMPSON of Pennsylvania. Absolutely. I am proud that, as Republicans, we have over 30 bills that we have introduced that would specifically address the different issues and the concerns that I came with, and many others, the visions of my colleagues, that I think would be good to address the health—

Mr. AKIN. Let me ask you this. Did any of your proposals—because we have been accused of this as well, did any of your proposals raid money out of Medicare?

Mr. THOMPSON of Pennsylvania. Absolutely not.

Mr. AKIN. Yet the Democrat proposal we were talking about 2 weeks ago was raiding $500 billion out of Medicare. Now, that has been scored in the Senate. It's about 400-and-something billion being taken out of Medicare to try and pay for this thing. That wasn't something you were proposing?

Mr. THOMPSON of Pennsylvania. No. Especially when you are looking at proposals to raid Medicare specifically, the hospice services, people that are preparing their lives to die with dignity, to die in their own homes and places surrounded by their family and can be comforted in a way that provides that dignity to those final days. And to cut Medicare in that area is just wrong.

I think that what I find most interesting about that proposal to cut Medicare to fund this new large government-run program, sweeping government-run program, is that it's, in my experience, as I look at the issues surrounding—and this is some of the things I came with—the issues surrounding a wide commercial health insurance is so expensive, and it is in many places.

The average health insurance pays, nationwide, 140 percent of cost to hospitals and to physicians. The reason for that is—there are many reasons, and we will talk about them this evening, like tort reform, but the other reason is Medicare. It's medical assistance.

Medicare pays, on the average, 90 percent of the costs. For every dollar of costs a hospital has or a physician has, Medicare pays 90 cents. For every dollar of cost that a hospital or a physician has, medical assistance pays, varies State by State, but 40 to 60 cents. Within our health care system, because the government set up these entitlements and soon found that it couldn't sustain them, couldn't afford them and begins to systematically underpay them, we look to commercial insurance to make up the difference.

It's interesting that Medicare is the reason, I think, one of the primary reasons why commercial insurance is as expensive as it is, yet the proposal is to make more Medicare cuts.

Mr. AKIN. Here, this is a chart of these three big entitlements. People talk sometimes about earmarks and other stuff about Federal spending. But the real story about the Federal budget being broken is really within these three big entitlements. All of them, you can see, are growing out of control over time: Medicare, Medicaid, Social Security.

Now, as these things grow, what you are saying is, in spite of the fact it's costing a ton, there is still not enough money in those programs to really pay for what the medical costs are. We are now taking money out of the private sector or from other sources to help subsidize these things that don't work.

Now, you are a commonsense guy. It seems to me that if we have Medicare and Medicaid that are financially broken, the solution to say, well, we are going have the government take over all of that and a lot more, that almost defies common sense.

You know, we are joined by a gentleman whose sagacity and also years of service on the floor are about legendary. Congressman SOUDER, I would appreciate you joining. I think of these as kind of a dinner conversation. Let's just talk about what we have got going on. This is something that Americans care about all across our country, and I think we need to have enough time to talk about it, take a look at it, and to say just say rationally what's the right thing for us to be doing.

Mr. SOUDER. Right, and you have taken the lead here on the floor. Trying to make sure we present this, I have got a couple of specific points, but one, which you are doing through this, is at a minimum, the public needs to know what's in the bill, and the thought that something may come here without 72 hours to read it, which is not a long time, is just abhorrent.

Mr. AKIN. This is not really a particularly subtle point, yet the American public understands this. They would like us to read the bill. It's really hard to read the bill when the bill we are debating and voting on is still being collated up here, like the cap-and-tax bill that we had with 300 amendments passed at 3 o'clock in the morning.

Your point is well taken. First of all, it would be a good idea to see what the bill is before we vote on it. It seems like a straightforward point.

Mr. SOUDER. The other body passed a Senate Finance bill, which has correctly been called a conceptual bill, that we heard the budget estimates of that bill. But as they said in the notes, in their report, you can't hold us accountable for these estimates because the bill doesn't specify how they are going to achieve certain savings, doesn't specify how certain things are going to be paid for, doesn't specify exactly what they are covering. It doesn't give enough specifics.

Even when you are taking over this big a sector of the economy, 1,000 pages is like a sneeze at this problem. There has to be not only 72 hours to read it, but we need to actually see a real bill, not a conceptual bill.

Now, there are a couple of things. Our friend from Pennsylvania alluded to this one. We have had this huge controversy about the so-called death counselors that are clearly in the bill to do counseling in the last 5 years of life and if your condition deteriorates. Many of us are strong supporters of hospice care. I think a lot of people thought this was for hospice care, but they are getting cut 18 percent. I just read a letter from someone in my district that says we don't know how our hospice care can survive with these cuts. What is the point of these counselors if you are wiping out the hospice care?

No wonder some people are a tad paranoid. I don't know what it means. How can we know what it means? What we know is it looks like they are rationing because they are cutting off services to Medicare.

Mr. AKIN. This is death care?

Mr. SOUDER. Well, it says they will present all the alternatives. But I assume that the real intent around that was to promote hospice care. But if they are cutting hospice care, and the hospice centers don't know what they are doing and you are rationing certain life supports, and if they are talking about how much is spent in the last years of life, this is really disturbing stuff.

That's why we have to read the bill. We have to know precisely what's in it. What do you mean when you put that kind of stuff in?

Where that section was on our House bill referred back to the Social Security act. It didn't even fit. The counseling part didn't even fit. Nothing else in there was counseling. It was things like liver and all this kind of stuff. It was incredibly sloppily written. It will be forever litigated.

It seems to set up a pattern where you are going to be counseled and given a different alternative from hospice to euthanasia. You are going to be told you are going to get things reduced, or at least they should disclose that. But if there is no hospice that can survive, particularly in the smaller markets—which brings up another critical point. The cardiologists were here on the Hill just a couple of weeks ago.

Mr. AKIN. As you talk, what comes to my mind, as I am hearing you talk, is basically a form of rationing that's really diabolical, a sort of rationing that says, well, you can take a bottle of aspirin or what. I am getting to be an old codger at 62, but if I were older, I would be even more paranoid, I think, from what I am hearing you say was in the bill.

Mr. SOUDER. The challenge here is that people are confused. You hear the President or others say it's not in the bill, then you hear the Republicans make an allegation.

Here is the thing. It doesn't specify, A, if we could read the bill, but what we see doesn't specify. What it does say is there will be counseling. In another section it says there's going to be savings, which implies rationing, and in another section—or implementing and procedures, a cut for hospice care.

In another part of it it says, the first part says 5 years. Nobody knows exactly what that means, every 5, once in 5, not explained. Then later it says if you have a condition change. When you put those together, you come to a logical conclusion.

But then the other side goes, well, it's not in the bill. Well, not precisely, but it's in there in five different places, and there is no other way to resolve it. There has to be some kind of unit that has to put this together to make these kinds of decisions.

In this waste and abuse, one of the questions is what does waste and abuse mean.

The cardiologists were in the other week, and the oncologists the week before that, because they were concerned because they have started to implement some of these procedures. What we hear is that, well, if there is waste and abuse, why aren't we checking it right now.

Well, they are defining waste and abuse as underutilization of equipment. What does underutilization of a heart machine mean? What does underutilization of a heart center mean? What does nonefficient usage of oncology machines mean?

In Indiana, what it means is everybody goes to Indianapolis. You are going to close your heart centers in Fort Wayne because you have a utilization of 44 percent, not the 80 they are mandating. It means South Bend, Evansville, northwest. In Missouri, maybe you get Kansas City and St. Louis.

We had a number of Russian health care administrators in my district as well as people from the Duma a number of years ago. We took them to some of our hospital systems. They said we have seen most of this stuff in Moscow. What's unusual even in the United States is that even in towns of 15,000 you have hospitals like we have in our big cities.

When we hear about lines in Canada and England, it's partly because, to be efficient, they have people drive 200 miles to a heart center, and they get to pay the mileage. They get to pay for the motel. They get to go back for repeat visits and the cost to them. That's not savings of waste and abuse; that's transferring the fees to individuals.

What we have right now is a dispersed health care system that brings it closer to home with what we call RediMeds in our area. You have blended regional hospitals feeding up to bigger hospitals. They seem to think that these savings are going to become like they were trying to do in the veterans hospital system in Indiana and make everybody go to the biggest city in the State.

Mr. AKIN. What strikes me, gentleman, and your points are very, very, well taken, currently full of waste and abuse. It's almost like you have a line item on a budget that says waste and abuse and so many million dollars. I mean, if you had that, you take that line item off the budget. Well, what exactly does waste and abuse mean?

We were just talking to cardiologists today that came in. They explained the kinds of equipment they have in their office. From a practical point of view, if you are a cardiologist, it's like what used to be a stethoscope. A doctor hung it around his neck. He might not have used it all the time, but he needed it on a fairly regular basis.

Their stethoscopes now are far more sophisticated, but they use them all the time. Not all time, but they have to have them immediately available to do their job. As you say, that allows them to provide service reasonably close where people live, and it allows them to do it right in the office. Particularly, it provides the fact you don't

have to wait weeks and weeks to get some particular checkup.

That is the weak underbelly of the socialized medical systems in England and Canada, because you take a look at things like cancer, you don't want to wait weeks and weeks. If you have got melanoma, you want to get it and you want to get it now. If you have got heart disease, you want to get it now.

□ 1715

I just went through this with my father. He got a new heart doctor. His old heart doctor wasn't paying too much attention. His new heart doctor took a look at him, took a look at his meds and said you need to get a chemical stress test. When he got that, he said you need to get an angioplasty thing. So they go in and look around with that. They said when you get that, you need to get a heart bypass, which turned out was a seven-way heart bypass. When he got done with that, 4 days later he is home. Total period of time, less than 3 weeks from the time he went in to see the doctor until he had a seven-way heart bypass and was home from the hospital.

That is the American medical system, because it can react quickly and rapidly to something that if you let it go is going to be life threatening. That is what you are talking about.

So this waste and abuse, we have seen where some of this supposed waste and abuse is coming from; $500 billion out of Medicare. I know Republicans have been accused for years of being people who want to cut Medicare. Here we have got the Obama plan, we are going to get the money out of Medicare.

In fact, you made the point, gentleman, that we hear these conflicting claims and people say, Well, what's the truth?

Here's what you need to know: ''First, I'll not sign a plan that adds one dime to our deficits, either now or in the future.'' This is our President. He says he is not going to add a dime to our deficits. Guaranteed, first thing. Well, let's take a look at the track record since the beginning of the year.

Deficits. We are talking trillions of dollars worth of deficits here. Here is the Wall Street bailout, the second half of that. Economic stimulus. If you don't vote for this, you might have over 8 percent unemployment. So all these liberals voted for this thing, $787 billion, mostly in handouts and welfare types of things; and now we have got, whatever it is, 9 percent unemployment.

Mr. SOUDER. Maybe he meant that he wasn't going to add one dime, that he was going to add a couple of trillion.

Mr. AKIN. Maybe that's what he meant, it wasn't a dime, it would be trillions of dollars. But this doesn't give us any record to be comfortable with. This assertion doesn't square with what our history is.

Now, there have been a number of other assertions. This is what makes people confused.

First, if you are among the hundreds of millions of Americans who already have health insurance through your job, Medicare or Medicaid or the VA, nothing in this plan will require you or your employer to change the coverage or the doctor you have. The President is saying this. You get to keep what you have got. If you like what you've got, you can keep it.

Yet here you have an MIT health economist, with or without reform, that won't be true. His point is that the government is not going to force you to give up what you have, but that is not to say that other circumstances won't make that happen. Essentially, what happens is the government gets into the insurance business, the other privates all close down, and you only have one choice: you have got to go to the government.

So one thing you are hearing, you can keep what you have. In fact, here is a guy from outside that doesn't have a dog in the fight, he says that is not how it's going to work.

Here, this is a section, the doctor-patient relationship. If there is anything important in medicine, it is the doctor-patient relationship. This is an amendment that was offered by Dr. GINGREY from Georgia, one of our friends and colleagues. Here is his amendment:

''Nothing in this section shall be construed to allow any Federal employee or political appointee,'' that is bureaucrat or whatever, ''to dictate how a medical provider practices medicine.''

In other words, we are going to enshrine the doctor-patient relationship. We are going to make it clear that when a doctor and patient decide on a particular procedure, we are going to proceed. Nobody is going to get in the way. Not only do we not want the insurance company getting in the way; we don't want any bureaucrats.

So he puts this amendment up and it goes to a vote in committee. Most people don't know this amendment went to a vote in committee and here is the result: 23 Republicans say, yeah, we want to leave that doctor-patient relationship sacred. And where were the Democrats? Thirty-two of them voted against this, only one voting for it. So what confidence does that give you that we're not going to get a rationed health care system? And yet we're saying whatever you have, you can keep it. We've had these claims and counterclaims, and I think it's important for us to let the American public shed some light on this. This is what people are saying.

I've got some other charts, but I want to go to my good friend from Pennsylvania. I yield.

Mr. THOMPSON of Pennsylvania. I appreciate that, and I thank my good friend.

I want to come back to the waste and abuse claim, that in addition to obviously significant taxes, that there's all these savings under waste and abuse. It's being presented and proposed by the Democratic Party like this is something new that we're looking at.

I have to tell you that I was working in health care in 1983 when diagnostic-related groups and the first prospective payment system came into health care. Soon after that, we began to hear about and work on eliminating fraud and abuse. Professionally and ethically, that's a responsibility that health care professionals have to do. The fact is that is something that has been ongoing. So now this claim that we're going to find these massive amounts of money as a result of waste and abuse that we can use and save and help to fund this government-run health care program is just false, absolutely false.

Now I do think there's waste in health care, and I can point to annually $26 billion. We can take $26 billion annually, and we can find that like this if we had the courage of my colleagues on that side of the aisle to address medical malpractice.

Mr. AKIN. Gentleman, you've got all of our curiosity up. How can we get $26 billion? You say there is a line item of $26 billion that you could work on.

Mr. THOMPSON of Pennsylvania. There are line items in physician budgets, in hospital budgets; and we could eliminate that cost to health care today by passing medical malpractice tort reform.

Mr. AKIN. Oh, tort reform.

Mr. THOMPSON of Pennsylvania. Tort reform. Premiums annually in this country are paid in the amount of $26 billion. The average award under malpractice is $4.1 million in this country. And so there's a line item that actually is in health care budgets and all the providers across this Nation that we could take that money—and we've got great proposals. The Republicans have H.R. 3400 that's out there that would address tort reform, that would do it in a way that would limit punitive damages. It would set up panels to be able to deal with those situations using judges that have health care experience.

So we have bills out there that if we could get our colleagues' support tomorrow or today, we could actually eliminate what I consider $26 billion of waste from health care.

Mr. AKIN. I think my friend from Indiana had a comment on that. I yield.

Mr. SOUDER. I beg to differ just slightly. While that's the amount that people pay, what I hear from doctors in my district—and we have MedPro, which is one of the biggest insurers of doctors—that that's just part of the cost of defensive medicine. After the doctors are told to keep your insurance down, make sure they get an MRI if they're questioning at all rather than extra x rays so they can't sue you, make sure you do this extra test, that doesn't count all the things that they do to try to avoid their rates from going up. We don't know what the cap is.

The problem with the studies that claim you don't save as much from tort reform by those who are proponents of

it literally do not take into account what doctors are saying in their daily practice of things that they wouldn't do at the margins if they didn't think there was a potential of being sued that would drive up the rates.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield for one quick point?

Mr. AKIN. Yes.

Mr. THOMPSON of Pennsylvania. There was a recent study done just in Pennsylvania that showed that 93 percent of physicians in Pennsylvania practice some form of defensive medicine. Ninety-three percent, for that very reason. You invest $200,000 to a half a million dollars in a medical education career and then because of these lawsuits and because of medical malpractice and the lack of tort reform, you're at risk of losing not just your practice but your family's home. I understand why defensive medicine occurs. We've got the solution. H.R. 3400 would address that.

Mr. AKIN. We've been talking about how do you deal with some of the different questions in health care. What has just been illustrated here is the fact that Republicans do have a number of ideas. One of those is tort reform. You're not talking about the fact that if a doctor makes a mistake that the patient shouldn't be made whole; but what you're talking about is this wild, punitive damage kind of thing which just introduces such a wild card for the insurance companies that they run the cost of insurance up and then the doctors practice all this defensive medicine, which my friend from Indiana is pointing out as well; and any doctor you talk to will explain that that's just standard. We don't necessarily like it, but politically the Democrat Party doesn't want to allow dealing with that tort reform.

Now, the President did make a comment about it, and it is kind of the elephant in the room, but it's a big cost to health care that could be dealt with.

We're joined also by my good friend from Louisiana, Congressman SCALISE. Please join us.

Mr. SCALISE. I want to thank my friend from Missouri for hosting this and for helping to continue this debate to really get the facts out about some of the dangers of the proposal being brought by President Obama, Speaker PELOSI and others to really have a government takeover of health care. I agree with most Americans in this country who recognize that there are problems in the system but also recognize that with those problems we still have some of the best medical care in the world and we surely don't want to see the government come in and take over health care and destroy the things that work all in the name of fixing the very specific things that are broke.

If you talk about medical liability reform, doctors will tell you that many of the tests, maybe a third of all of the tests and procedures that are run on people, are just purely in defense of trying to avoid a frivolous lawsuit. Experts will tell you you could save about a hundred billion dollars—billion with a B—a year in medical savings just by doing something to eliminate the frivolous lawsuits and address medical liability reform which, as my friend from Pennsylvania points out, we do in the bill that I'm a cosponsor, many of us are cosponsors of, H.R. 3400.

Not only that, for Americans who have to go through these tests and procedures that they know they don't have to go through and they wonder, why do I have to go through these CAT scans and these other tests that my doctor really doesn't think I need but because he's afraid of a lawsuit, I've got to spend the extra time and the extra money.

Outside groups have now come and just earlier this week, Pricewaterhouse said that the bill being brought by President Obama and others in Congress would add another $1,700 a year to the average American family's health insurance cost.

Mr. AKIN. Wait a minute now. You got my attention. The average American family, the proposal that's being offered is it's going to add $1,700 more a year for the cost of their medical insurance?

Mr. SCALISE. That's exactly what the Pricewaterhouse study says.

Mr. AKIN. Isn't that the new study on the Democrat Senate plan? Isn't that where that was done?

Mr. SCALISE. Right. Because as we're getting more information on this bill that just passed out of the Senate, they still won't put the legislative text out there, and I think we should have at least 72 hours where the bill is available online so that not only Members of Congress but all Americans can read it, but also as they're starting to research and look at all of these taxes.

The Democrat bill in the Senate has $400 billion in new taxes that would be passed on to American families. The House bill has $800 billion in new taxes. All of that will raise the cost of health care.

Mr. AKIN. Let's talk about cost. You've got $400 billion in new taxes, and you're going to take another 400 or $500 billion out of Medicare. So right off the bat when you say, Here's this new piece of legislation, what do I get for it, well, first of all, $400 billion in taxes, 400 or $500 billion out of Medicare. That's something, just as we started talking. It raises this kind of commonsense question: You've got over a hundred million Americans that have insurance and doctors and health care that they like pretty well, and they don't really want to change; they're content with what they've got, and in order to try to fix what problem, you've got somewhere between 10 and 20 or 10 and 30 million who don't have health care, maybe could afford it but don't. And so in order to do the 10 or 20, you're going to basically take apart the system for a hundred, which also raises kind of a commonsense question, too. I just don't quite see that.

There are a lot of claims going on. Here's one:

''There are also those who claim that our reform effort will insure illegal immigrants. This is false. The reforms I'm proposing would not apply to those who are here illegally.'' This is the President. This is his claim. But let's take a look and see, well, what does the fine print say.

This is the Congressional Research Service. This is a nonpartisan group. They've studied the bill that the President was talking about. They say:

Health insurance exchange would begin operation in 2013 and would offer private plans alongside public option. H.R. 3200—that's Speaker PELOSI's bill—does not contain any restriction on noncitizens. It does not contain any restrictions on noncitizens, whether legally or illegally present or in the United States temporarily or permanently participating in this exchange.

Mr. SOUDER. Will the gentleman yield?

Mr. AKIN. Yes, I do yield.

Mr. SOUDER. Can you imagine the outrage in America if liquor stores posted on their door, No IDs checked here? If you went to a gas station where we assume that tobacco cannot be sold to minors but you had a sign that said no IDs checked here, would you believe that the liquor store or the place selling the tobacco isn't going to sell to minors? On what basis? In effect, what we're telling them in this bill, no IDs checked here, so how do you know?

Mr. AKIN. Isn't that amazing? This is why Americans to some degree are upset. They're upset about the points you made. They would like us to have 72 hours to at least look at a bill and read it.

□ 1730

And then, they're not too fond of the idea they're going to get cracked for $400 billion or $500 billion taken out of Medicare. Certainly senior citizens aren't too fond of that. Some people don't like the idea of having to pay for illegal immigrants' health care services. This is very clear from the Congressional Research Service that what the President said just flat isn't true.

And if that were not enough for you, here's an amendment by one of our colleagues, Congressman HELLER. This is another one of these amendments that takes place in committees where people don't see it so much. This is going to clarify this statement that the President made. In order to utilize the public health insurance option, an individual must have had his or her eligibility determined and approved under the Income Eligibility Verification System, IEVS, and the Systematic Alien Verification for Entitlement, SAVE programs under section 1137 of the Social Security Act.

So, in other words, what we're saying is, we're going to make sure, we're going to card you at the liquor store. When you buy those cigarettes, we're

going to card you. That's what this amendment says. You notice it says ''failed'' down here at the bottom. It failed why? Well, because here's the Republicans. They all voted for it. Here's the Democrats. They all voted against it. There are more Democrats so this amendment is history.

So the President says, we're not going to have any illegal immigrants, but, in fact, the Congressional Research Service and this amendment and the vote on this amendment bears testimony that that just isn't true.

Mr. THOMPSON of Pennsylvania. Will the gentleman yield?

Mr. AKIN. I do yield to my good friend from Pennsylvania.

Mr. THOMPSON of Pennsylvania. I'm not sure which committee this is representative of, but I serve on the Education and Labor Committee. And in that approximate period of time of around July 16th, the next to the last week in July, we were also presented with H.R. 3200, and we were presented with it and went into within 48 hours of when we were given the first copy, which was 500 pages of the bill, and then that was on a Wednesday. The very next day, on Thursday, we started bill markup, which is an important event around this place. It's where we make substantive changes to bills. And at that point, the bill had grown, with a manager's amendment, to over 1,000 pages. And we started a marathon markup that started at 10 a.m. on a Thursday and was driven by the leadership of the Democratic party until 5 a.m. on Friday, 20 hours. I can't tell you the—

Mr. AKIN. Till 5 'o clock in the morning?

Mr. THOMPSON of Pennsylvania. 5 'o clock in the morning. I can't tell you—you can imagine what the quality of work was after about 11 p.m. But some time during those wee hours of the early morning, probably between 1 and 3 a.m. I specifically remember that amendment coming up and being debated, and debated passionately, that we have a responsibility to the American citizens to be able to be good stewards of the resources that are here that we have as a country, and that we have the responsibility of overseeing. And I remember that amendment, and specifically how it was defeated, along a party line, with all the Republicans voting for that amendment and the Democrats opposing it.

Mr. AKIN. This is the illegal immigrants getting access to the money of Americans that are paying money for health care.

Mr. THOMPSON of Pennsylvania. That is correct.

Mr. AKIN. I do yield to my friend from Indiana.

Mr. SOUDER. Also as a member of the Labor Committee, my friend from Pennsylvania and myself and probably three others, I thought, were actually very articulate in arguing some of these amendments at 3 in the morning. Our audience wasn't very big. You know, when people say, oh, what happened, why didn't you guys—I mean, the only place we can offer amendments usually is committee. We don't get to offer them here on the floor.

Mr. AKIN. Just for some people that might not be familiar with the way the House works, when this bill, this medical bill, whatever it is that the Democrats come up with, it comes to the floor, they're not going to let us offer any of the amendments that are going to be in any way embarrassing or debate them or discuss them. It's going to be a take-it-or-leave-it. The train is leaving; either get on or stand on the platform with your hat in your hand.

Mr. SOUDER. Putting aside that that may be why they don't bother to let us read the bill, because we can't amend it anyway, that you would think that there would at least be some public responsibility to give us 72-hour notice. In committee, we didn't get 72 hours. As my friend from Pennsylvania, Mr. THOMPSON, has pointed out, it was just, I mean, we got it basically when we sat down, the final bill. Then we're debating it in the middle of the night, which the other party said was shameful when the Republicans held a vote because of the debate which was actually on the floor. We don't do debates in the middle of the night anymore because we don't do debates, we don't offer amendments.

But in the amendments in committee, the amendments on pro life, the amendments on trying to check ID, the amendments on a lot of these controversial provisions, nobody got to see the very eloquent debate. I thought we were pretty eloquent at 3 in the morning. You know, I took a little offense. I thought we were fairly good but nobody will witness it.

Mr. AKIN. Well, let's just review a few of those amendments. The first thing is, you don't want illegal immigrants to be tapping into the money for the health care. Another one was saying we weren't going to use health care to pay for abortions. So that was one that, I mean, a lot of Americans are thinking, I don't really want my—whether you're for or against abortions, I'm not sure I want my money being used to give people free abortions. And then there was a question about the doctor-patient relationship. Are we going to ration health care with bureaucrats, some calculator, some computer that says, well, at your age and at this and such, you don't get any?

And so you've got an amendment that says that you're going to have a doctor-patient relationship that is going to be sacred, and that you're going to allow the doctor and patient to make medical decisions. All those amendments offered in committee go down on a straight party-line vote.

Mr. SOUDER. Another one for a second that you referred to earlier. That, you know, people can say things. We can stand up and say whatever we want. But when you vote it's your action. And in the action—

Mr. AKIN. A vote isn't an opinion. It's a hard and historic fact, yes.

Mr. SOUDER. Keep your own insurance, keep insurance the way it is? No. It was defeated. We had one that said catastrophic plus an HSA. That means that you could get flexibility to get catastrophic coverage that could be provided by the firm; they give you money so you get an HSA, and then if you want pregnancy coverage you could cover pregnancy. If you were older—like, we're probably not going to have any more babies; it would be a big shock if we did, since I am 59, about to turn 60, and my wife's similar. Much younger of course, but similar. I'm going to get killed when I get home. The bottom line is that we may not want pregnancy coverage, so why can't we get a health policy that's customized? Defeated.

You know, this idea that the Senate bill in their talking points today says they're going to allow you to keep your own insurance. And then further down it says all these new things will be added. Mandatory. By the way, that wouldn't be your insurance. If your insurance doesn't have it, that's not your insurance. Your company would have to either raise the prices or drop your policy. If they're dictating, that's not your own insurance.

Mr. AKIN. And that's one of the talking points as we talked to one of the Senators this morning about the new—because we're getting information about what the Senate is doing, and that was one of their things—it reduces health choices. I think the whole point of the policy is Americans don't all necessarily want the same policy. You know, if you've got a medical savings account, which is something that we have supported, so you can put money aside to cover different things, and you've got a lot of money in that medical savings account, the insurance you may want would be what we used to call a major medical policy. It covers the great big things, but the smaller stuff, you can say, hey, I can afford to take a thousand or $2,000 hit because I've got enough money in my medical savings account that I don't need to pay for a policy that covers everything.

Somebody else who's just starting, and maybe they're a little bit worried about they just can't take anything, they're going to want a policy that covers a lower deductible. And depending—as you made eloquently clear, one size doesn't fit all. It's not the, You can have any car you want as long as it's black. We've got choices in America. And what this Democrat Senate plan, and it is Democrat, does—there's only, huge news, one Republican, just one, that ventured to vote for this thing; everybody else is against it—it reduces health choices. That's not the way you save money, and it's not the way you provide good health care. Very good points, gentleman. I yield to my friend from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Well, what you're talking about is actually an amendment that I offered in

the Education and Labor Committee to bar the exchange, the health insurance exchange, which essentially allows this new health insurance commissioner to dictate the terms for your private insurance policies. Exactly what my good friend from Indiana was talking about. Specifically, what would be required, as opposed to a consumer in a free market, where I choose what's best for me and my family, a government bureaucrat would dictate if my insurance policy qualifies or not within this exchange. And again, that's an amendment we offered up to eliminate the exchange from H.R. 3200 within the Education and Labor Committee. And that was defeated along party lines.

Mr. AKIN. Another party-line vote. Just amazing, isn't it? Well, you know, if you take a look at what the Senate is talking about doing, you can understand why there's this amazing gap, because the public opinion polls are showing that people are not very comfortable with what we're talking about jumping into, and for the sake of whatever it is, 10 or 20 million people, destroying the health care of 100 million.

And this, these are some of the costs: It raises premiums, and it reduces the health choices which we've been talking about. Those health choices are very important. It delays or denies care. This thing here, delaying and denying care, as a cancer survivor, I understand the importance of this because if you don't get it and get it quick, you're a goner. And so this idea of rationing and postponing and having to wait in queues, which is endemic in England and Canada, that's something that we don't—that's a high cost.

We've got some other costs here. We've been joined by my good friend from Iowa, Congressman KING, and I imagine you might have a few thoughts on these subjects as well.

Mr. KING of Iowa. Well, I thank the gentleman from Missouri for holding this special order. And as I hear the word Iowa, I look across that list and I see $500 billion in Medicare cuts. And we know that nationwide, Medicare reimbursement rates, the services provided under Medicare, are only compensated under the schedule we have today at about 80 percent of the cost of delivering that care.

And if you look around the country where you have concentrations of seniors, we know that's where the Medicare dollars go. And my district of Iowa, as a State, has the highest percentage of its population that's over the age of 85. And we're in the top six or seven over the age of 65. So we actually do pretty good on the longevity side. And in 99 counties in Iowa, 10 of the 12 most senior counties in Iowa are in my district, so I may well represent the most senior congressional district in America.

And I'm standing here looking at this data that's been out here now for probably 2 months, a half a trillion dollars in Medicare cuts, Medicare cuts. And the administration takes the position that they're going to find waste, fraud, and abuse. But it's odd that if they know where the waste, fraud and abuse is, why do you have to bargain to get a socialized medicine program in order go after the waste, fraud and abuse? If you find waste, fraud and abuse in government, don't keep it secret, Mr. President. Tell me where it is. We'll find it here in Congress.

And that's one of my concerns is that you can't bargain that. If it's good policy, eliminating waste, fraud, and abuse is always good policy. You don't hold it out and say, I've got a secret. It's in the envelope—karnak predicts that if you pass my national health care plan, I can find you billions of dollars worth of savings. But taking it out of our senior citizens' pockets. And it's so interesting to me that I remember my junior Senator, TOM HARKIN, had a political campaign that resolved around a statement that he made, he referenced $6 billion, and he said, Well that's just pencil dust. And so his opponent walked around with a man-sized pencil the whole campaign showing $6 billion is not pencil dust.

But I recall the spokesperson for the AARP sitting on a national cable news program, referring to the half a trillion dollars in Medicare cuts, now it does sound like more when it's $500 billion in Medicare cuts, referring to it as a small percentage of the overall outlays. Half a trillion dollars, a small percentage of the overall outlays. That's one of the pieces of the bullets that you have there.

Mr. AKIN. I'd just like to cut in a little bit on you, gentleman. When you've raised this point that Medicare pays for whatever it is, 80 or 90 percent of the actual cost of a procedure. So what that's saying is, whenever a doctor treats a Medicare patient, what's really happening is there's more cost than actually is being paid by Medicare. So what that means is at a certain point, if you were to reduce what Medicare is paying, there's going to come a point where a doctor says, enough already. I just can't afford to cover any more Medicare patients because, guess what, I'm going to have to cover some other patients, and I'm going to have to charge them 120 percent to make up for the 80 percent over here because we're cost shifting.

So, in other words, what's happening is somebody is having to pay more. So now what we're going do is take $500 billion out of this. And what's that mean? Somebody else is going to have to pay more.

Mr. THOMPSON of Pennsylvania. I think that you are just going down a line, a road that is so important in this debate. It really comes back to where we started talking about rationing. And the ultimate form of rationing, to me, is where you have to close hospitals, especially in a congressional district like mine, and probably a number of my colleagues here are very rural; to get to another hospital when one closes is a commute that makes a difference between life and death. Hospitals, rural hospitals, and I'm sure underserved urban hospitals in particular, they have a banner year when they make a margin of 1 to 3 percent—1 to 3 percent.

Mr. AKIN. That's not a lot of fat.

Mr. THOMPSON of Pennsylvania. No. Because out of that 1 to 3 percent, hopefully they're able to give some type of cost-of-living adjustments to keep the best and the brightest in terms of physicians and therapists and nurses and health care professionals.

□ 1745

They also need to be investing in new lifesaving technology that is being developed all the time. And so we see these Medicare cuts in particular.

I also put out there the public option, because the public option will pay by statute, what I saw in the Education and Labor Committee, pays Medicare rates 80 to 90 cents on the dollar of costs, essentially what you will do is bankrupt hospitals and physicians. And I project that that will hit first in rural America and underserved urban areas.

That's rationing. When you close facilities, when physicians no longer are in practice because they can't balance their books, that is the purest form of rationing services.

Mr. AKIN. Rationing is something we need to give some thought to.

My good friend from Indiana.

Mr. SOUDER. There's one point I wanted to make sure I got in here tonight, because part of my district is stunned today. The Senate Finance bill yesterday is proposing a tax that ranges from 10 to 30 percent on the medical device industry. Now, when we talk about Medicare, what we're really talking about is they cover not quite variable costs, but cover no mixed costs, and no fixed costs for hospitals or for reimbursement of other things. Private pay pays for the rest of it. And what this bill is in danger of is squeezing or taxing out private pay.

Now what I hear often is why can't we just all go to the Medicare system? The Medicare system, people who are alive today wouldn't be alive if it were based on Medicare reimbursements because the pharmaceuticals wouldn't have been made. The hip replacements that they have, the shoulder replacements, the knees wouldn't have been invented, because the key is R&D. Lilly in Indianapolis, at one point, 60 percent of their profits were from Prozac. Every other drug that was invented was funded with R&D from that. But if they attach an R&D fixed amount to a particular drug, there will be no excess profits with which to experiment.

The orthopedics industry, according to OrthoKnow, an article by John Engelhardt that was just released shows that the tax on the orthopedic, a little town of Warsaw, 15,000 people in that county, is one-third of the orthopedics industry in the world in my district. Three of the five biggest, they

own the biggest companies in Europe, they are looking if this tax goes through and how they move out. This is one when we move up the ladder, we say we're not going to just flip hamburgers, we're going to go up, we're not going to do commodities, we're going to go higher, and then we get up to the higher areas, and we tax them.

Here is Zimmer, the biggest, based in Warsaw. Their R&D budget was $194 million. The tax under the Senate bill is 94.7. Stryker—

Mr. AKIN. Wait. Wait. Wait. You're going too fast for me. This is absolutely incredible. What you're saying is one of the most brilliant parts of American health care has been the innovation, has been all the new drugs, the new devices, the new procedures. As I mentioned, I'm 62 now. I have gotten to be an old geezer, and my left hip has been giving me trouble. You see me limping around, and I'm going to be looking at a hip replacement. Those weren't available 25, 30 years ago.

Mr. SOUDER. Commodities. The head and founder of Biomet, Dane Miller, talks about in here, they didn't think titanium was going to work. He had somebody serendipitously put into his arm titanium. He walked around with it for 12 years and proved it worked. And they said, wow, this doesn't disintegrate. They used to use basic pieces of wood as your hip. Now we customize it. We try to make it so that when soldiers get hurt on the battlefield and they are 18 years old, they're not going to die in 5 years. Is this going to be flexible enough? How is the skin and bone going to go around it? Michael Porter points out, innovation comes when you have a cluster and there's competition. You destroy that, you take away the R&D. Medicare doesn't pay for that. Private pay pays for that.

Furthermore, Zimmer is proposed to be taxed half. Stryker is proposed to be taxed half. Smith & Nephew is proposed to be taxed half of their R&D budget. Biomet, $82.2 million in research; $60.9 million is their tax. Because they were doing readjustments last year, they didn't even make any money.

Now, how do you think we are going to have a single innovation in orthopedics if you tax half of the R&D? And furthermore, they don't call it a ''tax,'' they call it a ''fee,'' so it is not even tax deductible.

Mr. AKIN. So what I'm hearing you say, gentleman, then, is this. Let's just assume if you're a company, for every dollar you put into R&D, you get the same benefit out. You're saying you're going to slash the R&D budget of some of the big innovators in medicine; you're going to slash it by half because you're going to tax them?

Mr. SOUDER. The little ones get hit harder.

Mr. AKIN. Now England and Canada have had this socialized medicine for years. Are they known for the innovation that those countries have added to health care?

Mr. SOUDER. They come here.

Mr. AKIN. They come here?

Mr. SOUDER. When they need a new hip, the inventions are coming out of Warsaw, Indiana. The parts groups that work at some little companies like OrthoPediatrics, they're working on specialized hips for kids who are 4 years old and 6 years old. Are they going to go to Wal-Mart and pick one up off the shelf? Let's get real here.

Innovation requires competition. It requires investment. The way you keep a cluster, according to Michael Porter in ''The Competitive Advantage of Nations,'' when you have a cluster, you need competition. There has to be innovation every week, how can I get better? And that's driven by profit and by competition.

R&D in England is one of the highest in the world, yet they don't produce new products because the government is most of the R&D. It's not driven for what the consumer wants where the consumer basically rewards the market. And we are going to tax these little ones totally out and the big ones half, and we simply aren't going to get the products. So we don't have the option of going to Canada and England to get it.

Mr. AKIN. So what you're saying, gentleman, is you're going to kill R&D. You're going to kill the development. There are all kinds of people that have cancer that is ticking away slowly. They want some innovation. They are hoping some new drugs or some new procedures are going to come along. We're going to kill that. We're going to get rid of that, and we're going to go to a system that has never worked historically.

Here is a chart. This kind of got my attention, because as I mentioned, I was diagnosed with cancer, but take a look at the cancer survivor rates when you go to the U.K. compared to the U.S., and what you see is that big waiting time and that lack of innovation. You don't live as long when you are over in the U.K. In fact, I was told that when you add up all the cancer times, U.K.'s is a 50 percent survival rate if you're diagnosed with cancer. In the States, it's supposedly considerably higher. So why do we want to destroy a system that is producing this level of innovation?

What you are talking about is free enterprise. And free enterprise needs, first of all, to have people have enough money to be able to invest; and second of all, have that competition and that hub of technology that you're starting to drive and one guy is thinking, Hey, I see what they did. That was a cool device. But I think I could up it one. I could do it even better. And that American process is what has allowed us to enjoy the best health care in the world. If you're a rich sheikh from Bahrain and you're sick, guess where you're going to go? The good old U.S.A.

My good friend from Iowa.

Mr. KING of Iowa. I thank the gentleman from Missouri, and I look at this data that is there. You didn't read the text below that, the success story here in America in proportion, but U.S. companies have developed half of all new major medicines introduced worldwide over the past 20 years. It happens to also be true that in the United States slightly more than half of the research dollars in the entire world are invested here. Those things are not coincidences. Those things come together. It's almost directly proportional to the research dollars. I'd like to think we are a little better than that. I'd like to think that we have innovative skills and there's something within our culture and our mindset that lets us push even a little harder than that. But what we're hearing from the gentleman from Indiana is that this policy punishes the very most successful among us in this country, and it's likely to drive them overseas.

I had a long conversation with a representative from one of the large well-known medical industries in the country, and they've developed a technology, and I'm not going to define it any more than that it would be transformative from a cure standpoint. And they are looking at deploying that in other countries where they can actually get it deployed more quickly. If that happens, if they can introduce new cures in other countries, the research dollars will follow too, and they will set up shop in those countries. It won't be just customers; it will be our businesses that go, just as we heard from the gentleman from Indiana.

Mr. AKIN. The thing that concerns me is that it's possible for us jumping in haste to some kind of a solution like this because of all the political hubbahubba that's going on, to jump into something which is going to permanently damage American health care. It's going to irreparably move us in a direction where it's going to be almost politically impossible to recover from. It's a little bit like when you get on the gunwale of a canoe, you put enough weight on it, and you're going to dump it over.

We have a very good health care system, but can it take this kind of a hit? $400 billion in new taxes. Guess who is going to pay those? Do you think those are rich guys that are going to pay those? That's going to be every plain old working person in this country that is going to be part of that $400 billion. $500 billion out of Medicare. Guess who's going to pay that? That's going to be the seniors. And the delays and denied care. Who's going to pay that? That's people with heart problems, people with cancer problems. People will be waiting in line. People will have some bureaucrat controlling their health care.

One of the things that really scares me about this, and maybe I'm thinking of it a little too personally, but we are Congressmen, and one of the things that we do in our office is we try to help our constituents that have a problem with the Federal Government. And

so if somebody needs to get a passport, we go hurry up and try and help them get their passport quicker. If somebody has a problem with a permit or something, WE go call the bureaucrats up and say, Can you help out? What form have we not done? How can we help this? And we try to help our constituents out. Now, I'm picturing I'm on the phone and we've got this kind of system, and I'm getting the phone call that says, You've got some government bureaucrat that just told my dad he can't get a heart bypass. What am I supposed to do?

I yield.

Mr. SOUDER. The chancellor of one of my universities, yesterday, when I was at Turnstone, this fellow that works with kids who have physical disabilities and gets them recreational activities, he said, My dad is a veteran and my mom is now in the hospital, and we tried to check with the Federal Government to get the eligibility benefits. We kept getting taped messages saying the person is there on Thursdays for 2 hours.

That's what you'll get with government health care.

Mr. AKIN. Thursdays on 2 hours. So get in line. That's incredible.

We are about at the end of our hour. I would very much like to thank my good friends representing a host of different States, people with a great deal of common sense, and particularly Pennsylvania, with 25-plus years of being in the medical business. You see this thing, it's like a train wreck that you're seeing in slow motion.

What we're trying to say is Americans, pay attention. We cannot afford to go this deal about taking 18 percent of our economy and giving it to the Federal Government to run. It doesn't make sense. It's going to be expensive. It's going to destroy health care. And in every other regard, this is just a bad deal for everybody.

Thank you so much for joining me, gentlemen.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2892, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–300) on the resolution (H. Res. 829) providing for consideration of the conference report to accompany the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2442, BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111–301) on the resolution (H. Res. 830) providing for consideration of the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

THE CONGRESSIONAL BLACK CAUCUS HOUR

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

GENERAL LEAVE

Ms. FUDGE. Mr. Speaker, I ask for unanimous consent that all Members be given 5 days to revise and extend their remarks.

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

There was no objection.

Ms. FUDGE. Mr. Speaker, the Congressional Black Caucus, the CBC, is proud to present this hour on issues that concern America's senior citizens. The CBC is chaired by the Honorable BARBARA LEE from the Ninth Congressional District of California. I am Representative MARCIA L. FUDGE from the 11th Congressional District of Ohio, and I am the anchor of the CBC hour.

The vision of the founding members of the Congressional Black Caucus, to promote the public welfare through legislation designed to meet the needs of millions of neglected citizens, continues to be a focal point for the legislative work and political activities of the Congressional Black Caucus today.

Tonight, the CBC will focus its attention on the issues currently confronting our seniors. In his last speech, Hubert Humphrey said, The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and the handicapped.

The fact that some Americans work their entire life, regularly paying into Social Security and are confronted by poverty in their golden years is indeed a problem, Mr. Speaker.

□ 1800

The social insecurity facing our Nation's seniors is not a Democratic problem or a Republican problem; it is an American problem, Mr. Speaker. This year's news headlines tell the story: ''Seniors Struggle With High Cost of Housing and Food, Barely Getting By''; ''Seniors Struggle to Survive''; ''Single Seniors Can't Make Ends Meet''; ''Subsidized Lunches in Greater Demand Among Senior Citizens''; ''Forty Percent of Senior Citizens Not Taking Prescribed Medicines Due to Budget''; ''Senior Citizens See Largest Gain in Credit Card Debt As Recession, Medical Costs Take a Toll.''

Mr. Speaker, our country will recover from this recession, but we cannot forget the seniors who struggled before the recession began. Many live on fixed incomes and find it difficult to live under the pressure of high medical bills and the rising cost of essentials like medication, food, and housing.

One of the most disheartening news headlines of 2009 had the title, ''U.S. Is Losing Ground on Preventable Deaths.'' In this story, AARP reported that Americans are dying too soon, although the United States spends $2.4 trillion a year on medical care, vastly more per capita than comparable countries. Our Nation ranks last when compared to 19 other industrialized nations on premature deaths caused by illnesses such as diabetes, epilepsy, stroke, influenza, ulcers and pneumonia, all medical issues that disproportionately attack and weaken American seniors.

In my district, senior citizens call my office daily. Some call looking for reassurance that Medicare will be strengthened through the health care reform, and others asking questions about the future of Social Security.

One senior called just this past week. He is an 85-year-old man living in public housing. He has an artificial leg which he has had since the age of 11. He is worried that his Social Security check will not cover the cost of the medications he uses for complications caused by his artificial limb if the cost of his medications continues to climb.

I am confident, Mr. Speaker, this Congress will answer the calls and the concerns of these seniors, and I will not rest until all seniors have their answers.

Reports have been looming for years about the long-term financial problems of Social Security. The retirement program is projected to start paying out more than it receives in the year 2016. According to the Social Security trustee, without changes, the retirement fund will be depleted by 2037.

Demographic factors are accelerating Social Security problems. Life expectancy is increasing faster than anticipated. In 1940, a 65-year-old man could expect to live maybe another 12 years. Today it's 15 years, and by 2040, it will be 17 years. The fertility rate is falling faster than expected, from 3.6 children for a typical woman of childbearing age in 1960 to just two today, and a projected 1.9 by 2020.

The elderly portion of the population will likely rise from 12 percent today to 20 percent by 2050, increasing the number of retirees from 34 million to 80 million. The smaller working age population and larger elderly population

means that where there were more than five workers for each retiree in 1960 and 3.3 workers per retiree today, by 2030 there will be just two workers to pay the taxes for the benefits of each retiree.

Social Security is a pay-as-you-go system, as you know, with each generation of workers paying the benefits of current retirees. This works fine as long as the working population grows faster than the retired population; but now that the trend has reversed, the system is simply unsustainable.

Congress and the Social Security Administration are seeking solutions to this long-term problem; but at the same time, we have to work on the existing problems confronting our seniors on Social Security. Recently, the Congressional Budget Office reported that for the first time in 35 years older Americans will not receive a cost-of-living adjustment, or COLA, increase in their Social Security checks in 2010. This is bad news for many retirees living on a fixed income because although the cost of necessary goods like food will continue to rise, seniors who rely on Social Security checks will not see their budgets increase.

To compound this problem, millions of the same seniors whose budgets may be tighter than ever will also face much higher Medicare part B and Medicare part D premiums next year. Medicare part B insurance covers doctors visits, lab work, physical therapy, and other types of outpatient services. Medicare part D is the Medicare prescription drug program.

A Federal law, known as the ''hold harmless'' rule, prevents the annual cost of part B premiums from rising higher than that year's Social Security COLA. For example, if your annual Social Security income increases by 5 percent, the yearly part of part B premiums cannot increase by more than 5 percent. The problem is that, while this hold harmless rule covers some Medicare part D patients, it does not cover any of the 28 million seniors insured by Medicare part D prescription drug coverage, and it does not cover about 11 million Medicare part B seniors.

Mr. Speaker, I have been joined today by my colleague and friend, the Congressman from Minnesota. I would like to yield as much time as he may consume.

Mr. ELLISON. I want to thank the gentlelady from the great State of Ohio for doing such a wonderful job talking about health care, our seniors, talking about all these critically important issues facing our Nation right now.

As the gentlelady is very well aware, we are at the very edge, at the very moment where we can have real health care reform for all, or maybe not. The reality is that we are optimistic. We are closer than we have been in 60 years, closer than we were in 1994, closer than we were when Roosevelt first said all Americans should have health care and have health and wellness, closer than we were when Truman said we need universal health care coverage.

We are close. We have five bills reported out, three bills through the House, two bills through the Senate. And right now, Americans all around the country are saying, will the Congress finally do it?

Do you know that upwards of 77 percent of Americans want real health care reform? They want health care reform with a public option. They want real change, and it's time that they get it.

But I wanted to mention to my friend from Ohio, the great Congresswoman FUDGE, we all need health care reform. The fact is that when health care reform arrives, it will benefit communities of color more than it will other communities. It will benefit everybody. Everybody who will never be turned down for a preexisting condition will benefit. Everybody who has seen their premiums double over the last 10 years and will probably see them double in the next 10 years will benefit. But when you look at the startling disparities people of color are facing every day, I think that they will benefit more.

Just to let everybody know, the fact is that, yes, it's true, life expectancy for the average American has gone up. But for average African Americans, it still lags behind about 5 to 6 years. For African American men, it's not even 70 years old yet. African American men, on average, can expect to live to be about 69. Their counterparts can expect to live to be about 75. Now, imagine a child being born at the age when their grandpa is 69 years old. That means that if that child is African American and their grandfather is, they may never know grandpa.

But if we really address health care disparities, maybe we can get African American men up to 75 years old. That means that they will get a chance to bounce on his knee, get to know him, get to talk to him, get to learn something from him, maybe learn how to go fishing. It's a quality of life issue, more years. Addressing that cervical cancer earlier means grandma will be around longer.

Most of us, if you grew up like I did, know that mom and dad had to be tough on you because they had to raise you right. But there is one person who you knew thought you were absolutely terrific no matter what you did, and that's grandma, right?

Ms. FUDGE. That's absolutely right. Will the gentleman yield?

Mr. ELLISON. I will yield to the gentlelady.

Ms. FUDGE. I just wanted to say that, as you talk, it just really gives me some encouragement that we have put in place legislation that is going to allow us to deal with preventive care and wellness. Certainly that is an issue in our neighborhoods and all neighborhoods, especially neighborhoods of poor people and middle class people. It has become a major issue just finding the resources and the time and ability to go to the doctor and say, I have a small problem, let's take care of it before it becomes a big problem.

And I think that just what you're talking about is preserving the longevity of grandma and your uncles and your aunts based upon the fact that they are going to be healthier longer is very, very important. And I yield back.

Mr. ELLISON. Well, I accept the gentlelady's yielding because it's important that when we talk about health care—you know, Mr. Speaker, we talk about statistics. And we drop stats, and we're talking about statistics and numbers and all of this stuff that we talk about. But we can never forget we are talking about human beings' lives. We're talking about human beings having more time with each other. We're talking about, as we said, your grandmother being there; and yet because of health disparities, inequality in the area of health, she is not being there. And how enriched a human being is by having that generational exchange.

These are just little examples of what we're talking about. And that's why Democrats are pushing forward on health care. That's why the Black Caucus is pushing forward on health care. That's why we need all Americans who care about a better quality of life to be pushing forward on health care. We can't survive with the status quo. Literally, we cannot survive with the status quo.

I yield to the gentlelady.

Ms. FUDGE. Thank you. You are absolutely right; we cannot survive with the status quo.

And the other thing that this bill does is it allows us to say to those who have for so long not been able to really live a healthy lifestyle—not because they don't want to, but because they don't have the ability to—to now say, look, we are going to put resources in your neighborhood community clinic so that you can go and make sure that your children have the proper exams and the proper things before they go to school.

We are going to be in a position where we say to them, we are going to make this health care accessible to you, not just on Monday through Friday from 8 to 4, when working parents have to work; but because of the resources we're providing, we are now opening these clinics on Saturday. We are now saying to them we are going to make this more convenient for you because we want you to be healthy. We want to set the example, set the standard; and it's time we do those kinds of things for the people we serve because that is our job is to take care of the people we serve.

I yield back.

Mr. ELLISON. I thank the gentlelady for yielding.

Mr. Speaker, I mean, the point is that part of this bill says, if it's enacted into law, that, you know what? You will not have to pay a copayment for preventative services. We want you to engage in preventative medicine.

Get your sugar checked. Get your blood pressure checked. Come on in here and let's make sure that you get a prostate or a mammogram. The fact is these are the things that are going to keep you around here longer and will save the system money in the long run. These things are so important.

And I just want to give folks an example. In the year 2004, just a few years ago, African Americans had the highest age-adjusted causes of death rates for all races and ethnicities. In addition, African Americans have the highest age-adjusted death rate for heart disease, cancer, diabetes, HIV and AIDS. All of these things would be addressed if we can pass this bill and keep those things in the bill that address health disparities. That's why we need people to step forward and do the right thing and support this bill.

You know, the American people have called for change, but I just want to let folks know that the change that we're calling for will help all Americans. And while it might not help some executive insurance companies, it will everybody else. And when everybody else gets helped, this rising tide will lift people at the bottom higher, and it will help extend their lives and improve the quality of their life.

At this point, I am going to have to turn it back over to the gentlelady. She has been doing such an excellent job, but I just want to say thank you for doing what you can do to raise the consciousness of the American people because the American people want change, they want optimism, they want people who will fight for change. They don't want folks who are going to give us the same old thing, because we can't survive with the status quo; but with change, we can.

Ms. FUDGE. Thank you very, very much. I am so pleased to have you join me this evening, Mr. ELLISON. I thank you for your work. You do outstanding work on behalf of people in the most need, and I am happy you could join me.

It seems as though now we have been joined by our Chair, the Honorable BARBARA LEE, the gentlelady from California. I will now yield to our chairwoman. Thank you so much for being here.

□ 1815

Ms. LEE of California. Thank you very much. Let me thank the gentlelady for yielding.

Let me also, once again, thank you for your leadership in making sure that all of the issues that are so important to our country and to the Congressional Black Caucus, to all of us, are really brought forward on this floor.

I rise tonight on behalf of—and I just have to say—our nearly 70,000 senior citizens whom I have the privilege to represent in the Ninth Congressional District of California, but also the seniors across this country. As our Nation's economic uncertainty continues, it is these individuals who are struggling at a disproportionate rate to overcome the grip of poverty and to maintain their quality of life, so it is important that tonight we talk about what is going on with our senior citizens and how important this moment is for them.

During the present turmoil, these hardships are especially acute amongst people of color, minorities, with more than 22 percent of African American and 19 percent of Latino seniors living below the poverty line. These poverty levels are more than double the national average for all individuals over 65 years of age.

Now, I firmly believe, like Congresswoman FUDGE and like all of us here believe in the Congressional Black Caucus, that we have a moral responsibility, a duty and an obligation to reverse this disturbing trend by utilizing the full constitutional power, statutory authority and resources of our government to provide opportunities for all and to develop these pathways out of poverty for our seniors. Some of these pathways include critical programs such as Social Security, continued support of Medicare and reforming our Nation's health care system, which you heard about earlier and which we are in the midst of reforming as we speak.

Social Security benefits constitute 90 percent of the income of one-third of Americans over 65. Many of the 75,000 residents in my district who receive Social Security are dependent on their guaranteed benefits. Without these vital benefits, nearly 50 percent—mind you, 50 percent—of seniors nationwide would be forced to live in poverty, which is a five-fold increase over the present rate. This makes it very critical for all of us to fight against any efforts that would threaten the benefits on which so many senior citizens rely.

I hear this from my mother, Mildred Massey, each and every day. So, on her behalf, I want to reiterate that once again.

We must also understand that, as the costs of medical care continue to rise, ensuring individuals' economic stability is inextricably linked to reforming our broken health care system. Today, as a Nation, we spend approximately $2.2 trillion per year on health care, or $7,400 per person, which is nearly twice the average of other developed nations and more than what we currently spend on either housing or food.

Members of Congress, especially members of the Congressional Black Caucus here, really do disproportionately represent the men, women, children, and especially seniors who are underinsured and uninsured and whose health and wellness have suffered because of the numerous gaps.

Some of us are calling these, really, moral gaps in our Nation's health care system. We support efforts to reform and to modernize America's health care system through comprehensive health care reform, and members of the Congressional Black Caucus support health care reform that includes a strong, robust public option like Medicare, which is a component of health care reform for which we are unwavering in our support. We want to continue to strengthen and to protect Medicare for our seniors, and we are determined to do that in this health care reform effort—that is, strengthen and protect Medicare for our seniors. We agree that Medicare services should not be reduced as a means of paying for this health care reform bill.

While the proposed provisions for our robust public option will not be implemented until 2013, we also recognize that, as early as 2010, many positive reforms will be enacted, such as prohibiting the abusive health insurance practice of rescinding existing coverage in order to avoid future costs, improving preventative care and coverage, making prescription drugs more affordable by eliminating the gaps in coverage, and increasing funding for community health centers. So this is essential in our health care reform package, but as I said earlier, we want to strengthen and we want to protect Medicare for our seniors.

Finally, let me just say, as a member of the Subcommittee on Labor, Health and Human Services and Education of the Appropriations Committee, I would like to highlight the initiatives in the 2009 omnibus appropriations bill which strive to close the huge gaps in coverage and access for America's seniors by providing $22 million for a new initiative to reduce hospital and clinic infections that cause nearly 100,000 deaths each year. That's staggering. Hospital and clinic infections cause nearly 100,000 deaths each year. What we did is we put in $22 million so we can begin to combat these avoidable infections and reduce hospital readmission rates.

In addition, $45 million has been set aside for health insurance counseling for seniors so that millions of Medicare beneficiaries can get the help that they need to understand and to utilize their complex benefits. I understand how complex some of this can be, and this counseling is so important. For those of us who have mothers and fathers and grandparents and aunts and uncles who are senior citizens, we know very clearly how difficult it is to weed through some of these forms and through some of these benefit regulations and rules, and we need to make it less complicated. So, hopefully, this $45 million will help our senior citizens.

From the members of the Greatest Generation to the aging baby boomers, our seniors have given much over the years, so it must be our charge to support them and to remain focused on tackling the many challenges facing our Nation. We look forward to working with our leadership on both sides—Democrats and Republicans—in the following weeks to do everything that we can to continue to guarantee continuing care—Medicare and health

services—for this great group of Americans.

Thank you, Congresswoman FUDGE.

Ms. FUDGE. Thank you so much, Madam Chair. It's always a pleasure to have you join me. Even though we generally do this on Monday nights, this is a special Wednesday night for us, so I appreciate your taking the time to stop by. Thank you very much.

Mr. Speaker, as I mentioned, I believe this Congress is willing to take a stand for seniors. I am proud to be a cosponsor of several pieces of legislation and to be a signatory on a number of letters to congressional leadership and Federal agencies which were authored to help seniors who are facing mounting financial and medical concerns.

One important bill, the Social Security COLA Fix for 2010 Act, ensures that seniors receive their COLAs for 2010. This legislation will help offset rising costs by providing seniors with a one-time $150 payment in lieu of the Social Security COLA. The offset is fully paid for, and the legislation would not affect other Federal programs. For example, the one-time $150 payment would not count as income, and as a result, it would not push seniors who are too young to qualify for Medicare out of the eligibility for Medicaid.

I want to talk just a bit about end-stage renal disease, Mr. Speaker, which is a disease that affects many seniors in my district and around the country. They are those who experience kidney failure. Last year, Congress passed legislation to provide up to six sessions of pre-end-stage renal disease education to Medicare beneficiaries experiencing kidney failure.

I joined a number of other Members of Congress and sent a letter to the directors of the Centers for Medicare and Medicaid Services, urging them to reconsider the proposed physician fee schedule, which would reimburse a 60-minute kidney education service, provided by a licensed physician, at the same rate as a 15-minute session provided by a nutritionist. The letter also requests that CMS reconsider the restriction on who can administer pre-end-stage renal disease education. Currently, only physicians can provide this service, although, licensed practitioners, such as nurses and nutritionists, are available and are trained to provide this education as well.

Adjusting the reimbursement rate and allowing multiple types of licensed practitioners to educate seniors with kidney failure will ensure that seniors facing end-stage renal disease will get the care and education they need.

For many seniors, their major concern about aging is the fear of losing their mental capabilities. That is why I am a cosponsor of the Alzheimer's Breakthrough Act of 2009, which is a bipartisan piece of legislation that includes an authorization of $2 billion for Alzheimer's funding at the National Institutes of Health, for support for caregiver programs and for a national summit on Alzheimer's.

Another piece of legislation which is essential to the welfare of America's seniors is the America's Affordable Health Choices Act of 2009. While some seniors have received misinformation and have voiced suspicions that health care reform would cut Medicare benefits, many know the truth about this bill. Medicare will be absolutely strengthened under the proposal.

As we all know, the health care reform bill is not yet complete, and many more changes will be made before it becomes law. While I cannot predict how the bill will be structured once it is finalized, I can tell you that I am fighting to ensure health care for seniors will not be diminished in any way.

Under the House proposal, seniors should notice a number of improvements in services. To be more specific, the House proposal will protect Medicare by shoring up funding for the program across the board so that all Americans will have this benefit as they grow older.

The bill will lower drug costs by eliminating the Medicare part D doughnut hole for prescription-drug coverage. The doughnut hole refers to a costly gap in the Medicare part D prescription drug plan. The plan currently covers up to $2,700 per year in prescription-drug benefits. Then it stops. Coverage does not begin again until a recipient's drug cost exceeds $6,100 annually, thus, leaving the recipient responsible for paying all drug costs between $2,700 and $6,100.

Under the proposed legislation, seniors could receive a 50 percent discount on brand name drugs in the doughnut hole immediately after the bill passes. This is a measure that would provide immediate relief for seniors who must choose to either purchase medication or food—a choice no American should be forced to make.

The legislation provides free preventative care. Seniors would pay nothing on preventative screenings and services designed to keep them healthier longer.

The bill improves primary care by ensuring that seniors are able to spend more time with their primary care doctors.

There are provisions to enhance safety by developing national standards that measure medical care quality by investing in patient safety and by rewarding doctors and nurses who administer high-quality care.

The legislation increases oversight by cracking down on waste, fraud, abuse and medical overpayments.

There are provisions that encourage hospitals with high readmission rates to provide transitional and coordinated care services.

Finally, Mr. Speaker, the bill has new initiatives to improve nursing home quality and transparency.

Seniors should not be fearful. Change, we know, is difficult, but as Henry Ford said: Don't find fault; find a remedy.

Experts who have studied the House health care reform legislation found that the proposed changes actually strengthen Medicare and improve beneficiaries' care and access to physicians. Passing legislation that improves the lives of seniors is the number one priority in this Congress. Seniors should not have to fear or wait any longer. I say to all of the seniors: We are fighting for you. Every day, we are fighting for you, and we will not let you down.

HEALTH CARE REFORM

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

Mr. BURGESS. I thank the Speaker for the recognition.

Mr. Speaker, I come to the House floor tonight to talk a little bit more about health care. It is, it seems, the number one topic of the day here in Washington, D.C. It's interesting because probably 50 percent of Americans care more about what we are doing as far as job creation, and 14 percent are concerned about health care. You would think that we would adopt the Bill Clinton phrase of ''focusing like a laser beam'' on the economy and ''focusing like a laser beam'' on job creation. But health care is important, and it is appropriate that we spend some time discussing it because, likely as not, before the end of this month, certainly before the end of this year, it is possible that some type of bill will pass this House, although it may not be to the liking of a great number of Americans.

Mr. Speaker, I know that my comments must be directed to you and not to others, but I would say, Mr. Speaker, that if I were able to talk to people about what they could do, a plan for action, I will be discussing that toward the end of this hour.

□ 1830

So I do encourage people to stay tuned to this debate—not necessarily to this discussion this hour—but stay tuned to this debate because it is important. It is going to affect the lives and livelihoods of Americans from this day forward for a long, long time. It is extremely appropriate that we take our time, that we get this right, that we do not hurry through the process, that we do not cut corners.

Now, Mr. Speaker, you look at where we are 10 months into this year. Do we have the trust of the American people in this body? The answer to that question is, it doesn't seem so. What people have seen this year—and even going back into last year in the term of the previous President, President Bush, they saw a couple of bailouts last year, they've seen more of the same this year, they've seen stimulus, they've seen automobile takeovers, financial sector takeovers, cap-and-trade that passed the floor of this House that

many Americans felt was inadvisable in a time of economic downturn; and Washington yet still has the nerve to say, Trust us because we can take care of you and we will make your lives better. But the current polling numbers don't really suggest that that is something that's believed by the American people.

Now true enough, the President started this year with extremely high approval ratings, somewhere likely in excess of 80 percent approval ratings at the time of the inauguration—an extremely popular individual—and has retained a great deal of that popularity, depending upon the poll that you select. Now it is down to about 50 percent, 49 percent this morning in Rasmussen, 52 percent in the RealClearPolitics daily average poll. But, still, one out of every two Americans still has a favorable impression of the President.

What about the United States Congress? Is it one out of two? Is it one out of three? It's one out of every five people holds the United States Congress in high regard.

So with our current approval ratings hovering around 20 percent, why do we think the American people would believe that we, in fact, do know best and that they should trust us on an undertaking of this mammoth scale? And you can see how big the undertaking is.

We heard previous speakers in the last hour talk about how difficult it is. We have had three health care bills that passed the various committees in the House last summer. You had one health care bill that passed the Senate Health, Education, Labor and Pensions Committee in June of this year; and then most recently you had the talking points memo that passed out of the Senate Finance Committee yesterday with a single Republican vote on that. I do not believe there were any Republican votes on any of the House products in the three committees that considered this bill under their various jurisdictions.

The Congress doesn't have a lot of credibility right now on this or, quite frankly, many other issues. It would be a great thing, in my opinion, if Congress spent some time in trying to rebuild that credibility; but unfortunately, it's the old adage: Don't check the weather; we're going to fly anyway.

And off we go with a big cap-and-trade bill in June that upset a lot of people; we did the three health care bills on the House side in the various committees in July. We ran into the town hall meetings during the month of August when people told us what they thought of our efforts, and now we're back here in the fall taking up the big bill on health care reform.

As we've watched this debate, you think back to a year ago, we were in the middle of a presidential campaign. Both presidential candidates had ideas about what should happen as far as health care and the possibilities for health care reform. Remember now-President Obama's position last fall was significantly tilted towards getting coverage for the uninsured. It was a moral imperative. It was something that we had to do. Then we worked through some of the more difficult parts of the economic downturn, a lot of job losses were incurred during that time; and at the beginning of the year, many more people were concerned about the cost of health care and would they be able to continue to afford their insurance, would they be able to continue to afford health care. So affordability became perhaps a higher priority for Members of Congress who were considering these reforms during the spring.

In June when the first congressional committee in the Senate, the Health, Education, Labor, and Pensions Committee passed their bill out of the Senate committee, the focus was all on cost and coverage. The cost numbers turned out to be significantly higher than anyone thought they would be; somewhere in the neighborhood of $1.5 trillion over 10 years' time. The coverage numbers were disappointing at only a third of the uninsured actually being picked up. And there's no question that that delayed the second Senate committee, the Senate Finance Committee, in introducing a bill and marking up a bill which they just completed this week because they were trying to fine-tune those numbers.

Now on the House side, we did, in fact, get a Congressional Budget Office score that came in around a trillion dollars for a 10-year bill. A little disingenuous because the Congressional Budget Office—in the hearings we had on Energy and Commerce from the Congressional Budget Office, the score was administered not on legislative language but on conversations, telephone calls, that the members of the Congressional Budget Office had with members of the Democratic majority who were writing the bill. So, yes, it was a cost number but there was some question as to the accuracy of that.

And then here was a really big problem and one that really hasn't been addressed yet. These are enormous programs to undertake. They are not going to start overnight. So even if we pass a bill before the end of the year, it is going to be some time before these programs—whether it be a public option, whether it be exchanges within the States—it is going to be some time before the Centers for Medicare and Medicaid Services in the Department of Health and Human Services—which is likely to be charged with writing the rules and regulations under which these new products are formed—it's going to be some time before those things happen.

The benefits are actually not scheduled to begin to kick in until the year 2012, 2014. It will be some time before those benefits occur. The taxes, of course, will begin the minute the ink is dry on the President's signature on the bill. So if we have a tax on high-end insurance plans, if we have a tax on medical devices, if we have a tax on any number of things, these taxes will begin to accrue January 1 of that year, but the benefits don't actually begin to kick in for some time.

And once again, the United States Congress, when it's questioned by the American people, the United States Congress says, Don't worry. Trust us. We know best how to plan for you. We know best how to take care of you. We know that you don't know how to do this for yourself. And Congress, with its 20 percent approval rating, is just the man for the job to get this done for you.

During the presidential campaign last year, President Obama promised to bring all parties together and not negotiate behind closed doors and to be broadcasting those negotiations on C–SPAN. Now we had kind of an unusual situation occur in May and June of this year when stakeholders in the health care community met at the White House and offered up things that they could do, things that they could do to hold down the cost of health care—you had to wonder where were these individuals for the 15 years before—but you had groups. The American Medical Association, of which I am a member, was in those meetings; the American Hospital Association was in those meetings and offered up a number of things that they could do for substantial cost savings.

A little bit of controversy then last week as the Senate was working through its product, will those things that the American Hospital Association offered, are those going to be taxed or not? And there was some back-and-forth with the Congressional Budget Office as to what those numbers actually meant.

Medical devices. Again, similar situation. PhRMA came to the table with—I forget the number now, but it seems like it was about $80 billion in cuts that they were going to be offering.

Well, none of these things that were agreed to behind closed doors last May, none of these deals are available to us as Members of Congress so that we can know what did America's health insurance plan group, when they came to the table and said, We can save you billions of dollars, Mr. President, and he said, What took you so long? But as members of the committee that were charged with working through this bill last July, why did we not have that information available to us? Why was it a surprise at the Senate Finance Committee when, hey, we thought these breaks we were giving the hospitals were going to still be subject to a corporate income tax, not an off-tax item? Why was there even that discrepancy or that discussion? Why not share with us those deals that were struck down at the White House?

And indeed, last month I sent a letter to the White House and asked for the

release of those discussions, the transcripts of those discussions, the minutes or notes of those discussions, pertinent e-mails that may have occurred during those discussions.

Just quoting from my letter to the White House: It has been now over 4 months since the White House announced numerous deals with major stakeholders in the health care debate to save upwards of $2 trillion in the health care system. Little to no details regarding the negotiations have been released. And recent actions and press reports have reminded me of the importance of openness and transparency throughout the legislative process—the very openness and transparency that we were promised by this President during the campaign.

So the letter has gone to the White House. I eagerly await a response to that. I am in fact somewhat surprised, my committee, the Committee on Energy and Commerce that has a fairly robust oversight and investigation subcommittee, I am somewhat surprised that they have not been curious about the deals that were made down at the White House early in the spring; why they have not been curious about some of the e-mails that may have occurred during the back-and-forth working through these negotiations. Again, the letter went to the White House on September 30, and I await a reply.

I will ask later to include this letter as part of the CONGRESSIONAL RECORD this evening so that people will have the opportunity to read through that letter themselves.

But again, the American people just simply do not trust the American Congress, the United States Congress, to make these kinds of decisions for them.

When you look at some recent polling data when the question was asked if Congress works through this process and comes up with a major health care reform piece of legislation, is health care going to get better or is it going to get worse? Well, a quarter of folks think it's going to get better. About 26 percent say, Yeah, we think Congress will make the kinds of improvements that are necessary and health care will, in fact, improve. Fifty percent say it will get worse. Not great numbers with which we're working.

You know, it was startling for many of us, the interest that was out there over the summer during the August recess on the health care bill, on cap-and-trade. Town hall activity was widely reported in news media outlets across this country. My district back in Texas was no exception. Town halls where I might typically have 30, 40, 50 people show up on a Saturday morning, 1 or 2,000 people would show up. In fact, one venue we had to change from inside to outside and just held the bulk of the meeting out in the parking lot because of the number of people that showed up.

I have to tell you, Mr. Speaker, August in Texas in the parking lot is—you're asking a lot of people to stay with you through an hour or so discussion of a health care bill. But they did, and they asked questions, and they were respectful.

I don't think that this August was an anomaly. I don't think that the American people had some sort of fugue state during August where they reacted to the health care legislation and the cap-and-trade legislation and reacted in no uncertain terms as to how angry, how anxious they were about these bills that we were passing.

But when we get back to Congress in September, it's like August never happened. It was unimportant. ''Don't pay any attention to those people back home because we're Congress. Trust us. We know best. We know best how to take care of you. We know best how to give you what we think you need.''

We got back in September and I think I thought after seeing the August town halls, I thought this Congress would hit the pause button, hit the reset button, hopefully the rewind button on this health care legislation, but no such luck.

We went at it full force. We, in fact, even had a little bit of an extended markup in the Energy and Commerce Committee where it was suggested to the chairman of my committee, you know, that August was a rough month for a lot of people, a lot of people on both sides of the dais—Republicans and Democrats both, even Republicans who voted against the bill—people were angry that the bill was even being considered and would likely pass.

□ 1845

On the Democratic side, there were a number of town halls that were quite contentious. We thought, I thought Members would welcome the opportunity to, well, let's sit down and revisit this. Let's reorganize. Maybe there were some good ideas on the other side of the dais. Maybe Republican members should have been brought into this process and take some ownership of this bill, if nothing else. Don't leave us being the only ones out there to defend it; but, no, that wasn't the case.

The chairman of the committee said August, in so many words, August didn't matter. The people that spoke up were few and far between, and these large crowds that showed up at the town halls were somehow manufactured and didn't count. Not only did they not count, we were not reconsidering any part of the bill. We had some additional amendments that Members on the Democratic side wanted to offer. I offered a couple on our side as did other Members on the Republican side. But for the most part those amendments were struck down on a party-line vote.

Both sides of the aisle genuinely see a problem and genuinely want to work toward improvement of the process. You have heard me say it before. You have heard other Members of Congress say it before. Some people dispute it as a fact, but I will say it: America has the best health care system in the world. There are distributional problems, and there are inequities in the insurance system that need to be fixed, and they are within our purview. They are within our capability of fixing, but we do not need to turn the entire system on its head to effect those ends.

How could we best go about improving what we call health care in America? Well, we can ensure that patients continue to have, continue to get, care, have access to care, and continue to get the best care. That would be a good thing for us to work on together.

Instead of being an obstacle, instead of threatening cuts every time you turn around, we could help doctors, nurses and hospitals continue to provide that excellent care. We, as Members of Congress, and sometimes it's do as I say, not as I do, but perhaps we could set a better example about living healthy lifestyles, staying within our—staying within our ideal weight. Maybe that's something we should look at.

Again, an amendment to that effect was turned back in my committee on Energy and Commerce. You know, really, one of the keys is going to be, if we are going to hold down medical costs, we really do have to involve the patient in the process. We have to have patient involvement in the doctor's office. We have to have patient involvement in making those healthy lifestyle choices. If we do not have the patient involvement and increase the patient knowledge base, the health literacy, if you will, about things like preventive care, about things like the importance of eating right and staying fit and the importance of regular health checkups and medical screenings, if we don't do that, the cost for health care is going to continue to increase and increase at a rate at which it's go going to be very, very difficult, regardless of the number of new taxes, regardless of the cuts to doctors and hospitals and nurses. Regardless of all of those things it's going to be very, very difficult for Congress to keep up.

We do put the system at risk when we do that. There could be a day when the generation or two coming behind us will say we can no longer afford the type of tax rate that you have left for us. We will have to do something drastically different, and we don't want to do that. We don't need to do that.

Now, you have heard a lot of discussion about how Republicans have been obstructing the process. Let me clarify that just for a moment. There are 177 or 178 Republicans in this body, 256 Democrats in this body. It takes 218 votes to pass a bill, to send it on to the Senate. The Democrats in this body could pass whatever bill they wanted. They do not need Republican support. They have, in fact, told us that on more than one occasion. The famous phrase that came out in January or February, well, after all, we won. There hasn't been a lot of reaching across the aisle, because it was just simply not necessary.

Now, you think back to February. Again, the President had an approval rating of, I don't know, 70, 75, 80 percent. The President could have passed whatever health care bill he wanted in February of this year. There would have been nothing anyone could have done to stop it. In fact, there likely would have been very few people with the courage to try to stop it because the President was seen as so popular and so powerful, evidenced by the fact that the President did get a $787 billion stimulus bill passed through this House, a bill that many thought was ill advised, a bill that many thought was duplicative, unnecessary and wasteful.

But they got it passed, no Republican input into that bill as it was being written and no Republican support on the floor; but they didn't need it. It passed overwhelmingly with only Democratic votes, went down to the Senate for a similar fate, went down to the White House and was promptly signed into law by the President.

It was followed a week later by an omnibus bill that spent a lot of the same dollars on the same things. Again, not much in the way of Republican support was solicited or required for that. It passed because, after all, 218 votes are all that are required to pass a bill on the floor of this House. The Democrats with their 256 majority have more than enough votes to pass almost anything they want.

Now, the Republicans even tried—and I don't know the answer to that for everyone, but I will tell you that I did. I met with the transition team in November of last year.

I met with the chairman of my committee in January of this year and said, look, I didn't give up a 25-year medical career to come here to sit on the sidelines. I want to be involved in this debate. I may not be able to be with you on some issues. There are some things that I think are just the wrong approach to reforming health care, but let's sit down and have the discussion and see what can be worked out.

I was thanked for my interest and never received a call back. Oh, I did get called down to the White House in March for a photo op, but that was about it. There wasn't much more to it than that.

Then as the bill was being written behind closed doors for the various committees where we worked on the bill on the House side, certainly at no point was I ever offered any input.

Now, I did, as did many members in my committee, offer a number of amendments, and we did amend the bill in committee. It would be interesting to see now whether or not those amendments stay in the bill.

But I don't think anyone is fooling themselves. There was not—there was no way to amend that bill, H.R. 3200. There was literally no amendment you could offer except striking the language in the bill and offering the new bill. There really was not. It was not salvageable, in my opinion.

Now it's interesting because all three committees have passed the bill. They all amended it and some of those amendments will be completely—the incentives will be aligned. Some of them actually will be at a 90-degree intersection.

Someone is going to have to redo that bill. That is happening now, and you can expect that there is probably a heavy hand from the White House in aligning all three of those House bills into one product. We will likely get to see it a few hours before we vote on it. It may come as early as the end of this month, and we are promised that it will, in any case, be something that we see before Thanksgiving. I expect that that is true.

I don't know whether any Members on my side will vote for it. There don't seem to be a large number of Republicans who are supporting H.R. 3200. I don't know if any Democrats will vote against it. We certainly saw that in all three committees that there were some Democrats who simply could not support the things in the bill and did vote against it.

The public option continues to be a political football kicked from one side of the rotunda to the other. The House wants a robust public option, the Senate not so much. How will it pass on the Senate side if they have a public option, or will a public option be ignored by the Senate but added back in the middle of the night when the two bills come together in the House Senate conference before we vote on the final product?

It's anybody's guess and, Mr. Speaker, again, you know, just speaking to you, I would say if I were able to speak to the American people, I would say stay tuned to this because it is going to be a very important process. You will have a House unified bill coming up the next couple of weeks. How long we have to evaluate that before we vote, I think, is going to be very telling. If it's a very short period of time, there is probably some bad stuff in the bill that they don't want you to know about before we actually vote.

Now, we are arguing for 72 hours. I will just tell you, for what's likely to be at least a 1,000-page bill, more likely a 1,500-page bill, 72 hours is a very short interval of time to work on a bill of that magnitude. Bill language is inherently very difficult to read. There is a lot of referral back to the Social Security Act. There is a lot of referral back to the Medicare or the Medicaid provisions in the United States Code.

It takes some doing to get through that bill language and really understand what the implications of what you are reading. But it doesn't mean we shouldn't do it. It just means that we need have the time to do it. I certainly encourage the Democratic leadership to give us the time necessary and make the facilities available to us so that we can have the opportunity to read through that bill and read through it with experts and come to understand what's being contained within the bill.

You know, the President has said repeatedly that if you have good ideas, I will listen. In fact, here in the House, in the joint session that was held on September 9, the President said, right from the podium behind me, and I am quoting now, "I will continue to seek common ground in the weeks ahead. If you come to me with a serious set of proposals, I'll be there to listen to you."

Well, that's kind of interesting, too. During the campaign, the President said that he would sit down with people who might be regarded as folks that don't like us very much, folks like Ahmadinejad and Hugo Chavez. The President said, I will sit down with leaders of other countries and meet with them without preconditions.

Well, when it comes to congressional Republicans, he does set some preconditions. We have to come with a serious set of proposals. We can't just show up with ideas. I prepared a serious set of proposals and sent it to the White House on September 16 of this year, about a week after we had the joint session of Congress. I prepared a number of things within the letter.

Attached to it were a number of bills that I had introduced that I thought should be parts of whatever type of health care reform is passed. I am still waiting for a response to that. Things like addressing the problems of the physician workforce, things like addressing the liability, the problems that doctors face with the liability insurance, fixing the sustainable growth rate formula, some price transparency, a lot of good ideas contained within here.

Again, I will, at the end of this, I will submit this for the RECORD. But, again, no response from the White House.

The list talked in some detail about those things that the Republicans agree should be a part of the meaningful reform. You know, we hear it said all the time that there is agreement on, like, 80 percent of the things contained within health care reform. I think that number is a little bit high. But, nevertheless, we hear it said all the time.

But what is the primary thing? What is the number one thing I heard about over and over and over again in the town halls in August?

The thing that is really grating on the American people is those individuals who want insurance but can't get it. They can't get it because they have had a tough medical diagnosis. They have a preexisting condition. They had insurance on their job and they lost their job and they couldn't keep up with the COBRA payments, so they lost their insurance. Now they are stuck without insurance, but have a preexisting condition. It wasn't that they wanted to drop their insurance; but the conditions were such, the rules were set, that they didn't have any choice but to let that insurance coverage go, even though they knew it

might be difficult to get back into a state of coverage in the future.

Another thing that just really bothers people is the fact that Americans can do the right thing and have health insurance and pay that premium religiously, get a tough medical diagnosis, and the insurance company looks back and says, you know what, we really never meant to offer that policy to you in the first place, or we think there was something you obscured in your history. Now, by a process of what are called ''insurance company rescissions,'' they are going to take that insurance policy away.

The President even referenced that in his speech on September 29, and that's wrong. People acknowledged that it's wrong, both sides of the aisle.

Now, in cases of fraud, correct. The insurance company has to have a right of action. They have to have a way to protect other people that have insurance. You don't want people coming and buying insurance under fraudulent terms.

But for people who have an omission from a medical history that makes no difference as to their subsequent care and diagnosis, these are things that are generally recognized by the American people as being egregious overstepping by the insurance companies, and that needs to be fixed. Here is the sad part, Mr. Speaker, that could have been fixed. That could have been fixed before we went home for the August recess. We just simply chose not to do it.

So, if we provide a way for someone who has a preexisting condition, perhaps through a reinsurance, perhaps through high-risk pools, perhaps through high-risk pools with additional State and Federal subsidies, there can be ways to bring individuals who have a preexisting condition into a state of coverage.

□ 1900

It's a shame. It's a shame we never had a hearing on that in our health subcommittee. We had hearings on almost every other issue under the sun, but we never had a hearing on, is there a way, short of an unconstitutional individual mandate, is there a way to get people insurance coverage who have had a bad medical diagnosis and lost their insurance? We never had a hearing on that. We could. I think we should. I think bright minds on both sides of the aisle could get together and work out ways that this problem could be solved.

Rescissions. Again, with a history that's now newly disclosed, has nothing to do with the medical diagnosis, and it was in no way fraudulently withheld from the insurer, rescissions need to stop. States that have high-risk pools, there are 34 of them. States that have the opportunity for reinsurance. These are States that are working, trying to offer their citizens a method of dealing with this problem. We could encourage more States to pick up high-risk pools. We've got some States where they're working well, some States where they're working less well. I always felt that in my home State of Texas, it wasn't working so well. It turns out it's really not a bad program, it's just not funded to the level that it need be.

Well, if we could encourage a contribution from the Federal Government, the State government and perhaps even the private sector, the insurance companies themselves, perhaps we could get that figure down to a point where people can actually utilize the program. Because people that then are subsequently covered by those high-risk pools in Texas love the program. I had someone come up to me after a town hall in the district in August that said, Please, whatever you do, don't do anything that's going to mess up my high-risk pool because that's the best insurance I've ever had. The problem is it's limited to the number of people who can access that.

We have people losing their jobs. It's an unfortunate, disastrous occurrence that happens in a recession. Some people are laid off. And if you have employer-sponsored insurance, there's trouble brewing. Yes, because of rules and laws that Congress passed many, many years ago, COBRA coverage that is extended for 18 months is available to an individual who loses his job, but that insurance has to be the same insurance that that person had while they were employed.

So the individual can pick up the premium for that employer-sponsored insurance, but most of the time the employer is not continuing to pay their part so the individual has to pay the entire freight; in fact, it's actually 102 percent because there's an administrative cost tacked onto that. Well, that is an expensive issue for someone who's just lost their job.

Could we offer people another choice? If someone loses their job, they've got good employer-sponsored health insurance, they are protected. As long as they keep their insurance, they're protected against falling into that preexisting condition trap. But right now it's either pay that large premium—and again you just lost your job so it may be hard to do that—or become uninsured.

We offer people two choices right now. What if we made something else available to people? What if we allowed people to transition into the individual market and not have to go through the COBRA system to do that, but still protect their ability to have the coverage for a preexisting condition should one have developed or develop during the time that that individual is transitioning to insurance on the individual market. Why does it always have to trigger the COBRA insurance? Why is there not an intermediary step that is less expensive, but still provides the protection?

Other things we could do. What if someone has COBRA, has that coverage, but they move to another State and they may not be allowed to take that coverage with them? Why not allow that transition from State to State without rerating that individual, without causing that individual to be rerated by a new insurance company where now their preexisting condition that they've acquired along the way prevents them from getting or obtaining that insurance in the individual market in a new State?

I liken that to the National Football League, and you have a player in the National Football League who gets traded from one city to another, their insurance goes with them. No problem. If they had a knee injury in one city, it's going to be taken care of in the new city. But if their fan who wants to follow their favorite football player moves from city A to city B, they've got to start all over again, if they're in the individual market, and during the time that they do that, they may find that they are rerated by their insurance company, reunderwritten by their insurance company, and if they had even a modest diagnosis like high blood pressure, depression or adult onset diabetes, it can be a very expensive adventure for them buying insurance in that new State.

So why don't we allow that type of transition so that someone doesn't have to be rerated? We talk a lot about being able to buy insurance across State lines. I think that's important, too. That's a little bit heavier lift. It's a little bit more difficult for Congress to come to that understanding, but this ability to allow someone to buy in the individual market without being rerated when they change States, that's easy and we should be able to do that. Again, I frankly don't understand why we don't take that up.

Again, remember if we pass this big, comprehensive, robust public option health care bill, when do you get the benefit? Four years. We're going to have people losing jobs next year. We're going to have people losing jobs the year after that. What are we going to do for those individuals in the short term?

And, again, I'll reference back to the President's own speech that he gave here on September 9. When he was at the podium giving the speech, JOHN MCCAIN was in the audience. He acknowledged that JOHN MCCAIN had a good idea for covering people with high-risk pools and that perhaps that would be a way to provide some immediate relief for people who couldn't wait for the 4 years before the Federal Government starts this new robust public option plan.

You hear me talk about medical liability. Medical liability is a big deal. The fact that it's been left out of the House and Senate bills, I think, is a big deal. Look, we're asking our doctors to be our partners. Whatever the brave new world of health care reform looks like, whatever we go to, we're going to ask our doctors to be there and be at our sides and help us, or be the ones to

take care of the patients and answer those emergency calls in the wee hours of the morning.

We're asking our doctors to stand with us on this. And yet we won't do the one thing that would simplify the lives of doctors across the country, keep doctors from dropping out of the practice of medicine, and, that is, bring some sense, some stability, to the medical justice system that we have in this country.

Now, Texas has done what I consider to be a very good thing, with putting caps on noneconomic damages. They did that in 2003. They had to do it with a constitutional amendment so that it would become immediately effective and didn't have to go through all sorts of court challenges; and, boy, it was like turning a switch and things have improved in Texas since that bill was passed. But you will also hear people say, Oh, medical liability, it doesn't save that much money. You can do whatever you want, but it's like a 1 percent savings.

But that's based on a very old study that really only looked at the cost of the premiums themselves, from back in the early 1990s, the American Medical Association, a very famous study called the Tonn study, frequently still quoted here 15, 20 years later. The Tonn study did say that you weren't going to save much money with medical liability. But, of course, the Tonn study discounted what would happen as far as the practice of defensive medicine.

Let me ask you this: medical liability premiums have gone up year over year over year. Medical liability has continued to be a problem year over year over year these last 20 years. Do you think the practice of defensive medicine is more widespread now than it was 20 years ago? Well, you bet it is. You bet it is. Twenty years ago we didn't have PET scans. We barely had MRIs. The more new things, new technology that becomes available, doctors are continually trying to see what is the maximum I can do so that I won't look bad if things go wrong and I'm called into court and have to defend my medical judgments. So it's no small wonder that the cost of defensive medicine has gone up and up and up.

Now the Congressional Budget Office has put out a new report. In a letter to Senator HATCH, they talk about their new estimate for what medical liability reform would save the Federal Government. This is just in the Medicare and Medicaid system, and it's estimated to be $54 billion over 10 years. That's getting to be a significant amount of money.

But wait a minute. Remember that the Federal Government is now responsible for about 50 cents out of every health care dollar that's spent in this country. Fifty cents out of every health care dollar that's spent in this country actually originates right here on the floor of this House. So that $54 billion over 10 years only represents about half of the medical expenditures in this country. It doesn't count those that are paid for by private insurance, those that are paid for out of just individuals paying their bills or that is gifted to people through charity.

So double that number. It's over $100 billion over the 10-year life of the health care bill that is a potential savings with modest medical liability reform. Again, that's not going to pay for the whole health care bill, but it would pay for 10 percent of it. Don't you think if we could pay for 10 percent of what's being proposed that we ought to at least consider it in our committees, that we should at least consider it in the legislative language that's being proposed?

I will just tell you what's happened in Texas since 2003 when we did pass a cap on noneconomic damages. Since 2003, Texas has licensed 15,000 new physicians. Over a similar time span preceding that, that number was about a third. We've gained 192 new obstetricians; 26 rural counties have added an obstetrician, including 10 where previously there was no OB doctor.

Texas is a big State. We've got 242 counties, so there's a lot of counties in Texas. But, still, 10 counties without an obstetrician before that now have one. That's prenatal care that's available to patients that wasn't available before unless you drove multiple miles to a medical center. That's doctors who are there when patients need them, frequently when time is of the essence, in the process of having a baby. So that is a good thing.

Thirty-three rural counties have gained ER doctors, including 26 counties that previously did not have an emergency room doctor now have one since the passage of commonsense medical liability reform in 2003. Doctors have contributed $594 million in charity care since the bill was passed.

I introduced similar language at the Federal level, H.R. 1468 for those keeping score at home; and I had offered that as an amendment to our committee bill last July. I was at first struck down on a technicality. Then I was struck down on a party-line vote. It doesn't seem that the Democratic majority has really had any interest in trying to reform the medical justice system in this country.

Yet now the Congressional Budget Office in a letter to Senator HATCH, where he requested a new analysis of the cost of defensive medicine, has said that it would be a savings of $54 billion over 10 years, and they do cite several studies in there where they've gained that information.

Again, at the end of this hour I will ask to make the Congressional Budget Office report, the letter to Senator HATCH, a part of the RECORD.

Portability, being able to take your insurance with you. There was a time when I was a youngster when you went to high school, perhaps went to college, but whether you graduated from college or just started after high school, you took a job and you probably continued that job until you got your gold watch in retirement.

It doesn't work that way anymore. I don't know exactly what the figure is, but the estimate from the Census Bureau is that people will have perhaps 10 or 11 jobs during the course of their productive years. So it only makes sense that if we continue, and we likely will continue, to have employer-sponsored health insurance, that we allow more portability than is within the system now. Some people have talked about things like defined contributions from employers, rather than just the employer providing the insurance, providing a designated sum of money for the purchase of that insurance.

There is a lot of discrepancy for what insurance costs. In the State of New Jersey, the average health insurance premium for a family of four recently quoted at $10,000. You go across the State line to Pennsylvania and it drops $4,000, to $6,000. Well, there's not a lot of difference right there on the State line between one segment of the population and those that are north of the line in New Jersey. Why not? Why not allow people to perhaps look into the purchase of insurance in other markets that may fit their needs and may be more affordable?

And then, of course, again we get into the issue of someone who moves across the State line, why not allow that portability? Just in the interest of completeness, the State of Texas, a family of four, the average insurance premium is $5,000 a year. The State lines concept is one, and we heard the President talk about it in his speech of September 9. He talked about a part of rural Alabama where if someone was going to the individual market, they only had one insurance company from which to choose.

□ 1915

And that's not terribly surprising. Insurance companies tend to be natural monopolies. They tend to want to form monopolies and capture market share. But the President's quite correct; you don't get much competition if you've only got one insurance company. So the President's solution to this problem is, well, let's create a public option and we'll have two insurance companies for that family in Alabama to choose from. But there's over 1,300 insurance companies in the United States of America. Why not open the market up so that more of those 1,300 insurance companies that already exist in the country—we don't have to create a new one, we don't have to pay all that start-up capital for creating a new program—why not just allow them to compete across state lines?

And you know, interestingly enough, Democrats that reflexively opposed this idea year in and year out now seem to be warming to the concept. At the very least, if you have a public option that is available in Alabama, it's going to be the same public option that's available in Tennessee, and the

same public option that's available in Texas. Guess what? That public option is going to be sold across state lines because it is a Federal program. So why don't we, before we go to all the trouble and expense and anxiety of creating an entirely new Federal entitlement and type of insurance, why not just simply allow some open competition across state lines?

Now, cooperatives are something that we hear, that word gets a lot of traction, co-ops. You know a purchasing co-op that could go across state lines, I could be okay with that. A co-op that was just a dressed-up public option, I'm not so much in favor of that. But certainly, allowing people to band together, people that may belong to the same alumni association, the same church, you name whatever association, realtors, dentists, physicians offices, that want to get the purchasing power of a much larger group in that individual market, we should allow them the freedom, the freedom to be able to make those associations and to purchase.

You know, tax credits—and I will admit there are people on my side that get nervous when you talk about tax credits. But tax credits to help with the purchase of insurance I think is certainly something that was talked about during the last presidential campaign. I think it is a way to provide immediate help, not help 4 years from now, but immediate help to people who don't have employer-sponsored insurance, where otherwise the cost of insurance is an obstruction to them getting that coverage. Maybe if we take away some of the issues with preexisting condition rescissions, we take away some of the issues with portability, still it may be an affordability issue, and if we could help that with the tax credit or even a pre-fundable tax credit, I think that is something that is, it's at least worth having the discussion.

And again, through all the hearings that we've had on this, we never once visited that issue. We never once invited the Congressional Budget Office in to kind of give us some views and estimates on what this might cost or what this might look like. Instead, we just simply said, we're Congress, we know best, we're going to build an entirely new insurance company that's administered by the Federal Government and that will be your competition. Take it and like it because we, after all, know best.

Again, the ability for people to associate, whether it be a church group, an alumni association, maybe it's time that we gave people the option of not having insurance that's tied to a single employer, because, again, many people will change jobs over time. Allow the cross-state purchasing.

We've talked about things like association health plans. Various bills have been introduced that would deal with this. H.R. 3218 introduced by Representative SHADEGG from Arizona is one such plan. And certainly, that is one that should be included in any compendium of plans that are offered as conservative or Republican alternatives to what is being proposed in health care.

Medicare payment reform. We're going to pay for half of this trillion-dollar bill with cuts in Medicare. Well, I've got to tell you, I get more letters, more mail from individuals who are doctors who are concerned about what we, what Congress is doing to them in physician reimbursement. It's easy to say, oh, man, doctors they make so much money, so you cut them a little bit—who cares? December 31st of this year, under the current formula, sustainable growth rate formula, physicians will undergo a 20 percent reduction in reimbursement.

Now, true enough, Senator BAUCUS' bill does delay that by 1 year. That's our typical response. We'll do something to kick the can down the road. If we do that, then next year they face a 25 percent reduction in reimbursement. In some specialties, cardiologists, in particular, where there's been some rebasing of what are called relative value units for the work that they do, are facing cuts in excess of 30 percent at the end of the year. Well, I'm here to tell you that you don't have that much excess capacity in the average doctor's office where you can squeeze 30 cents out of every dollar in savings and expect those offices to stay open.

Well, wait a minute. We've got an unemployment rate that's approaching 10 percent. Cardiology offices are small business across the country, and they are facing a 30 percent reduction in Medicare reimbursement, when oftentimes Medicare is 50, 60 or 70 percent of the business that they do. How do we expect them to keep their doors open after January 1st? How do we expect them to make employment decisions for their employees in their offices over these next couple of months while they're living with this kind of limbo?

I mean, they're sitting here watching Congress and wondering if we're just going to run out the clock on December 31st. When these huge cuts go into effect, what are they going to tell their employees? If they wanted to hire someone new earlier this year they're certainly not thinking about doing that now. And we've got a 9.6 percent unemployment rate.

Cardiology offices are small businesses. Echo techs, phlebotomists that draw blood in the lab, people that put the patient back in the room. All of these jobs are now at risk because of what Congress is doing, or not doing, with fixing the sustainable growth rate formula and the cuts in Medicare. If we pass a bill like the Baucus bill, the cuts only become deeper and more Draconian. Again, you don't save $500 billion out of the Medicare program over 10 years by not making some pretty harsh decisions.

And you know, if you think it's bad now with the sustainable growth rate formula, what's it going to look like if we enact some of these things that have been discussed over on the Senate side and indeed on the House side? What if we create this body that's going to come to us every year and say, in order for the books to balance, Mr. or Mrs. Congressman, we are going to have to cut fees that are paid to hospitals, doctors, nurses, nursing homes by whatever percentage amount they say.

Congress, if we pass this law, simply votes that up or down. They don't take any responsibility for it. There's no accountability. We just simply pass those cuts on. That's a terrible way to do business. Wouldn't it be better if we found a way to deliver care more economically so we didn't have to come to our provider community, to our doctors, to our hospitals, to our nurses and nursing homes, and say, We're going to have to keep a little bit more of your money this year in order to make our books balance?

Now, ensuring the future physician work force, I think, is extremely important. H.R. 914, the Physician Workforce Investment Act that I introduced last Congress and this Congress as well, I've provided that to the White House. You know, here's the deal. We can sit here and talk all night long about health insurance, and that may be an important discussion to have, but I've got to tell you, if you don't have any doctors there at the end of the day, all the insurance in the world isn't going to do you a bit of good. In fact, I'd far rather have a doctor and no insurance than I would have insurance and no doctor, because if I'm in trouble, if I'm needing someone to take care of me, the insurance company typically hasn't been all that great at that endeavor. But physicians always respond.

Preventive care and wellness programs. Clearly, these are going to be necessary in the world going forward. The model that was brought to us by Safeway Stores, the model that we were not allowed to consider in our markup in committee, but realistically, we have to do that. H.R. 3148, which is the Burgess-Christian CBO scoring bill, would allow for the Congressional Budget Office to score those savings that could be achieved with healthy lifestyles.

Price transparency. We did include some language in the bill that was passed. H.R. 2249 was the Health Care Transparency bill that I introduced two Congresses ago and have continued to introduce every Congress. A lot of that language was inserted into H.R. 3200, for which I was grateful. But at the same time, transparency has got to be there. So if we're going to ask people to make more and more decisions for themselves, we have to give them the information with which to do that. Mandates have no place in a free society.

And when I hear the Senate talk, and I hear the House talk about we're going to have an individual mandate and an

employer mandate, wait a minute. I'm not even sure that's constitutional. Mandates just create laziness, create laziness on the part of the insurers, create laziness on the part of the insured, and certainly create laziness on the part of your Congressman. Wouldn't it be better if we required people to actually build programs that people wanted, rather than just force people to take what we think they ought to want? Mandates are an anathema to free society.

And there are ways to do this. Prescription-drug benefit in part D, for all its faults, Dr. McClellan, when he was constructing that program, had six protected classes of drugs and said there had to be at least two drugs offered within those six protected classes, and people flocked to those programs. It has been a success in the number of seniors that now have credible drug coverage and seniors that are satisfied or very satisfied with the drug coverage that they have.

Normally, if you have a mandate you're going to get about 85 or 95 percent compliance. We've got about 85 percent compliance with the voluntary system right now. You're not going to get that much more with the mandate. Even without mandates in the prescription-drug benefit, by creating programs that brought value to people's lives, 93 percent uptake on a credible drug program.

So, you know, I've got to tell you. I will never sit down here and advocate for private insurers. But I will tell you that most Americans do have coverage under a private insurance, and they like it. They don't want to lose it. That has been one of the big obstacles to getting sweeping health care reform. The President always says if you like what you have you can keep it. I think that's right. Sixty percent of the American people like what they have, and they don't want it to change, so that makes it difficult to do reform that is on this scale and this sweeping.

I'll tell you another little secret. The Federal Government, the public option that we already have, doesn't pay its full share of the freight of the cost of delivering the care. It's subsidized by the private sector. If you shrink the private sector and grow the public sector, how are you going to make that up? Where's that money actually going to come from? And that's something that I never hear discussed.

Yeah, insurance companies do bad things. And we'll hear stories, we're going to hear stories in my committee tomorrow about how bad insurance companies are. But if we didn't have that cross-subsidization of the private sector, we could not afford the public sector. Now, people will tell you that it's the cost of the uninsured that we're leaning on the private sector to provide for us. No, that's a small amount. That cross-subsidization that's coming to the public sector is the lion's share of that. That 9 percent figure, about 2 percent is people who have no insurance; 7 percent goes to paying the freight that Medicare and Medicaid are not carrying themselves.

We have a good system. Let's build on what we have. Let's not tear it down and then create something out of whole cloth to go in its place. You know, the government can referee some of these things, but the government doesn't need to be the man in charge of all of these things. Again, remember, the United States Congress, we've got about a 20 percent approval rating. I think reforms can and should go forward. I think there are good ideas on both sides of the aisle here. I'll take the President at his word. I'm anxiously awaiting their response to my letters.

I look forward to this debate we're going to have over the next several weeks, and I would encourage people that, every morning when they get up, remember, you've got one Member of Congress and two Senators. They need to hear from you on this issue. Whether you agree with me or not, I promise you they need to hear from you on this issue before we have this vote.

For more information on H.R. 914, the Physician Workforce Enhancement Act of 2009; H.R. 1468, the Medical Justice Act of 2009; and H.R. 2249, the Health Care Price Transparency Promotion Act of 2009, log on to http://thomas.loc.gov.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 16, 2009.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT, I am once again compelled to write to you to accept your offer to meet with you at the White House to discuss the health care reform proposals currently before us.

I listened intently as you addressed the Joint Session of Congress on September 9, 2009, and you once again extended an olive branch to members of the minority. I want to reiterate that I am completely committed to working in a bipartisan fashion to deliver reforms that all Americans can be comfortable with, increase access to care, lower health care costs for America's families and businesses, and deliver changes to the health system that improve quality.

I thank you for your public commitment to accept innovative ideas from Republicans and hope that you will follow through with your public pledge by reviewing this letter thoroughly. As you stated last week: ''I will continue to seek common ground in the weeks ahead. If you come to me with a serious set of proposals, I will be there to listen. My door is always open.''

I accept your gracious offer and want you to know that it is not my intention to ''kill'' health reform. In fact, I stand proudly by my bipartisan work in the U.S. House of Representatives on health care issues. Several of my amendments in the Energy & Commerce Committee were accepted unanimously while others are currently under negotiation with Chairman Waxman for inclusion in a final House product.

That said, I have read the America's Affordable Health Choices Act (H.R. 3200) and I do concede I have many concerns with the approach the bill takes. Many of the items you outlined in your speech do have wide bipartisan support. While we may have disagreements on the policy approaches to address those problems we will never know if we can find common ground if we do not try.

To assist you in identifying measures that could gain wide bipartisan support I am enclosing four pieces of legislation that will make incremental but important reforms to our health system. I believe that, with your leadership, these measures could be passed and signed into law before Thanksgiving. These efforts would show that we can work together to make important reforms that improve access to care and protect the doctor/patient relationship.

Physician Workforce: H.R. 914, the Physician Workforce Enhancement Act, would establish an interest-free loan program for eligible hospitals to establish residency training programs in certain high-need specialties. Under the program, eligible hospitals could receive up to $1,000,000 that must be repaid within 3 and a half years. H.R. 914 will provide needed resources to smaller and emerging communities so they can attract and retain the medical professionals their communities will rely on in the future. If we do nothing to assist the training of physicians, waiting lines will grow longer, lapses in treatment will occur, and many of our small and rural communities will be at risk of not having physicians to meet their growing needs.

Medical Liability Reform: As you alluded to in your speech, too many doctors are forced to practice defensive medicine and face the constant threat of lawsuits and unsustainable medical liability insurance rates. This results in millions of dollars in unnecessary tests and procedures. Seasoned medical professionals are retiring early because staying in practice is no longer financially feasible, further contributing to our nation's doctor shortage. This is a growing crisis that is pushing affordable health care beyond the grasp of millions of Americans. H.R. 1468, the Medical Justice Act, is based on medical liability reform implemented in Texas. The reforms have created a magnet for doctors and provided the funding mechanism to improve access to care and enhance patient safety. To prove the success of Texas' reforms, I'd like to share a few of the statistics, from the Texas Medical Association:

Since the 2003 reforms, Texas has licensed 14,496 new physicians. This is a 36 percent increase from pre-reform.

Thirty-three rural counties have seen a net gain in ER doctors, including 26 counties that previously had none.

After years of decline, the ranks of medical specialists are growing in Texas. In my field of obstetrics, Texas saw a net loss of 14 obstetricians in the two years preceding reform. Since then the state has experienced a net gain of 192 obstetricians, and 26 rural counties have added an obstetrician, including ten counties that previously had none.

Charity care rendered by Texas hospitals has increased by 24 percent, resulting in $594 million in free care to Texas' patients.

Texas physicians have saved $574 million in liability insurance premiums, a significant savings that has allowed more doctors to stay in their practice.

Medicare Reform: Many new Medicare beneficiaries find it difficult to locate a doctor who will accept Medicare. This is because physicians around the country realize that Medicare is an unstable payer, subject to the whims of political will and influence, and are doing what they must to protect their small businesses. Physicians are scheduled to receive a significant reduction in Medicare payments on January 1, 2010. The Ensuring the Future Physician Workforce Act, a bill I plan on introducing shortly, will give doctors what they really need a stable and reasonable predictor of an inflationary reimbursement under Medicare. This will allow

seniors to maintain access to their doctor. The legislation also rewards quality reporting of data, further incentivizes the adoption of Health Information Technology, and brings increased transparency on utilization, billing, and funding to the Medicare program.

Health Care Price Transparency: A patient should be able to know what they are paying for and how much they will pay out-of-pocket. H.R. 2249, the Health Care Price Transparency Promotion Act, directs states to establish and maintain laws requiring disclosure of information on hospital charges. The legislation requires hospitals and health plans to make this information available to the public, and to provide individuals with information about estimated out-of-pocket costs for health care services. H.R. 2249 aims to make health care more affordable by promoting greater transparency about the cost of health care services for patients seeking care. The legislation sets a national floor for transparency. As someone who has committed his Administration to transparency, this is an important step in helping make health care, and specifically health care costs, more transparent, which empowers the consumer.

As a practicing physician for over 25 years, I believe I bring a unique perspective to the current health care reform debate. I am committed to finding areas of collaboration between the political parties that can deliver meaningful system reforms that will benefit all Americans. I would greatly appreciate the opportunity to review both the efforts outlined above and also my areas of concern with H.R. 3200 so that we may mutually work to bring quality, affordable health care to all Americans.

I look forward to the opportunity to meet with you at your earliest convenience. Should your staff have any questions about any of the attached proposals or would like to arrange a meeting, please contact me or my Legislative Director J.P. Paluskiewicz at my Washington, D.C. office.

Sincerely,

MICHAEL C. BURGESS, M.D.,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC September 30, 2009.

President BARACK OBAMA,
The White House,
Washington, DC.

DEAR MR. PRESIDENT, I write you once again on the topic of health care reform. As you know, Democrat leaders in the House of Representatives are currently working to merge the three committee bills. Meanwhile, the two Senate products are waiting to be merged pending completion of the Senate Finance Committee's mark-up.

I have closely followed the health care debate for months, making note of actions by all parties involved, including the House, Senate, White House, advocate groups, and the health care industry. These reforms have wide-reaching implications, and you have stressed the importance of conducting business in public so that the American people are aware and involved in the process.

In fact, during a Democratic Presidential primary debate on January 31, 2008, you said: ''That's what I will do in bringing all parties together, not negotiating behind closed doors, but bringing all parties together, and broadcasting those negotiations on C–SPAN so that the American people can see what the choices are, because part of what we have to do is enlist the American people in this process.''

It has now been over four months since the White House announced numerous deals with major stakeholders in the health care debate to save upwards of $2 trillion in the health care system. Little to no details regarding the negotiations have been released, and recent actions and press reports have reminded me of the importance of openness and transparency throughout the legislative process.

Roll Call reports today that negotiators working in the House to merge the three committee bills plan to trim the cost of the legislation by roughly $200 billion. I wonder what programs or services are being cut, who will be affected, and how these cuts are being decided.

In the Senate Finance Committee's markup, Senator Bill Nelson (D-Fl) introduced an amendment regarding drug prices in Medicare and Medicaid. During the debate on the amendment, Senator Torn Carper (D-Del), while arguing against the amendment, said ''Whether you like PhRMA or not, we have a deal,'' referring to the deal PhRMA cut with the White House earlier this year.

In addition, within the Senate Finance Committee plan is a commission to slow the growth of Medicare spending, most likely through changes to reimbursement policy. However, hospitals would be exempt from this commission because, according to CongressDaily, ''they already negotiated a cost cutting agreement'' with the White House.

Despite your promise to make all health care reform negotiations in public, we still have very few details on what exactly was agreed to during these highly publicized negotiations. In fact, even the stakeholders involved have, at times, seemed at odds with what was actually agreed to. But the one thing we all know is that, through press statements, many deals were made. Unfortunately, even where brief descriptions of policy goals are available, details on achieving these goals are absent, a point made by the Congressional Budget Office (CBO).

I am compelled to ask—how could Congress have done its' due diligence in creating the policy before us without crucial details surrounding these deals? Were the votes we have seen in the Senate Finance Committee as of late a direct result of these backroom negotiations? Will CBO be able to actually score any of these deals to apply those cost savings to legislation? Were these negotiations in the best interests of patients?

Having little to no information, I cannot judge. However, this begs even more questions. Is Congress enacting the best policy reforms for Americans, or are certain changes being made or not made because of the negotiations orchestrated by the White House? Will smaller stakeholders suffer more from our policy choices because of what larger groups may have negotiated behind closed doors?

Mr. President, I do not write this letter to chide you for engaging in what I consider the most pressing debate before Congress. I applaud you for your leadership in compelling Congress to act. In order to fully understand the policy choices before us, though, we need to know what took place earlier this year during these meetings at the White House. You have made it very clear that you value transparency and have sought to make your Administration stand out in this regard. As a member of the House Energy and Commerce Committee's subcommittee on Oversight and Investigations, so do I. The last thing I would want to see is a formal investigation of these meetings.

Thus, I formally request full disclosure by the White House in the following areas regarding all meetings with health care stakeholders occurring earlier this year on the topic of securing an agreement on health reform legislation, efforts to pay for any such legislation, and undertakings to bend the out year cost curve:

1. A list of all agreements entered into, in writing or in principle, between any and all individuals associated with the White House and any and all individuals, groups, associations, companies or entities who are stakeholders in health care reform, as well as the nature, sum and substance of the agreements; and,

2. The name of any and all individuals associated with the White House who participated in the decision-making process during these negotiations, and the names, dates and titles of meetings they participated in regarding negotiations with the aforementioned entities in question one; and,

3. The names of any and all individuals, groups, associations, companies or entities who requested a meeting with the White House regarding health care reform who were denied a meeting.

In our efforts to improve access to health care services, the American people expect us to act in their best interests, rather than protecting business interests of those who are interested in currying favor in Washington, DC. If these health related stakeholders have made concessions to Washington politicians without asking anything in exchange for the patients they serve, Congress and, more importantly, the American public deserve to know. Conversely, if they sought out protections for industry-specific policies, we need to know that as well.

We must learn what these negotiations mean for the millions of concerned Americans. How they will be better served, including having affordable health coverage and access to the providers they need? These negotiations may have produced consensus on policy changes that are proper and needed, but Congress will never know for sure that we are acting in our constituents' best interests until all the facts are known.

I look forward to the opportunity to speak with you at your earliest convenience on this matter. Should your staff have any questions about this request please contact me or my Legislative Director J.P. Paluskiewicz at my Washington, D.C. office at 202–225–7772.

Sincerely,

MICHAEL C. BURGESS, M.D.,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ABERCROMBIE (at the request of Mr. HOYER) for today and October 15 until 3:30 p.m.

Mr. CARNEY (at the request of Mr. HOYER) for today and October 15 on account of active military duty.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

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

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

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

Mr. POE of Texas, for 5 minutes, October 21.

Mr. JONES, for 5 minutes, October 21.

Mr. KING of New York, for 5 minutes, October 20.

Ms. ROS-LEHTINEN, for 5 minutes, October 15, 20 and 21.

Mr. DEAL of Georgia, for 5 minutes, October 15.

Mr. WESTMORELAND, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. POSEY, for 5 minutes, today and October 15.

Mrs. BACHMANN, for 5 minutes, today and October 15.

SENATE BILLS REFERRED

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

S. 846. An act to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty, the Committee on Financial Services.

S. 1510. An act to transfer statutory entitlements to pay and hours of work authorized by the District of Columbia Code for current members of the United States Secret Service Uniformed Division from the District of Columbia Code to the United States Code, the Committee on Oversight and Government Reform.

ENROLLED BILLS SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1016. An act to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, and for other purposes.

H.R. 2997. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

SENATE ENROLLED BILL SIGNED

The Speaker announced her signature to an enrolled bill of the Senate of the following title:

S. 1717. To authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 7 o'clock and 28 minutes p.m.), the House adjourned until tomorrow, Thursday, October 15, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

4095. A letter from the Acting Under Secretary, Department of Defense, transmitting Inventory Lists for the Department of Defense Agency and Activities pursuant to section 2330a Title 10 of the U.S. Code as amended by section 807 of the National Defense Authorization Act of Fiscal Year 2008; to the Committee on Armed Services.

4096. A letter from the Chair, Congressional Oversight Panel, transmitting the Panel's monthly report pursuant to Section 125(b)(1) of the Emergency Economic Stabilization Act of 2008, Pub. L. 110-343; to the Committee on Financial Services.

4097. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting a 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, pursuant to 1 U.S.C. 112b(b); to the Committee on Foreign Affairs.

4098. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to section 527(f) of the Foreign Relations Authorization Act for FY 1994 and 1995 (Pub. L. 103-236), a report listing outstanding expropriation cases; to the Committee on Foreign Affairs.

4099. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled ''Managing for Engagement — Communication, Connection, and Courage'', pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Oversight and Government Reform.

4100. A letter from the Secretary, Department of Health and Human Services, transmitting copy of the Annual Report to Congress on the Refugee Resettlement Program for the period October 1, 2006 through September 30, 2007 as required by section 413(a) of the Immigration and Nationality Act, pursuant to 8 U.S.C. 1523(a); to the Committee on the Judiciary.

4101. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Patapsco River, Northwest Harbor, Baltimore, MD [Docket No.: USCG-2009-0251] (RIN: 1625-AA08) received September 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4102. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: F/V Patriot, Massachusetts Bay, MA [Docket No.: USCG-2009-0707] (RIN: 1625-AA00) received September 25, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4103. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Model TBM 700 Airplanes [Docket No.: FAA-2006-26234; Directorate Identifier 2006-CE-064-AD; Amendment 39-15983; AD 2007-03-17 R1] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4104. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited (Jetstream) Model 4101 Airplanes [Docket No.: FAA-2009-0463; Directorate Identifier 2008-NM-065-AD; Amendment 39-15984; AD 2009-16-01] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4105. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.27 Mark 050 Airplanes [Docket No.: FAA-2009-0691; Directorate Identifier 2009-NM-061-AD; Amendment 39-15988; AD 2009-16-05] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4106. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No.: FAA-2008-1213; Directorate Identifier 2007-NM-092-AD; Amendment 39-15987; AD 2009-16-14] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4107. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No.: FAA-2007-29173; Directorate Identifier 2006-NM-283-AD; Amendment 39-15989; AD 2009-16-06] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4108. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200 and 3101, and Jetstream Model 3201 Airplanes [Docket No.: FAA-2009-0570; Directorate Identifier 2009-CE-033-AD; Amendment 39-15949; AD 2009-13-10] (RIN: 2120-AA64) received September 21, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4109. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200 and 3101, and Jetstream Model 3201 Airplanes [Docket No.: FAA-2009-0817; Directorate Identifier 2009-CE-046-AD; Amendment 39-16020; AD 2009-19-03] (RIN: 2120-AA64) received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4110. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30683 Amdt. No 3336] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4111. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation By Reference [Docket No.: 29334; Amendment No. 71-41] received September 18, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4112. A letter from the Secretary, Department of Labor, transmitting the 2008 Annual Report of the Assistant Secretary for Veterans' Employment and Training of the Department of Labor, pursuant to 38 U.S.C. 2009(b); to the Committee on Veterans' Affairs.

4113. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting a report entitled, ''Risk Assessment Methodologies at Defense Nuclear Facilities''; jointly to the Committees on Armed Services and Energy and Commerce.

4114. A letter from the Secretary and Attorney General, Departments of Health and Human Services and Justice, transmitting

the eleventh Annual Report on the Health Care Fraud and Abuse Control (HCFAC) Program for Fiscal Year 2008; jointly to the Committees on Energy and Commerce and Ways and Means.

4115. A letter from the Board Members, Railroad Retirement Board, transmitting the Annual Report of the Railroad Retirement Board for Fiscal Year ending September 30, 2008, pursuant to 45 U.S.C. 231f(b)(6); jointly to the Committees on Transportation and Infrastructure and Ways and Means.

4116. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's budget request for fiscal year 2011, in accordance with Section 7(f) of the Railroad Retirement Act, pursuant to 45 U.S.C. 231f(f); jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

4117. A letter from the Secretary, Department of Labor, transmitting the Department's report entitled, ''The Department of Labor's List of Goods Produced by Child Labor or Forced Labor''; jointly to the Committees on Education and Labor, Oversight and Government Reform, and Ways and Means.

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. 3200. A bill to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes; with an amendment (Rept. 111–299 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. RANGEL: Committee on Ways and Means. H.R. 3200. A bill to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes; with an amendment (Rept. 111–299 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. GEORGE MILLER of California: Committee on Education and Labor. H.R. 3200. A bill to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes; with an amendment (Rept. 111–299 Pt. 3). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Florida: Committee on Rules. House Resolution 829. Resolution providing for consideration of the conference report to accompany the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010, and for other purposes (Rept. 111–300). Referred to the House Calendar.

Ms. MATSUI: Committee on Rules. House Resolution 830. Resolution providing for consideration of the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes (Rept. 111–301). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Oversight and Government Reform and the Budget discharged from further consideration. H.R. 3200 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

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. MORAN of Kansas:

H.R. 3806. A bill to amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to extend and expand the Medicare rural community hospital demonstration program; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H.R. 3807. A bill to amend the Internal Revenue Code of 1986 to provide an incentive for expanding employment in rural areas by allowing employers the work opportunity credit for hiring residents of rural areas; to the Committee on Ways and Means.

By Mr. ADERHOLT (for himself, Mr. DAVIS of Alabama, Mr. BRALEY of Iowa, and Mr. CASTLE):

H.R. 3808. A bill to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce; to the Committee on the Judiciary.

By Mr. BROUN of Georgia:

H.R. 3809. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for unreimbursed funeral expenses with respect to a deceased indigent individual; to the Committee on Ways and Means.

By Mr. DEFAZIO (for himself, Mr. HINCHEY, Mr. SCOTT of Virginia, Ms. DELAURO, Mr. MICHAUD, Mr. RYAN of Ohio, Mr. SABLAN, Ms. SLAUGHTER, Ms. KAPTUR, Mr. COSTELLO, Mr. DELAHUNT, Mr. OBERSTAR, Mr. FILNER, Mr. TIERNEY, Mr. CAPUANO, and Mr. GUTIERREZ):

H.R. 3810. A bill to extend certain economic recovery payments, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KOSMAS:

H.R. 3811. A bill to amend the Internal Revenue Code of 1986 to authorize the Secretary, for a period of 2 years, to allocate a new markets tax credit limitation to entities that serve or provide investment capital for distressed communities; to the Committee on Ways and Means.

By Ms. KOSMAS:

H.R. 3812. A bill to amend the Internal Revenue Code of 1986 to encourage businesses to purchase commercial and residential property in distressed communities by providing an exclusion from tax on certain gains; to the Committee on Ways and Means.

By Mr. SESTAK:

H.R. 3813. A bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program; to the Committee on Veterans' Affairs.

By Mr. FLEMING (for himself, Mr. ALEXANDER, Mr. BOUSTANY, Mr. CAO, Mr. CASSIDY, Mr. MELANCON, and Mr. SCALISE):

H. Res. 827. A resolution honoring the life and service of Dewey Lee Fletcher, Jr; to the Committee on House Administration.

By Mr. CAO (for himself, Mr. CASSIDY, Mr. ALEXANDER, Mr. BOUSTANY, Mr. MELANCON, Mr. SCALISE, and Mr. FLEMING):

H. Res. 828. A resolution to recognize October 24, 2009, the 20th chartered flight of World War II veterans through Louisiana HonorAir, as ''Louisiana HonorAir Day,'' and to honor the invaluable service and dedication of the World War II veterans to our Nation; to the Committee on Veterans' Affairs.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. TIBERI, Mr. DAVIS of Illinois, Mr. MCDERMOTT, Mr. DAVIS of Kentucky, Mrs. BACHMANN, Mr. PLATTS, Mrs. SCHMIDT, Mr. MEEK of Florida, Mr. DEAL of Georgia, and Mr. LINDER):

H. Res. 831. A resolution supporting the goals and ideals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children in foster care awaiting families, celebrating children and families involved in adoption, recognizing current programs and efforts designed to promote adoption, and encouraging people in the United States to seek improved safety, permanency, and well-being for all children; to the Committee on Ways and Means.

By Mr. LOEBSACK (for himself, Mr. BOSWELL, Mr. LATHAM, Mr. KING of Iowa, and Mr. BRALEY of Iowa):

H. Res. 832. A resolution recognizing and congratulating ACT, Inc. on 50 years of service to the Nation; to the Committee on Education and Labor.

By Mr. SCHIFF:

H. Res. 833. A resolution honoring the 60th anniversary of the establishment of diplomatic relations between the United States and the Hashemite Kingdom of Jordan, the 10th anniversary of the accession to the throne of His Majesty King Abdullah II Ibn Al Hussein, and for other purposes; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PASTOR of Arizona introduced a bill (H.R. 3814) for the relief of Martha Quintana Bonilla; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 32: Ms. MARKEY of Colorado and Mr. PETERSON.

H.R. 211: Ms. ROYBAL-ALLARD.

H.R. 272: Mr. LANCE.

H.R. 391: Mr. MANZULLO.

H.R. 406: Ms. TSONGAS.

H.R. 525: Mr. BURGESS.

H.R. 610: Mr. HARE.

H.R. 615: Mr. MCMAHON.

H.R. 761: Ms. HERSETH SANDLIN.

H.R. 868: Mr. HODES and Mr. WALZ.

H.R. 986: Mr. REYES.

H.R. 1024: Ms. CHU.

H.R. 1103: Ms. GINNY BROWN-WAITE of Florida.

H.R. 1177: Mrs. MCMORRIS RODGERS.

H.R. 1182: Mrs. DAHLKEMPER, Ms. SUTTON, Mr. BISHOP of Georgia, and Ms. DEGETTE.

H.R. 1191: Mr. KENNEDY.

H.R. 1193: Mr. SCHAUER.

H.R. 1194: Mr. SIRES, Mr. MELANCON, Mr. THOMPSON of Pennsylvania, Mr. LEE of New York, Mr. NYE, Mr. PRICE of North Carolina, and Mr. ISRAEL.

H.R. 1215: Mrs. NAPOLITANO.

H.R. 1283: Mr. FOSTER.

H.R. 1310: Mrs. MCCARTHY of New York.

H.R. 1326: Mr. SERRANO, Mrs. MCCARTHY of New York, Mr. MEEK of Florida, Mr.

RUPPERSBERGER, Mr. ANDREWS, and Mr. CASTLE.

H.R. 1392: Ms. DELAURO.

H.R. 1478: Ms. SUTTON.

H.R. 1521: Mr. BOUCHER and Mr. WEINER.

H.R. 1545: Mr. TURNER and Ms. TSONGAS.

H.R. 1549: Mr. MEEK of Florida.

H.R. 1570: Mr. BLUNT.

H.R. 1583: Mr. VISCLOSKY and Mr. WELCH.

H.R. 1588: Mr. DAVIS of Tennessee.

H.R. 1596: Mr. EHLERS.

H.R. 1623: Mr. KILDEE.

H.R. 1708: Ms. BERKLEY and Mrs. MCCARTHY of New York.

H.R. 1770: Mr. CARNAHAN.

H.R. 1826: Mr. BRALEY of Iowa, Mr. KILDEE, Ms. NORTON, and Mr. SCOTT of Virginia.

H.R. 1831: Ms. HERSETH SANDLIN, Mr. MARIO DIAZ-BALART of Florida, Mr. BUCHANAN, and Mr. SPRATT.

H.R. 1835: Mr. WU.

H.R. 1944: Mr. PASCRELL.

H.R. 1964: Mr. BUTTERFIELD.

H.R. 1977: Ms. KILPATRICK of Michigan.

H.R. 1987: Mr. MORAN of Virginia, Mr. CARNAHAN, and Mr. RUSH.

H.R. 1993: Ms. SUTTON and Mr. SCHAUER.

H.R. 2024: Mr. ROE of Tennessee.

H.R. 2031: Mr. CHAFFETZ and Mr. YOUNG of Alaska.

H.R. 2138: Mr. PETERSON, Ms. CORRINE BROWN of Florida, and Mr. SCHAUER.

H.R. 2156: Mr. SHUSTER.

H.R. 2160: Mr. OLVER.

H.R. 2161: Ms. ZOE LOFGREN of California.

H.R. 2177: Mr. GUTIERREZ.

H.R. 2214: Mr. MICHAUD.

H.R. 2227: Ms. HERSETH SANDLIN and Mr. TURNER.

H.R. 2279: Mr. CONYERS and Ms. DELAURO.

H.R. 2299: Ms. WATSON.

H.R. 2305: Mr. ISSA.

H.R. 2408: Mr. SESTAK, Mr. LUETKEMEYER, and Mr. REYES.

H.R. 2452: Mr. ROTHMAN of New Jersey, Ms. FOXX, and Mr. MITCHELL.

H.R. 2480: Ms. MOORE of Wisconsin, Mr. HOLT, Ms. HIRONO, Mr. CONYERS, Mr. MASSA, Mr. GERLACH, Mr. SCOTT of Virginia, Mr. PASTOR of Arizona, Ms. CHU, Mr. SPRATT, Mr. WEINER, Ms. GIFFORDS, Mr. MEEK of Florida, Mrs. MCCARTHY of New York, Mr. SHULER, Mr. MURPHY of Connecticut, and Mr. RUPPERSBERGER.

H.R. 2493: Mr. KING of New York.

H.R. 2502: Mr. THOMPSON of Mississippi, Mr. WALDEN, Mr. UPTON, Mr. PETERS, Mr. MINNICK, Mr. SHULER, Mr. JOHNSON of Georgia, and Ms. KILPATRICK of Michigan.

H.R. 2547: Mr. PAUL and Mr. PETERSON.

H.R. 2556: Mr. SAM JOHNSON of Texas and Mr. SOUDER.

H.R. 2560: Mr. CUMMINGS.

H.R. 2563: Ms. BERKLEY.

H.R. 2567: Ms. ESHOO, Mr. PAYNE, and Mr. KILDEE.

H.R. 2608: Mr. BROWN of South Carolina, Mr. MCKEON, Mr. GINGREY of Georgia, and Mr. SMITH of New Jersey.

H.R. 2617: Mr. HINCHEY.

H.R. 2628: Mr. DAVIS of Alabama.

H.R. 2743: Mr. CONYERS, Mr. MINNICK, and Mr. MCNERNEY.

H.R. 2746: Mr. MASSA and Mr. HARE.

H.R. 2807: Mr. HOLT.

H.R. 2817: Mr. MCDERMOTT and Mr. FATTAH.

H.R. 2866: Mrs. MYRICK, Mr. INSLEE, Ms. TSONGAS, and Mr. ELLSWORTH.

H.R. 2941: Ms. KOSMAS.

H.R. 2954: Mr. PASCRELL.

H.R. 3006: Mr. POLIS of Colorado.

H.R. 3017: Mr. BECERRA.

H.R. 3048: Mr. CARSON of Indiana.

H.R. 3077: Ms. LINDA T. SÁNCHEZ OF CALIFORNIA.

H.R. 3092: Ms. DEGETTE.

H.R. 3185: Mr. MARSHALL.

H.R. 3206: Ms. RICHARDSON.

H.R. 3225: Mr. CARNAHAN.

H.R. 3238: Mr. POLIS of Colorado.

H.R. 3263: Mr. ROTHMAN of New Jersey.

H.R. 3350: Mr. POSEY.

H.R. 3355: Mr. THOMPSON of Pennsylvania, Mr. BONNER, and Mr. LEWIS of Georgia.

H.R. 3356: Mr. OLSON, Mr. BISHOP of Utah, Mr. MARCHANT, Mr. LAMBORN, Mr. COFFMAN of Colorado, Mrs. LUMMIS, and Mr. MCCAUL.

H.R. 3375: Mr. LAMBORN.

H.R. 3380: Mr. FILNER, Mr. BACA, Ms. WATERS, Mr. CARSON of Indiana, and Mr. BAIRD.

H.R. 3400: Mrs. MYRICK, Mr. SESSIONS, Mr. SMITH of Texas, and Mr. POSEY.

H.R. 3426: Mr. GENE GREEN of Texas, Mr. FILNER, Mr. KUCINICH, and Mr. DELAHUNT.

H.R. 3454: Mrs. BLACKBURN.

H.R. 3495: Ms. TSONGAS.

H.R. 3524: Mr. MICHAUD, Mr. OLSON, and Mr. BISHOP of Utah.

H.R. 3553: Mr. HARE.

H.R. 3554: Mr. ARCURI and Mr. BRIGHT.

H.R. 3577: Mr. MCGOVERN, Mr. NYE, and Mr. RAHALL.

H.R. 3586: Mr. OBERSTAR.

H.R. 3608: Ms. SPEIER.

H.R. 3612: Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. CAMPBELL, Mr. MCCLINTOCK, Mr. POSEY, Mr. LUETKEMEYER, Mr. BISHOP of Utah, Mr. BROWN of South Carolina, Mr. FLEMING, Mr. PAULSEN, Mr. AKIN, Mr. SAM JOHNSON of Texas, Mr. BARTLETT, and Mr. GINGREY of Georgia.

H.R. 3633: Mr. RUSH, Ms. SUTTON, and Mr. TIM MURPHY of Pennsylvania.

H.R. 3636: Mr. CONYERS, Mr. CARSON of Indiana, and Mr. JOHNSON of Georgia.

H.R. 3644: Mr. SABLAN and Ms. LEE of California.

H.R. 3664: Mr. WELCH, Mr. SARBANES, and Mr. CARNAHAN.

H.R. 3670: Mr. BARROW, Mr. PAYNE, and Mr. SCHAUER.

H.R. 3679: Mr. FATTAH.

H.R. 3691: Mr. BUCHANAN and Mr. ROONEY.

H.R. 3712: Mr. HALL of New York, Mr. MICHAUD, Mr. RYAN of Ohio, Mr. WELCH, Mr. CAO, Mr. HOLT, Mr. BURTON of Indiana, and Mr. MASSA.

H.R. 3721: Mr. BRALEY of Iowa.

H.R. 3728: Ms. LEE of California and Mr. RUPPERSBERGER.

H.R. 3731: Ms. CHU, Mr. MASSA, Ms. SCHAKOWSKY, Mr. SCHAUER, Mr. PASCRELL, Ms. EDWARDS of Maryland, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LINDA T. SÁNCHEZ of California, Mr. PASTOR of Arizona, Mr. HASTINGS of Florida, Ms. VELÁZQUEZ, Mr. SALAZAR, Mr. DINGELL, Mr. CARDOZA, Mr. WAXMAN, Mr. GUTIERREZ, Mr. RODRIGUEZ, and Mr. INSLEE.

H.R. 3742: Mr. QUIGLEY, Mr. COLE, Ms. RICHARDSON, Mrs. CHRISTENSEN, Mr. FALEOMAVAEGA, Ms. HERSETH SANDLIN, and Mr. POMEROY.

H.R. 3749: Mr. COFFMAN of Colorado, Mr. PUTNAM, Mr. FLEMING, Mr. HOLDEN, Mr. MCHENRY, and Mr. COBLE.

H.R. 3772: Ms. LEE of California.

H.R. 3778: Mr. MEEK of Florida.

H.R. 3789: Mr. ROSS and Mr. GARY G. MILLER of California.

H.R. 3791: Mr. SPRATT, Mr. LEVIN, Mr. DEFAZIO, Mr. MURPHY of New York, Mrs. BIGGERT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WEINER, and Mr. HALL of New York.

H.R. 3797: Mr. JONES, Mr. MCCLINTOCK, Mr. COLE, Mr. KLINE of Minnesota, Mr. BROUN of Georgia, Mr. HARPER, Mr. DAVIS of Kentucky, Mr. MARCHANT, Mr. GINGREY of Georgia, Mr. GARRETT of New Jersey, Mr. LAMBORN, and Mr. BURTON of Indiana.

H.R. 3802: Mr. CHAFFETZ, Mr. BONNER, Mr. POSEY, Mr. BROWN of South Carolina, Mr. BISHOP of Utah, Mr. FLEMING, Mr. ISSA, Mr. AKIN, Mr. LAMBORN, Ms. FALLIN, Mrs. BACHMANN, Mr. GINGREY of Georgia, Mr. BARTLETT, Mr. MARCHANT, Mrs. BLACKBURN, Mr. CULBERSON, Mr. FRANKS of Arizona, Mr. KLINE of Minnesota, Mr. BROUN of Georgia, Mr. DAVIS of Kentucky, and Mr. COLE.

H. Con. Res. 42: Mr. GRIJALVA.

H. Con. Res. 43: Mr. GRIJALVA.

H. Con. Res. 58: Mr. HONDA and Mr. FORTENBERRY.

H. Con. Res. 108: Mr. MICHAUD.

H. Con. Res. 139: Mr. INGLIS, Mr. SHULER, and Mr. STEARNS.

H. Con. Res. 158: Mr. MILLER of North Carolina.

H. Con. Res. 185: Mr. LATOURETTE.

H. Res. 266: Mr. DUNCAN.

H. Res. 523: Mr. PENCE.

H. Res. 561: Mrs. MALONEY.

H. Res. 563: Mrs. MALONEY.

H. Res. 613: Mr. GERLACH, Mr. HASTINGS of Washington, Mr. REICHERT, Mr. EHLERS, and Mr. HINCHEY.

H. Res. 630: Mr. GEORGE MILLER of California.

H. Res. 660: Mr. FATTAH.

H. Res. 708: Mr. HARE, Mr. KLEIN of Florida, Mr. BLUNT, Mr. GONZALEZ, Mr. SOUDER, and Ms. MATSUI.

H. Res. 709: Mr. CARSON of Indiana.

H. Res. 736: Mr. HALL of New York, Mr. JACKSON of Illinois, Mr. STEARNS, Mr. CAO, and Mr. PITTS.

H. Res. 747: Mr. WALZ, Mr. BACA, Mr. SALAZAR, Mr. MILLER of North Carolina, Mr. INSLEE, Mr. KLEIN of Florida, Mr. YARMUTH, Mr. ROGERS of Alabama, Mr. BONNER, Mr. REICHERT, Mr. WILSON of South Carolina, Ms. GRANGER, Mr. BROWN of South Carolina, Mr. KIND, Mr. DRIEHAUS, Mr. SKELTON, Mr. SARBANES, Mr. DICKS, Mr. TAYLOR, Mr. DONNELLY of Indiana, Mr. COURTNEY, and Mr. MICHAUD.

H. Res. 749: Mr. FORTENBERRY.

H. Res. 759: Mr. RYAN of Wisconsin.

H. Res. 783: Mr. SMITH of Nebraska, Mr. FARR, Mr. OLSON, Mr. CANTOR, and Mr. RUSH.

H. Res. 786: Mr. ALTMIRE and Mr. SABLAN.

H. Res. 796: Mr. GINGREY of Georgia and Mr. SOUDER.

H. Res. 798: Mr. FALEOMAVAEGA, Mr. CONYERS, Mr. SESTAK, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. HONDA, Mr. MEEK of Florida, Ms. BERKLEY, Mr. PETERS, Mr. FILNER, Mr. SHULER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MORAN of Virginia, and Mr. CARSON of Indiana.

H. Res. 800: Mr. AUSTRIA.

H. Res. 801: Ms. WATERS, Ms. RICHARDSON, Ms. CLARKE, Ms. EDWARDS of Maryland, Mr. SNYDER, Mrs. CHRISTENSEN, and Mr. WEXLER.

H. Res. 816: Mr. BACA, Ms. MATSUI, and Mr. HASTINGS of Florida.

H. Res. 824: Mr. MANZULLO, Ms. SLAUGHTER, Ms. HIRONO, Mrs. CAPPS, Mrs. DAVIS of California, Ms. SPEIER, Ms. MARKEY of Colorado, Ms. DEGETTE, Ms. MOORE of Wisconsin, Mr. FOSTER, Ms. BERKLEY, Ms. TITUS, Ms. TSONGAS, Mrs. HALVORSON, Ms. PINGREE of Maine, Mr. KISSELL, Ms. SUTTON, Ms. KILROY, Ms. CASTOR of Florida, Ms. BEAN, Mrs. BIGGERT, Mr. COSTELLO, Mr. DAVIS of Illinois, Mr. HARE, Mr. JACKSON of Illinois, Mr. JOHNSON of Illinois, Mr. KILDEE, Mr. KIRK, Mr. LIPINSKI, Mr. QUIGLEY, Mr. RUSH, and Mr. SCHOCK.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, OCTOBER 14, 2009 No. 148

Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

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

Let us pray.

Almighty God, who speaks in the winds' whispers, enable our lawmakers to hear Your call above the many voices of the world. Grant that the claims of labor, the attractions of ambition, or the cares of this world may not make them fail to hear You speak. Lord, give them the wisdom to obey You promptly, refusing to put off until tomorrow the decisions they ought to make today. Cleanse them from any lack of discipline which would keep them from making the efforts which obedience demands. Honor their obedience by permitting them to share in Your glory. May their example of faithfulness and patriotism raise up a new generation of Americans who will love You and country.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 14, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Following leader remarks, there will be a period of morning business. It will be for 1 hour, with Senators permitted to speak for up to 10 minutes each during that time. The majority will control the first 30 minutes and Republicans will control the final 30 minutes. Following morning business, the Senate will proceed to consideration of the conference report to accompany the Energy and Water appropriations bill, H.R. 3183. Under the previous order, there will be 10 minutes for debate equally divided and controlled between the managers of the bill. I ask unanimous consent that there also be 10 minutes under the control of Senator COBURN and that the provisions under the previous order notwithstanding remain in effect.

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

Mr. REID. Upon the use or yielding back of the 20 minutes for debate, the Senate will proceed to a cloture vote on the Energy and Water appropriations conference report. That vote is expected before noon today. The Senate will recess from 12:30 until 2:15 to allow for the weekly caucus luncheons.

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

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

MEASURE PLACED ON THE CALENDAR—S. 1776

Mr. REID. Mr. President, S. 1776 is at the desk and due for a second reading; is that correct?

The ACTING PRESIDENT pro tempore. The Senator is correct.

The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 1776) to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula, and for other purposes.

Mr. REID. I object to any further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

FALLEN POLICE OFFICER MILBURN BEITEL

Mr. REID. Mr. President, I was a police officer during the time I was going to law school. I worked at night time. I have some knowledge of law enforcement. My brother Larry was a longtime officer for the sheriff's department in Las Vegas. That has now been

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

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combined with the Las Vegas police department and is called the Clark County Metropolitan Police Department. The reason I mention that is anytime we see someone killed in the line of duty as a police officer, it is scary and sad. The men and women who protect us live with danger every day.

In Las Vegas, we had a police officer by the name of Milburn Beitel who is going to be buried today. His friends called him Millie. He was 30 years old. He died early last Thursday morning after his patrol car crashed at the intersection of Washington Avenue and Nellis Boulevard in Las Vegas. The officer with him is in very serious but stable condition. They expect him to live, thank goodness.

My thoughts and those of anyone within the sound of my voice and anyone who cares about law enforcement, which is everybody in America with rare exception, are with Officer Beitel's family, his friends and fellow officers. Our thoughts are also with the second officer, whom we wish a full and speedy recovery.

We also share the grief of the Las Vegas Metropolitan Police Department. This is the second time in 5 months that the department has lost one of its own. This past May, Las Vegas police officer James Manor, a husband and a brandnew father, was responding to a call in the same Las Vegas community where he grew up. He was struck by a drunk driver and killed. He was 28 years old.

Terrible events such as this one make us appreciate the selfless police officers who have fallen in the line of duty—far too many. We think of their loved ones, people whose father or mother went to work in the morning and never came home, those who know the terrible experience of mourning a son or daughter, those whose husband, wife, or best friend was taken from them too soon.

This morning, we are reminded of the bravery of those who go to work every day and put their lives at risk to protect people they don't know. We remember and honor Officer Beitel. We thank him and his fellow officers and their families for their service and sacrifice, not only the Las Vegas Metropolitan Police Department but police departments all over the country, for the valiant work they do, including the men and women who take care of this beautiful Capitol and protect us and the millions of visitors who come here every year.

RECOGNITION OF THE MINORITY LEADER

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

MILITARY COMMISSIONS AMENDMENT

Mr. MCCONNELL. Mr. President, most Americans recognize that our continued success in preventing another terrorist attack on U.S. soil depends on our ability as a nation to remain vigilant and clear-eyed about the nature of the threats we face at home and abroad. Some threats come in the form of terror cells in distant countries, others come from people plotting attacks within our own borders, and still others can come from a failure to recognize that distinction between everyday crimes—everyday crimes—and war crimes.

This last category of threat is extremely serious but sometimes overlooked, and that is why Senators GRAHAM, LIEBERMAN, and MCCAIN have offered an amendment to the Commerce, Justice, and Science appropriations bill that would reassure the American people the Senate has not taken its eye off the ball.

The amendment is simple and straightforward. It explicitly prohibits any of the terrorists who were involved in the September 11, 2001, attacks from appearing for trial in a conventional U.S. courtroom. Instead, it would require the government to use military commissions; that is, the courts proper to war for trying these men.

By requiring the government to use military commissions, the supporters of this amendment are reaffirming two things: first, that these men should have a fair trial; and, second, we are reaffirming what American history has always shown; namely, that war crimes and common crimes are to be tried differently and that military courts are the proper forum for prosecuting terrorists who violate the laws of war.

Some might argue that terrorists such as Zacarias Moussaoui, one of the 9/11 coconspirators, are not enemy combatants, that they are somehow on the same level as a convenience store stickup man. But listen to the words of Moussaoui himself. He disagrees.

Asked if he regretted his part in the 9/11 attacks, Moussaoui said:

> I just wish it will happen on the 12th, the 13th, the 14th, the 15th, the 16th, the 17th, and [on and on].

He went on to explain how happy he was to learn of the death of American servicemen in the Pentagon on 9/11. Then he mocked an officer for weeping about the loss of men under her command, saying:

> I think it was disgusting for a military person to pretend that they should not be killed as an act of war. She is military. She should expect that people who are at war with her will try to kill her. I will never cry because an American bombed my camp.

There is no question Moussaoui believes he is an enemy combatant engaged in a war against us.

The Senate has also made itself clear on this question. Congress created the military commissions system 3 years ago, on a bipartisan basis, precisely to deal with prosecutions of al-Qaida terrorists consistent with U.S. national security, with the expectation that they would be used for that purpose. The Senate reaffirmed this view 2 years ago when it voted 94 to 3 against transferring detainees from Guantanamo stateside, including 9/11 coconspirators.

We reaffirmed it, again, earlier this year when we voted 90 to 6 against using any funds—any funds—from the war supplemental to transfer any of the Guantanamo detainees to the United States. Just this summer, the Senate reaffirmed the view that military commissions are the proper forum for bringing enemy combatants to justice when we approved, without objection, an amendment to that effect as part of the Defense authorization bill.

Sometimes it seems like the only people who do not believe that men such as 9/11 mastermind Khalid Shaikh Mohammed should be treated as enemy combatants are working in the administration. How else can we explain the fact that over the summer the administration flew Guantanamo detainee Ahmed Ghailani to New York to face trial for bombing Embassies of the United States in Kenya and Tanzania, an attack that killed more than 200 people, including 12 Americans? This was an act of war. Ghailani does not belong in civilian court alongside con men and stickup artists.

Our past experiences with terror trials in civilian courts have clearly been shown to undermine our national security. During the trial of the mastermind of the first Trade Center bombing, we saw how a small bit of testimony about a cell phone battery was enough to tip off terrorists that one of their key communication links had been compromised.

We saw how the public prosecution of the Blind Sheik, Abdel Rahman, inadvertently provided a rich source of intelligence to Osama bin Laden ahead of the 9/11 attacks. We remember that Rahman's lawyer was convicted of smuggling orders to his terrorist disciples. These are just some of the concerns that arise from bringing terror suspects to the United States.

Trying terror suspects in civilian courts is also a giant headache for local communities, as evidenced by the experience over here in Alexandria, VA, during the Moussaoui trial. As I have pointed out in previous floor statements, parts of Alexandria became a virtual encampment every time Moussaoui was moved to the courthouse. Those were the problems we saw in Northern Virginia, when just one terrorist was tried in civilian court. What will happen to Alexandria or other cities if several men who describe themselves as ''terrorists to the bone'' are tried in civilian courts there?

It is because of dangers and difficulties such as these that we established the military commissions in the first place. If we cannot expect the very people who masterminded the 9/11 attacks to fall within the jurisdiction of these military courts, then whom can we?

Democratic leaders, including the President, assure us they would never release terror suspects into the United States. But lawyers have repeatedly

warned about our inability to control the process once the suspects are given civilian trials. Once you bring them here, you cannot control the process.

To illustrate the point, last year a Federal judge ordered the Uighurs, a group of men detained at Guantanamo, including some who received combat training in Afghanistan, to be released into the United States. Fortunately, the DC Circuit reversed this order. Why? Because the Uighurs had not been brought to the United States and, therefore, did not have a right to be released here. We do not know what would have happened if they had been transferred here already. But we do know that because they were not, they remain outside our borders, safely away from our communities.

The American people have made themselves clear on this issue. They do not want Gitmo terrorists brought into the United States, and they certainly do not want the men who conspired to commit the 9/11 attack on America tried in civilian courts—risking national security, their potential release, and civic disruption in the process.

Congress created military commissions for a reason. But if the administration fails to use military commissions for self-avowed combatants such as Khalid Shaikh Mohammed, then it is wasting this time-honored and essential tool in the war on terror.

The amendment by Senators GRAHAM, LIEBERMAN, and MCCAIN gives us all an opportunity to express ourselves, once again, on this vital issue. The question is not whether terror suspects should be brought to justice. The question is where and how. The answer is perfectly clear: The right forum is military commissions at the secure facility we already have at Guantanamo, not in civilian courts in the United States.

HEALTH CARE WEEK XIII, DAY II

Mr. MCCONNELL. Mr. President, sometime in the coming days, the Treasury Department will make an announcement that should startle all of us. It will announce that in the fiscal year that ended just 2 weeks ago, the Federal Government spent $1.4 trillion more than it actually had. What this announcement means is that lawmakers in Washington ran up a Federal deficit in 2009 greater than the deficits of the last 4 years combined.

This is a staggering statistic. It is impossible for most of us to imagine sums of money this large, let alone the unprecedented amount of money we have borrowed this year alone. But one way to think of it is to realize that since January 20 of this year, the Federal Government has borrowed $1.2 trillion or more than $10,500 for every household in the United States—this year alone: $10,500 for every household in our country. Just since last January, the Federal Government, as I indicated, has borrowed more than $10,500 for every single household in America.

As you can imagine, there is a limit to how much we can borrow without facing serious consequences, such as dramatically higher interest rates that will further hamper job creation and massive spending cuts and taxes down the road. That is precisely why Congress sets a limit on how much debt the government can carry at any one time. But the administration has decided to worry about all these things at a later date. For now, it wants to continue to borrow and spend, borrow and spend, as it has done all year.

But we are in dangerous territory. As a result of all this borrowing, Congress is about to reach the limit on the amount of debt it can legally carry. The administration expected this would happen, and that is why it recently asked Congress to raise the debt ceiling. Rather than cut spending or implement reforms that would reduce costs, the administration is proposing we borrow even more to finance its industry bailouts and now its health care proposal. What this amounts to is a public admission it cannot live within its means.

Think about the message that sends to American people. At a time when millions of Americans are experiencing a financial hangover from overusing their own credit cards, the government is still at it. Rather than pay down some of the principal, the government is asking the credit card company to increase its limit. What does it plan to buy with the room it gets on its credit card? More government spending programs.

This is fiscal madness. The primary reason we are in so much trouble financially is the fact that we cannot afford our current spending patterns. The projected deficit for 2009 is nearly twice as large as the previous postwar record from 1983. Yet instead of reforming existing programs such as Medicare and Social Security in order to make them financially sound and stable, the administration does not want to make any hard choices.

This is one of the reasons the administration has a problem on its hands with the American people when it comes to health care. Most of the health care bills the administration supports would raise our debt by hundreds of billions of dollars. Yet the administration knows Americans are concerned about all this spending and debt; otherwise, it would not have touted a report last week saying that a conceptual version of one of several health care bills being discussed in Congress could cut the deficit by $80 billion over 10 years.

Leaving aside the fact that this particular bill will never see the light of day, an important question arises: How can an administration that is asking Congress for a $1 trillion increase on its credit card limit claim with a straight face to be excited about $80 billion in deficit savings? That is like putting a new Mercedes on the government credit card and then calling a press conference on frugality because the dealer threw in a complimentary cup holder.

Americans do not buy any of it, and that is why they are overwhelmingly opposed to the administration's health care proposals. At the outset of this debate, there was one criterion for success: Reform would lower the cost of health care. Yet no one—no one—outside Washington believes that creating a new $1 trillion entitlement will do anything but increase costs and increase debt.

We are headed down a dangerous road. It is long past time for the administration and its allies in Congress to face the hard choices Americans have had to face over the past several months: No more spending money we do not have on things we do not need; no more debt. Real reform will lower costs and debt, not raise both when we can least afford it.

Mr. 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 now be a period for the transaction of morning business for up to 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half of the time and the Republicans controlling the final half.

The Senator from Illinois.

ORDER OF PROCEDURE

Mr. DURBIN. Mr. President, I ask unanimous consent that the morning business time on the majority side be evenly divided between myself and Senator HARKIN of Iowa.

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

MILITARY COMMISSIONS AMENDMENT

Mr. DURBIN. Mr. President, I would like to address several points raised by the Republican minority leader in his opening statement this morning. He stood in support and defense of an amendment that has been proposed by the Senator from South Carolina, Mr. GRAHAM. What it basically would say is, we cannot try terrorists in the courts of America; in the criminal courts of America we cannot bring a terrorist to trial; they have to be tried, according to the Graham amendment and the position of the Republican leader, in military tribunals or commissions only. That is a dramatic

change from the law as we know it, and very bad policy.

Since 9/11, we have successfully prosecuted 195 terrorists in America's criminal courts. During that same period of time, we successfully prosecuted in our military commissions and tribunals three—three—terrorists. So if one wants to know where we are more likely to end up putting a terrorist behind bars, I would suggest going to the Department of Justice and letting them decide whether the case best be tried in a criminal court in America or in a military tribunal. That is the current policy. But the position of the Republican side is to take away this discretion of the Attorney General and to tell them under no circumstances can you try a terrorist for violating American law in an American court.

It makes no sense.

Recently we had a case where a man named Ahmed Ghailani was brought to the United States for his involvement in the 1998 bombings of our embassies in Kenya and Tanzania which killed 224 people, including 12 Americans. President Obama said this man is going to be tried for killing Americans, for his terrorist acts in Africa. I have seen the devastation it caused; almost unimaginable. The President said he will be brought to New York City and he will be tried in our courts. That is underway. It is the right thing to do. The surviving loved ones of those who died in that embassy have praised the administration for their leadership in bringing this man to justice.

Under the amendment which the Republicans are supporting, we would not be able to bring this man to trial in an American courtroom. Why? If the laws are on the books and can be successfully used to prosecute terrorists, why would we throw away this important opportunity and tool to stop terrorism? I will let the Republican side of the aisle explain why. But in the meantime, perhaps they can explain why we should ignore the reality that there are 355 convicted terrorists currently serving time in American prisons and 350 or more of them were convicted in our courts. We know we can do it. We know we can successfully prosecute them under American law. Why would the Republicans want to shield them from prosecution under American law and instead use military commissions and tribunals which have been very controversial and have only successfully prosecuted three terrorists over the last 7 or 8 years since 9/11? It is the Republican position and it makes no sense. We should use every tool in our arsenal to stop terrorism, and give the Attorney General every authority he needs to decide where is the best place to prosecute these individuals.

This notion that somehow we can't bring a terrorist to justice in America for fear they will be held in a jail in America—how do you explain 350 terrorists currently serving time in American prisons? They are being treated as every other criminal should be treated: incarcerated, isolated, away from the population. That is the way it should be. There are places other than Guantanamo to hold these prisoners safely, and I think the record speaks for itself.

NATIONAL DEBT

The second issue that was raised by the Republican leader was about our national debt. He is arguing that the debt is too high, and he is right. But he also ought to be very candid and open about how we reached this point in history. President Obama has been in office now for 9 months, and what did he inherit? The biggest debt in the history of the United States. What did his predecessor, George W. Bush, inherit? A surplus in the Federal Treasury. When President Clinton left office, he left behind a surplus. It is the first time in 30 years we had a surplus. President Bush took that surplus and turned it into the biggest debt in history, and took that and left the weakest economy in 70 years to the Obama administration. Now comes the Republican side saying this is a shame that the Obama people have gotten us into this mess with this debt.

How did we reach this point? Decisions under President George W. Bush to wage two wars without paying for them, simply to add to the national debt; to do what had never been done before by any President, to give tax cuts to the wealthiest people in America in the midst of a war; and to create a Medicare prescription drug program that wasn't paid for. The cumulative impact of those decisions increased the debt of America to record-breaking levels, and that is what was handed to President Obama when he took office. Now come the Republicans who supported those policies under President Bush and blame President Obama for the debt left behind by the previous President. That is unfair and it is not accurate.

I am sorry we have this debt. Once this economy turns—and I hope it does soon—and jobs are created and businesses are back generating the profits they need, our economy will be strong again and revenues will be created, but we are going to have to claw our way out of this recession and create jobs to make that happen. Twisting and distorting the history of our American debt does not help that conversation.

HEALTH CARE REFORM

Incidentally, the minority leader said one thing which I hope he will come back to correct. He said the health care reform now underway is going to add to that national debt. If there is one thing President Obama made clear when he spoke to us about this health care reform issue it is that we cannot add to the debt. This bill reported by the Finance Committee yesterday does not add to the national debt. In fact, it reduces the deficit over the next 10 years. That is the standard the President has held us to when it comes to dealing with the deficit and health care reform.

Make no mistake. The opponents to health care reform are being led and inspired by many people but primarily by one group: the health insurance industry. The health insurance industry, one of the most profitable in America, has made its money by saying no and denying care to people when they need it the most. When we try to bring about real health insurance reform so they can't turn you down because of a preexisting condition discovered in some old document filed years before and they can't put limits on the coverage you need when you do get sick, the health insurance industry is fighting us tooth and nail, and many on the other side of the aisle are arguing their case. I think it is a tough case to argue to most Americans.

Most Americans understand we need to bring the costs of health care under control so that Americans have security and stability and don't see health insurance premiums going through the roof, businesses cancelling coverage, and individuals unable to protect themselves. They understand we need real health insurance reform. I have yet to hear the first Republican Senator stand on this floor and call for real health insurance reform, because the health insurance industry doesn't want it and many on the other side of the aisle are not going to cross them when it comes to this debate.

Finally, it is imperative that America move to the point where more Americans have the peace of mind of health insurance protection. To think that 40 million-plus Americans are going to go to bed tonight uncertain about whether a diagnosis tomorrow or an accident tomorrow will plunge them deeply into debt for medical bills they can't pay is unacceptable in this country. Today 14,000 Americans will lose their health insurance coverage by losing a job or reaching a point where they can no longer pay for it. That is the sad reality of the current system. The Republican side of the aisle has no alternative, no proposal for health insurance reform, or health care reform.

I wish to salute Senator SNOWE of Maine for her extraordinary courage yesterday, stepping up and voting—the only Republican so far who has voted for health care reform in the U.S. Congress. I am sure she took a lot of grief for it, a lot of pressure, but she showed real courage, extraordinary courage in voting to join us in this effort for real health care reform.

We have heard from former Republican leader Frist; we have heard as well from Republican Governor Schwarzenegger; the mayor of New York, Mr. Bloomberg; the mayor of Minnesota, and others who have talked about the need for health insurance reform. It tells me that many of the congressional Republicans should listen to the leaders in their party across the country who understand what America needs and wants.

Now is our chance. In the next few weeks we are going to do something

which we have been trying to do for 40 or 50 years: Bring real health care reform debate to the floor of the U.S. Senate. It won't be easy. There are a lot of differences of opinion about the goals we want to reach. But I want to tell my colleagues that we are finally taking that important step under the leadership of President Obama to do what America wants done: to make sure we have health care reform that will serve our Nation and serve families and businesses in the 21st century.

I see my colleague from Iowa is on the floor.

Mr. President, I yield the floor.

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

HEALTH CARE REFORM

Mr. HARKIN. Mr. President, all five congressional committees involved in the health care reform debate have completed their work now and the core elements of this landmark legislation are now clear.

The media has done a good job of reporting that the emerging bill will crack down on abuses by health insurance companies and extend quality health coverage to the vast majority of Americans. In addition, much attention has been paid to the public option which I am confident will be in the bill we send to the President later this year. So there has been a lot in the press about the public option; about coverage; how much this costs; will there be an excise tax; what will the penalties be. Almost all of the debate we see—I should say discussion—surrounding the health care reform is about how we pay the bills, when we think about it. It is about how are we going to pay all of these bills.

There is one huge part of the health reform bill that is not being discussed very much that I believe will have a transformative effect on the system we have in America today, which I have often referred to as not a health care system but a sick care system. When we think about it, that is what we have in America: a sick care system. If you get sick, you get care one way or the other, but we do precious little to keep you healthy in the first place. As one of the comedians on one of these late night talk shows I happened to tune in to one night said, you know, they are talking about everything except health care.

What do we need to do to keep people healthy in the first place? Well, quite frankly, that is in our bill. That is what I wanted to discuss this morning, which is some of the aspects of the bill that I believe will bend the cost curve in the future and make us a genuine wellness society. The bill we reported out of our HELP Committee creates a sharp new emphasis on fitness, physical activity, good nutrition, disease prevention; in short, keeping people out of the hospital in the first place. This will give Americans access to a 21st century true health care system focused on preventing disease and helping us live healthy, active, productive lives, and it will reduce wasteful, avoidable costs that are built into our current system. Again, this sort of disease management approach we have in our country now is about patching things up after people develop a serious illness or a chronic condition. It is a system that overspends, which we know, and underperforms. It has been a colossally expensive failure.

We can and must do better. As President Obama said in his speech to Congress back in February:

> [It is time] to make the largest investment ever in preventive care, because that's one of the best ways to keep our people healthy and keep our costs under control.

To most of us, it is self-evident that cost-effective preventive services will save money in the long term. This first chart is of a poll taken which shows that 76 percent of the American people said we should invest more in preventive care—76 percent. They get it. The American people get it. This support comes from across the political spectrum. Eighty-six percent of Democrats, 71 percent of Republicans, and 70 percent of Independents say we should be spending more on prevention.

This next chart shows that 77 percent of Americans support a new emphasis on prevention in a health care reform bill because they know it is the right thing to do. It is common sense. If we can use cost-effective screenings and other upfront intervention programs to prevent tens of millions of occurrences of chronic diseases such as cancer, diabetes, and cardiovascular disease, it is self-evident that we are going to slash health care costs very significantly.

Some critics have claimed that a new emphasis on wellness and prevention will cost more money and it will drive up health care costs. To support this claim, they have created a straw man, assuming that we are going to do all of these preventive services for everybody all the time, but that is not what is in our bill. I wish to emphasize that our committee's bill takes a very rigorous approach to prevention. We target appropriate preventive services and screenings only to those segments of the population that are at risk of a disease or a condition.

For example, under our bill, mammogram screenings would be free—no copays, no deductibles—but to those most at risk of breast cancer—women over the age of 40.

At every step, what we have relied on are the latest recommendations of the U.S. Preventive Services Task Force. This task force has been in existence since the early 1980s. It evaluates clinical preventive services on the basis of scientific evidence related to effectiveness, appropriateness, and cost-effectiveness. So what we have said is that if the U.S. Preventive Services Task Force gives a certain preventive measure or screening an A or a B score, then the insurance companies and providers must provide that without any copays or deductibles. So it is targeted. It is not everything, but we are targeting the most cost-effective.

We also say that this task force has to meet at least once every 5 years and take in the latest scientific evidence and make recommendations for revising the mix of clinical preventive services.

Let me review some of the ways the Senate HELP Committee bill, in a very careful way, will put prevention and wellness at the very heart of health reform.

First, we create a Federal level prevention and public health council to improve coordination among Federal agencies in incorporating wellness into a national policy, and will develop a national prevention and a public health strategy. All of the departments should be doing this, not just the Department of Health and Human Services but the Department of Agriculture, the Department of Defense, the Department of Veterans Affairs, the Department of Transportation, and on and on. All of them ought to have as an integral part of their deliberations and proposals for future legislation that they might propose in the Congress an element of prevention and wellness. Take the Department of Transportation, for example. When they are thinking about highways, bridges, roads, and things such as that, are they thinking about bike paths and walking paths and sidewalks in cities that could be incorporated into the planning if they want Federal money? Well, they have not so far. This is what I mean. We need this kind of an overall coordinating council at the White House level, at the department level.

We also start a prevention and public health investment fund to provide for expanded and sustained national investments in prevention and public health programs in communities all across America.

A 2007 study by the Trust for America's Health found major savings from community-based prevention programs. There is clinic-based prevention where you get a screening, but then there are community-based programs to improve physical activities, nutrition, reduce smoking rates, and things such as that. They found that a national investment of just $10 per person per year—think about that, $10 per person per year—in certain community-based wellness programs would yield these kinds of savings: in 1 to 2 years, $2.8 billion; 5 years, $16 billion; and 10 to 20 years, $18.5 billion.

Again, on both the community level and the clinical level, we provide for funding and a structure to make wellness and prevention an integral part of our health care system. For example, our bill would target nutrition counseling to prediabetic patients. Right now, under Medicare, for example, and most insurance companies, they will reimburse thousands of dollars to take care of your diabetic conditions once you get diabetes. They

will pay for amputating a foot or a leg. They will pay for all these expensive things after you get diabetes. They will pay for a lifetime of treatment. But now they will not reimburse for the cost of nutrition counseling—a few hundred dollars for someone who is prediabetic and who could prevent the disease through changes in diet. That doesn't make sense. Our bill would change this by requiring insurance plans to reimburse for nutrition counseling for prediabetic individuals—another example of a cost-effective approach.

For essential screenings and annual physicals, our bill would get rid of copays and deductibles for things such as your annual physical checkups, vaccinations, mammogram screenings, and colonoscopies for the right population group, things like that—no copays, no deductibles.

We are going to make major new investments in the public health and primary care workforce. Senator MURRAY, of Washington, did a great job of incorporating workforce development in our committee bill. A lot of that workforce development is in the area of primary care and preventive care and wellness.

Finally, we give a powerful boost to employer-sponsored wellness programs. Our bill would allow employers to reward employees for participating in wellness programs by giving them a health insurance premium discount of up to 30 percent. In other words, if you participate in a wellness program that is provided by your employer, you can get a discount of up to 30 percent on your health insurance premium. I believe this is something that has been done by Safeway and others, and they have shown that they have had great results. People can see the benefit of wellness and prevention by getting a reduction in their health care premiums.

Workplace wellness programs—everything from nutrition counseling to smoking cessation—typically cost about $20 to $200 per employee per year. Again, they have a proven rate of return, ranging from $2 to $10 within 18 months, for every dollar spent. If you don't believe me, ask Pitney-Bowes what they did or Safeway. I single those two out, but many companies have gone way ahead of us in providing wellness programs for their employees. Are they doing it just out of sheer generosity? No. They know the bottom line. They know that when they provide wellness and prevention programs for their employees, their rate of return per dollar spent on an employee is 2 to 10 times as much within just a year or two. They have healthier employees. They don't go to the hospital as often. They don't have chronic diseases and they are more productive. They show up for work and they are more productive. What we have done in our bill is expanded this nationwide to give more companies the incentive to do that.

Our bill also directs the CDC to study and evaluate the best employer-based wellness programs and to create an educational campaign to promote these workplace wellness programs throughout America.

We think about the United States and our sick care system this way: We spend twice as much per capita on health care as European countries—twice as much—but we are twice as sick with chronic diseases. How is this possible? The reason is clear: We have neglected wellness prevention and disease prevention. In the United States, 95 cents of every health care dollar is spent on treating illnesses and conditions after they occur. Two-thirds of the increase in health care spending is due to increased prevalence of treated chronic disease. This chart illustrates that. In the late 1980s, we were spending about $313 billion a year on chronic disease. We have now doubled that. It is up to $627 billion, and it is going up at an ever-increasing rate. These are diseases that are mostly preventable. Yet we just continue to spend the money dealing with these chronic diseases.

The good news is that by reforming our system and keeping people healthy and preventing chronic illnesses, we have a great opportunity to not only save hundreds of billions of dollars but to improve the health of the American people.

Right now, 75 percent of health care costs are accounted for by heart disease, diabetes, prostate cancer, breast cancer, and obesity—five of them. These five diseases account for 75 percent of our health care costs. What do they have in common? They all have this in common: They are largely preventable, and even reversible, by changes in nutrition, physical activity, and lifestyle.

Again, for every dollar spent, 75 cents went toward treating patients with chronic disease. The CDC said this:

> The United States cannot effectively address escalating health care costs without addressing the problem of chronic diseases.

Ninety-six cents of every Medicare dollar—we always hear that we are not going to have enough money for Medicare in the next 10 or 12 years, however long it is. Well, 96 cents goes for chronic disease. If you want to cut down on how much money we spend on Medicare, let's focus on prevention and wellness, especially for that group of individuals who are between 55 and 65, about ready to go on Medicare. Eighty-three cents of every dollar spent on Medicaid is spent on chronic diseases. Why don't we understand this and get it right? Yet, just like blind dodos, we say we will just keep spending the money and we won't address wellness and prevention. And we wonder why we can't get health care costs under control. Well, that is why. We are not addressing the underlying issues of wellness and prevention.

Again, it makes no sense to me that we spend all this time and all this effort to figure out a better way to pay the bills in a system that is dysfunctional, ineffective, and broken. We have to change the health care system itself. We have to change from a sick care system to a health care system, beginning with a sharp new emphasis on prevention and public health and wellness. That is in this bill, and that is not being talked about by the media. It is one of the fundamental parts of the health care reform we are going to be putting through here on the Senate floor and, hopefully, in Congress and to the President by the end of the year.

It also has to be comprehensive. Not everything that deals with wellness and prevention can be done in this bill. For example, very soon we have to reauthorize the child nutrition bill, which deals with the School Lunch Program and the Breakfast Program. We have to get better food, more nutritional food for our kids in school and get the junk food out. Why do we have vending machines in schools? Do we have vending machines in schools to provide more healthy food for kids in school? You know the answer to that. Of course not. Why do you have the vending machines in schools? Is it so that the school can make money so it can buy band uniforms or maybe football uniforms and things like that? Is it so we can get our kids on junk food and high-sugar sodas, which leads to obesity and leads to diabetes and other kinds of chronic illnesses? Do we really want that for our kids in school? We have to have more nutritional foods. That is the child nutrition reauthorization.

Next year, under our committee, I say to the occupant of the chair, who is now a distinguished member of our committee, we are going to reauthorize the Elementary and Secondary Education Act, which is also called No Child Left Behind. What about making sure we leave no child behind also in terms of their health? Right now, we are cutting down on physical activity with kids in school. We are cutting down on recess and time for them to exercise. That is just nonsense. We have to do more to provide for exercise and healthy foods for our kids in school. That is where it all begins.

To close, Winston Churchill once said something I always thought was pretty much right on point:

> Americans always do the right thing—after they have tried everything else.

We have tried everything else in health care, and it has failed. It has led us to bad health and to the brink of bankruptcy. Let's try something new—wellness and prevention. Times change the paradigm of health care. Let's recreate America as a genuine wellness society. Let's change the focus and make it easier to be healthy and harder to be unhealthy. Right now, it is easier to be unhealthy and hard to be healthy. Let's change that around, and in doing so we will build a health care system and bend that cost curve. That is the only way to get the job done.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I wonder if the Senator from Iowa will yield for a question.

The PRESIDING OFFICER. The Senator has no time remaining.

Mr. COBURN. On our time.

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

Mr. COBURN. Mr. President, the Senator from Iowa listed five diseases. I think he mentioned prostate cancer and breast cancer. Can he give us a reference of where he gets that data? Having practiced medicine for 25 years, most of my prostate cancer patients and breast cancer patients would want to know what the prevention is to prevent those diseases. Since we don't have anything in scientific literature right now that says that, I was wondering if he could refer us to the data.

Mr. HARKIN. Mr. President, I will be glad to get that for the Senator. I will get that to the Senator.

Mr. COBURN. I thank the Senator.

HEALTH CARE

Mr. COBURN. Mr. President, I plan on taking about 10 minutes of our time.

I serve on the HELP Committee with the distinguished chairman. There is no question we have not emphasized prevention in this country, but there is a reason we have not. We do not pay for it. Medicare does not pay for it. The insurance companies follow what Medicare does.

We have heard some pretty good claims this morning in terms of the HELP bill. I sat through almost 3 weeks of markup on that bill. I don't believe there is anybody in Congress who does not want us to change the way we look at prevention because there is no way we can control health care costs unless we both try to prevent chronic disease and also manage the chronic disease we have.

One of the reasons we have more chronic disease than other countries is because we keep people with chronic disease alive a lot longer. They let them die. They ration the care out, and they determine what the value of their life is. With a chronic disease, eventually they quit treating them. The numbers get skewed because we do a pretty good job. Even though we did not prevent it, we do a wonderful job, and we can actually do far better in managing chronic disease.

What the Senator and the HELP committee put out is a government-centered bill. Let me give an example. Duke University set up a clinic for heart failure patients. They were having phenomenal results. These are all Medicare patients, class III, class IV, class V heart patients. They dropped hospital admissions 27 percent. They shut it down. Why did they shut it down? Medicare would rather pay—because they are not flexible, they will not recognize prevention—they shut down a clinic that was saving them $100 million a year, even though it cost about a significant portion of that, 10 percent or so, to run the clinic. They would rather spend the $90 million than to pay for prevention. So what was a great clinic—keeping people out of the hospital, maintaining their chronic disease. Medicare did that.

That is the reason I am very opposed to the bill—not the principles of the bill but the bill that came out of committee. The bill that came out of our committee creates 88 new government programs—88. Think about it. What do we want in health care? What we want in health care is to be able to determine our own future, to determine our own doctor, and to be able to afford to buy the health care our families need. That is what we want. We create 88 new Federal Government programs managing our health care, and that freedom to choose, that freedom to make a judgment is going to go out the window.

The other points the Senator mentioned, he talked about increasing to 30 percent the ability of performance bonuses for people to get into reduction plans, wellness plans. He mentioned Safeway. They can spend 21 percent under HIPAA now. Safeway's testimony was, give us the flexibility everybody else in the country has and let's go up to 50 percent. We don't trust them to do that, even though Safeway has had no increase in health care costs in the last almost now 5 years because they have truly incentivized prevention.

He mentioned workforce development, and he mentioned all these incentives to help people become primary care doctors. They are not going to become primary care doctors. Do you know why? I am a primary care doctor. They are not going to pay them. The reason we have a disproportionate number of specialists versus primary care doctors in this country is because there is a 350-percent payment differential. How do you think that came about? Medicare created that differential.

If we want more primary care doctors, then what we have to do is pay people to go into primary care, and they will come running because it is the best place in the world to practice medicine. They get to care for entire families. They get to manage every type of conceptual disease one can think of, and the rewards are out of this world. But when the average medical student comes out of medical school owing $170,000, and their pay is one-fourth of somebody who spends 1 or 2 more years in training, there is no reason to think why they don't all go into additional training so they can be compensated at a level that matches the debt and the sacrifice they put in. They average 8 years of medical school and residency. We don't have many other people who have that kind of training. Yet Medicare created the shortage we have today by limiting the payment to primary care physicians.

The reason I make that point is the plans that are coming to the Senate floor are totally government centered. They are totally government managed. They are totally government created. He talked about sidewalks and bike paths. In that bill, we set up $10 billion a year for concrete, supposedly for wellness. I can think of a whole lot better things. We can put $10 billion in NIH and do a whole lot more in terms of savings for this country in terms of our health care.

Where do I agree with the chairman? We will never control our costs in health care and we will never make health care affordable for us as a nation or individually until we manage the chronic disease we have out there officially and until we incentivize the prevention of it. He is right on that. But there are two approaches to doing that. One says the government is going to do all of it, and the other says maybe we could incentivize individuals in the public to make good decisions for themselves. One costs a whole lot of money; the other does not cost any.

Let me tell you how well the government does. Go to any School Lunch Program you want to today. Go look at it. Look at what we feed our kids at breakfast and lunch, and then ask yourself: No wonder our kids are unhealthy. We are feeding them a high-fat, high-carbohydrate, simple-sugar, simple-starch meal. We are creating, through the government School Lunch Program and breakfast program, the very obesity the Senator says he wants to stop.

Then look at the food stamp purchases we incentivize. There are no limits on them—a government program. Then look at the people on the Food Stamp Program—and this is no discrimination toward them at all; they need the help—but look at the choices they make. There is no effort to limit to only buy what are good foods with food stamp money rather than junk food that, in fact, enhances chronic disease.

There are a lot of ways to approach it, but if we look at what the government is doing now—what does it do? In health care, what does the government do right now that is effective and efficient? Nothing.

The chairman talked about the fact that Medicare is going to go broke. It is. In 5½ years, the Medicare trust fund will be belly up. Nobody disputes that point. The Medicare trustees are saying that. We have all these problems in Medicare. Why don't we fix those? We have a full 15 percent, at a minimum, of fraud in Medicare. Where is the fix? Why don't we fix it? Instead, we are going to bring to the floor 88 new government programs, a government-centric run health care system that is going to defeat and destroy the best health care system in the world.

It is not the most efficient, but there is no question if you are sick, this is the best place in the world to get sick. If you have cancer, your cure rate is 40 to 50 percent better than anywhere else

in the world. If you have heart disease, your outcome is better than any other place in the world. Prevention is key, but as we try to fix the problems in health care, our first goal ought to be ''do no harm'' to what is good about American health care.

I yield for my colleague from Tennessee and note I have consumed over 10 minutes. I apologize to him for that.

The PRESIDING OFFICER. The Senator consumed 10 minutes.

Mr. ALEXANDER. Mr. President, the Senator from Oklahoma, a practicing physician who has delivered hundreds or thousands of babies——

Mr. COBURN. Thousands.

Mr. ALEXANDER. Thousands of babies is one of the most eloquent spokesmen for what needs to be done in health care in the Senate. I am delighted he took time to come to the Senate floor today. It helps to have someone here who has such a passion for patients and who can talk to the American people on this complicated subject in terms of what this health care plan means for us. That is why so many of us on the Republican side agree with what eight Democratic Senators wrote to the majority leader the other day.

They said: We would like to read the bill and know what it costs before we start voting on it. That seems so sensible that maybe the American people would laugh out loud if that would be a request, but it is. It is important to us and them and many more of the Senators—I believe virtually all of the American people—that we honor that request.

What that means is that the legislative text being put together by Majority Leader REID somewhere—the merging of the Finance bill and the HELP bill—that full text, and as the Democratic Senator said, the complete budget scores should be made available for 72 hours on the Internet before we begin to vote.

The Director of the Budget Office has said it might take 2 weeks, 3 weeks, to have complete budget scores so we can know what the bill costs. But if it takes 2 weeks, if it takes 3 weeks, if it takes 4 weeks, we need to know. The President has said we cannot add a dime to the deficit. How are we going to know if we are adding a dime to the deficit if we do not read the bill and do not know what it costs? We cannot guess what is in the bill. We cannot guess at what it costs when we are talking about huge numbers—hundreds of billions, trillions of dollars.

We have our work cut out for us. We can stay here and do this. We are prepared to do this. We Republicans agree with the Democratic Senators that we need to read the bill and know what it costs. We need to see the complete legislative text and the complete budget numbers.

Why is that so important? Among other reasons, what we are hearing is that what the bill coming out of the Finance Committee does is, among other things, three big things. Instead of reducing costs, it has higher premiums, it has higher taxes, and it has Medicare cuts. That is not health care reform if it has higher premiums, higher taxes, and Medicare cuts for more government.

What is the goal of this exercise? The first goal is reducing costs for each person who buys insurance. How many of us go home and hear that every weekend? I cannot afford my insurance; do something about it. Reducing costs.

What else do we hear? People are saying: I cannot afford my government. You guys are running up the debt trillions of dollars, hundreds of billions of dollars.

What we need to do is to reduce the cost of health care for individuals across America and for the government of individuals. But this bill raises premiums, raises taxes, and cuts Medicare to create more government.

How does it drive up premiums? The Congressional Budget Office has said the obvious, which is that when we impose taxes on medical devices and on the insurance companies, what do they do with it? It is $900 billion-plus worth of taxes. They pass it on to us. So our premiums go up.

Or there are new ''government approved'' policies that we will need to buy. If you are one of those Americans who likes to buy a catastrophic policy—that is, pay a lower premium so that you pay your own medical expenses unless something really terrible happens to you or your family—that is a pretty wise choice for many Americans. You may not be able to do that quite so easily under this bill because you will have to buy a government-approved plan or pay a fine. And then younger Americans may be surprised by the amount of money they have to pay. So it is very likely that for millions of Americans this bill will raise their premiums instead of reducing their cost, and 250 million Americans either pay premiums or have premiums paid for them.

Then raising taxes. Here we are in the middle of a recession, 10 percent unemployment, and we are talking about nearly $1 trillion of tax increases that will be passed on to us in one way or the other. There is a $1,500 penalty per family if you don't buy insurance. There is an employer mandate. So if you are a small business, you will have to either provide insurance or pay that penalty.

Then the governors of both parties—Democrats and Republicans—are in a near cardiac arrest over the prospect of the Medicaid expansion. I mean 14 million new people—low-income Americans—dumped into State Medicaid Programs. I say ''dumped'' because doctors and hospitals are reimbursed so poorly that only 40 percent of doctors will see Medicaid patients. So we are going to say: Congratulations, Mr. and Ms. Low-Income American, into the Medicaid you go in your State.

Not only is it not health care reform for those individuals, but the governors can't manage it, the legislators can't manage it, and the taxpayers can't manage it. I have read, on the floor, comments from most Democratic Governors and most Republican Governors. They are in a situation where their States' budgets are in the worst shape since the 1960s. Medicaid is going up at 6 and 7 percent. They are taking money from higher education and K–12 grades and spending it on Medicaid, and now we are about to dump not only more low-income Americans into Medicaid, but we are going to send a part of the bill to the State governments which can't afford it. So that is State taxes, and it cuts your Medicare.

The question I would like to raise is, what about those Medicare cuts and are doctors themselves going to be paying for this bill? There is an article today, or October 13, the former head of the Congressional Budget Office, Douglas Holtz-Eakin. These Congressional Budget Office heads are known to be pretty straight. This one was appointed by the Republican Congress; Mr. Elmendorf, whom we all respect, was appointed by a Democratic Congress, but they are all nonpartisan. Mr. Holtz-Eakin says:

> . . . the plan proposed by the Democrats and the Obama administration would not only fail to reduce the cost burden on middle-class families, it would make that burden significantly worse. The bill creates a new health entitlement program that the Congressional Budget Office estimates will grow over the longer term at a rate of 8 percent annually. To avoid the fate of the House bill . . . the Senate did three things: It promised that future Congresses would make tough choices to slow entitlement spending, and it dropped the hammer on the middle class.

Mr. President, could you let me know when I have consumed 10 minutes?

The PRESIDING OFFICER. The Chair will let the Senator know.

Mr. ALEXANDER. I thank the Chair.

Here is what Mr. Holtz-Eakin said:

> One inconvenient truth is the fact that Congress will not allow doctors to suffer a 24 percent cut in their Medicare reimbursements.

Doctors today are paid about 80 percent of what private insurers will pay if they see Medicare patients and, under the law, that gets cut every year and every year we come in and fix that. Continuing to read from his article:

> Senate Democrats chose to ignore this reality and rely on the promise of a cut to make their bill add up. Taking note of this fact pushes the cost of the bill well over $1 trillion and destroys any pretense of budget balance.

In other words, Mr. Holtz-Eakin is saying he doesn't believe we in Congress are going to cut doctors' pay when they serve Medicare patients by roughly $250 billion over the next 10 years. That is about the amount of money it would take just to pay doctors 10 years from now what they are being paid today, and most wouldn't be happy with that. So either the doctors are going to pay for this bill—$250 billion of it—or you are, because it is going to add to your debt, or your children or your grandchildren are. It is

one way or the other. It is either doctors pay or your kids pay because it is not deficit neutral.

He says:

> It is beyond fantastic to promise that future Congresses, for 10 straight years, will allow planned cuts in reimbursements to hospitals, other providers, and Medicare Advantage—thereby reducing the benefits of 25 percent of seniors in Medicare.

His point is these are not only cuts in Medicare—$½ trillion worth of cuts—the cuts are being used to start a new government program. And here, as both Senator HARKIN and Senator COBURN reminded us, Medicare in 5 or 6 years is going bankrupt—belly up.

The PRESIDING OFFICER. The Senator has used 10 minutes.

Mr. ALEXANDER. I thank the Chair very much. I will conclude my remarks.

What we are proposing to do is cut Medicare—take money from grandma—and instead of spending it on grandma by making Medicare more solvent, we are going to take that money, while the program is about to go insolvent, and create a new program. So these are the kinds of questions the American people have a right to ask and have answered.

That is why we want to read the bill. Because we see, as we look at this bill, higher premiums, higher taxes, Medicare cuts for more government, and we don't believe that is health care reform.

Mr. President, I ask unanimous consent to have printed in the RECORD the entire article from which I quoted.

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

[From the Wall Street Journal, Oct. 13, 2009]

THE BAUCUS BILL IS A TAX BILL

(By Douglas Holtz-Eakin)

Remember when health-care reform was supposed to make life better for the middle class? That dream began to unravel this past summer when Congress proposed a bill that failed to include any competition-based reforms that would actually bend the curve of health-care costs. It fell apart completely when Democrats began papering over the gaping holes their plan would rip in the federal budget.

As it now stands, the plan proposed by Democrats and the Obama administration would not only fail to reduce the cost burden on middle-class families, it would make that burden significantly worse.

Consider the bill put forward by the Senate Finance Committee. From a budgetary perspective, it is straightforward. The bill creates a new health entitlement program that the Congressional Budget Office (CBO) estimates will grow over the longer term at a rate of 8% annually, which is much faster than the growth rate of the economy or tax revenues. This is the same growth rate as the House bill that Sen. Kent Conrad (D., N.D.) deep-sixed by asking the CBO to tell the truth about its impact on health-care costs.

To avoid the fate of the House bill and achieve a veneer of fiscal sensibility, the Senate did three things: It omitted inconvenient truths, it promised that future Congresses will make tough choices to slow entitlement spending, and it dropped the hammer on the middle class.

One inconvenient truth is the fact that Congress will not allow doctors to suffer a 24% cut in their Medicare reimbursements. Senate Democrats chose to ignore this reality and rely on the promise of a cut to make their bill add up. Taking note of this fact pushes the total cost of the bill well over $1 trillion and destroys any pretense of budget balance.

It is beyond fantastic to promise that future Congresses, for 10 straight years, will allow planned cuts in reimbursements to hospitals, other providers, and Medicare Advantage (thereby reducing the benefits of 25% of seniors in Medicare). The 1997 Balanced Budget Act pursued this strategy and successive Congresses steadily unwound its provisions. The very fact that this Congress is pursuing an expensive new entitlement belies the notion that members would be willing to cut existing ones.

Most astounding of all is what this Congress is willing to do to struggling middle-class families. The bill would impose nearly $400 billion in new taxes and fees. Nearly 90% of that burden will be shouldered by those making $200,000 or less.

It might not appear that way at first, because the dollars are collected via a 40% tax on sales by insurers of ''Cadillac'' policies, fees on health insurers, drug companies and device manufacturers, and an assortment of odds and ends.

But the economics are clear. These costs will be passed on to consumers by either directly raising insurance premiums, or by fueling higher health-care costs that inevitably lead to higher premiums. Consumers will pay the excise tax on high-cost plans. The Joint Committee on Taxation indicates that 87% of the burden would fall on Americans making less than $200,000, and more than half on those earning under $100,000.

Industry fees are even worse because Democrats chose to make these fees nondeductible. This means that insurance companies will have to raise premiums significantly just to break even. American families will bear a burden even greater than the $130 billion in fees that the bill intends to collect. According to my analysis, premiums will rise by as much as $200 billion over the next 10 years—and 90% will again fall on the middle class.

Senate Democrats are also erecting new barriers to middle-class ascent. A family of four making $54,000 would pay $4,800 for health insurance, with the remainder coming from subsidies. If they work harder and raise their income to $66,000, their cost of insurance rises by $2,800. In other words, earning another $12,000 raises their bill by $2,800—marginal tax rate of 23%. Double-digit increases in effective tax rates will have detrimental effects on the incentives of millions of Americans.

Why does it make sense to double down on the kinds of entitlements already in crisis, instead of passing medical malpractice reform and allowing greater competition among insurers? Why should middle-class families pay more than $2,000 on average, by my estimate, in taxes in the process?

Middle-class families have it tough enough. There is little reason to believe that the pain of the current recession, housing downturn, and financial crisis will quickly fade away—especially with the administration planning to triple the national debt over the next decade.

The promise of real reform remains. But the reality of the Democrats' current effort is starkly less benign. It will create a dangerous new entitlement that will be paid for by the middle class and their children.

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

The PRESIDING OFFICER. The Senator from Arizona.

AFGHANISTAN TROOP SURGE

Mr. KYL. Mr. President, I was critical of the President's decisions when he canceled the so-called missile shield that would have been located in Poland and in the Czech Republic, among others things, because I was concerned about the message it sends to our allies in the region. After working with them to develop the political and public consensus for this missile shield, the United States essentially pulled the rug out from under these allies and left the consensus in Central and Eastern Europe that the United States, once again, proved to be an unreliable ally.

Throughout the Baltic States, Central Europe and other people in the world couldn't fail to notice the same. I am thinking of countries in the Persian Gulf that have relied upon the presence of the United States but have, I think, wondered from time to time whether we are the ally they want to stick with because of the fact that sometimes we have proven to be unreliable.

I am concerned about that same issue with respect to Pakistan and Afghanistan. Will our continued public debate over the recommendations that General McChrystal has made to the President result in both allies in the region as well as the leaders of Afghanistan and Pakistan concluding that they better make book with others in the area, including potentially the Taliban? Because after all, those people are going to continue to be in the area; the United States may not.

This is where I think the debate about General McChrystal's recommendations about troop levels and other resources in Afghanistan become so very important. I think we need to listen to the advice of the commander in the field, General McChrystal, who produced a very straightforward assessment of the situation in Afghanistan.

Obviously, the President is the Commander in Chief, and the decisions are his to make. It is appropriate for him to rely upon others for advice as well as on the commander in the field. But there is a point at which the President's own strategy, which he announced in March, needs to be adequately resourced and we need to move forward. Here is what the President said:

> The American people must understand that this is a downpayment on our own future.

He was talking about the resources that would be needed in Afghanistan. So he selected General McChrystal to implement his strategy. We unanimously confirmed General McChrystal, and then the President asked him to give an assessment of what it was going to take. That assessment was provided in August. It has now been about 50 days since that assessment

has been made public—since the President received it. Yet we still don't have a decision.

My concern is that this continuing public debate is going to raise doubts around the world about the staying power of the United States; about our willingness to continue commitments we make. Remember, the President himself called this a war of necessity, both during the campaign and after his inauguration. He stressed the fact that we had to do what it took to win in Afghanistan. There are those around the world who are wondering whether we mean to resource this effort to the extent that General McChrystal has said is necessary.

What did General McChrystal's assessment say? First, he speaks of what ISAF—that is the international force, including NATO forces—will require.

> ISAF requires an increase in the total coalition force capability and end strength.

In other words, more troops. He warned of the risk of not providing adequate resources, and here is what he said:

> Failure to provide quality resources risks a longer conflict, greater casualties, higher overall costs, and ultimately, a critical loss of political support. Any of these risks, in turn, are likely to result in mission failure.

Is that what we want—mission failure? If we don't quickly make a decision, support the President—if he makes the decision to adequately resource our effort there, then we are not only going to be losing, we are not only going to have mission failure, but we will send a message to everybody around the world that, once again, the United States can't be trusted. Here is what the General said about why it matters:

> Time matters; we must act now to reverse the negative trends and demonstrate progress. I believe the short-term fight will be decisive. Failure to gain the initiative and reverse insurgent momentum in the near-term—next 12 months—while Afghan security capacity matures—risks an outcome where defeating the insurgency is no longer possible.

Do we want to take the risk that we take so long in getting the additional troops there that success is no longer possible? I hope not. Finally, General McChrystal underscored the reason for his conclusions during a recent speech he gave in London, where he said:

> I believe that the loss of stability in Afghanistan brings a huge risk that transnational terrorists such as al-Qaida will operate from within Afghanistan again.

Now we are having this big public debate. Some prominent Democrats have said we shouldn't resource this the way General McChrystal has announced, and this is why I think we are sending the wrong message. I understand there is some declining support for the war, but this is where Presidential and congressional leadership comes in.

I remember, during the debate over the Iraq war, we had a lot of armchair generals and even a lot of pundits who thought they knew better. Well, General Petraeus, it turned out, was right. Thankfully, President Bush at the time followed his recommendations. As a result, the surge in Iraq was successful. General McChrystal and General Petraeus are essentially saying the same thing again.

Remember, General McChrystal is an expert in both counterterrorism and counterinsurgency policy. He understands the difference and he understands it takes resources to fight a counterinsurgency campaign because you not only have to defeat an enemy but you have to continue to hold the area you have taken until the indigenous forces—in this case the Afghan police and army—are trained in sufficient numbers to hold the territory. You have to protect the populace. In a counterinsurgency strategy, the key is not killing the enemy, the key is protecting the populace. That is why it takes more troops.

Let me read a couple other things the general said:

> My conclusions were informed through a rigorous multi-disciplinary assessment by a team of accomplished military personnel and civilians, and my personal experience and core beliefs. Central to my analysis is a belief that we must respect the complexities of the operational environment and design our strategic approach accordingly.

This is a carefully thought-out strategic assessment with a lot of support.

There is a recent article in the Weekly Standard magazine by Fred and Kim Kagan that does an excellent job of explaining why this advice is so wise. It focuses on the nature of the al-Qaida threat that emanates from Afghanistan and the network of support that is established there. Part of this is what has informed General McChrystal's assessment. The article says, and I quote:

> We should fight [the Taliban and Haqqani groups]—

Another terrorist-led group—

> because in practice they are integrally connected with al Qaeda. Allowing the Taliban and the Haqqani networks to expand their areas of control and influence would offer new opportunities to al Qaeda that its leaders appear determined to seize. It would relieve the pressure on al Qaeda, giving its operative more scope to protect themselves while working to project power and influence around the world.

In other words, against the United States. The Haqqani group he is referring to is another terrorist-led group.

Secretary of State Clinton said it quite succinctly when she stated:

> If Afghanistan were taken over by the Taliban, I can't tell you how fast al-Qaida would be back in Afghanistan.

That is the point. That is why I think we need to get on with our decision.

I noted, with interest, a column by E.J. Dionne in the Washington Post entitled ''No Rush to Escalate.'' He quotes in his column historian Robert Dallek, who recently advised President Obama:

> ''In my judgment,'' he recalls saying, ''war kills off great reform movements.''

Then he goes on to talk about how World War I brought the Progressive Era to a close; that Franklin Roosevelt would have done better if not for World War II; that Vietnam hurt Lyndon Johnson's Great Society. He says:

> It may just be that some of the President's senior advisers and supporters may be urging him not to devote the necessary resources to Afghanistan because they don't want him to become a war president.

That would be most unfortunate. President Obama is the Commander in Chief. He campaigned to become the war President. He said he wanted to end the war in Iraq, which he called a war of choice, and he wanted to win the war in Afghanistan—a war of necessity.

He won the election and he, now, as Commander in Chief, has to make these critical decisions. Whether he likes it or not, he is a war President and he will be judged by history not only by his domestic agenda but by how well he leaves the situation in Iraq and Afghanistan. The key with Afghanistan is not to leave the country in the hands of dangerous Taliban or other terrorists who would work with al-Qaida and give them the kind of place they had before from which to train and plan attacks on the rest of the world.

Also at stake in this debate is the message we are sending to the rest of the world, to our allies in the Middle East, in the Persian Gulf, to Pakistan. Is it safe to throw in with the United States and to help us in our war against these terrorists or, because the United States may bug out when the going gets tough, do we decide to make book with the other side, as Pakistan had done in the past with various groups including the Taliban? That is part of what is at stake. It is not just Afghanistan but our reputation around the rest of the world as to how we deal with our allies and how we resolve conflicts we get involved in.

General McChrystal said it best when he said:

> We must show resolve. Uncertainty disheartens our allies, emboldens our foes.

That is the key message today. I urge the President, in continuing this debate, to bring it to a close as quickly as he can to make the decision. I know Republicans will support a decision that follows the recommendations of General Petraeus and General McChrystal.

I ask unanimous consent to have printed in the RECORD two articles from the Weekly Standard magazine: One, ''How Not to Defeat al-Qaeda, To Win in Afghanistan Requires Troops on the Ground'' and ''Don't Go Wobbly on Afghanistan; President Obama Was Right in March,'' both by Fred and Kimberly Kagan.

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

[From the Weekly Standard, Oct. 5, 2009]

HOW NOT TO DEFEAT AL QAEDA

(By Frederick W. Kagan and Kimberly Kagan)

President Obama has announced his intention to conduct a review of U.S. strategy in

Afghanistan from first principles before deciding whether or not to accept General Stanley McChrystal's proposed strategy and request for more forces. This review is delaying the decision. If the delay goes on much longer, it will force military leaders either to rush the deployment in a way that increases the strain on soldiers and their families or to lose the opportunity to affect the spring campaign. The president's determination to make sure of his policy before committing the additional 40,000 or so forces required by General McChrystal's campaign plan is, nevertheless, understandable. The conflict in Afghanistan is complex, and it is important that we understand what we are trying to do.

At the center of the complexity is a deceptively simple question: If the United States is fighting a terrorist organization—al Qaeda—why must we conduct a counterinsurgency campaign in Afghanistan against two other groups—the Quetta Shura Taliban and the Haqqani Network—that have neither the objective nor the capability to attack the United States outside Afghanistan? Shouldn't we fight a terrorist organization with a counterterrorist strategy, customarily defined as relying on long-range precision weapons and Special Forces raids to eliminate key terrorist leaders? Why must we become embroiled in the politics and social dysfunctionality of the fifth-poorest country in the world? Surely, some surrounding President Obama appear to be arguing, it makes more sense to confine our operations narrowly to the aim we care most about: defeating the terrorists and so preventing them from killing Americans.

This argument rests on two essential assumptions: that al Qaeda is primarily a terrorist group and that it is separable from the insurgent groups among whom it lives and through whom it operates. Let us examine these assumptions.

Al Qaeda is a highly ideological organization that openly states its aims and general methods. It seeks to replace existing governments in the Muslim world, which it regards as apostate, with a regime based on its own interpretation of the Koran and Muslim tradition. It relies on a reading of some of the earliest Muslim traditions to justify its right to declare Muslims apostates if they do not behave according to its own interpretation of Islam and to kill them if necessary. This reading is actually nearly identical to a belief that developed in the earliest years of Islam after Muhammad's death, which mainstream Muslims quickly rejected as a heresy (the Kharijite movement), and it remains heretical to the overwhelming majority of Muslims today. The question of the religious legality of killing Muslims causes tensions within al Qaeda and between al Qaeda and other Muslims, leading to debates over the wisdom of fighting the ''near enemy,'' i.e., the ''apostate'' Muslim governments in the region, or the ''far enemy,'' i.e., the West and especially the United States, which al Qaeda believes provides indispensable support to these ''apostate'' governments. The 9/11 attack resulted from the temporary triumph of the ''far enemy'' school.

Above all, al Qaeda does not see itself as a terrorist organization. It defines itself as the vanguard in the Leninist sense: a revolutionary movement whose aim is to take power throughout the Muslim world. It is an insurgent organization with global aims. Its use of terrorism (for which it has developed lengthy and abstruse religious justifications) is simply a reflection of its current situation. If al Qaeda had the ability to conduct guerrilla warfare with success, it would do so. If it could wage conventional war, it would probably prefer to do so. It has already made clear that it desires to wage chemical, biological, and nuclear war when possible.

In this respect, al Qaeda is very different from terrorist groups like the IRA, ETA, and even Hamas. Those groups used or use terrorism in pursuit of political objectives confined to a specific region—expelling the British from Northern Ireland, creating an independent or autonomous Basque land, expelling Israel from Palestine. The Ulstermen did not seek to destroy Britain or march on London; the Basques are not in mortal combat with Spaniards; and even Hamas seeks only to drive the Jews out of Israel, not to exterminate them throughout the world. Al Qaeda, by contrast, seeks to rule all the world's 1.5 billion Muslims and to reduce the non-Muslim peoples to subservience. For al Qaeda, terrorism is a start, not an end nor even the preferred means. It goes without saying that the United States and the West would face catastrophic consequences if al Qaeda ever managed to obtain the ability to wage war by different means. Defeating al Qaeda requires more than disrupting its leadership cells so that they cannot plan and conduct attacks in the United States. It also requires preventing al Qaeda from obtaining the capabilities it seeks to wage real war beyond terrorist strikes.

Al Qaeda does not exist in a vacuum like the SPECTRE of James Bond movies. It has always operated in close coordination with allies. The anti-Soviet jihad of the 1980s was the crucible in which al Qaeda leaders first bonded with the partners who would shelter them in Afghanistan. Osama bin Laden met Jalaluddin Haqqani, whose network is now fighting U.S. forces in eastern Afghanistan, as both were raising support in Saudi Arabia for the mujahedeen in the 1980s. They then fought the Soviets together. When the Soviet Army withdrew in 1989 (for which bin Laden subsequently took unearned credit), Haqqani seized the Afghan city of Khost and established his control of the surrounding provinces of Khost, Paktia, and Paktika. Haqqani also retained the base in Pakistan—near Miranshah in North Waziristan—from which he had fought the Soviets. He established a madrassa there that has become infamous for its indoctrination of young men in the tenets of militant Islamism.

Haqqani held onto Greater Paktia, as the three provinces are often called, and invited bin Laden to establish bases there in the 1990s in which to train his own cadres. When the Taliban took shape under Mullah Mohammad Omar in the mid-1990s (with a large amount of Pakistani assistance), Haqqani made common cause with that group, which shared his ideological and religious outlook and seemed likely to take control of Afghanistan. He became a minister in the Taliban government, which welcomed and facilitated the continued presence of bin Laden and his training camps.

Bin Laden and al Qaeda could not have functioned as they did in the 1990s without the active support of Mullah Omar and Haqqani. The Taliban and Haqqani fighters protected bin Laden, fed him and his troops, facilitated the movement of al Qaeda leaders and fighters, and generated recruits. They also provided a socio-religious human network that strengthened the personal resilience and organizational reach of bin Laden and his team. Islamist revolution has always been an activity of groups nested within communities, not an undertaking of isolated individuals. As American interrogators in Iraq discovered quickly, the fastest way to get a captured al Qaeda fighter talking was to isolate him from his peers. Bin Laden's Taliban allies provided the intellectual and social support network al Qaeda needed to keep fighting. In return, bin Laden shared his wealth with the Taliban and later sent his fighters into battle to defend the Taliban regime against the U.S.-aided Northern Alliance attack after 9/11.

The relationship that developed between bin Laden and Mullah Omar was deep and strong. It helps explain why Mullah Omar refused categorically to expel bin Laden after 9/11 even though he knew that failing to do so could lead to the destruction of the Taliban state—as it did. In return, bin Laden recognizes Mullah Omar as amir al-momineen—the ''Commander of the Faithful''—a religious title the Taliban uses to legitimize its activities and shadow state. The alliance between al Qaeda and the Haqqanis (now led by Sirajuddin, successor to his aging and ailing father, Jalaluddin) also remains strong. The Haqqani network still claims the terrain of Greater Paktia, can project attacks into Kabul, and seems to facilitate the kinds of spectacular attacks in Afghanistan that are the hallmark of al Qaeda training and technical expertise. There is no reason whatever to believe that Mullah Omar or the Haqqanis—whose religious and political views remain closely aligned with al Qaeda's—would fail to offer renewed hospitality to their friend and ally of 20 years, bin Laden.

Mullah Omar and the Haqqanis are not the ones hosting al Qaeda today, however, since the presence of U.S. and NATO forces in Afghanistan has made that country too dangerous for bin Laden and his lieutenants. They now reside for the most part on the other side of the Durand Line, among the mélange of anti-government insurgent and terrorist groups that live in the Federally Administered Tribal Areas and the Northwest Frontier Province of Pakistan. These groups—they include the Tehrik-e Taliban-e Pakistan, led until his recent death-by-Predator by Baitullah Mehsud; the Tehrik-e Nafaz-e Shariat-e Mohammadi; and the Lashkar-e-Taiba, responsible for the Mumbai attack—now provide some of the same services to al Qaeda that the Taliban provided when they ruled Afghanistan. Mullah Omar continues to help, moreover, by intervening in disputes among the more fractious Pakistani groups to try to maintain cohesion within the movement. All of these groups coordinate their activities, moreover, and all have voices within the Peshawar Shura (council). They are not isolated groups, but rather a network-of-networks, both a social and a political grouping run, in the manner of Pashtuns, by a number of shuras, of which that in Peshawar is theoretically preeminent.

All of which is to say that the common image of al Qaeda leaders flitting like bats from cave to cave in the badlands of Pakistan is inaccurate. Al Qaeda leaders do flit (and no doubt sometimes sleep in caves)—but they flit like guests from friend to friend in areas controlled by their allies. Their allies provide them with shelter and food, with warning of impending attacks, with the means to move rapidly. Their allies provide communications services—runners and the use of their own more modern systems to help al Qaeda's senior leaders avoid creating electronic footprints that our forces could use to track and target them. Their allies provide means of moving money and other strategic resources around, as well as the means of imparting critical knowledge (like expertise in explosives) to cadres. Their allies provide media support, helping to get the al Qaeda message out and then serving as an echo chamber to magnify it via their own media resources.

Could al Qaeda perform all of these functions itself, without the help of local allies? It probably could. In Iraq, certainly, the al Qaeda organization established its own administrative, logistical, training, recruiting,

and support structures under the rubric of its own state—the Islamic State of Iraq. For a while, this system worked well for the terrorists; it supported a concerted terror campaign in and around Baghdad virtually unprecedented in its scale and viciousness. It also created serious vulnerabilities for Al Qaeda in Iraq, however. The establishment of this autonomous, foreign-run structure left a seam between Al Qaeda in Iraq and the local population and their leaders. As long as the population continued to be in open revolt against the United States and the Iraqi government, this seam was not terribly damaging to al Qaeda. But as local leaders began to abandon their insurgent operations, Al Qaeda in Iraq became dangerously exposed and, ultimately, came to be seen as an enemy by the very populations that had previously supported it.

There was no such seam in Afghanistan before 9/11. Al Qaeda did not attempt to control territory or administer populations there. It left all such activities in the hands of Mullah Omar and Jalaluddin Haqqani. It still does—relying on those groups as well as on the Islamist groups in Waziristan and the Northwest Frontier Province to do the governing and administering while it focuses on the global war. Afghans had very little interaction with al Qaeda, and so had no reason to turn against the group. The same is true in Pakistan today. The persistence of allies who aim at governing and administering, as well as simply controlling, territory frees al Qaeda from those onerous day-to-day responsibilities and helps shield the organization from the blowback it suffered in Iraq. It reduces the vulnerability of the organization and enormously complicates efforts to defeat or destroy it.

The theory proposed by some in the White House and the press that an out-of-country, high-tech counterterrorist campaign could destroy a terrorist network such as al Qaeda is fraught with erroneous assumptions. Killing skilled terrorists is very hard to do. The best—and most dangerous—of them avoid using cellphones, computers, and other devices that leave obvious electronic footprints. Tracking them requires either capitalizing on their mistakes in using such devices or generating human intelligence about their whereabouts from sources on the ground. When the terrorists operate among relatively friendly populations, gaining useful human intelligence can be extremely difficult if not impossible. The friendlier the population to the terrorists, the more safe houses in which they can hide, the fewer people who even desire to inform the United States or its proxies about the location of terrorist leaders, the more people likely to tell the terrorists about any such informants (and to punish those informants), the more people who can help to conceal the movement of the terrorist leaders and their runners, and so on.

Counterterrorist forces do best when the terrorists must operate among neutral or hostile populations while under severe military pressure, including from troops on the ground. Such pressure forces terrorist leaders to rely more on communications equipment for self-defense and for coordination of larger efforts. It greatly restricts the terrorists' ability to move around, making them easier targets, and to receive and distribute money, weapons, and recruits. This is the scenario that developed in Iraq during and after the surge, and it dramatically increased the vulnerability of terrorist groups to U.S. (and Iraqi) strikes.

Not only did the combination of isolation and pressure make senior leaders more vulnerable, but it exposed mid-level managers as well. Attacking such individuals is important for two reasons: It disrupts the ability of the organization to operate at all, and it eliminates some of the people most likely to replace senior leaders who are killed. Attacking middle management dramatically reduces the resilience of a terrorist organization, as well as its effectiveness. The intelligence requirement for such attacks is daunting, however. Identifying and locating the senior leadership of a group is one thing. Finding the people who collect taxes, distribute funds and weapons, recruit, run IEDcells, and so on, is something else entirely—unless the counterterrorist force actually has a meaningful presence on the ground among the people.

The most serious operational challenge of the pure counterterrorist approach, however, is to eliminate bad guys faster than they can be replaced. Isolated killings of senior leaders, spread out over months or years, rarely do serious systemic harm to their organizations. The best-known example is the death of Abu Musab al Zarqawi, founder and head of Al Qaeda in Iraq, in June 2006, following which the effectiveness and lethality of that group only grew. It remains to be seen what the effect of Baitullah Mehsud's death will be—although it is evident that the presence of the Pakistani military on the ground assisted the high-tech targeting that killed him. Such is the vigor of the groups he controlled that his death occasioned a power struggle among his deputies.

One essential question that advocates of a pure counterterrorism approach must answer, therefore, is: Can the United States significantly accelerate the rate at which our forces identify, target, and kill senior and mid-level leaders? Our efforts to do so have failed to date, despite the commitment of enormous resources to that problem over eight years at the expense of other challenges. Could we do better? The limiting factor on the rate of attrition we can impose on the enemy's senior leadership is our ability to generate the necessary intelligence, not our ability to put metal on target. Perhaps there is a way to increase the attrition rate. If so, advocates of this approach have an obligation to explain what it is. They must also explain why removing U.S. and NATO forces from the theater will not make collecting timely intelligence even harder—effectively slowing the attrition rate. Their argument is counterintuitive at best.

Pursuing a counterinsurgency strategy against the Taliban and Haqqani groups—that is, using American forces to protect the population from them while building the capability of the Afghan Army—appears at first an indirect approach to defeating al Qaeda. In principle, neither the Taliban nor the Haqqani network poses an immediate danger to the United States. Why then should we fight them?

We should fight them because in practice they are integrally connected with al Qaeda. Allowing the Taliban and the Haqqani network to expand their areas of control and influence would offer new opportunities to al Qaeda that its leaders appear determined to seize. It would relieve the pressure on al Qaeda, giving its operatives more scope to protect themselves while working to project power and influence around the world. It would reduce the amount of usable intelligence we could expect to receive, thus reducing the rate at which we could target key leaders. Allowing al Qaeda's allies to succeed would seriously undermine the counterterrorism mission and would make the success of that mission extremely unlikely.

[From the Weekly Standard, Oct. 12, 2009]

DON'T GO WOBBLY ON AFGHANISTAN

(By Frederick W. Kagan and Kimberly Kagan)

''To defeat an enemy that heeds no borders or laws of war, we must recognize the fundamental connection between the future of Afghanistan and Pakistan—which is why I've appointed Ambassador Richard Holbrooke . . . to serve as Special Representative for both countries.'' That ''fundamental connection'' between Afghanistan and Pakistan was one of the important principles President Obama laid out in his March 27, 2009, speech announcing his policy in South Asia. It reflected a common criticism of the Bush policy in Afghanistan, which was often castigated as insufficiently ''regional.'' It also reflected reality: The war against al Qaeda and its affiliates is a two-front conflict that must be fought on both sides of the Durand Line.

Now, however, some of the most vocal supporters of the regional approach are considering—or even advocating—a return to its antithesis, a purely counterterrorism (CT) strategy in Afghanistan. Such a reversion, based on the erroneous assumption that a collapsing Afghanistan would not derail efforts to dismantle terrorist groups in Pakistan, is bound to fail.

Recent discussions of the ''CT option'' have tended to be sterile, clinical, and removed from the complexity of the region—the opposite of the coherence with which the administration had previously sought to address the problem. In reality, any ''CT option'' will likely have to be executed against the backdrop of state collapse and civil war in Afghanistan, spiraling extremism and loss of will in Pakistan, and floods of refugees. These conditions would benefit al Qaeda greatly by creating an expanding area of chaos, an environment in which al Qaeda thrives. They would also make the collection of intelligence and the accurate targeting of terrorists extremely difficult.

If the United States should adopt a small-footprint counterterrorism strategy, Afghanistan would descend again into civil war. The Taliban group headed by Mullah Omar and operating in southern Afghanistan (including especially Helmand, Kandahar, and Oruzgan Provinces) is well positioned to take control of that area upon the withdrawal of American and allied combat forces. The remaining Afghan security forces would be unable to resist a Taliban offensive. They would be defeated and would disintegrate. The fear of renewed Taliban assaults would mobilize the Tajiks, Uzbeks, and Hazaras in northern and central Afghanistan. The Taliban itself would certainly drive on Herat and Kabul, leading to war with northern militias. This conflict would collapse the Afghan state, mobilize the Afghan population, and cause many Afghans to flee into Pakistan and Iran.

Within Pakistan, the U.S. reversion to a counterterrorism strategy (from the counterinsurgency strategy for which Obama reaffirmed his support as recently as August) would disrupt the delicate balance that has made possible recent Pakistani progress against internal foes and al Qaeda.

Pakistani president Asif Ali Zardari, army chief of staff General Ashfaq Kayani, and others who have supported Pakistani operations against the Taliban are facing an entrenched resistance within the military and among retired officers. This resistance stems from the decades-long relationships nurtured between the Taliban and Pakistan, which started during the war to expel the Soviet Army. Advocates within Pakistan of continuing to support the Taliban argue that the United States will abandon Afghanistan as it did in 1989, creating chaos that only the Taliban will be able to fill in a manner that suits Pakistan.

Zardari and Kayani have been able to overcome this internal resistance sufficiently to mount major operations against Pakistani Taliban groups, in part because the rhetoric

and actions of the Obama administration to date have seemed to prove the Taliban advocates wrong. The announcement of the withdrawal of U.S. combat forces would prove them right. Pakistani operations against their own insurgents—as well as against al Qaeda, which lives among those insurgents—would probably grind to a halt as Pakistan worked to reposition itself in support of a revived Taliban government in Afghanistan. And a renewed stream of Afghan refugees would likely overwhelm the Pakistani government and military, rendering coherent operations against insurgents and terrorists difficult or impossible.

The collapse of Pakistan, or even the revival of an aggressive and successful Islamist movement there, would be a calamity for the region and for the United States. It would significantly increase the risk that al Qaeda might obtain nuclear weapons from Pakistan's stockpile, as well as the risk that an Indo-Pakistani war might break out involving the use of nuclear weapons.

Not long ago, such a collapse seemed almost imminent. Islamist groups operating under the umbrella of the Tehrik-e Taliban-e Pakistan (TTP), led by Baitullah Mehsud until his recent death, had occupied areas in the Swat River Valley and elsewhere not far from Islamabad itself. Punjabi terrorists affiliated with the same group were launching attacks in the heart of metropolitan Pakistan.

Since then, Pakistani offensives in Swat, Waziristan, and elsewhere have rocked many of these groups back on their heels while rallying political support within Pakistan against the Taliban to an unprecedented degree. But these successes remain as fragile as the Pakistani state itself. The TTP and its allies are damaged but not defeated. Al Qaeda retains safe-havens along the Afghan border.

What if the United States did not withdraw the forces now in Afghanistan, but simply kept them at current levels while emphasizing both counterterrorism and the rapid expansion of the Afghan security forces? Within Afghanistan, the situation would continue to deteriorate. Neither the United States and NATO nor Afghan forces are now capable of defeating the Taliban in the south or east. At best, the recently arrived U.S. reinforcements in the south might be able to turn steady defeat into stalemate, but even that is unlikely.

The accelerated expansion of Afghan security forces, moreover, will be seriously hindered if we fail to deploy additional combat forces. As we discovered in Iraq, the fastest way to help indigenous forces grow in numbers and competence is to partner U.S. and allied units with them side by side in combat. Trainers and mentors are helpful—but their utility is multiplied many times when indigenous soldiers and officers have the opportunity to see what right looks like rather than simply being told about it. At the current troop levels, commanders have had to disperse Afghan and allied forces widely in an effort simply to cover important ground, without regard for partnering.

As a result, it is very likely that the insurgency will grow in size and strength in 2010 faster than Afghan security forces can be developed without the addition of significant numbers of American combat troops—which will likely lead to Afghan state failure and the consequences described above in Afghanistan and the region.

The Obama administration is not making this decision in a vacuum. Obama ran on a platform that made giving Afghanistan the resources it needed an overriding American priority. President Obama has repeated that commitment many times. He appointed a new commander to execute the policy he enunciated in his March 27 speech, in which he noted: ''To focus on the greatest threat to our people, America must no longer deny resources to Afghanistan because of the war in Iraq.'' If he now rejects the request of his new commander for forces, his decision will be seen as the abandonment of the president's own commitment to the conflict.

In that case, no amount of rhetorical flourish is likely to persuade Afghans, Pakistanis, or anyone else otherwise. A president who overrules the apparently unanimous recommendation of his senior generals and admirals that he make good the resource shortfalls he himself called unacceptable can hardly convince others he is determined to succeed in Afghanistan. And if the United States is not determined to succeed, then, in the language of the region, it is getting ready to cut and run, whatever the president and his advisers may think or say.

That is a policy that will indeed have regional effects—extremely dangerous ones.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—CONFERENCE REPORT

The PRESIDING OFFICER (Mr. CASEY). Under the previous order, the Senate will proceed to consideration of the conference report to accompany H.R. 3183, which the clerk will report.

The assistant legislative clerk read as follows:

Conference report to accompany H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there is 10 minutes of debate with the Senator from Oklahoma, Mr. COBURN, and 10 minutes of debate equally divided between the Senator from North Dakota, Mr. DORGAN, and the Senator from Utah, Mr. BENNETT. Who yields time?

Mr. DORGAN. Mr. President, is there an order in the unanimous consent request?

The PRESIDING OFFICER. The only order is that the Senator from North Dakota is to control the final 5 minutes.

Mr. DORGAN. I believe the Senator from Oklahoma has been allotted 10 minutes. I saw him just walk through the Chamber a moment ago. The ranking member of the subcommittee, the Senator from Utah, is allotted 5 minutes. Let me reserve my time and perhaps ask the Senator from Utah to begin, and then we hope the Senator from Oklahoma would return and use his 10 minutes.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, I am pleased to come to the floor and recommend passage of the energy and water conference report for the fiscal year 2010. Despite the President sending up his budget in May, nearly 4 months after the budget had been traditionally sent to Congress, this subcommittee worked hard to produce a conference report that is ready earlier than any that I can remember. I compliment my chairman, Senator DORGAN, for his hard work in developing a balanced bill in a legitimate time period.

The subcommittee produced a bill that is under the President's budget request by nearly $1 billion. That is quite extraordinary in this world where we are trying to shovel more money out the door, to come in with a number that is less than the request of the President.

The House and Senate bills differed significantly in their priorities, but I believe the conference report before us balances the funding interests of both bodies and those of the administration as well. The Corps of Engineers remains an area of great interest. The budget request for the corps is down $277 million from fiscal year 2009. The conference report has restored $320 million to meet the large number of member requests, and the conferees allocated $313 million to work off significant construction backlogs.

The Senate bill did not include new starts in the mark. Both the House and the administration proposed new starts, so we had to resolve that issue in the conference. The conference provides $100,000 per project in new starts in this bill.

Turning to the Bureau of Reclamation, the budget request was $55 million below fiscal year 2009 levels. The conferees provided an additional $67 million for the Bureau of Reclamation, which is 6.3 percent over the request and 1 percent over fiscal year 2009. Once again, as the Corps of Engineers, the Bureau of Reclamation has a tremendous backlog of underfunded and meritorious projects, and we did our best to try to work into that backlog.

Finally, as to the Department of Energy, the conference report recommends $27.1 billion for the Department of Energy, which is $1.3 billion below the President's request and $318 million above the current year.

We cannot ignore the fact that $44 billion was provided in stimulus funding for the Department this year, including $16 billion provided for renewable energy accounts. That is why we have been able to make the changes we did.

In restoring balance to the energy programs, the committee recommends an additional $25 million for nuclear energy R&D, including an $85 million increase for the Nuclear Power 2010 Program.

With respect to the concerns raised by the Senator from Oklahoma, I point out the Senate adopted his amendments by unanimous consent. I was in support of those amendments and would be happy to support them again as they come in other appropriations bills. The reaction on the part of the House was that there were two amendments proposed by the Senator from Oklahoma: one they were willing to accept and one they were not. We had to make a decision as to which of the two we would support and, with Senator

DORGAN, I supported one of the amendments of the Senator from Oklahoma that made it into the conference report. I am sorry we were unable to get the other one in, but we did our best and we would be happy, as I say—at least I would be happy; I will not speak for the chairman—I would be happy to support this at some point in the future.

I yield the floor and whatever remainder of the time I may not have used I ask accrue to Senator DORGAN.

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

The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, we are at this point not because an amendment was not accepted. We are at this point because of the nature of the amendment that was not accepted. I recognize my colleagues for the good work they did on this bill. It is the lowest increase of any appropriations bill that has come to the Senate floor. But the problem is very straightforward and very simple: Why would the House not accept an amendment that said transparency for the American public is what we are after? We have to question that. And why would our conferees sign on to a conference report that did not have transparency? That is the question.

There was an amendment that said the reports asked for out of this appropriations bill, unless they contain information related to the security and defense of this country, should be made public to all 70 Senators who are not on the Appropriations Committee but, more important, to the people of this country. I cannot understand; nobody can offer an argument on why you would not want to do that. Yet somehow it is not in the bill. How do we explain that? Is it because it is a Coburn amendment that it is not in the bill? Is it because there is something in the reports we do not want the American people to see? If that is the case, what is the problem? Where is the problem?

The reason I did not give unanimous consent on this bill coming to the floor is that I believe we ought to have a discussion about transparency. One of the things my friend, President Obama, was good at when he was here, and has said he is for as our President, is transparency. We teamed up and passed, along with Senator CARPER and Senator MCCAIN, the Transparency and Accountability Act. By the spring or summer of this year we will be able to see where every penny of our tax dollar goes, all the way down to subgrantee and subcontracting. That is real transparency.

The question before us is why would this body accept this conference report cloaked in secrecy?

I know Senators wanted this amendment. I am not accusing them of not wanting it. What I do not understand is why they would ever agree to a conference that did not have it in any bill we did? Why would we not let the American people see what we are doing? Why would we not want the people to see an annual report by the Department of Energy on their financial balances? That is one of the reports that is in here. Can somebody tell me why we would not want that? Who in the House would not want that? What is it we do not want the American people to see? A report by the Chief of Engineers on water resources? Why can't the American people see that? A report by the Nuclear Regulatory Commission identifying barriers to and its recommendations for streamlining for construction of new nuclear reactors? Why should not the American people see what the problems are and see what that report says? Why should that be cloaked, out of light, out of view, and away from the knowledge of the American people?

To me, there is either one of two explanations. One is they do not care about what the American people think about knowing what is going on in our government or there is something else going on inside one of these reports they do not want the American people to see. It is one of those two things. I don't know which it is. But what I believe is, it is unacceptable for us to pass a bill, a conference report, that has information in it that is not a risk for any of our national security issues to which the American people should not be privy.

I believe, if we vote for this conference report, what we are saying is we endorse it; we know it better. There are certain things that even though they don't relate to security, you are not smart enough, you don't have the insight, you don't have the wisdom, you don't have the knowledge to make a judgment.

I reject that, our Founders rejected that, and we as a body ought to reject it.

I reserve the remainder of my time.

Mr. DORGAN. Mr. President, the unanimous consent agreement provides I will have the final 5 minutes of debate. If the Senator from Oklahoma wishes to consume the remainder of his time, I will use the final 5 minutes and then we will proceed.

Mr. COBURN. Mr. President, parliamentary inquiry:

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. It is true the Senator does have the last time, but is the unanimous consent agreement that the last 5 minutes is his?

I understand. I yield back my time.

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

Mr. DORGAN. Mr. President, I think I speak for myself and Senator BENNETT, we very much appreciate the work the Senator from Oklahoma does. He does it diligently. He is on the floor a great deal pushing his views on these issues. On the specific issue that he just described, it is an issue in which he came to the floor and offered it. We included it in the bill during the Senate floor consideration because we believed in it. We agreed with him, as did others in the Senate, and that is what we took to conference.

The Senator from Oklahoma weaves a bit of a larger cloud than exists by suggesting there was some sort of deep secrets or conspiratorial approach to try to prevent the public from seeing something. That is far from the case. The Senator makes a point that we agreed with by accepting his amendment. That is, reports required of the Department of Energy to be sent to the Congress should be available not only to Congress but to the American people. We agreed with that point. That is why we put it in the Senate bill. We went to conference with the House. There was objection. The fact is, this is a very big piece of legislation. If we decided that if we can't resolve an objection or if we can't reach agreement on everything, then there won't be a conference report. If that were the case, there would be very few conference reports on the floor of the Senate.

As my colleagues from Oklahoma and Utah know, there is a lot of give and take in the conference process. This is a piece of legislation that has some $30 billion-plus on a wide range of issues such as nuclear weapons. This bill also funds nuclear weapons programs, water programs for both the Army Corps of Engineers and the Bureau of Reclamation, energy programs, nuclear waste cleanup sites and many more complicated and important issues. In order to get a conference report, we had to give and take here and there, and there was an objection to the provision the Senator from Oklahoma had put in the Senate bill. I regret that, but that was the case. As my colleague from Utah described previously, I will continue to support the Senator from Oklahoma's efforts to make sure all of these reports are made available to the American people, providing that there is no national security issue or secret clearance to them.

I emphasize something my colleague from Oklahoma described about this. This conference report on energy and water is an important conference report. We need to get our bills done on time. Aside from the fact that it does not include his amendment, which we had previously supported and still do, we need to do our work. There is a lot of criticism about not passing appropriations bills. We will pass appropriations bills this year in great contrast to years previous when there have been big omnibus bills. That is a good thing, that we are making progress to pass individual appropriations bills. We brought this bill to the floor for debate. Amendments were offered, and the bill was passed. That is exactly the way the process should work.

Senator BENNETT and I brought a bill to the floor that is slightly less than 1 percent above last year's expenditures for water and energy and so on. The Senator from Oklahoma acknowledged at the beginning of his remarks that

this bill, with respect to the fiscal year 2010, is not a bill that unnecessarily throws a lot of money at programs and projects. We are less than 1 percent above last year's expenditures. That is important to note.

With respect to the many programs in the bill, there are many that are flat funded. Some are even slightly below fiscal year 2009. The exception is in three areas where there were increases. The first area of increase was for energy efficiency and renewable energy programs because we are trying to make sure we move down the road more aggressively to attain a lower carbon future and promote greater efficiency. Second, the DOE's Science program represents an investment that will provide significant dividends in the future. Our great science laboratories and other investments in science represent a profoundly important investment in our nation. Finally, naval reactors had an increase. We put some additional money there because of the importance of this program. The rest of the programs are very near their fiscal year 2009 levels with no increase at all.

This is a good conference report. I don't believe it is inappropriate for my colleague from Oklahoma to be upset that his amendment is not a part of the report. I understand his position. He has served in the House and Senate. He understands there are many things in conference that get dropped. Yet, for everything that is dropped, there was someone in the House or Senate who believed it was important enough to come to the floor, offer it, fight for it, and passionately believe in it. I understand that is true with everything. It is certainly true for our colleague from Oklahoma who spends a lot of time pushing for increased transparency. We appreciate that. That is why we agreed to the amendment during the Senate debate.

This Energy and Water Appropriations bill is an important piece of legislation. It does not contain the one amendment the Senator from Oklahoma got put in the Senate side. We wish it did, but it does not. But the conference report is nonetheless something that merits the support of the broad membership in the Senate.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the conference report to accompany H.R. 3183, the Energy and Water Appropriations Act for Fiscal Year 2010.

Harry Reid, Charles E. Schumer, Patrick J. Leahy, Dianne Feinstein, Evan Bayh, Mark L. Pryor, Jon Tester, Robert Menendez, Frank R. Lautenberg, Kent Conrad, Patty Murray, John F. Kerry, Daniel K. Inouye, Sheldon Whitehouse, Carl Levin, Jack Reed, John D. Rockefeller, IV, Bill Nelson.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 3183, the Energy and Water Development and Related Agencies Appropriations Act, 2010, shall be brought to a close?

The yeas and nays are required under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the Senator from Massachusetts (Mr. KERRY), and the Senator from Missouri (Mrs. MCCASKILL) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Texas (Mrs. HUTCHISON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 79, nays 17, as follows:

[Rollcall Vote No. 321 Leg.]

YEAS—79

Akaka	Feinstein	Nelson (NE)
Alexander	Franken	Nelson (FL)
Barrasso	Gillibrand	Pryor
Baucus	Gregg	Reed
Bayh	Hagan	Reid
Bennet	Harkin	Risch
Bennett	Hatch	Roberts
Bingaman	Inouye	Rockefeller
Bond	Johnson	Sanders
Boxer	Kaufman	Schumer
Brown	Kirk	Shaheen
Brownback	Klobuchar	Shelby
Burris	Kohl	Snowe
Byrd	Landrieu	Specter
Cantwell	Lautenberg	Stabenow
Cardin	LeMieux	Tester
Carper	Leahy	Thune
Casey	Levin	Udall (CO)
Cochran	Lieberman	Udall (NM)
Collins	Lincoln	Vitter
Conrad	Lugar	Voinovich
Crapo	McConnell	Warner
Dodd	Menendez	Webb
Dorgan	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Enzi	Murkowski	
Feingold	Murray	

NAYS—17

Bunning	DeMint	Johanns
Burr	Ensign	Kyl
Chambliss	Graham	McCain
Coburn	Grassley	Sessions
Corker	Inhofe	Wicker
Cornyn	Isakson	

NOT VOTING—4

Begich	Kerry
Hutchison	McCaskill

The PRESIDING OFFICER. On this question, the yeas are 79, the nays are 17. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, let me thank my colleagues who voted for cloture for the Energy and Water Appropriations conference report. It is important that we do the appropriations bills and get them done individually. We are now past October 1, but in the last 2 years, we actually had to do omnibus appropriations bills. Thanks to Senator REID and his determination and thanks to Senator INOUYE, the chairman of the Appropriations Committee, we are doing the bills one by one by one, and we are going to get them finished. We just voted on the bill that funds all of the energy and water programs in the country, and it is a very important investment in this country.

I wanted to comment more generally about a few issues. The legislation we are moving, the conference report, just got cloture. We got it through the House and the Senate and now we are in a period of 30 hours post-cloture. Hopefully, we will then get it to the President for his signature for it to become law. The concerns I have about the issues here include not just the water infrastructure and nuclear weapons programs in our Energy and Water bill but also very much include energy.

I wish to speak for a moment about the energy challenges we face. This chart describes a very serious dilemma for our country. Two-thirds of the crude oil used in the United States today is imported. Two-thirds of the crude oil we use comes from other countries, some of whom don't like us very much. Our economy runs on energy. If, God forbid, tomorrow the supply of oil to this country were interrupted by terrorists or for some other reason, our economy would be in desperate trouble. Every single day the American people get up and use energy but take it for granted. We get out of bed, and we turn a switch on. We assume the lights will be on. We perhaps plug in an electric razor or toothbrush and expect there to be electricity to run that razor or toothbrush. We take a shower and expect the water heater to have been heated with electricity or natural gas to provide the hot water for a shower. Then we make coffee and breakfast, and there is electricity assumed to be available. Further, we put a key in the ignition of a vehicle and drive off to work, using energy once again.

Every part of our daily life is filled with the use of energy. The question is, How can we address this issue of our unbelievable reliance on foreign oil? It threatens our national security and our energy security to be so reliant on foreign oil. The reliance we have has to be reduced. So how do we do that? Even as we do that, we must also find a way to reduce the carbon footprint and reduce the amount of CO_2 that goes into the atmosphere to protect the planet. So two things are working at the same time.

I wish to talk for a bit more about the legislation we have finished in the Senate Energy Committee, rather than the Energy and Water Appropriations panel which I chair. Senator BINGAMAN chairs the Energy Committee, and I am the second ranking Democrat on that authorizing committee. I wish to talk about what we have written in the energy authorizing bill in the context with efforts that some have described

to merge that energy bill with a cap-and-trade climate change bill and bring both to the floor for a debate. I prefer we not do that approach. Not because I don't think we should address climate change; I believe we should have that debate too. I believe we are going to have to have a lower carbon future. What I believe we should do is a two-step process that focuses on energy legislation. From a policy standpoint, it would give us a real opportunity to reduce carbon in the atmosphere by changing our energy mix. First by using more renewable energy, and second by finding ways, through greater investments in research and technology, to reduce the carbon emitted when we burn fossil fuels to produce energy. So I have a couple of comments about this two-step approach.

The Energy bill we have enacted provides a lot of things. It provides a substantial increase in renewable energy, and it does that through wind turbines which create electricity from the wind. There is no carbon output with wind energy. The problem is that we have a lot of wind in remote areas, and we need to move it to the load centers that need the electricity. It's well known that there is wind from Texas to North Dakota. By the way, North Dakota ranks No. 1 in wind; we are the Saudi Arabia in wind. We also have a substantial opportunity to develop solar from Texas across the Southwest to California where the sun shines all the time, or virtually all the time. We can maximize the production of energy where it is available from wind, solar, biomass and so on, and then we can build the transmission capability to move it to the load centers that need it. By doing this, you will dramatically change our energy capability in this country.

The legislation we have done in the Energy Committee accomplishes that goal. We have a significant transmission piece in that legislation that allows us, at long last, to build the transmission capacity we need to support our renewable potential.

We built an Interstate Highway System around this country so you can get in a vehicle and drive almost anywhere, but we have not built an interstate highway of transmission to move energy from where it exists to where it is needed. We have a patchwork of transmission that was built up over a period of time when there was a local utility that produced energy for a certain market and then in that area distributed energy to its market. That is the kind of transmission system we have. We need to dramatically modernize the transmission so we can maximize the amount of renewable energy.

There are a lot of things happening that I think are exciting in energy that can change our future. Do you know right now there are a couple hundred people working on a process to find innovative ways to use coal. Dr. Craig Venter is involved. He is one of the great scientists in our country and one of the two people who led the human genome project. They are working on finding ways to create synthetic microbes that would actually consume a coal in deep seams and turn the coal into methane. Think of that. It creates synthetic microbes that will essentially eat the coal—that is not a scientific term—they will consume the coal and leave in its wake methane, turning coal into methane.

We have others who are working on the development of algae and energy, and Dr. Venter is involved in this as well. By the way, after 15 years of it being discontinued, I restarted the algae research at the DOE energy laboratories through my Energy and Water Subcommittee. Dr. Venter is working on developing strains of algae that will excrete lipids that become a fuel. We know we can grow algae in water and sunlight and CO_2 and then get rid of CO_2 by growing algae and then destroy the algae by harvesting it and creating diesel fuel. Dr. Venter is looking at ways to produce algae that simply excrete the lipids and, with little transformation, becomes a fuel. We have so many things going on that are so interesting. I think 10 years from now we will look in the rearview mirror and see dramatic changes in how we produce energy and how we significantly reduce carbon.

I wish to show a map of my State in which we have some projects that are extraordinary. The western half of North Dakota has substantial oil development. The USGS determined that it was the largest discovery of technically recoverable oil that has yet been assessed in the lower 48 States. They estimated that there was as much as 4.3 billion barrels of oil in this region known as the Bakken formation. We also have a substantial amount of coal, lignite coal. We have one of the largest commercial working example of CO_2 sequestration by capturing the CO_2 from a synthetic gas plant, putting it in a pipeline, and sending it up to Saskatchewan where they inject it underground for enhanced oil recovery. By doing this, it improves the productivity of marginal oil wells in Saskatchewan. So we actually capture the CO_2 from the North Dakota plant that is gasifying coal and gas, ship it up to Canada, and then inject it underground in an enhanced oil recovery process. In my judgment, that is a very exciting thing.

Here are the fuels we use for the production of electricity. About forty-eight percent of our electricity comes from coal. Nuclear provides a smaller piece than that need. We have natural gas, hydroelectric, and other renewables too. So my point is we are not going to have a future without using coal for some period of time. The question is how do we use it in a different way. I believe a substantial investment in technology that will allow us to build near-zero emission coal-fired plants. I believe we can do that by capturing carbon and protecting our environment. We must maximize the use of renewables from wind, solar, biomass, and other sources. We must also move toward an electric drive transportation system, and then continue to invest in a longer term hydrogen fuel cell system. We need to do all of these things are what we can and should do.

The Energy bill we passed out of the Energy Committee is a giant step forward to maximize renewables and increase energy efficiency as a way to reduce carbon. I think what we ought to do is bring that energy bill to the floor, have a debate, get it to the President for his signature. This would be a giant step in the direction of climate change. Following that, we should bring the climate change bill to the floor and then address the issue of targets and timetables and other mechanisms to find out what is achievable for protecting this country. Some have heard me speak about this and have said, Well, he doesn't support any sort of climate change legislation. What I have said is I don't support cap and ''trade.'' At this point, I have said I don't support providing a $1 trillion carbon securities market for Wall Street so that speculators and the investment banks can trade carbon securities tomorrow and tell us what our price of energy is going to be for us the next day. I have precious little faith in those same people who ran up the price of oil last year to $147 a barrel in day trading when the market fundamentals showed that demand was down and supply was up. So, no, I don't support the trade side using that mechanism, but I do support creating climate change legislation that has appropriate targets and timetables that reduce our nation's carbon footprint. We can do that. We will do that. I think there is general consensus we should do that.

All I am saying is this: What we ought to do is bring to the floor energy legislation that will adopt the policies on maximizing renewables, building the transmission capability, creating the building efficiencies and much more that is and important step forward and the lowest hanging fruit in energy. Among these positive benefits, energy efficiency is the lowest hanging fruit by far that costs the least to retrofit America's buildings and homes. We should do all of that in the Energy bill that has now been waiting for some months. I have spoken to the majority leader who has been a terrific advocate for sound and thoughtful energy policies. I have also talked to the President directly about this. It is not that I don't want to do climate change because I know my colleagues are working hard on it. It is the fact that I want to make progress in energy policy first that can change our fuel mix and develop a lower carbon future. Because we have done that work in the Energy Committee, we have taken an important step. We can then bring a climate change bill to the floor after that which I know is controversial, but that

we can work on developing targets and timetables for that lower carbon future. I think this is something we should do and I think we can do. I think it would, in my judgment, be the best fit for this country's future energy policy and for the policy that is necessary to lower the future CO_2 emissions into the atmosphere and protect the environment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that any recess adjournment or morning business period count past cloture.

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

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes.

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

Mr. NELSON of Florida. Mr. President, I say to my colleague from North Dakota that the one example he gave about algae—it is so exciting that we know now that you can take algae and put it in some kind of plastic cylinder, expose it to sunlight, and with the right ingredients in there, pump in CO_2, and it consumes the carbon dioxide and in the process it makes ethanol. So as the Senator has hinted, if this process ends up working, and working efficiently, what about putting an algae ethanol-producing plant right next to a coal-fired electricity plant to take the CO_2 out of the coal, and instead of trying to inject it into the ground, put it right into the ethanol-producing algae plant? There are limitless possibilities, as the Senator from North Dakota pointed out. I find it quite exciting.

Mr. DORGAN. If the Senator will yield for a question, I held a hearing on the beneficial use of carbon. A scientist at Sandia National Laboratory said: Think of carbon not just as a problem but an opportunity.

In this case, when you talk of algae, it is single-cell pond scum, a green slime you find on top of wastewater, right? The fact is, you can feed CO_2 to algae and produce something from it that extends our fuel supply. It is exactly the kind of thing that makes sense.

There are other beneficial uses of carbon as well. If we change our way of thinking a bit, we all have the same goal, which is to protect our planet. We can find other ways of maximizing the use of renewables and to reduce carbon by using it for enhanced oil recovery and producing additional fuel by growing algae.

I thank the Senator.

Mr. NELSON of Florida. Mr. President, I wish to speak about the Energy and Water appropriations bill. It certainly is going to continue to help us provide for the Nation's energy needs and water infrastructure, but it also restores funding to our efforts at restoring America's Everglades.

For many years, the Everglades have simply languished. Over half a century ago, or three-quarters of a century ago, the idea was to get rid of the floodwaters, and mankind went in there and completely reversed what Mother Nature intended, diked and drained and sent freshwater out to tidewater and did it exactly the opposite.

In this massive project, we are trying to restore the natural ecosystem that once dominated the entire south half of the peninsula of Florida. The Water Resources Development Act of 2007 was a major step toward restoring parts of the Everglades. This effort was also helped by this year's omnibus and stimulus spending bills which put a significant amount of funding toward restoration—about $360 million. Building on that momentum, the President's budget for fiscal year 2010 included $214 million in funding for the Everglades from the Army Corps of Engineers.

Despite the best bipartisan efforts of the Florida delegation, the final bill contains $180 million in funding for the Everglades instead of what we had hoped for, but we do have exciting things happening this year. In a few months, there will be two groundbreaking projects that are critical to restoring the Everglades—the construction of the Tamiami Trail bridge and the Picayune Strand.

While this particular appropriations bill falls short of the President's request, I have been assured by the administration that Site One, which is one of the projects that is funded minimally in this appropriations bill, and the Indian River Lagoon, also funded minimally, are going to have the funds needed to go forward from another source, perhaps the stimulus bill. I wish to express my appreciation to the administration. We have overcome great obstacles to get us this far. This bill settles the question of whether the Indian River Lagoon and Site One are new starts or not. In 2010 we will begin construction on those new projects.

It was Oliver Wendell Holmes who said that ''the great thing in the world is not so much where we stand, as in what direction we are moving.'' When it comes to the Everglades restoration, we are going in the right direction. We have great science, we know what needs to be done, and we are doing it. In 12 months, we have allocated $600 million for the Everglades. In the next year, we are going to break ground on four projects.

I wish to conclude by saying that restoration not only means doing these projects, which often are Army Corps of Engineers projects, but it also means protecting the 68 threatened and endangered species that call the Everglades home.

Just yesterday, a long-awaited Federal report was released that found that the Burmese python, a giant constrictor snake, and four other large constrictor snakes pose a high risk to these kinds of environments in the United States. We have been saying this for the last 3 years, but we now have the official report issued by the Federal Government. The report says, in particular, that Florida, Texas, and Hawaii provide prime habitat for these giant predators. Remember, these predators have no natural enemies. It doesn't make any difference if the critter has scales, feathers, or fur—these giant constrictor snakes consume them all. We have 68 threatened and endangered species in the Everglades that call the Everglades home. According to the superintendent of the Everglades Park, there are estimates of up to 140,000 of these snakes because they proliferate so greatly. They got one female, and they found 56 eggs inside her ready to hatch. That is how much they proliferate. So the report finally backs up what the National Park Service staff, the scientists, and the citizens of south Florida have been concerned about for the past years—the enormous damage caused by importing invasive species like the Burmese python.

We are going to continue to work with the Florida delegation and the Department of the Interior, with Secretary Ken Salazar, who has taken a personal interest in this, with the Army Corps of Engineers, with the State of Florida, the local communities, and the citizens who are committed to the Everglades, toward restoring this national treasure.

I yield the floor.

Mr. CONRAD. Mr. President, I rise to offer for the record, the Budget Committee's official scoring for the conference report to accompany H.R. 3183, the Energy and Water Development and Related Agencies Appropriations Act for fiscal year 2010.

The conference report provides $33.5 billion in discretionary budget authority for fiscal year 2010, which will result in new outlays of $19.6 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the conference report will total $43 billion.

The conference report matches its section 302(b) allocation for budget authority and for outlays.

The conference report includes several provisions that make changes in mandatory programs that result in an increase in direct spending in the 9 years following the 2010 budget year. Each of these provisions is subject to a point of order established by section 314 of S. Con. Res. 70, the 2009 budget resolution. The conference report is not subject to any other budget points of order.

I ask unanimous consent that the table displaying the Budget Committee scoring of the conference report be printed in the RECORD.

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

H.R. 3183, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

[Spending comparisons—Conference Report (in millions of dollars)]

	Defense	General Purpose	Total
Conference Report:			
Budget Authority	16,629	16,836	33,465
Outlays	18,391	24,563	42,954
Senate 302(b) Allocation:			
Budget Authority	.....	.....	33,465
Outlays	.....	.....	42,954
Senate-Passed Bill:			
Budget Authority	16,886	16,864	33,750
Outlays	18,571	24,630	43,201
House-Passed Bill:			
Budget Authority	16,367	16,931	33,298
Outlays	18,219	24,508	42,727
President's Request:			
Budget Authority	16,548	17,845	34,393
Outlays	18,345	24,269	42,614
Conference Report Compared To:			
Senate 302(b) allocation:			
Budget Authority	.....	.....	0
Outlays	.....	.....	0
Senate-Passed Bill:			
Budget Authority	−257	−28	−285
Outlays	−180	−67	−247
House-Passed Bill:			
Budget Authority	262	−95	167
Outlays	172	55	227
President's Request:			
Budget Authority	81	−1,009	−928
Outlays	46	294	340

Note: The table does not include 2010 outlays stemming from emergency budget authority provided in the 2009 Supplemental Appropriations Act (P.L. 111–32).

Mr. INOUYE. Mr. President, I submit pursuant to Senate rules a report, and 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:

DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING ITEMS

I certify that the information required by rule XLIV of the Standing Rules of the Senate related to congressionally directed spending items has been identified in the conference report which accompanies H.R. 3183 and that the required information has been available on a publicly accessible congressional website at least 48 hours before a vote on the pending bill.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mr. KERRY. Mr. President, I was necessarily absent for the vote to invoke cloture on the conference report to accompany the Energy and Water Development and Related Agencies Appropriations Act, 2010, H.R. 3183. If I were able to attend today's session, I would have supported cloture.●

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Acting President pro tempore.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—CONFERENCE REPORT—Continued

The ACTING PRESIDENT pro tempore. The Senator from West Virginia is recognized.

AFGHANISTAN RESET

Mr. BYRD. Mr. President, few subjects weigh more heavily upon a President of the United States than the decision to send America's sons and daughters into war. Such a commitment demands the clearest of clear thinking, including a thoroughly dispassionate assessment of goals—objectives, in other words—risks and strategies. This is difficult, very difficult terrain for any American President, especially when faced with conflicting views from advisers, from Congress, and from the American public.

I have become deeply concerned that in the 8 years since the September 11 attacks, the reason for the military mission of the United States in Afghanistan has become lost, consumed in some broader scheme of nation building, which has clouded our purpose and obscured our reasoning.

General McChrystal, our current military commander in Afghanistan, has requested 30,000 to 40,000 additional American troops to bolster the more than 65,000 American troops already there. I am not clear as to his reasons and I have many questions.

What does General McChrystal actually aim to achieve? So I am compelled to ask: Does it take 100,000 U.S. troops to find Osama bin Laden? If al-Qaida has moved to Pakistan, what will these troops in Afghanistan add to the effort to defeat al-Qaida? What is meant by the term ''defeat'' in the parlance of conventional military aims when facing a shadowy, global terrorist network? And what of this number 100,000? Does the number 100,000 troops include support personnel? Does it include government civilians? Does it include defense and security contractors? How many contractors are already there in Afghanistan? How much more will this cost? How much in terms of dollars? How much in terms of American blood? Will the international community step up to the plate and bear a greater share of the burden?

There are some in Congress who talk about limiting the number of additional troops until we surge—where have I heard that word before—until we ''surge to train'' more Afghan defense forces. That sounds a lot like fence straddling to me. I suggest we might better refocus our efforts on al-Qaida and reduce U.S. participation in nation building in Afghanistan.

Let me say that again. I suggest we might better refocus—in other words, take another look—our efforts on al-Qaida and reduce U.S. participation in nation building in Afghanistan. Given the lack of popularity and integrity of the current Afghan Government, what guarantee is there that additional Afghan troops and equipment will not produce an even larger and better armed hostile force?

Let me ask that question again. Given the lack of popularity and integrity of the current Afghan Government, what guarantee is there that additional Afghan troops and equipment will not produce an even larger and better armed hostile force? There is no guarantee. The lengthy presence of foreign troops in a sovereign country almost always creates resentment and resistance among the native population.

I am relieved to hear President Obama acknowledge that there has been mission creep in Afghanistan, and I am pleased to hear the President express skepticism about sending more troops into Afghanistan unless needed to achieve our primary goal of disrupting al-Qaida. I remain concerned that Congress may yet succumb to military and international agendas. General Petraeus and General McChrystal both seem to have bought into the nation-building mission. By supporting a nationwide counterinsurgency and nation-building strategy, I believe they have certainly lost sight of America's primary strategic objective; namely, to disrupt and defang—in other words, pull the teeth right out of the bone. I believe they certainly have lost sight of America's primary strategic objective to disrupt and defang al-Qaida and protect the American people—protect the American people—from future attack.

President Obama and the Congress must—I do not say ''should,'' I say ''must''—reassess and refocus on our original and most important objective; namely, emasculating—I mean tearing it out by the roots—emasculating a terrorist network that has proved its ability to inflict harm, where? On the United States.

If more troops are required to support the international mission in Afghanistan, then the international community should step up and provide the additional forces and funding. The United States is already supplying a disproportionate number of combat assets for that purpose.

I yield the floor.

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

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

AMENDMENT NO. 2644

Mr. VITTER. Mr. President, I rise to talk about my pending amendment to the Commerce-Justice-State appropriations bill, amendment No. 2644. Apparently, this has created some interest and some opposition. It apparently is one of the major, if not the major, reason the majority leader felt the need to file cloture on the Commerce-Justice-State bill rather than simply come to an agreement regarding pending amendments and votes. It saddens me that—although that agreement was all worked out, basically—it was out the window, and he just decided to file cloture and bar votes on all of those amendments, including my amendment No. 2644. I think we should have a reasonable debate on my amendment and

then a straightforward vote on the amendment because it is an important topic, directly related to that bill.

What does the amendment do? My amendment is about the next census. It simply says no funds in that appropriations bill can be spent on the next census unless we ask about citizenship. I believe that is a basic requirement for the next census, to give us adequate tools to deal with a whole host of issues, including illegal immigration, including properly handling congressional reapportionment. Again, I find it very sad and, frankly, telling that the majority leader is going to such lengths to avoid having a vote on that simple concept, that simple idea.

Why should we ask a question about citizenship? A couple of reasons. First of all, the census is supposed to give us in Congress important information, detailed information, the tools we need regarding how to handle a host of Federal programs and Federal issues. Certainly a major issue we need to deal with in this country and in this Congress is immigration, including illegal immigration. It seems like basic information we would want to collect. How many folks covered in the census are citizens and how many are noncitizens? That is basic information that would help us in a whole host of ways with regard to Federal programs and with regard to dealing with the immigration issue.

There is another even more important reason, in my opinion, we should collect this information, and that is because one of the most important things any census is used for is reapportioning the U.S. House of Representatives; determining how many House seats each State in the Union gets in terms of representation. As it stands now, the plan is to do the census, to not distinguish in any way between citizens and noncitizens, and therefore to have noncitizens counted in congressional reapportionment. I think this is crazy and goes against the very idea of a representative democracy, people being elected by voters to represent citizens in the Congress. I don't think the Founding Fathers set up our democracy to have noncitizens represented in the Congress.

As it stands now, without asking that simple, basic, fundamental question, noncitizens will be counted in congressional reapportionment. That means States with a particularly large number of noncitizens, including illegal aliens, will be rewarded for that, will get more representation, more say, more clout in the House of Representatives. States that do not have that issue will be hurt. They will get less say, less clout, less Members of the House of Representatives. I think that is fundamentally wrong.

I also have a very specific interest in finding against that because Louisiana is one of nine States that would specifically be hurt. There are at least nine States that will have less representation in the House of Representatives if we count all people in congressional reapportionment, including noncitizens, versus if we just count citizens. It is important to say what those nine States are, and I specifically reached out to the Senators representing those nine specific States to make it clear to them that their States lose out in terms of that equation.

Those States are Indiana, Iowa, Michigan, Pennsylvania, Mississippi, North Carolina, South Carolina, Oregon, and Louisiana. Those nine States would have less representation, less say, less clout in the House of Representatives if all people, including noncitizens, are counted in congressional reapportionment versus if only citizens are counted. Once again: Indiana, Iowa, Michigan, Pennsylvania, Mississippi, North Carolina, South Carolina, Oregon, and Louisiana.

I particularly implore my colleagues, Democrats and Republicans, from those States to be aware of that, to support the Vitter amendment, and so we get to a vote on the Vitter amendment, No. 2644, to vote against cloture on the entire bill.

Unfortunately, there are several Senators from those States who voted for cloture yesterday. I hope they will reconsider. I hope they would see, if they vote for cloture again, that they would be preventing us getting to this issue. They would be preventing us getting to a reasonable and full debate and vote on this issue. I implore all Senators from Indiana, including Senator BAYH, who voted for cloture previously; from Iowa, including the Senators there who voted for cloture previously; the two Senators from Michigan; the two Senators from Pennsylvania; the Democratic Senator from North Carolina; the Democratic Senator from Louisiana—please don't vote for cloture again until we can get a reasonable vote on this amendment.

Let me specifically address some of the arguments that have been made against this amendment because I think they are completely erroneous. One argument is this will intimidate folks and discourage noncitizens from filling out the census form. I think it is important to note, No. 1, this citizenship question is asked on the long form. The long form gets millions of responses, and the census has never noted any difficulty in getting folks to fill out the long form.

This question is also asked in the American Community Survey which the Census Bureau does. Again, the same citizenship question is asked here, and we get plenty of responses. The Census Bureau has never noted a big problem in terms of getting those responses.

To make this perfectly clear, I am perfectly willing to revise my amendment so that we only focus on citizenship, not immigration status. I will be happy to revise my amendment so it only mentions and only focuses on citizenship versus immigration status.

The other argument, that the Census Bureau itself has apparently made, is that this would be cumbersome and cost money at this stage in the census. Frankly, I find this pretty ironic coming from a bureaucracy which is spending $13 billion on this new census, up from $4.5 billion from the last census. Here is a bureaucracy where the cost of the new census versus the last census has tripled. The last score they are getting $13 billion, but asking this one question, which they already ask in the long form, which they already ask in the American Community Survey, is a huge problem and will cost too much money. That simply is silly on its face. It is important to do this right. Certainly asking a basic question about citizenship is central to doing it right.

In summary, I urge all my colleagues to demand a vote on this important issue and to vote against cloture on the bill until we get that vote. Then, when we get that vote, I urge all my colleagues to support the Vitter amendment, No. 2644. It is very simple and straightforward. It will say: Ask the citizenship question. Let us know how many folks in the overall count are citizens and how many are noncitizens. That is absolutely essential, No. 1, so we can use the census information as a full tool in many of the programs and policies we debate and implement in Congress. No. 2, it is particularly important for congressional reapportionment.

I do not believe noncitizens should be counted in congressional reapportionment. I don't believe States which have particularly large noncitizen populations should have more say and more clout in Congress because of that than States that do not, and that States such as Louisiana should be penalized. I don't believe those nine States in particular—Louisiana, Indiana, Iowa, Michigan, Pennsylvania, Mississippi, North Carolina, South Carolina, Oregon—should be penalized by including noncitizens in congressional reapportionment. I certainly do not believe Senators representing those nine States should vote either for cloture, cutting off a vote on my amendment, or should vote against my amendment.

Again, I particularly urge all Senators from those nine States to stand up for their States, to vote for the interests of their States, to vote for their States getting full and proper representation, to vote against their States being penalized in terms of the census and in terms of congressional reapportionment.

It is a simple issue but a very basic, fundamental issue. The census is an important tool. It only happens once every 10 years. We need to get it right for a whole host of reasons, particularly with congressional reapportionment in mind.

I daresay if any Members of this body go back home to their States and have a discussion in a diner, have a townhall meeting, just ask a representative group of citizens: Did you know that noncitizens, including illegal aliens, are not only counted in the census—

but we do not discriminate—we do not know the numbers of noncitizens versus citizens? And, because of that, did you know all of those noncitizens are factored into determining how many House seats each State gets so that States with very large noncitizen populations, including large numbers of illegal aliens, are rewarded for that; they get more clout and say and vote in the House of Representatives, and other States, particularly the nine States I mentioned, are penalized because of that?

I daresay the average citizen would be stunned about that and would say, hardly with any exception: That is not right. We should know those numbers, and we should not count noncitizens in terms of House representation. I certainly think citizens and voters in Indiana, in Iowa, in Oregon, in Michigan, Pennsylvania, Mississippi, North Carolina, South Carolina, and Louisiana would certainly say: Wait a minute, we are being penalized because noncitizens are being counted or being worked into the formula for representation in Congress? That is crazy.

It is crazy. It doesn't meet the smell test, it doesn't meet the commonsense test of the American people, and we should act to make sure the next census is done right, starting by having a vote on the Vitter amendment, No. 2644, and by passing that amendment to the bill.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, my understanding is that we are now in what is called a 30-hour postcloture period. We had a cloture vote this morning on the energy and water conference report. I chair the committee that brought that to the floor, the subcommittee on appropriations which funds the water projects, the energy projects, the nuclear weapons, among other things. It is a very important piece of legislation. We could not just bring it to the floor from conference. We actually had to file cloture, wait for the cloture petition to ripen—2 days—then we have a vote. I think we had 79 votes in favor of it. And now we are in a period where we can't yet adopt it because some are insisting we have the 30 hours postcloture expire. My hope is that whoever feels that way might relent so that later this afternoon we can pass this piece of legislation.

But this legislation is very much like almost everything else we are trying to do in appropriations. We have tried very hard to do the appropriations bills as we are supposed to do them—one at a time, bring them to the floor, have votes, debate the amendments, and so on. In the last couple of years, in my judgment, the appropriations process has been a failure because we have had to do omnibus bills, which is not the right way to do it. We were forced to do that, in many respects. But now we are trying to do one bill at a time, and we have done many of them. Credit goes to the majority leader, who has said we want to finish the individual appropriations bills. But the fact is, we are getting almost no cooperation—almost none.

I think we have had a relatively noncontroversial Legislative Branch appropriations bill, which is generally pretty noncontroversial. As I recall, I believe we had to file a cloture petition to shut off debate on the motion to proceed—not the bill, just the motion to proceed to the bill. That takes 2 days to ripen, then you have 30 hours postcloture.

Virtually every step of the way, we have had this problem, with no cooperation at all. It is like trying to ride a bicycle built for two uphill and the person on the backseat has their foot on the brakes. That is what is happening around here all the time. All we would like is just a little cooperation so we can get these bills completed.

When we bring a conference bill to the floor, it shouldn't take us 2 to 3 days. The bill I brought to the floor myself, the Energy and Water bill, took us a fair amount of time. We sat on the floor waiting for people to come and offer amendments. They didn't. That is why I sometimes refer to the Senate as 100 bad habits. It is not very easy to get people to come over, even when they have amendments to offer. And then from time to time somebody comes over and has an amendment that has nothing to do with the subject, which is fine—the rules allow that—but then they insist they have a vote on their specific two or three or four amendments or they will hold everything up forever.

So we are getting no cooperation, and it would be nice to get just some so we can get the appropriations bills done. It is the right way to do it—bring the bills to the floor, do them, debate them, and have votes on them. That is the way the Senate should work. Lord knows we have tried this year to do that, but we have had almost no cooperation. At every turn, we have had people stand up and say: Well, I have my four amendments, but, no, I am not going to come over and offer them. I am going to tell you I have four amendments to offer, and if you try to shut this down and shut off amendments, then we will filibuster and we won't give you the 60 votes you need to shut it off. So there you are, stuck in the middle, unable to get things done.

Again, the cloture vote yesterday failed on Commerce-State-Justice. Normally speaking, Senator MIKULSKI would bring a bill like that to the floor of the Senate and it would be on the floor maybe 1 day, maybe 2 days. Instead, I watched last week as she was out here waiting for people to offer amendments—sitting here waiting, and no one was coming to offer amendments, by and large. Then the majority leader sat here until I think 9:30 or 10 o'clock at night one evening trying to reach an agreement, and no agreement was forthcoming.

My only point is that it would be nice if we could get some cooperation and some understanding. It is not Republican or Democrat or conservative or liberal to do the work on time and finish our appropriations bills with some amount of cooperation; it is just common sense. If we could just get a bit of that cooperation, we could get the work done around here.

I did want to mention as well, with respect to the agenda, that while we are trying to get these appropriations bills done, we will also begin the process of debating health care on the floor of the Senate—a health care bill that will be brought to the floor reasonably soon. I want to mention that certainly one of the efforts I will make when the health care bill comes to the floor—and I have mentioned this before—is to try to address the issue of the expanding cost of prescription drugs. That is not dealt with in the legislation which is coming to the floor, I assume, and if not, then there are 30 of us, Republicans and Democrats, who have legislation that will give the American people the freedom to import FDA-approved drugs sold at a fraction of the price elsewhere. That will be one of the amendments I and many others will come to the floor to offer.

Another amendment I intend to offer is a piece of legislation called the Indian Health Care Improvement Act. We passed that through the Senate last year. We have modified it just a bit this year, and I believe we will reintroduce it later this afternoon.

The Indian Health Care Improvement Act has not been reauthorized for a long time. I believe it has been 17 years since the Senate last dealt with Indian health care—an authorization bill—except for last year when we failed because one of our colleagues, who previously spoke, offered an abortion amendment that had the effect of stopping the bill when it got to the House of Representatives.

Having said all that, I intend to offer the Indian health care legislation as an amendment to the broader health care bill because I don't think we should go on to pass a health care reform bill if we don't address the health care obligations we have made to the first Americans, the American Indians. The fact is, American Indians were promised by treaty—were promised time and time again and in treaties the Federal Government signed—that we would provide for their health care, and we have not met those promises. We have both a trust responsibility and a treaty responsibility to fix the health care system for American Indians. It has not been fixed, and it would be a tragedy if we moved forward with health care and didn't include the important part that is required by us to reauthorize the Indian Health Care Improvement Act. So I intend to offer that as well.

I also want to say that when we get health care completed—and I spoke

earlier today about the need to bring up the Energy bill, but there is another bill that is very important that I have spent a lot of time on that has to be considered by the Senate and the entire Congress. That is the FAA reauthorization bill.

The Federal Aviation Administration reauthorization bill is critically important. It has a wide range of issues dealing with safety in the skies, and it has the important provisions dealing with modernizing our air transportation system—our air traffic control system, I should say—and that modernization can't wait. We have to move forward, and it requires a lot of things.

Senator ROCKEFELLER and I have brought a bill out of the Commerce Committee that is ready for floor action, but we need to get it to the floor of the Senate and get it passed so we can get it into conference with the House of Representatives. If I might, I want to describe for a moment why this is important.

We have the skies full of airplanes. I know the carriers have shrunk their size by 8 or 10 percent in terms of commercial carriers, but nonetheless we have the skies full of airplanes flying around transporting people and cargo, and the fact is, we are still flying to what is called ground-based radar. What happens is, we put an airplane in the air someplace with a couple hundred people on board, and it flies around being guided by ground-based radar. Of course, that is better than the old days, when in order to haul the mail at night, in the early days of airplanes, they first used bonfires every so many miles so that you could fly to a bonfire and see where you were headed. That was the only way you could fly at night. The second thing they did was to use flashing lights, and now, of course, ground-based radar for many decades. But ground-based radar is clearly obsolete, and it only tells someone where an airplane was just for a nanosecond.

The transponder on the airplane being shown on a tube someplace or by a monitor somewhere in the air traffic control center shows, when the arc goes around on the radar, where that jet airplane was. Then for the next 6 or 7 seconds, as it is going around again, that jet airplane is someplace else because it is traveling very fast. It only tells you about where the airplane is and only tells you exactly where it was for a nanosecond.

The fact is, we need to go to a GPS system so we can save money, use more direct routing, make it safer for passengers, and use less energy. You also don't have to space the planes as far apart because you know exactly where an airplane is, not where it was.

We need to move on this newer technology. Europe is moving to it, and many other countries. But it is complicated, and it requires us to pass legislation that includes the modernization of the air traffic control system. Again, we brought that out of the Commerce Committee, and it is awaiting action on the floor of the full Senate.

I hope that following health care and following a number of other issues—including, I hope, an energy bill at some point—the FAA reauthorization bill will have its day on the floor of the Senate. I also hope we will have substantial cooperation. I know Senator HUTCHISON from Texas worked with us, Senator DEMINT worked with us to bring that out of the Commerce Committee, and I look forward to having that as part of the agenda so that all of those who have worked for a long time on these issues dealing with safety in the skies and dealing with modernizing our air traffic control system will be able to feel as if we have made progress and have been able to get this bill to conference with the House.

Mr. President, I know the majority leader has a lot to try to plan for the agenda now as we near the end of the year, and these are big, difficult issues. I want to help him, as do most of my colleagues. We are going to need a little cooperation here and there. If we continue to have to vote on cloture petitions, on motions to proceed, it means every single thing we bring to the floor of the Senate takes a week just to get up. Cloture petitions take a couple of days to ripen, then there is 30 hours postcloture. All we need is a little cooperation. That ought not be too much to ask in order to get the business of the Senate done.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. UDALL of New Mexico. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. UDALL of New Mexico. I ask unanimous consent to speak as in morning business.

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

INDIAN HEALTH CARE

Mr. UDALL of New Mexico. Mr. President, I rise to speak about Indian health care legislation. This is legislation introduced by the chairman of the Indian Affairs Committee, Senator DORGAN.

I wish to talk a little bit about Native Americans and their health care situation. We have spent the last 6 months talking about health care. We have debated the quality of care, the cost of care, access to care. I am glad to say we are making progress in fixing what is broken in our health care system. But there is one group of Americans that has not engaged in this national conversation, Americans who suffer from an inadequate health care system and alarming health disparities. I am talking about the first Americans, the American Indians and Alaska Natives who are suffering because the Federal Government is not living up to its promise to them.

Right now Native Americans are being diagnosed with diabetes at almost three times the rate of any other ethnic group. Right now too many Native American families don't have access to preventive health care. Right now Native American teens are attempting and committing suicide at alarming rates. The bottom line is, too many Native Americans are struggling to receive quality health care. For too many years, America has stood aside and let it happen.

Today is a new day. It is time for America to make good on its promises to Native Americans. I believe Senator DORGAN's bill would help us do just that. This legislation will bring much needed reforms to the Indian health care system and will allow us to connect Indian health improvements to national reform efforts. By tying these initiatives together, we will increase the likelihood of success not only today but for years to come. This legislation would make reauthorization of the Indian Health Care Improvement Act permanent so Indian country can better predict and plan for its health care needs. It will also build on what works by expanding services for mental health and prevention. We encourage stronger collaboration with the Veterans' Administration. We provide resources so that more Native Americans can train to become health care providers. We promote new ideas and future progress through funding of demonstration projects.

Finally, we begin addressing a tragedy that is tearing apart too many Native American families, especially in my home State of New Mexico. That tragedy is the epidemic of teen suicide which I spoke of a moment ago. New Mexico's suicide rate is almost two times that of the national average, and far too many of these suicides are happening in Indian country. This summer, over the course of a little more than a month, four people from the Mescalero Apache Reservation committed suicide, all of them teenagers or young adults. The latest was a 14-year-old girl just last week. In this bill we will take the first steps in addressing this crisis. We will fund new grant programs and telehealth initiatives, and we will expand a program that has proven successful for the Zuni tribe in New Mexico. It is a program that connects schools and parents with the community, where students learn to be peer educators, and middle and high school students learn life skills to prevent suicide.

America has an obligation to provide quality, accessible health care for our country's first Americans. That begins with engaging American Indians and Alaska Natives in the national conversation about health reform.

I am honored to cosponsor this bill and look forward to its passage by the Senate.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. STABENOW). Without objection, it is so ordered.

EMERGENCY SENIOR CITIZENS RELIEF ACT

Mr. SANDERS. Madam President, for more than three decades, seniors have relied on a COLA in their Social Security benefits to keep up with their increased expenses. Tomorrow it is expected that the Social Security Administration will announce that for the first time in 35 years, seniors will not be receiving a COLA. Based on the formula that by law they are obliged to use, they came to the conclusion that there is no inflation for seniors and, in fact, the prices for seniors have declined.

In my view, the current formulation for determining Social Security COLAs is wrong in terms of the needs of seniors because it does not accurately take into account their purchasing needs. In other words, if you are 19 years of age and you buy a laptop computer or an iPod or a new cell phone, the likelihood is that prices may well have gone down over the last year. On the other hand, most seniors are not buying iPods. What they are buying is prescription drugs and health care needs, and those costs have gone up.

I have long argued and when I was a Member of the House I introduced legislation with a whole lot of support to develop a separate index for seniors. Be that as it may, where we are right now is that the Social Security Administration will announce tomorrow a zero COLA.

I have some very good news. I have introduced legislation, and I and a number of us have urged the President to be cognizant of the fact that in the midst of this terrible economic recession, we just cannot turn our back on seniors. Many seniors are not only paying increased costs for prescription drugs and for their health care needs, they have seen a decline in their pensions. They have seen a significant decline, in many cases, in the value of their homes. Some have lost their pensions. Basically, we cannot say to them right now that we are not going to reach out and try to help you in whatever way we can.

I am very happy to announce that just this afternoon, President Obama will be supporting support for senior citizens. He will be supporting a $250 payment to disabled veterans and those people who are on Social Security, some 50 million Americans in all. I applaud the President for not turning his back on seniors.

In his announcement, the President says:

> Even as we seek to bring about recovery, we must act on behalf of those hardest hit by this recession. That is why I am announcing my support for an additional $250 in emergency recovery assistance to seniors, veterans, and people with disabilities to help them make it through these difficult times. These payments will provide aid to more than 50 million people in the coming year, relief that will not only make a difference for them, but for our economy as a whole, complementing the tax cuts we've provided working families and small businesses through the Recovery Act.

That is the statement President Obama is about to release. I thank the President for his support.

Obviously, the ball now comes to our court, and we have to move it forward. I think that in these hard times, when so many seniors are worried about how they are going to pay for their medicine, how they are going to pay for their health care, how they are going to pay to heat their homes in the wintertime, how they are going to take care of other basic needs, it is absolutely imperative we not forget about them.

I applaud the President for his action, and I look forward to working with Members of Congress to pass this legislation as soon as possible.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. 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.

IN PRAISE OF ZALMAI AZMI

Mr. KAUFMAN. Madam President, I rise once again to recognize the service of one of America's great Federal employees.

This Monday, Americans across the country marked Columbus Day. It is a day that holds different meanings for different communities. I had such a meaningful experience attending the Columbus Day Mass and breakfast at St. Anthony's of Padua in Wilmington. I know in the Italian-American community, Columbus Day is a vibrant cultural celebration. But Columbus Day, above all, reminds us all that America is a patchwork; that we are—in the words etched on the wall behind you, Madam President—one Nation from many. This has always been a source of great strength for our country.

This is as true for our Federal workforce as it is for America as a whole. So many of our outstanding civil servants were not born in the United States. Some came as students and found in America jobs and a new home. Others came as infants, carried onto airplanes in the arms of loving parents seeking a new beginning for their families. Some traveled halfway around the world driven by the dream of a better life. Others braved the short but perilous journey over turbulent waves fueled only by the hope of freedom on our shores. The diversity of our Nation is reflected in the diversity of those who choose to serve it.

The Federal employee I am recognizing this week has had a distinguished career in the Department of Justice, both in the Executive Office for U.S. Attorneys and at the Federal Bureau of Investigation.

Zalmai Azmi was 14 years old when he fled with his family from Afghanistan. He arrived in the United States speaking very little English, and he became fluent while in high school. Zalmai, wishing to give back to the Nation which gave him refuge, eventually joined the Marine Corps. He served in the corps for 7 years as a communications and intelligence specialist, and he also trained in special operations. While in the Marines, Zalmai studied computer science, and he later obtained a bachelor's degree in the field from the American University and a master's from George Washington University.

In the 1990s, Zalmai continued his Federal career by moving from the military into the civil service. He was working as chief information officer for the Executive Office for U.S. Attorneys when the September 11 attacks occurred. Zalmai helped implement the Justice Department's continuity of operations emergency plan, and by September 12, he was at Ground Zero in New York setting up departmental field offices.

Just weeks after the attacks, he volunteered to be dropped into Afghanistan as part of a Marines special operations team. In the 2 years that followed, Zalmai, who is fluent in Dari, Farsi, and Pashto, served two tours of duty in Afghanistan. While at home, he was detailed to the CIA's Counterterrorism Center.

In 2004, FBI Director Robert Mueller appointed him as the Bureau's Chief Information Officer. In that role, Zalmai led the effort to revamp the FBI's virtual case file system and helped transform its IT infrastructure to meet the needs of a post-9/11 environment.

He was honored with the prestigious Arthur S. Fleming Award for Applied Science and Technology in 2002, which is presented annually to an outstanding public servant. Additionally, he won the Distinguished Presidential Rank Award.

Zalmai retired from the FBI late last year. His story, while unique, is reflective of the commitment to service and patriotism embodied by all of the immigrants who work in government and serve in our military. Just as America would not be as strong without our great Federal employees, that workforce would not be as vibrant or successful without those who, like Zalmai, came to this country from other lands.

I hope all my colleagues will join me in honoring his service, that of the men and women in the Department of Justice, and all immigrants who work in the Federal Government.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I wish to speak about the conference report we are currently discussing, but I want to first take a second to commend the Senator from Delaware for his fine effort over these many months to continue to call to the attention of America wonderful people who have committed their life to make the lives of other Americans better. He has done a wonderful job, and this is just one more example of both the Senator's job of bringing the news to all of America but also the story of a wonderful individual who has committed his life to improving our great Nation.

Madam President, I would like to spend a moment thanking the Senators from North Dakota and from Utah for their hard work on this bill we are currently considering. It represents a truly bipartisan effort. The energy investments in this bill will foster technological innovations and will harness the creativity and hard work of the American people. I believe it will help us move forward on clean coal technology. It will also promote energy efficiency and accelerate research into renewable energy.

I want to highlight one issue in particular, if I could, and it deals with our domestic uranium production. The uranium industry provides good-paying jobs across the country, and certainly good-paying jobs in Wyoming. A strong uranium workforce is essential to expanding America's nuclear energy capacity. Uranium production means American jobs and American energy.

In August, the Department of Energy proposed transferring—transferring—a significant amount of uranium to the U.S. Enrichment Corporation. The uranium transfer was designed and intended to pay for an environmental cleanup at a facility in Portsmouth, OH.

This is a laudable goal. Unfortunately, the proposal of the Department of Energy would have serious unintended consequences. The proposed transfer would flood the uranium market, artificially forcing down spot prices for uranium, and create significant uncertainty in the marketplace. This action would have a devastating impact on domestic uranium mining. It would cost plenty of jobs in my home State of Wyoming but also jobs all across the United States. It would undercut an integral part of America's energy portfolio.

The Department's plan, in my opinion, is shortsighted and lacks common sense. Why create jobs in one State by killing jobs in another State? The environmental cleanup can be accomplished without hurting jobs in Wyoming and elsewhere.

The conferees recognized the problems with the proposal of the Department of Energy. The conference report directs the Government Accountability Office to evaluate the Department's management of its excess uranium supplies. The bill increases funding for the Portsmouth facility and the cleanup. These steps provide the opportunity to address the necessary environmental cleanup issue without causing the collateral damage in other States.

So I thank the Senators from North Dakota and Utah for their work to address this problem. The Department of Energy should rethink its uranium transfer proposal. By working within the framework of the Excess Uranium Management Plan, the Department can get maximum value for its uranium and fund the cleanup of Portsmouth without hurting jobs—good jobs—in other States.

With that, Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

Mr. McCAIN. 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. McCAIN. Madam President, as we take up the conference report to accompany the fiscal year 2010 Energy and Water appropriations bill, it spends approximately $33.9 billion. Let's not forget Congress has already appropriated over $92 billion to energy and water-related projects between the emergency appropriations provided in the 2009 supplemental, the continuing resolution, and the stimulus bill.

Equally as important is what this bill doesn't fund. The bill provides only $197 million for the Yucca Mountain nuclear waste repository, putting this project on life support.

The Department of Energy has spent billions of dollars and decades studying the suitability of Yucca Mountain as the Nation's repository for spent nuclear fuel and defense waste. Consistently, the science has borne out that Yucca Mountain is the best site to dispose of nuclear waste. The President has made a point of telling all who would listen that his administration would be guided by science and not politics. At the same time, the President and the Secretary of Energy are saying that Yucca Mountain is no longer an option, even though science has proven that Yucca is safe.

The fact that this administration has political problems with moving forward with the Yucca Mountain storage facility doesn't change the fact that the government has a legal obligation to take this spent waste and that the licensing process is already underway. Shelving the Yucca Mountain facility will slow the deployment of new nuclear generating facilities, constrain our most abundant clean energy source, and hinder efforts to combat climate change.

The conference report that accompanies this bill contains 1,116 congressionally directed spending items—a fancy term for earmarks, which is a fancy term for porkbarrel spending, which is a fancy term for corruption—totalling over $1.05 billion and almost doubling the number of earmarks that were included in the Senate-approved bill. Get that: 1,116 earmarks in this bill—over a $1 billion.

I know that is not much when we consider we have already run up a $9 trillion deficit over the next 9 years, but a lot of Americans would be surprised and think it is a fair amount of money.

None of these projects were requested by the administration. Many of them were not authorized or competitively bid in any way. No hearing was held to judge whether or not these were national priorities worthy of scarce taxpayer's dollars. They are in this bill for one reason and one reason only—because of the self serving prerogatives of a select few members of the Senate—almost all of whom serve on the Appropriations Committee. Sadly, these Members chose to serve their own interests over those of the American taxpayer.

During Senate consideration of this bill I filed 24 amendments to strike these earmarks. The American people are tired of this process, and they are tired of watching their hard-earned money go down the drain. Not surprisingly, my amendments were defeated at every turn by appropriators and Members on the other side of the aisle.

''Here are some examples of the earmarks contained in this bill: $2 million for the Algae Biofuels Research, WA; $750,000 for the Algae to Ethanol Research and Evaluation, NJ; $1.2 million for the Alternative Energy School of the Future, NV; $6 million for the Hawaii Energy Sustainability Program, HI; $6 million for the Hawaii Renewable Energy Development Venture, HI; $2.25 million for the Montana Bio-Energy Center of Excellence, MT; $10 million for the Sustainable Energy Research Center, MS; $450,000 for the Vermont Energy Investment Corporation, VT; $1.2 million for the Hydrogen Fuel Dispensing Station, WV; $1.25 million for the Long Term Environmental and Economic Impacts of the Development of a Coal Liquefaction Sector in China, WV; $1 million for the Alaska Climate Center, AK; $5 million for the Computing Capability, ND—whatever that is; $1 million for the Performance Assessment Institute, NV; $1 million for the New School Green Building, NY.

This bill also includes a $106 million increase in funding over the President's request for hydrogen fuel cell research. The Secretary of Energy had pushed for the elimination of this funding but has since changed his mind after bullying from Senate appropriators. Before his change of heart, Dr. Chu explained his reasoning for cutting the funding by stating, ''We asked ourselves, 'Is it likely in the next 10 or 15, 20 years that we will convert to a hydrogen car economy?' The answer, we felt, was no.'' Unfortunately, Dr. Chu caved to demands and has decided to no

longer object to funding research investments that many call a ''dead end.''

This bill dedicates $5.3 billion to the Army Corps civil works program, which is $180 million higher than the President's request. As my colleagues know, the Corps is burdened with a $60 billion backlog as a result of years of abusing the energy and water appropriations bills and the Water Resources Development Acts as hot tickets for loading up new pet projects. As one would expect, this year's appropriations process was no different from previous years as the Senate Appropriations Committee received 256 requests to fund new projects. Imagine our surprise when we learned that the committee rejected every single one of these requests for funding new projects—a nod, albeit a modest one, to the tenets of fiscal responsibility.

While I applaud appropriators for attempting, in a way, to address our current backlog, we can't deny that our system for funding existing Corps projects is not working. Currently, there is no way to know which projects warrant taxpayer dollars because the Corps refuses to give Congress any kind of idea of what it views as national priorities. In fact, even when Congress specifically requests a list the Corps' top priorities, they are unable to provide them. That leaves it up to politicians on Capitol Hill to blindly throw money at flood control, hurricane protection, navigation and environmental restoration projects—in some cases matters of life or death—without knowing which projects may or may not benefit the larger good. We owe it to the American people to do better.

Our current economic situation and our vital national security concerns require that now, more than ever, we prioritize our Federal spending. But our appropriations bills do not always put our national priorities first. It is abundantly clear that the time has come for us to eliminate the corrupt, wasteful practice of earmarking. We have made some progress on the issue in the past couple of years, but we have not gone far enough. Legislation we passed in 2007 provided for greater disclosure of earmarks. While that was a good step forward, the bottom line is that we don't simply need more disclosure of earmarks—we need to eliminate them all together.

The time has come to get serious about how we are spending hard-working American's tax dollars and there is no better way to prove we're serious than by ending the wasteful practice of earmarking funds in the appropriations bills. The process is broken and it is long overdue to be fixed.''

Madam President, we are here in this postcloture motion period, consuming it because of the simple fact that the Senator from Oklahoma had an amendment which required greater transparency. The Senator from Oklahoma, while wanting a recorded vote, was assured by the managers of the bill that a transparency provision would be added to the final conference report which would then be passed by both Houses of Congress and for the President's signature. Unaccountably, that provision, which was simple transparency so that all Members of the Senate would know what information the Senate appropriators received, would be shared by all, was dropped in conference. Understandably, the Senator from Oklahoma, Senator COBURN, whom I view in many ways as the conscience of this body, is upset and concerned that the American people—much less now their Representatives—are not able to obtain information which is obviously very important in the decisionmaking process that goes on here.

It is unfortunate and it shows, again, what has happened here in the process of legislation, that the Appropriations Committee now seems to override not only the wishes of the American people with projects such as those I outlined but also even the other Members of the Senate.

The good news, probably, for Members of the body and for the citizens of this country—but bad news for the appropriators—is that we will be back. We will be back again and again and again. The American people all over this country are having tea parties, they are having uprisings. They know the debt and deficit that we have laid on future generations of Americans and they are not going to stand for it. They are going to find out whether we need to spend $450,000 for the Vermont energy investment corporation; whether we need $1 million for a performance assessment institute in Nevada; and whether we need to spend $1 million for the new school green building in New York, not to mention all those projects that abound that will send our tax dollars to the State of Hawaii as well as Mississippi.

I can warn my colleagues again, we will be back. We will be back. We will talk not only here on the floor of the Senate but across this country about this egregious practice of the waste of their taxpayers' dollars, of their hard-earned dollars, and the way this earmark and pork-barreling process is still completely out of control and a disgrace.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr BENNET. Madam President, I rise today to speak about a development folks in the southeastern corner of my State have been waiting on for the better part of 47 years. This week, maybe even today, thanks in large part to the advocacy of our partners at both the local and Federal levels, the vision of the Arkansas Valley Conduit—long a priority of rural communities in my State—moves one significant step closer to reality. Today, we will send a bill to the President that finally funds this important water project that represents the best of regional government, with multiple communities cooperating for the greater good.

Our success today owes to the support of many who took it upon themselves at one time or another to move this project forward. In particular I would like to thank Congressman JOHN SALAZAR, a good friend and tremendous leader who has championed this project since his first days in office.

The effort to build the conduit has been a journey that has its origins in post-World War II America, a time when members of ''the Greatest Generation'' were coming home to raise a family, plan their lives and build a new America with the same energy that they used to save it on the battlefield.

In the Arkansas River Valley, enthusiasm for the future was also high, but their enthusiasm was soon tempered by one significant limitation: the water needed to build and sustain that future was in short supply.

Yet geographic limitations were no match for the resilience and determination of the valley's residents. They came together and crafted a plan to satisfy the water needs of the valley's ranchers, farmers and rural communities.

The project came to be known by proponents and detractors alike as the Fryingpan-Arkansas Project. After a long and sometimes bitter battle, the project was authorized and signed into law by President John F. Kennedy in August of 1962.

The Arkansas Valley Conduit was a key piece of the Fryingpan-Arkansas Project. The vision was simple: deliver clean drinking water to 40 ranching and farming communities of the lower Arkansas Valley.

As the years went by, that vision developed. Civic leaders and citizens came together to call for a water delivery system to bring the West's scarcest natural resource to over 40 communities, across a 140-mile stretch of southeastern Colorado.

Unfortunately, the resources necessary to put that plan into place did not advance with the larger plan. While other parts of the Fryingpan-Arkansas Project moved forward, the Arkansas Valley Conduit languished and doubts began to grow about whether the Federal Government would ever live up to its part of the bargain.

Earlier this year, my predecessor, Senator Salazar and Colorado's now senior Senator, MARK UDALL, gave the conduit the jumpstart it needed by introducing legislation authorizing a Federal cost-share for the project.

After visiting southeast Colorado upon my appointment to the Senate, I immediately lent my strong support to the project and cosponsor this important legislation. I believe you would be hard pressed to find many bills that have the support of three Senators from the same State during one session of Congress.

With that support, as well as the strong support and leadership of Representatives JOHN SALAZAR and BETSY

MARKEY, Congress authorized the Arkansas Valley Conduit in the Omnibus Public Land Management Act, which was signed by the President in March of this year.

Unfortunately, this authorization did not happen in time for funding to be included in the administration's budget request for fiscal year 2010.

Our team advocated as strongly as we knew how for the conduit. And I can tell you, that after communicating how important this project is to the people of my State on many, many occasions, the chairman of the subcommittee, Senator DORGAN of North Dakota, soon emerged as a committed partner in the effort.

Let me say that the people of Colorado have a good friend in the Senator of North Dakota, and that the people of his State have a tremendously capable person representing their needs.

I am pleased that Senator DORGAN and his partners on the subcommittee considered the conduit along with many, many worthy requests nationwide and determined that $5 million of Federal resources was what could get this project off to a promising start.

This first round of funding will be used for environmental analysis, planning, and design. The final project will enable these communities—all of which have average incomes well below the national average—to comply with Federal drinking water standards.

I hope that it is just a matter of years—not decades—before the people of the lower Arkansas Valley have a conduit to call their own.

When President Kennedy traveled to Pueblo to sign the bill authorizing the Fryingpan-Arkansas Project, he proclaimed it ''an investment in the future of this country, an investment that will repay large dividends.''

''It is an investment in the growth of the West,'' he continued, ''in the new cities and industries which this project helps make possible.''

Today, for the first time in 47 years, we recommit to making that investment in earnest. Today, we begin the difficult, but long overdue task of building a brighter, stronger future for generations of Arkansas River Valley residents to come.

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

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

Mr. BURRIS. I ask unanimous consent to speak in morning business.

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

THE PUBLIC OPTION

Mr. BURRIS. Madam President, for almost 100 years, Washington has been wrestling with the complicated question of health care reform. On some points, we have broad consensus. Costs are up. Health outcomes are down. Our system is broken. Americans deserve better.

We are faced with a crisis that breaks businesses, bankrupts families, and leaves millions of hard-working Americans out in the cold. This is why we must not fail in our efforts to make reform a reality. That is why we need to include a public option in our reform package—to foster competition, reduce costs, and extend quality care to tens of millions of Americans. I believe a public option is the only way we can accomplish these objectives. That is why I will not vote for any health care bill that does not include a public option. I believe the American people overwhelmingly support our efforts.

The American people overwhelmingly support our efforts, but not everyone agrees we need meaningful reform. There are some who seem satisfied with the status quo. For example, between 2000 and 2007, profits for America's top 10 insurance companies grew by an average rate of 428 percent. While the rest of us suffer the effects of a recession, these corporations hold American families and businesses in a vice grip, and they are squeezing them for extraordinary profits. Of course, they oppose any measure that would make them compete with a not-for-profit public plan. Of course, they want to maintain their virtual monopoly over the health insurance industry. In Illinois, two companies control 69 percent of the market. People don't have a real choice anymore. This is simply unacceptable. We need the competition and accountability a public option would provide.

Insurance giants have done everything they can to block such a plan. That is why I was surprised to see the study released this weekend by an insurance trade group called America's Health Insurance Plans. On the surface, it looks like the same twisting of facts, the same scare tactics and disinformation we have seen since the beginning of the debate. For instance, our opponents contend that the government wants to take over health care and create death panels. These claims have been debunked many times. In much the same way, this new industry study claims health care reform will drive costs up instead of down. They say the Senate Finance Committee bill would cost an average family an additional $4,000 over the next 10 years.

But, as the committee has made clear, this analysis is fundamentally flawed. The study overlooked key parts of the bill in order to produce skewed numbers designed to deceive the American people. PricewaterhouseCoopers, the company that conducted the study for the insurance agents, freely admitted this data was deceptive and incomplete. I quote:

> The reform packages under consideration have other provisions that we have not included in this analysis . . . [and] if other provisions in healthcare reform are successful in lowering costs over the long term, those improvements would offset some of the impacts we have estimated.

According to the very people who performed the study, it is deeply flawed.

This is the same tired rhetoric we have seen time and again from those who stand to profit from our broken system. By itself, I would say this new round of disinformation is hardly surprising. But in the context of our current debate, I believe opponents of reform have actually hurt their cause.

So let's take another look at the study. It actually lays out a strong case in favor of a public option. By releasing the study, these insurance giants are saying the Finance Committee bill does not do enough to contain cost. They are warning us that unless we provide Americans with a public option that can compete with private companies, these companies will raise their rates by 111 percent. That is what this study really means. It was meant to be a hatchet job, but instead it has reinforced the need for real competition and cost containment in the insurance industry.

The need for a public option is as plain as day. Over the last century, Presidents from Roosevelt to Truman to Clinton to Obama have laid out a strong case for reform. Legislators on both sides of the aisle have spoken out on this issue.

This weekend, the insurance giants finally tipped their hand. In their rush to discredit health care reform, these corporations inadvertently laid out a strong case for the kinds of reforms I have been talking about for months. They tried to threaten the American people with higher premiums so they can maintain their out-of-control profits. But we will not fall for their tricks—not this time, not anymore. This study proves that the insurance industry will stop at nothing to block reform. The only way to keep them in check is by restoring real competition and choice in the insurance market. That is a strong argument in favor of a public option. It is an argument some of us have been trying to make for several months.

Last Friday, I was proud to join 29 other Senators to sign a letter in support of a public option. My colleagues and I know the American people deserve nothing less than meaningful reform that only a public option can provide. I never guessed the insurance industry would actually help us make the case.

After a century of inaction, the momentum is finally building. Real health care reform is almost within our reach, and we must not stop now. Yesterday, my colleagues on the Finance Committee voted out their version of a reform bill. I congratulate them on reaching this milestone. This is the farthest any such bill has ever gotten. But there is much work left to do. Before we take up this legislation on the Senate floor, we need to merge the Finance bill with the HELP Committee

version, and we need to make sure the combined bill includes a public option.

I look forward to working with my colleagues to shape the final legislation. It is time for us to come together on the side of the American people. It is time to deliver on the promise Teddy Roosevelt made almost 100 years ago. It is time for health care reform that includes a public option.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

HEALTH CARE REFORM

Mr. GRASSLEY. Before I speak, Madam President, from my text, this year, for the most part, I haven't spoken on the Senate floor much on health care reform because so much of this period of time I have either been in consultation with Chairman BAUCUS or with what has been called the Group of 6, three Republicans and three Democrats, trying to negotiate a bipartisan health care reform package. I didn't speak during that period on the floor because in intense negotiations, you can say things sometimes that might upset the negotiations. I didn't want to do anything to do that. I want people to know that those negotiations, obviously, were not fruitful in the end because the leadership and the White House thought they had gone on long enough and that we ought to move ahead. I am not sure that was to Chairman BAUCUS's liking because I think he was comfortable thinking we could get to a bipartisan negotiation. Everybody in the Group of 6 wanted to. But, of course, they came to an end. Then, of course, it took a partisan approach from that point on.

I want everybody to know, though, that during that period of talks we had in the Group of 6 and what Senator BAUCUS and I were doing individually, it ended in a way that was congenial in the sense that up to that point everything was moving along, and during the 2- or 3-month period of time we were negotiating, there was never a period that anybody walked away from the table. There was never a period that there was ever a harsh word. There was a sincere effort during all that time to reach a bipartisan agreement. I am sorry that didn't materialize, but I have no regrets that I participated in the process because you never know, you take it a day at a time around here. You never know, it could be very fruitful. And if it had been fruitful, it probably would have been better for this process in the Congress and better for the country as a whole.

For sure, this issue of health care reform is, in a sense, redirecting one-sixth of the economy because $1 out of every $6 spent in America involves health care. Of course, the issue of health care itself is a life-or-death situation with every American. That is what health care implies. Never before has Congress done stuff so encompassing and affecting such a large segment of the economy.

So in the process of 6 months of negotiation on health care reform, I feel much better informed about health care than I otherwise would have been, and I want to thank Senator BAUCUS for his patience in negotiating that and for every courtesy he gave to me and Senator ENZI and the Senator from Maine, Ms. SNOWE.

(Mr. BURRIS assumed the Chair.)

Mr. GRASSLEY. Mr. President, the bill is now out of the Senate Finance Committee. I commend the chairman for bringing the markup to where it was yesterday. It seems a long time since we started that markup on September 22. We have been able to air our differences, and we have been able to have votes. I think Senator BAUCUS tallied up 61 different rollcall votes we had during that 7- or 8-day period of time.

I would have to say to my colleagues in the Senate, I wish I felt better about the substance of the bill and would not have had to vote no. The chairman's mark underwent many changes during the process since the bipartisan talks ended, and I think the changes that happened since then are not for the good. I want to highlight a few of the changes I find most disturbing. As I highlight these issues, it will be clear that this bill is already sliding rapidly down the slippery slope to more and more government control of health care.

It has been the biggest expansion of Medicaid since it was created in 1965, and I think that is going to add up to 11 million more people being on Medicare.

It imposes an unprecedented Federal mandate for coverage backed by the enforcement authority of the Internal Revenue Service. I could put that another way as well: In the 225-year history of our country, never once, to my knowledge—and I would be glad to be informed if I am wrong on this, but the Federal Government has never said any citizen in this country, anytime in that 225-year history of our country, has ever had to buy anything. They do not tell you what you have to buy or not buy. You make a consumer choice.

So for the first time in the history of our country, enforced by the power of the Internal Revenue Service, people are going to have to buy health insurance. And if they do not buy health insurance, a family is going to be fined $1,500.

Additionally, it increases the size of government by at least $1.8 trillion when it is fully implemented. I want to emphasize ''fully implemented'' because right now we would read the papers as saying it is $820-some billion and fully paid for, et cetera, et cetera. But this program really does not start until 2013. Oh, the taxes and the increase in premiums will start more immediately, but the program does not take off until 2013. If we figure 2013 to 2023 as the 10-year window, at that particular time—being fully implemented—$1.8 trillion.

Additionally, it gives the Secretary of Health and Human Services the power to define benefits for every private plan in America and to redefine those benefits annually. That is a lot of power over people's health insurance and over people's lives.

Further, it will cause health care premiums for millions to go up, not down. It tightens further the new Federal rating bands for insurance rates. That means millions who are expecting lower costs as a result of health reform will end up paying more in the form of higher premiums. The new rating reforms alone will raise premiums by as much as 50 percent on millions, particularly in those States where there is not a lot of regulation of insurance and requirements on insurance.

I would say in regard to premiums going up, I will bet most of the 85 percent of the people out there who have private health insurance—we are talking about health insurance reform—that one of the things they would expect is that we would not have these big increases in premiums, as has happened over the last 10 years—terrible increases in premiums. Right now, we have the Congressional Budget Office and CBO saying that premiums are going to go up.

Part of this is because it is going to impose new fees, but it also has increases in taxes. These new fees and taxes will total about a half trillion dollars over the next few years. On the front end, these fees and taxes will cause premium increases as early as 2010, even before most of the reforms take place.

So let me say that a second time but yet another way: By saying that, a lot of the increases in revenue coming into the Federal Treasury or the money that is going to be saved in certain programs that is going to help pay for some of those start next year, but the benefits from the program and the policy does not kick in until the year 2013. So one of the reasons we can say it is revenue neutral is from the standpoint that there are 10 years of revenue or savings but only 6 years of policy costs that are there.

Then, of course, after making health premiums go up, this bill makes it mandatory to buy that insurance. That is what I previously referred to as the first time in American history—the first time in American history—the Federal Government has said we had to buy anything.

On several occasions, Republicans tried to take the chairman's mark in a different direction. We tried to ensure that the President's pledge to not tax middle-income families or tax seniors or veterans or change seniors' and veterans' programs was carried out. We were rebuffed every step of the way.

Republican efforts to provide consumers with lower cost benefit options were consistently defeated. This means that despite these promises, a lot of people are not actually going to be able to ''keep what they have.'' We heard

the President say that during the campaign, and we heard the President say that in September when he gave an address to a joint session of Congress.

It imposes higher premiums for prescription drug coverage on seniors and the disabled, it creates a new Medicare Commission with broad authority to make further cuts in Medicare, and it makes that Commission permanent.

In our Group of 6 negotiations—which I said broke up when the White House decided it was taking too long to do things right because they wanted to do it right now—during our Group of 6 negotiations, I resisted making the Commission permanent. I certainly was not going to agree to target prescription drug premiums. But this bill now requires the Medicare Commission to continue making cuts to Medicare forever. The damage this group of unelected people could do to Medicare is very unknown. In fact, we will not know for quite a few years because it does not even start operation until the year 2014, as I recall.

What is more alarming is so many providers got exempted from the cuts this Commission would make that it forces the cuts to fall on those who are covered, to fall directly, more so, on seniors and the disabled.

The Congressional Budget Office has confirmed that the Commission structure requires it to focus its budget axe on the premiums seniors pay for Medicare Part D prescription drug coverage and for Medicare Advantage. Sooner or later, it has to be acknowledged that by making the Commission permanent, those savings are coming from more and more cuts to Medicare.

Finally, I cannot help but note the incredible cynicism in an amendment that took benefits away from children. That amendment was offered and passed because the chairman's mark had the audacity to let children get covered through private insurance where, of course, there is a great deal of choice. In 41 States, children would have received access to a program that is called the EPSDT benefit—basically diagnostic services. These benefits cover vitally needed services for children such as rehabilitation services, physical, occupational, and speech therapy, particularly for children with developmental diseases.

But those benefits were deleted by Rockefeller amendment No. C21. Now children in 41 States will not have access to health care, and they will be left in a grossly underfunded public program. They lost these important benefits.

What this mark has shown is that there is a clear and significant philosophical difference between the two sides. Throughout this markup, we have focused on trying to reduce the overall cost of the bill. We were told, flatout, no.

We focused on trying to reduce the pervasive role of government in the chairman's mark. We were told, flatout, no.

We tried to make it harder for illegal immigrants to get benefits. We were told, flatout, no.

We tried to guarantee that Federal funding for abortions would not be allowed under this bill. We were told, flatout, no.

We tried to allow alternatives to the individual mandate and also to the harsh penalties associated with that part of the bill that requires everybody, for the first time in the 225-year history of this country, to buy something that maybe they do not want to buy. We were told, flatout, no.

We tried to reward States with extra Medicaid dollars if they passed medical malpractice reform. We were told not just no, but, shockingly, we were told Medicaid is not even in the committee's jurisdiction.

We have watched while the other side has expanded public coverage. We saw Democratic amendments move millions from private coverage to public coverage. We saw Democratic amendments create new government programs that cover families making close to, would you believe it, $90,000 a year.

At the end of the day, after raising billions in new taxes and cutting hundreds of billions from Medicare and imposing stiff new penalties for people who do not buy insurance and increasing costs to those who do, we still have 25 million people who are going to be uninsured.

I do not think this is what the American people had in mind when we promised to fix the health care system. As I said when this process started, the chairman's mark that was released 27 days ago was an incomplete but comprehensive, good-faith attempt to reach a bipartisan agreement. But then the modifications pulled that attempt at bipartisan compromise very far toward a partisan approach on several key issues.

With this markup being completed yesterday, we can now see clearly that the bill continues its march leftward. The broad bipartisan character of the reform proposals have very dramatically changed. This partisan change is precisely what Republicans feared would have occurred at the later stages in the legislative process. Today, as we saw yesterday, we see that those fears that were expressed when the bipartisan process ended were legitimate, and we now see they were justified. The product proves that justification.

Nevertheless, I want people to know I still hope that at some point the doorway to bipartisanship will be opened once again. That might happen because I have read in the newspapers, and I guess I have talked to one of the Senators who is involved in promoting a great deal of transparency in this process—making sure things are on the Internet for 72 hours before we take up the bill; making sure it is paid for or at least we have a CBO score—maybe there is a chance there are enough Democrats out there who have some questions about the movement of this bill leftward that we would be able to have that doorway to bipartisanship opened again.

I also hope that at some point the White House and leadership will want to correct the mistake they made by ending our collaborative bipartisan work. I hope, at some point, they will want to let that bipartisan work begin again. Then they need to go back to that effort and give it the time needed to get it right instead of getting it done right now. I am open to that. I hope to speak to people on the other side of the aisle about that process moving forward because, here again, I get back to something I heard Senator BAUCUS probably say first, but I totally agree with him. It was said many months ago, and I think Senator BAUCUS still believes it. We may not be in a process that gets him to where he said he wanted to go, but something as serious as health care reform and something as serious as redirecting one-sixth of our economy ought to be done on a fairly consensus basis. During the process of bipartisan talks of the six of us, and even before that when Senator BAUCUS and I were talking one on one, we were talking in terms of getting a bill that 75 to 80 people would support in this body because of the significance of the issue we are dealing with: Redirecting one-sixth of the economy. At the same time, the words ''health care'' imply life or death. It affects the lives of all 306 million Americans who are here. It is clear that yesterday was not the day when that was going to happen, but you take a day at a time around here.

I think, eventually in this city, right wins out. Maybe not always. Maybe some people would think CHUCK GRASSLEY by saying that is very naive about the process, but there is something about ''I believe,'' and I believe in the process of democracy. I think we saw that at work in the last several months. I am not referring to the raucous things we saw on television that went on in town meetings. I only saw the ones that went on in Pennsylvania, Maryland, and Missouri; maybe they went on elsewhere. The town meetings we had in my State of Iowa were not raucous. Everybody was able to speak their piece. In every instance, I was asked a question, I was given the opportunity to answer it. I saw some of my colleagues not even being able to control their respective town meetings. It wasn't that way in my State. But I say this process, whether it is raucous or whether it is more civilized, is a process of representative government. I think the people of this country now have about a month to weigh in on this issue, both from those who want a single payer yet, those who want public option yet, and for those who think things ought to be done in an incremental way; and people who think we should not have a bill go through here that doesn't take into consideration what to do about the practice of defensive medicine and correcting that

through medical malpractice reform in other words, getting rid of the frivolous lawsuits that get doctors to give patients every test under the Sun because they think that patient may someday sue them.

That is just one of many items that people back at the grassroots of Iowa, and I think the grassroots of America, think we ought to be dealing with. Well, there will be a month now to weigh in on these things. There is at least a week or two where we have to have a merging of the Senate HELP Committee bill with the Senate Finance Committee bill. There is still time, as Speaker PELOSI puts together a bill out of three committees in the House. There is an opportunity for democracy to work as it has during all the massive amounts of mail we are getting that we have never gotten before on a single subject and the turnouts at our town meetings and the telephone calls that come in. I think people made an impact, and I am suggesting they can make the same impact on health care reform as they made on the stimulus bill. It didn't get quite the results constituents wanted, but I can tell my colleagues that during a 10-day period of time, 5,000 Iowans called my office on the stimulus bill, and during that period of time about 83 percent were opposed to the stimulus bill. Those calls were coming in from all over the country into everybody's office.

As my colleagues remember, the Thursday before the Presidents Day break in February, everybody was being told that constituents would have 72 hours to read the stimulus bill, but an agreement was hastily reached that Thursday before that break and the constituents didn't have 72 hours to read that product, because I think the leadership of this body and the White House were reading the grassroots objections to a $787 billion stimulus bill, and if they waited around for the 72 hours for constituents to read it and it laid around over the week-long break, that it would never have been passed a week later, after the Monday of the Presidents Day holiday.

So people are listened to. This is an opportunity for the grassroots of America to speak up. If they speak up in the same way they did on TARP legislation, on stimulus, and they do it on this health care bill, it may make an impact. It may surprise people that Washington does respond to the grassroots of America. It may prove to the American people that representative government does work. What is representative government all about? It is about those of us who were elected being one-half of the process of representative government, and it is our constituents who are the other one-half of representative government. If there is no dialogue between constituents and those of us who are elected, we don't have representative government.

This is an opportunity, over the next month, for representative government to work for the people of this country, both for this legislation or people who think this legislation ought to be revised because I don't think we are going to have anybody calling in saying everything in America on health care is OK, but we are going to have a lot of people calling in and saying how they think it ought to be done. There will probably be a great deal of disagreement with a bill that constitutes the most massive involvement of health care in the United States since Medicare and Medicaid, with all its taxes and with all its premiums going up and all the cuts in Medicare that are going to scare the devil out of our senior citizens, et cetera.

I hope people will take notice now that all these bills are out of committee and they are coming to the floor because this is serious business. I hope the American population takes it seriously.

I yield the floor. I don't see other colleagues ready to speak, so 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.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. 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. GREGG. Mr. President, I ask unanimous consent to speak as in morning business for 15 minutes.

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

Mr. GREGG. Mr. President, I wish to speak briefly. I know we are going to get a lot of debate on this issue as we go down the road relative to the health care package which was reported out of the Finance Committee and the health care package which was reported out of the HELP Committee, of which I am a member, and how they are being pulled together and what the implications are for health care and for Americans, generally, who are all affected by these bills. This is 16 percent of our national economy. There isn't an American who isn't impacted by health care. So when the Congress decides to fundamentally change—and that is what is being proposed—fundamentally change the way health care is delivered in this country, it will have an impact on everyone and a very significant impact on everyone who has to interface with the health care system in the immediate future.

The bill that came out of the committee known as the Kennedy-Dodd Committee at the time, which is now the Harkin committee, which I am a member of, was a bill which basically subscribed to the view of a large majority, I think, of the House Democratic membership and a fairly significant group of Members on the Democratic side in the Senate, which essentially said the government should start to take very significant control over the health care delivery system in this country.

In fact, they would propose a public plan, a plan that would basically put the government allegedly in competition with the private sector. But we all know the government isn't a fair competitor, because the government doesn't have to play by the same rules as the private sector, and that would put us on a slippery slope toward a single-payer system or a nationalized system, much like you have in Canada and England. They have some very severe problems in those countries. There isn't a lot of innovation in those nations in the area of health care. Health care isn't of the quality that we have here, and they have significant delays and, in many instances, actual rationing where certain people cannot get certain treatments because of their age or they don't qualify under the rules that are set up. It is not the type of system we want in this country.

The purpose of health care reform should be to make health care insurance affordable to everyone, while in the outyears reducing the rate of growth of health care costs, and to allow people who have an insurance policy today to keep it. Those are the goals we set off when we stepped into the arena of trying to change the health care delivery system. Neither the Harkin bill—although it wasn't offered by him, but was offered by Senators DODD and Kennedy—nor the Baucus bill accomplishes any of those three goals. In each of those situations—take, for example, that everybody should have access to affordable health care. The Harkin bill, as scored by CBO, says that of the 47 million people who don't have health insurance, approximately 34 million would still not have it after that bill is fully phased in. The bill coming out of the Finance Committee varies and looks as if it is in the vicinity of about half of the people who don't have health care today will still not have it after that bill is phased in. As to the outyear costs, neither the Harkin bill nor the Kennedy bill controls outyear costs. In fact, the costs go up rather dramatically in the area of health care.

As to letting people keep their insurance if they like it—no, that doesn't happen either. In fact, large numbers—in the millions, according to CBO—would migrate out of their private system into a public plan because basically the employer would drop their plan. That is also true, I believe, of the Baucus plan, although we haven't gotten a final score on that. When you set penalties for an employer at a level that says to them it is fiscally prudent for them to pay the penalty rather than insure people, many will give up the insurance and push people into the subsidized program, called the exchange. Thus, a lot of people will lose the insurance they have today.

None of the three goals is met by these proposals. What do these bills do—especially the Baucus bill, which is

the center of attention? First, they create a massive expansion of the size of the government. We are a government today that is running a deficit of $1.4 trillion this year. That is three times more than we have ever had in the history of this country—$1.4 trillion, which is about 12 percent of our economy. Historically, deficits have been about 3 percent of the economy. Today, it is $1.4 trillion or 12 percent of our economy. That deficit doesn't come down dramatically. We continue to run deficits under the President's plan, prior to this health care bill being passed, of approximately $1 trillion a year for the next 10 years. Average deficits over that 10-year period are between 5 and 6 percent of GDP, and we take the public debt from 40 percent of the GDP up to 80 percent. What do all these numbers mean? They are not just numbers thrown up in the air. They are obligations—debt we are running up on our children, because we have a government that is so large today that we cannot afford to pay the bills for it.

Almost every economist of any note or credibility says that when you run deficits that exceed 3 percent of GDP for an extended period of time or when you take your public debt from 40 percent to 80 percent of GDP, you are basically creating an unsustainable situation—a situation where you cannot pay the debt, and where your children and our children's children, who will be subject to these deficits and debts, will end up with a government they cannot afford and which will lead inevitably to devaluing the dollar. We are already seeing a reaction to that in the international marketplace, and probably a massive increase in the tax burden, which reduces productivity and reduces, therefore, job creation.

Those are not good scenarios for our kids. It means a lower standard of living, less opportunity to buy a home, to send their children to college, and less opportunity to do what our generation has been able to do, because they are having to bear such a burden of the Federal Government—on top of this government that is, today, already projected to run deficits as far as the eye can see of $1 trillion a year, to a public debt that will go from 40 percent to 80 percent of GDP. The proposal is that we are going to spend another—when it is fully phased in—$1.8 trillion over 10 years on this brandnew entitlement program. And then the almost laughable—were it not being presented in such a way that is claimed to be sincere—proposal is: but we are going to reduce the cost of government.

A brandnew entitlement will be created, which costs us approximately $1.8 trillion over a 10-year period. It scores at $823 billion in the first 10 years because it is phased in. In the first 4 years, they take revenues in from the bill, but they don't start the program. The numbers are all skewed in the first 10 years. If you look at it in the 10-year tranche, where the program is fully implemented, it is $1.8 trillion. We are going to create this massive expansion of the size of government with these brandnew entitlements being put into place and, in the process, grow the government at a rate that it hasn't grown in recent history, taking government from about 20 percent of GDP up to about 23, 24 percent—unsustainable levels—and we claim we are going to do it while reducing the cost of government, which is absurd on its face.

Some would argue that we need to do that in order to take care of health care, and that this is revenue neutral because, as a practical matter, we have put a cut in Medicare of $400 billion and tax increases of $500 billion, and those will pay for this over that 10-year period.

What they fail to tell you, of course, is when it is fully implemented, neither the cut in Medicare is large enough, nor are the tax increases, to make those numbers. To give them the benefit of the doubt, let's say that this Congress is going to cut Medicare by $400 billion and create a new entitlement for uninsured people—take it from seniors and give it to the uninsured people. And this Congress is ready to raise taxes by $500 billion. Let's give the benefit of the doubt to the Congress, which I know isn't going to happen because, just 5 years ago, I was chairman of the Budget Committee and I suggested we reduce the rate of growth of Medicare by about $15 billion, and we could not get any votes on the other side of the aisle for that, and now they are suggesting they are going to cut it by $400 billion. That is what is called ''bait and switch.'' It doesn't happen. This proposal won't occur.

As a practical matter, giving them the benefit of the doubt and saying they are able to raise close to $1 trillion in new taxes, or spending cuts in Medicare, over the next 10 years, recognizing in the following 10 years it is not nearly enough, why is that incorrect to have a program if it is paid for? I will tell you why. This government is running so much debt to the extent that if we are going to use resources like that, we ought to reduce the debt of the country, not use them to create a new program on top of a government that is too large as it is. We know for a fact—an absolute fact—that Medicare has a $34 trillion unfunded mandate. Try to think of that. That means we know that we have expenditures in Medicare that will exceed income in Medicare by $34 trillion.

So why on Earth would we cut Medicare spending by $500 billion, or $400 billion, and use that money to create a new program? We should use that money, if we are going to take that action—and some of that action is responsible—and use it to make Medicare more solvent. If we are going to raise taxes by $500 billion—tax the rich, as the House claims, and they always end up taxing middle-class America, or are we going to add special fees against special industries, such as the pharmaceutical, hospital, medical device, and other industries? If we are going to do that and assess a penalty on people who don't buy insurance, and we are going to assess small businesses that don't buy insurance a penalty, should we not use that money to reduce the burden of the debt of this country as it is being driven by the present health care system, not by adding a brandnew entitlement that absorbs all those resources?

There are a lot of ways we can do health care reform here that are much more responsible than what is being proposed. The recent claim by the White House and Members of the other side is that this bill isn't going to affect people's premiums at all. The premiums will go up, but no more than usual. That is so unbelievable on its face. Think about this. This bill suggests that insurance companies are going to have to pick up a massive increase in the cost of insuring people because—for a lot of technical reasons, but basically it sets up a system where not enough people will be coming into the insurance pool; a lot will be opting out to cover the additional costs, which is going to have to occur as a result of the very rich benefits package under this bill and the fact that there is no longer any exclusion. Everybody gets covered by insurance. So on the face of it, insurance companies aren't going to be able to absorb those costs. They are going to pass them off to the people who pay the premiums.

Then the bill suggests they are going to put another 14 million people under Medicaid—take Medicaid coverage from 100 percent up to 133 percent of poverty. We already know Medicaid only pays 60 percent of the cost of health care. We already know that for the people under Medicaid, 40 percent of the cost is being borne by people with private insurance, who are paying for not only the cost of their health care but for the 40 percent of health care costs that are not reimbursed under Medicaid. So when you add another 14 million people, that goes onto the premiums of the people in the private sector. Thus, the premiums have to go up because they cannot absorb all the costs.

Then we know that a large number of people will come into the system but not enough to cover the fact that everybody is going to be required to be covered. There is going to be something called ''adverse selection,'' where some folks basically buy coverage at the last minute because they are suddenly finding they are sick and haven't been paying into the pool very long. They will be able to do that under this system and, thus, drive up the cost of insurance for everybody else.

We know the insurance prices will go up there. We know the premiums are going to go up significantly. That is just common sense. Whether you accept the study by the insurance companies or look at what—it is like 1 and 1 makes 2. It is an obvious fact. Then we ought to know something else. The

hospitals, under this proposal, have agreed to chip in—in order to basically be at the table—for something like $20 billion or $40 billion. The drug companies have agreed to chip in $80 billion. When you add that all up—all of which is passed back to consumers—none of them will absorb all of the costs, and you end up raising the cost of health care.

In the end, people's premiums will go up—people who have private insurance. You might say: Why would somebody do that? Why would somebody drive up premiums on people? I will tell you why. Because the goal here is to basically eliminate private insurance. The goal here is to create a structure where essentially people who get private health care through private insurance or their employer will be forced out of that health care insurance and into an exchange, where there will be a public plan, when this is all over. The government will essentially absorb all insurance. This is not a good idea. Why isn't it a good idea? Because the government basically, in order to control costs, can only do two things: it can limit access or it can control prices.

I ask unanimous consent for an additional 5 minutes.

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

Mr. GREGG. It can limit access or control prices. Either way, it significantly undermines the quality of health care.

There are about 180 million people in this country—or more, I guess—who already have health care and are fairly comfortable with the health care they are getting under the private system. There are about 190 million, actually. But they are going to be at deep risk.

There is something else here that is very serious that we have to think about. As you start to put these types of pressures on the system and you start to regulate prices and you start to regulate access and you start to regulate reimbursement and you have the government doing all of this, you start to stifle innovation. A lot of the drugs that come on the market today come on after a massive period of time of research—I think it averages 15 years—and a huge amount of investment. I think it is $800 million to bring a new drug to the market. That $800 million does not appear from out of the sky. People who are investing money say: I am willing to invest in that drug because I think it will work and it will do social good, but I also think I am going to get a reasonable return on my investment. But if you set up a system where you have price controls and where the return on investment is artificially low, you basically don't allow people to recover their costs or their costs plus a reasonable return on their investment. Then the money will not go into those research activities, the money will go somewhere else. It will go into new software. It will go into new machinery. It will go into real estate ventures where the return is better. You inevitably chill the investment in the innovation, especially in the area of pharmaceuticals, which is where most of the great research is being done today that is making better health care outcomes more available.

Mr. CHAMBLISS. Mr. President, will the Senator respond to a question?

Mr. GREGG. I am honored to respond.

Mr. CHAMBLISS. Mr. President, the Senator mentioned a little bit earlier about the previous attempt to slow the growth of Medicare. I remember during my House days—it has probably been a decade or more ago—when the Senator from New Hampshire was on the Budget Committee on the Senate side. We were looking at a rapid growth of Medicare, somewhere in the 7 to 8, 9 percent rate. What the Senator from New Hampshire is talking about is that in order to try to achieve a balanced budget and to make reforms in Medicare, instead of it growing at that rate, we were going to reduce the rate of growth, not reduce the amount of money, just reduce the rate of growth to about 5 percent per year to help achieve a balanced budget and at the same time continue to provide the services under Medicare that we did then.

I ask the Senator what he thinks is going to happen if we are not reducing the rate of growth, but in this plan coming out of the Finance Committee that will be on the floor and the one that came out of the HELP Committee that will be melded with that bill, there is going to be a reduction in Medicare spending by about $500 billion over 10 years. Will we be able to provide the same services under Medicare that we do now if we reduce the amount of money spent on Medicare?

Mr. GREGG. The Senator from Georgia asks a very appropriate question because the practical effect of the reductions which are being proposed is that people who are on Medicare Advantage, which is a program many seniors like, will be eliminated. They will no longer have the opportunity to use Medicare Advantage or it will be contracted so much that it will be a shell of its former self. This is being done not in order to make Medicare solvent—and there are very serious issues about Medicare solvency—it is being done in order to move that money over and start a new entitlement for a new group of people who are not seniors and who have not paid into the health insurance trust fund and who have no relationship at all to Medicare.

Mr. CHAMBLISS. The Senator from New Hampshire has been here a lot longer than I have, both in the House and his service in the Senate. Mr. President, has the Senator from New Hampshire ever seen a mandatory spending program that has been created by the Federal Government reduce its spending?

Mr. GREGG. The Senator asks another good question. ''No'' is the simple answer. We all know that once you start a mandatory program, it always grows and grows significantly. That, of course, is why we are in such trouble as a nation, because we have a number of mandatory programs to which so much has been added that we simply cannot afford them any longer under our present structure of a government.

Now we are going to take that problem and compound it by $1.8 trillion, which is pretty irresponsible of us and fiscally irresponsible, but it is also irresponsible in the sense of stewards of our children's future because our children are going to inherit a government that cannot be afforded and they are going to get bills or get a devalued dollar.

Mr. CHAMBLISS. If the Chair will allow me, I wish to ask another question about Medicaid.

The proposal coming out of the Finance Committee to the floor of the Senate has a huge effect on my State, and I am sure it has a similar effect on Senator GREGG's State, and that is this: The eligibility for Medicaid will move from 100 percent of poverty level to 133 percent of poverty level, which will add a significant number of additional individuals all across America to the Medicaid rolls.

In my State, where the Federal Government will pick up the tab for the first 3 years, there is going to be an additional cost of $1.2 billion for those additional Medicaid-eligible individuals in Georgia. Beginning in the fourth year, the State of Georgia is going to have to pick up that $1.2 billion.

The Senator from New Hampshire is a former Governor, and I assume New Hampshire probably has a balanced budget requirement, as we do. We are furloughing teachers today. We are furloughing State employees. Schools are operating 4 days a week instead of 5 days a week. We are doing everything we can to decrease spending at the State level and even below that to try to make sure we achieve that balanced budget. If we as Georgians are asked to come up with another $1.2 billion to fund a health care program, we simply do not have the money to do it.

I ask the Senator if he has a similar situation in New Hampshire.

Mr. GREGG. The Senator from Georgia is expressing a problem which I think most State Governors are extraordinarily worried about, whether they are Republicans or Democrats, which is that this bill, as it starts up, covers the additional people who will be pushed into Medicaid, which is about 14 million nationally, but that coverage drops off in the outyears, and it will put many States in dire straits.

The Senator from Georgia talked about the numbers in Georgia. New Hampshire will have the exact same problem, only we do not have a balanced budget amendment. We are not that foresighted. I wish we were. So we already have a problem. We are already running major deficits in the State of New Hampshire, and if you throw these new Medicaid costs on, you are going

to make it very difficult to do things such as spend on school systems and, especially in New Hampshire, on our college systems and our mental health care systems which are key to our quality of life in New Hampshire.

This will be a massive unfunded mandate. I saw the number $33 billion as being what the States will end up picking up over the 10-year period. That is a big number for States to pick up. It will put massive strains on State budgets. It is another example of the Federal Government saying: Here, look at the wonderful things we have done for everybody, and then sending the bill to the States, which is totally inappropriate.

Mr. CHAMBLISS. Lastly, if I may ask one more question through the Chair, as we reform health care—and 100 percent of the Members of this Senate agree that we need to reform health care. We have the best delivery system in the world, but it can get better. We can have a better delivery system. We have the best insurance system in the world, but it needs reforming. It can be made better.

Does the Senator from New Hampshire, who I know is familiar with the details of the plan that came out of the Finance Committee, know of any provision in that bill that is designed to reduce the costs of health care delivery in this country, which will help make that system better, which will help make the insurance system better by making premiums for insurance more affordable for folks who cannot afford it today?

Mr. GREGG. The Senator from Georgia leads in the way I want to close this discussion. There are ways to do what the Senator from Georgia is suggesting. There are ways to reduce the cost of health care in this country and to make it better.

Let's take, for example, malpractice reform, abusive lawsuit reform. None of that is in the Finance Committee bill. We should have something there. The President says he is for it. We should do something in that area. CBO scores this as a $54 billion savings. That is not chicken feed—not in Georgia, not in New Hampshire. That is a big number. So we should have malpractice reform.

We should have proposals which basically incentivize employers to have their employees with healthier lifestyles. It is called HIPAA reform. That is not in the Finance Committee. It is very easy to do. You give people the incentive and employers the ability to say to someone: If you stop smoking, if you live a healthier lifestyle by reducing your weight, if you take the tests you need to take in the area of better health care, such as colonoscopies, we actually will give you a cash reward. We cannot do it under the Finance Committee bill and, to a lesser degree, under the Kennedy-Dodd bill or the Harkin bill but not as much as we would like.

There are specific diseases we should target, such as obesity and Alzheimer's. There are a whole series of healthy lifestyles. There are things we can do in a step-by-step manner which will get us much farther down the road toward quality health care for all Americans rather than this massive expansion of health care through a massive expansion of an entitlement which will lead inevitably to, in my opinion, a huge debt being passed on to our children.

Three groups are going to pay for this $1.8 trillion: One is seniors citizens who are going to pay for the cuts through Medicare; two is small businesses that are going to have to pay through massive increases in premiums for their insurance, and they will probably have to give up a lot of coverage of their people; and three is our children, who are going to have to pay the debt.

I appreciate the thoughts and questions of the Senator from Georgia. They are right on point. I thank him for getting involved in this discussion. In fact, I yield the floor to him right now.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I appreciate the comments of the Senator from New Hampshire, who has certainly been in the forefront trying to make sure, No. 1, that the budget of this country is in a very positive situation as we move forward and that we do not leave our children and grandchildren burdened with a debt they simply cannot pay. As he has said, they are the ones who, at the end of the day, along with senior citizens and the small business community, are going to wind up paying for this bill if it comes out crafted the way it is presented in the Finance Committee and the way it appears it is going to come out of the Finance Committee to the floor of the Senate.

Mr. President, I ask unanimous consent to speak for 5 minutes on another subject.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I have been waiting to come here for a bit. I have no problem with 5 minutes. I am patient. I want to alert the Senate what is going to be happening the rest of the day. I will wait for my friend from Georgia.

Mr. CHAMBLISS. If the majority leader wants to go——

Mr. REID. No, that is fine. I am happy to do this. I want everyone to know what is happening here tonight. I will do that when the Senator from Georgia finishes.

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

RECOGNIZING VERNIE HUBERT

Mr. CHAMBLISS. Mr. President, it is with great pride and yet much regret that I stand here today to recognize a dear friend and longtime servant of American agriculture who is retiring from public service.

Through nearly 25 years of serving in various capacities on the House and Senate Agriculture Committees, Vernie Hubert has exemplified tremendous character, an infectious personality, and an astute knowledge of the law, for which I admiringly respect and thank him. I would like to issue a special thanks to his wife Kathleen and daughter Mary Phillips for allowing us to have him in Washington for the past 3 years while they have lived in Texas. I am eternally grateful for his dedication to agriculture. His encyclopedic knowledge and valuable input will certainly be missed.

What began as an internship in the House Agriculture Committee for Vernie in 1982 has since blossomed into a distinguished agricultural law career. Before entering law school, he earned a bachelor's degree in biomedical science at Texas A&M University and even served as a first lieutenant in the U.S. Army Reserve Medical Service Corps after graduation.

Upon graduation from St. Mary's University School of Law in 1985, Vernie returned to his beloved South Texas for a brief stint as an assistant prosecutor in Brazos County. Though his heart has always remained in Texas, Vernie returned to the House Agriculture Committee to work with then-chairman Kika de la Garza and ranking member Charlie Stenholm, where he served for almost 20 years in various roles—as associate counsel, staff director, and legislative director.

In 2004, I was fortunate in luring Vernie to the Senate, where he has served as chief counsel on the Senate Agriculture Committee for me since then. We were successful in passing a farm bill last year, and a big reason for that success is due to the tireless, diligent efforts of Vernie Hubert.

Seeing that the 2008 farm bill was the fifth farm bill that saw passage during Vernie's tenure, it goes without saying that his experience in negotiating agriculture policy is not going to be easily replaced.

In fact, it is impossible to replace a person like Vernie Hubert, not only for his wealth of knowledge but also for the richness of his character.

In the years I have known and worked with him, he has remained a loyal confidant and has always kept American agriculture's best interests at heart. Vernie, you will sincerely be missed by everyone who has had the pleasure of working with you, and I wish you nothing but the best in all your future endeavors.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I appreciate the usual courteousness of my friend from Georgia.

There will be no more votes today, but I want to say a word about a statement made by my friend, the senior Senator from New Hampshire. He talked about the CBO saying there would be $54 billion saved each year if we put caps on medical malpractice and put some restrictions—tort reform.

Fifty-four billion. Sounds like a lot of money, doesn't it? The answer is yes. But remember, we are talking about $2 trillion—$54 billion compared to $2 trillion. You can do the math. We can all do the math. It is a very small percentage.

I have said in meetings before that people who practice medicine are negligent. What does that mean? The Presiding Officer is a lawyer, my friend from Illinois who is next to me is a lawyer, my friend in the aisle from Maryland is a lawyer, and we learned early on in law school what the definition of negligence is. If someone runs through a stop light or a stop sign and hurts somebody, they have been negligent. And our system of justice, carried over from the common law in England, allows people to seek redress for the injuries they received as a result of someone's negligence. Doctors are negligent. They are human beings and they make mistakes and they hurt people.

I have said before—and I will be very quick with a little story. My friend, Senator COBURN, is on the floor. He is a medical doctor. I used to spend hours and hours on the floor, and one day I felt in my left foot that my sock was kind of gobbed up on the bottom of my foot. I thought: What is wrong? I don't know what that is. So I went into my office and took my shoe off and the sock was fine. To make a long story short, I had a problem with my foot. As some know, I have run thousands of miles on my feet and one of them reacted. It was tired of running those thousands of miles, I guess. I was diagnosed with having a Morton's neuroma on my foot, which required surgery. They tried all the other things and they didn't work.

So I go into the hospital to have this surgery. Remember, it is my left foot. I am on the gurney—the hospital bed, whatever it is—and they are getting ready to do the surgery. I look down and I have a big mark from a Magic Marker on my right foot. I say: Why is that big mark on my foot? And the doctor and the personnel say: That is where we are going to operate—on that foot. That is why we put that check. I said: The wrong foot.

If I hadn't said something, they would have operated on my good foot and left my bad one for a surgery later on. That is negligence. I said something about that. But as I have said before, my wife was born shy and she will die shy. She is a very shy person. She would have been on that surgical table ready to have that surgery and she wouldn't have said a word about that big mark on her foot. I know her. We have been together these many decades, and I know she wouldn't have said a word. That is medical malpractice. We need to protect people from doctors who commit negligence.

In talking about the great report Senator GREGG cited, he failed to mention one thing I think is kind of important—important to me. If this went into effect, 4,853 Americans would be killed every year by medical malpractice. Over a 10-year period, I repeat, 48,000 Americans would die because of medical malpractice. So I would suggest people not wave that around because I don't think the American people want to be part of the 48,000-plus people being killed because of medical malpractice—malpractice by doctors, not other personnel.

We haven't done a thing today. Why? Because the Republicans will not let us. We had cloture invoked on an important piece of legislation and they are using the 30 hours postcloture. For what? For nothing. For nothing. No one is coming here from the other side saying how important it is they have the extra time to talk about this legislation. It is wasted time.

The Republicans have made the political calculation they would rather have no progress made. No suffering American gets help. They would rather do that than work with us to move forward on the most pressing issues in this country. It is not just limited to the health care debate we have heard about for months on end. Because they refuse to move forward, to hold up the legislative process for no substantive reason, we are wasting America's precious time and money.

We could be working on extending unemployment benefits at a time when unemployment is high in virtually every State—some States higher than others. Unemployment is running out in some States. We could be supporting the Department of Defense conference report—the authorization bill. It is the bill we do every year for our fighting men and women around the country and around the world. We are not doing that. Why? Because we are wasting time here. We could have a couple of hours of debate on it at the very most. But, no, we are wasting our time.

I came to the floor last night and said: Why are you doing this? They said: Well, if we could work a little longer, we could come up with a list of amendments. I repeat what I said last night. I was here until I don't know how late on Thursday. Everybody had vacated this building. I could have yelled down the hall and no one but a police officer would have heard me. Why? Because we were waiting for them to come up with some amendments so we could fill the bill. But they were just killing time. There was no intention of completing that bill. They were stalling for time. So I had to file cloture on that bill.

Department of Homeland Security. We have a conference report we would like to complete on appropriations. Are we doing that? No. Are we completing our appropriations bills? We got a letter from the Republican leadership saying: Let's do the appropriations bills. We are trying. But, again, they are stalling and will not let us. In the Department of Defense and Department of Homeland Security, we have two critical agencies that need all the support they can get at a time when our Nation is fighting two wars—two wars plus homeland security trying to protect our borders and protect the homeland.

We could be passing appropriations bills to keep our country running, including Commerce-State-Justice that they held up last night. Instead, we are doing the Republican shuffle. If it sounds familiar, it should. Last year, Republicans broke the blindly partisan record of pointless filibusters—nearly 100. Not nearly; 100 is how many it was—more than any other session of Congress in the history of our Nation. What does this accomplish? Zero. Nothing.

The American people didn't demand paralysis, they demanded change, and we are trying our best. It is long past time for the Republicans to listen to what the American people want. Their strategy of stubbornness is shortsighted. I am confident that, in the end, these Republican tactics will once again prove to be self-defeating, just as they were last November. I am so concerned that we have the same Republican shuffle time after time and we spend hours and days on this floor doing nothing.

Mr. LEVIN. Mr. President, I wonder if the leader would yield for a question.

Mr. REID. I am happy to yield to my friend.

Mr. LEVIN. The leader mentioned the Defense authorization bill is awaiting action by this Senate. We have a conference report. We have spent months and months and months on this bill. There are critical provisions that everyone knows about. Some of those, it can be argued, well, doesn't that require an appropriation? The answer is: Yes, technically, some of these provisions do.

For instance, the pay increase requires an appropriation. But by holding up this bill—the conference report—we are holding up legislative provisions as well that are critically important that do not rely on appropriations. So I want to——

Mr. REID. I would say to my friend, the majority of your bill is legislative language that has nothing to do with appropriations.

Mr. LEVIN. And I want to ask the leader, if he can bear with me for a moment. I wish to spend a couple moments talking about a few of the legislative provisions. One, to remedy the military commissions law. It has been basically thrown out by the Supreme Court. We cannot hold people in front of military commissions and try them before military commissions under the current law. We have to modify this law. We have spent months doing it. The modifications are in the Defense authorization bill. Until these modifications are signed into law by the President of the United States, we cannot have detainees tried before military commissions.

We want to get equipment to Afghanistan. Many of us are focusing on strengthening the Afghan Army as a

way that we can succeed in Afghanistan, to get their numbers up, to get their equipment up. But in order to get nonaccess property from Iraq to Afghanistan, we have to authorize it. That is in the bill that is now being held up because, apparently, there is an unwillingness on the part of some of the Republicans to agree to a unanimous consent agreement with a time agreement for debate. No one is trying to preempt anybody from talking.

There is one other example. Unless we act, soldiers who are getting care at TRICARE facilities are going to have to pay $100 a day extra. We have to stop that from happening—to continue the provision in law to extend the limitation on charges for patients who are getting TRICARE. On and on and on.

We have critically important legislative provisions, and my question to the leader is this: Am I correct in my understanding that we have offered a unanimous consent agreement, given a willingness to enter into a time agreement on how many hours of debate—and I know there are people who oppose the hate crimes provisions, for instance, in our bill. We are not trying to preempt debate. It is the opposite. We are trying to get on with the debate. So my question is: Is it true we have offered a unanimous consent agreement on the Defense authorization bill and that it has so far been rejected?

Mr. REID. Yes, yes, yes. I say to my friend, you have only mentioned a few of the most important things that satisfy and take care of the military and our fighting men and women in our country.

I say to my friend, I went to the first ever Reid family reunion in Searchlight. It was interesting. You should have seen the invitation—''sobriety requested.'' That was fine. Not everybody followed that, but it was pretty interesting. A child of one of my cousins was there and she said: I want to tell you that my husband is 30 years old and just joined the Army.

Because of the downturn in the economy, we have had huge numbers of people joining the military, and we need to take care of those people, such as my relative I learned about in Searchlight.

So I thank the chairman very much.

Mr. LEVIN. I thank the leader, and I hope our Republican friends will reconsider their objections to letting us proceed to the Defense authorization bill, which is critically important to the country.

The PRESIDING OFFICER (Ms. CANTWELL). The assistant majority leader is recognized.

Mr. DURBIN. Madam President, I will be very brief. I want to back up the comments recently made by Senator LEVIN of Michigan, the chairman of the Armed Services Committee, and our majority leader.

How can we, in the midst of two wars, stop the Department of Defense authorization bill on the floor when our sons and daughters, husbands and wives, Americans across this country are risking their lives? We have this stall tactic on the floor, where they will not even allow us to bring this up for a vote for the Department of Defense authorization. A lot of people around here go back home for parades and wave the red, white, and blue and salute our troops and tell us how much they love them and then come to the floor and engage in stall tactics and filibusters to stop this.

I would say to the other side of the aisle: Don't go home and wave the flag of patriotism if you will not at least give us a chance to vote on the bill our men and women in uniform are counting on. Too many of them are doing just that. I might also tell you that when it comes to unemployment benefits, we know what is going on in America. Hundreds of thousands of people have lost their jobs. As of September of this year, the end of September, 400,000 Americans lost their unemployment benefits, another 200,000 will occur within this month and then 1.3 million total by the end of the year. We have asked the Republicans: Will you let us extend unemployment benefits for people who have no way to sustain their families? No. They want to filibuster this. They want to offer amendments that have nothing to do with this whatsoever. They want to drag it out. They have no sensitivity to these people who have lost their jobs and are struggling to keep their families together under the most difficult circumstances. The Homeland Security conference report is another one. That is going to pass soon, and we are having difficulty from the Republican side getting any kind of agreement getting this measure enacted. This is a measure about the safety and security of our country.

The Commerce-Justice bill, this is one Senator MIKULSKI brought to the floor. It includes the Federal Bureau of Investigation and law enforcement. We could not get a single Republican yesterday to agree with us to bring this bill to a vote after it sat on the floor for an entire week, waiting for amendments that were promised and never delivered.

Now we have the Energy and Water conference which could pass, an important bill to put people to work in America. We had a vote earlier today, it was 79 to 17—people thought it was a great bill. Now it is being stalled. It is being stopped.

The bottom line is we came here to do some work, not to dream up ways to stall and not do the people's work. Too many people are being disadvantaged by this tactic. It is the tactic of the minority. It is one they will pay for because the American people understand they have no proposal when it comes to health care reform—nothing. Now they have no agenda when it comes to these important items for our men and women in uniform, for the people who are unemployed across America to keep us safe through homeland security and basic bills for law enforcement and for Energy and Water appropriations. They want to stop them all, stall them all.

That may be a good tactic that some of their political consultants have given them but don't think the American people are going to accept it.

ORDER OF PROCEDURE

I ask unanimous consent that when Senator UDALL is recognized, Senator UDALL of New Mexico is recognized this evening, he control up to 1 hour of that time as in morning business and it be in order for him to engage in colloquies during this time; at the conclusion of that hour, Senator COBURN be recognized to speak for up to 1 hour; at the end of that hour, it be in order for Senator UDALL to be recognized for another hour under the same conditions as identified above; and at the conclusion of that hour, Senator COBURN again be recognized for 1 hour as identified above.

The PRESIDING OFFICER. Is there objection? The Senator from Oklahoma.

Mr. COBURN. I ask the unanimous consent be modified that I be given 3 minutes to speak prior to the start of that unanimous consent.

Mr. DURBIN. I have no objection.

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

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. I wanted to answer a few of the points of the distinguished majority whip. The reason the Energy and Water bill is being held up is because the conference took out transparency that the people of this country need to see. It could easily be fixed by the majority agreeing that we will send that back, we will send a resolution back and ask the House to put the transparency back in. That is the purpose for it. It is not a delaying tactic. The fact is, we didn't defend what we actually voted for. That is the answer to the first question.

The unemployment benefit, we all want to extend it. We just want to pay for it. We don't want to charge it to our children. We want to get rid of some of the waste. We want to either take some money from the stimulus account and pay for it, but we do not want to charge the unemployment extension to our grandkids. We think you ought to make those hard choices.

Finally, on the cloture vote yesterday, as far as I could count, there are 60 of you and all you had to do was bring 60 votes to the floor, which you chose not to do. There were only three amendments that have been voted on on the Commerce, Justice, and State. I have three amendments pending. I agreed to have votes on them yesterday. Instead of having votes, we decided to do cloture, which was not achieved.

The final point that the Senator from Illinois makes, the very claim that we have no health care proposal—the first health care proposal that was filed and

published was my health care proposal that is a comprehensive health care proposal that saves the government money, covers more people than any of the bills we have today, saves $70 billion, saves the States $1 trillion, and solves most of the problems as far as access and cost, it covers people with any preexisting illness.

It is not we do not have a plan, it is that we couldn't get our plan agreed to or listened to.

I understand the frustration of my friend from Illinois; there is no question. We do want—we almost had an agreement yesterday to finish Commerce-Justice. There is no question. Everybody knew that. Then we decided to vote cloture.

I am happy to finish. We can finish it tomorrow if we can come to agreement on the amendments. We vote on the amendments and finish that bill tomorrow and finish this tomorrow. They can both be finished tomorrow easily, so it is not about structure; it is about growing the Federal Government, expanding the size and scope of the Federal Government and charging the cost of that to the next two generations. That is the objection. It is not about slowing the process.

I understand it is frustrating being in the majority when, in fact, there are minority rights, but when the amendments aren't agreed to, aren't allowed to have majority votes, then you can understand our predicament.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. UDALL of Colorado. Madam President, it is great to be here with you this evening. I see Senator DURBIN is still on the floor, and I know he may want to speak to the issue that was just raised. We are here discussing the public option. I hope Senator DURBIN has a minute or two to talk about that.

Mr. DURBIN. I thank the Senator, and under the hour he has been given, I thank him for yielding a few minutes. Let me say, what happened to you in the conference committee has happened to all of us. You had an amendment adopted in the Senate. As I understand it, we all supported it. It died in conference. It is frustrating, something you believe in, something we all voted for, and you didn't get your way. But does that mean we are going to stop consideration of this conference report; we are not going to pass an Energy and Water appropriations bill because your amendment didn't survive in conference? If all 100 Members in the Senate took that position, we would never pass anything.

Mr. COBURN. Will the Senator yield?

Mr. DURBIN. When I finish. The fact is, each of us has to accept the reality here. We don't always get what we want. I have been denied opportunities in conferences for things I cared for.

One of them, for example, was to say the Federal Government was going to make up the difference in pay from activated Federal workers who served in our Guard and Reserve. Year after year it would be adopted on the Senate floor and killed in conference by the chairman from Alaska. Did I stop the money for the Department of Defense because of that? Of course not. I said: Tomorrow is another day and I will fight for it another day. But to stop the bill and say we are going to hold on for 30 hours or more because I didn't get my amendment in conference?

When it comes to the unemployment benefit, we are paying for these the same way every President has paid for them, through the FUTA tax. It is paid for. Frankly, it should be. These are people who paid into unemployment compensation for the day when they would need it and now the money is coming back out to pay them. But some people here have a different theory how they want to pay for it. So hundreds of thousands of unemployed Americans are waiting for the latest Republican theory on how to finance unemployment benefits. It is cold comfort to them to know we are having this great academic debate when a question about food on the table and taking care of their family is No. 1 in their minds. That is the problem with what has happened here.

You can always dream up a reason to vote no. You can always dream up a better idea. But at some point the business of government has to get on. People count on us—in this case, hundreds of thousands of unemployed people.

Let me say a word about public option, and then I will yield the floor back to the Senator from New Mexico. If we didn't get the message loudly and clearly Monday night about the public option when the health insurance industry threatened us and said: If you pass health care reform, we are going to raise your premiums, if the message didn't come through loudly and clearly that they not only have the power to do that, we empowered them to do it in ways no other company can because they are exempt from antitrust laws, the only way to keep them honest is to make sure health care reform does not disadvantage workers and businesses and families is to have a not-for-profit option, a public option that people can choose for health insurance. I fully support that public option. Those who say I am not sure if I would go that far have to accept the reality. Health insurance, private health insurance companies will impose premiums, they will fix prices because they can—they are exempt under McCarran-Ferguson—and they can allocate marketplaces so they can own markets. They are in a dominant position. The only thing that can stop them is competition and the only competition that can work is a public option, one that comes in and is not profit driven but tries to provide quality care for people at affordable cost. I fully support the public option. I thank the Senator from New Mexico for yielding.

Mr. UDALL of New Mexico. I thank the Senator from Illinois. I think he makes some very strong points.

We are being joined here in the majority, Senator WHITEHOUSE is here, Senator CARDIN is here, Senator BROWN from Ohio is going to be here. We are going to be carrying on a colloquy about the public option for the next hour, so any of our friends in the majority who want to come down to the Senate floor and join us, I urge them to do that.

Senator CARDIN, I know, has a couple things to say about the public option. Please.

Mr. CARDIN. If the Senator will yield, I thank him very much. I thank the Senator from New Mexico for bringing us together. He has been not only a real champion on the public insurance option within the health care debate but a real leader in that we need to do something.

I listened to my Republican friends. They take the position the status quo is acceptable. The status quo is not acceptable. Health insurance reform is vitally important for the American public. I thank the Senator for bringing us all together to talk about it.

There is some general consensus among the Democrats. The first is we need to reform our health insurance marketplace. It is important for the Federal Government to take action to deal with preexisting conditions so people can get health insurance without discrimination, they get the ability to renew their policies, there is no cap on the annual amounts that preventive care covers without copayment or without deductibles. These are all important changes that are included in the health insurance reform that is making its way through the Senate.

Let me tell you, the main reason for all this is cost. I will be honest with my colleagues. We cannot sustain the current health cost escalation in this country. Let me give you a few numbers: 6, 12, 23. Ten years ago in Maryland, a family health insurance policy cost about $6,000. Today it is about $12,000. If we don't do anything, in 2016 it is going to be $23,000. That is not sustainable.

We are currently spending, in America, about $7,400 per person for health insurance, $2.4 trillion. We have to do better.

Let me tell you something. Every family in Maryland who has health insurance is paying an extra $1,100 a year for those who do not have health insurance. So the status quo is unacceptable to the people in Maryland. It is unacceptable to the people of this Nation.

Our objective is simple. Our objective is to reduce the cost of health care to make sure every American has access to affordable, quality care, and we are going to do it in a fiscally responsible way that will not add to the Federal deficit. We want to build on the current system. Those who have insurance, we want to make sure they can continue to keep that insurance; that it remains affordable; that they have the right to choose their doctor. We want to make sure Medicare is

strengthened. One of the best ways to strengthen Medicare is to bring down the escalating cost of health care.

We understand that. Democrats want to make sure the Medicare system remains strong and that is one of the reasons why we think health insurance reform today is so critically important and we want to help small businesses have more choice.

That brings me to the public insurance option. Why do we think the public insurance option is so important?

First, I have heard some of my colleagues come down to the floor and say we want to protect you against the Democrats' bill that is a government takeover. This is not a government takeover. Was Medicare a government takeover? Of course, that is what our Republican friends said when we were considering Medicare in 1965, and if they had had their way we would never have passed Medicare.

But Medicare allows you to choose private doctors, private hospitals. It is all about providing an affordable way that our seniors and disabled population can get access to affordable care. It maintains the private network. We want to make sure we continue that.

Let me tell you the problem in Maryland today. That is that 71 percent of the people in Maryland who have private insurance are in one or two plans. That is not competitive. That is not competitive. One out of every three Marylanders has no choice on the private insurance plan that their employer offers. They must take that. That is not choice.

So the reason I am such a strong proponent of the public option is to bring down costs, to add more competition, to make sure we have an affordable product there to save taxpayers' dollars. That is why I want to see us make sure that we maintain a public insurance option, to be able to maintain your ability to choose your own doctor.

I will give you one more comparison; that is, take a look at what has happened in Medicare. We have Medicare Advantage. You can go to a private insurance option within Medicare itself. It would be one thing if they competed on a level playing field. They do not. Today we are paying 12 to 17 percent more for every senior who chooses private insurance. Let me repeat that. For every senior who goes into private insurance, the taxpayers of this Nation have to spend more money.

The Congressional Budget Office has indicated to us that that amounts to about $150 billion over 10 years. We cannot afford that. I am for private insurance, but I want to make sure it is affordable and that we are not oversubsidizing as we are today. Let them compete on a level playing field.

The reason we want the public option is to keep costs down, to keep basically the private insurance marketplace straight and honest in a way they make their profit, to make sure that in every part of Maryland, indeed every part of this Nation, there is an affordable insurance plan available.

Marylanders know what happened with what was called Medicare-Plus Choice when we had private insurance plans in Medicare and they left overnight. They had no insurance available. Fortunately they still had the public insurance option called Medicare. We want to make sure there is affordable coverage for all Americans, to keep the cost down.

I applaud my colleague from New Mexico for allowing us an opportunity to talk about this. I really do applaud the work that is being done by all of our committees, by the HELP Committee, by the Senate Finance Committee. Their options give us hope that we are going to move forward with health insurance reform and health care reform this year, to bring down the cost of health care, to make sure that every American has access to quality, affordable care and do it in a way that will be fiscally responsible. Democrats are giving us hope that we are going to be able to achieve that in 2009.

Mr. UDALL of New Mexico. I thank the Senator from Maryland. I think the Senator from Maryland has made such a strong case of why we need a public option. You know many of the folks who are out there wondering: Well, what is a public option? I think we need to go through a little bit of what we are talking about, because this is something that the American public understands. They know it in their heart. But let's go through a few of the details.

First, this is not going to be subsidized by the government. It is going to be fully funded by premiums. So we are going to be out there in the private sector. Premiums will be flowing in to this nonprofit entity, and it will be able to function and compete with other businesses. It is not going to make a profit for its shareholders because it is a nonprofit.

It would have low administrative costs since it operates as a nonprofit. That would allow it in the marketplace to serve as a competitor with these big insurance companies that are out there. It would offer savings to its subscribers through lower premiums, greater benefits, or lower out-of-pocket expenses. It will have the same insurance requirements as private plans. So we are talking about something that will offer low cost and high value.

Let's take a look here at why it costs so much. You can see by this chart right here that in New Mexico, we have a situation where we have two companies controlling 65 percent of the market. All of us know the way the market system works. It works best when you have a lot of competitors. When you take a market and drive it down and only have two competitors, what you end up getting is those two competitors that are able to push up the cost. So that is something a public option would inject into the market, a competitiveness that we have not seen in a long time.

One of the things it would do is it would start lowering those premium costs we are seeing in New Mexico. I know Senator WHITEHOUSE is here from Rhode Island. One of the things I want to say about the Senator from Rhode Island is he has participated in this process already. Everybody knows he was on the HELP Committee. He had the opportunity to help write this bill. He has got a great deal of knowledge about what the public option is.

I believe it is only about 19 pages of the bill that passed out of the HELP Committee. People can read it. It is out there on the Internet. That 19 pages sets up the public option. So all we need to do is make sure that is in the bill that comes to the Senate floor, or that we amend it on the Senate floor if it is not in the base bill, or that we have the President of the United States say he wants a public option. He can weigh in to the conference and say those 19 pages, the public option, we want them in there.

I want to ask the Senator from Rhode Island to talk a little bit about the way he sees things from his perspective. What is happening up in Rhode Island on the public option?

Mr. WHITEHOUSE. I thank the Senator from New Mexico. I am committed to that. I am also delighted to follow the Senator from Maryland. Senator CARDIN and Senator UDALL have been, for many years before they even came to the Senate, when they were serving with such distinction in the House of Representatives, strong advocates for the elderly, strong advocates for the disabled, and strong advocates for consumers.

That is what a public option is all about. It is helping out people as consumers and providing better health care, the kind that the elderly and disabled get when they are on Medicare. They do not have so many worries that regular families have of whether they are going to get coverage.

The public option makes so much sense that it is very hard to argue against it as it is. So a great number of my friends on the other side of the aisle are arguing against things that actually are not being proposed, such as socialized medicine, or the government taking over health care.

None of that is suggested by our bill, anyway. The first words of the HELP bill are ''voluntary plan.'' It is a voluntary option. As the President said when he was running for election: If you like the plan you have, you get to keep it. But if you do not like the plan you have, you have a public option, an alternative, a choice.

Why does that matter? Well, it matters to people such as Stephanie, a 28-year-old from Warwick, who recently learned that her insurance plan is refusing to cover the most costly and important medication that she has to take for a chronic rheumatic condition. She thought she had insurance. But

when this condition appeared, and she realized the kind of treatment she needed, and her doctor said: This is what you need, Stephanie, the insurance company said: Oh, no, I am sorry. We are not going to cover that.

Our friends like to talk about how this will put the government between you and your doctor. Folks, the private insurance industry is, all over this country, getting between Stephanie and her doctor and millions of others just like them and telling them what kind of care she can and cannot have.

The public option will actually help free that up by providing alternatives where they can provide better service and broader coverage, at lower cost. Why might they be able to do that? Our friends on the other side of the aisle say: Well, it is because they will compete unfairly. Because they will necessarily take over any insurance market that they get into.

That is, frankly, a bunch of baloney. In my home State of Rhode Island, just two insurance companies dominate the market now. In fact, one of our health insurers reported $37 million of profits, excess profits, that it wanted to take out of Rhode Island and repatriate to its home State outside of Rhode Island; $37 million. Rhode Island has only 1 million people in it. We are a small State. This was a company with 16 percent market share in Rhode Island. So out of 16 percent of the Rhode Island market, in 1 year, they were going to pull $37 million and send it out of State.

You do not have to do that if you are a not-for-profit company. That is $37 million that can serve those 16 percent of folks with better coverage, with better quality service. The profit and huge executive compensation is money that could go instead into health care.

I also heard from Charles from Pawtucket. For 20 years he and his wife have worked. They are freelance musicians. They have not had anybody providing them coverage through the business. But they have scrupulously and faithfully paid for health insurance and coverage. Recently his wife was in an accident. They are both in their late 50s. The insurance company took a look at them and said: You are out. They tossed them out; threw them off the insurance plan.

That is not the kind of choice people need. They need a public plan they can go to that will be reliable, and that will be there for them once they get sick. It is said about our private health insurance industry that they give you all the coverage you need until you need it. Suddenly it is loophole city. There is a better alternative and a better way.

Another way the public plan can help to fund that and to make up that difference is with less administrative cost. We have heard that on the private insurance side, 15 to 30 percent of the health care insurance dollar gets burned in administrative costs; Medicare, maybe 3 to 5 percent. So they are running probably five times as expensive as Medicare in their administration.

And what do you get for that? Well, you get told that you cannot have the care you need when you actually get sick. You get your doctors hassled so badly by the private insurance industry that they have staff to fight with the insurance companies. As I travel around Rhode Island, doctors tell me that very often 50 percent of their personnel is devoted to fighting with the insurance industry, fighting about prior approvals, fighting about getting paid.

So the 15 to 30-percent costs that the private insurance companies have for administration creates what I call a ''cost shadow'' in the health insurance provider community, because they have got to pay all of those people to fight back. You add the two together and it is big dollars. A public plan will work more effectively, will try to figure out the better way to provide care that does not invest its dollars in trying to fight with providers and figuring out how to deny you care. There is a huge amount of money that can go back into better quality care.

Another story is Tim from Warwick. He is a husband and he is a father. Right now his family health insurance has a $3,500 deductible. Tim and his wife are not high-earning people. The $3,500 deductible is a real risk. Because of it, they actually avoid care, miss appointments and do not take as good care of their health as they should, because they simply cannot afford the out of pocket. They save it for the big catastrophe.

They have tried. They looked around to try to find other things. They cannot find anything better because the costs are so high. So right now Tim sees his family as tethered to that job, tethered to that insurance plan. If there were a public option and he did not have to get it through his job, then they could look and they could find an alternative and they would not feel as tied down.

How many people in America feel trapped in their jobs because they do not have an alternative for health care? And to protect their family's health care, they continue to slug away at a job, they defer the innovation and entrepreneurship they could do. They do not open their own business. They feel they have no choice.

The public option could give them a choice. Another way that could help save money is by providing a new model of service.

Over and over again, we find in health care that if you improve the quality of care, you can actually lower the cost. The waste in the health care system is phenomenal. The Lewin Group says there is $1 trillion in excess health care costs—$1 trillion in excess health care costs—every year in America; $1 trillion every year.

The New England Health Care Institute has looked at this, and they say there is $850 billion in excess health care costs in America every year.

President Obama's Council of Economic Advisers looked at how much excess costs there are in health care. They looked at it by comparing our share of gross domestic product to other countries' shares of gross domestic product that gets burned by their health care systems. We are the highest in the world. We are far ahead of everybody else. We are a complete outlier. We are at 18 percent of GDP. The next worse country is Switzerland at 11 percent, and the EU average is half of ours, and they get better health care results. We spend a fortune on health care. They looked at that comparison.

They also looked at the comparison of regional outcomes and how in some States you can get very high-quality health care with great outcomes and results, and it is a lot cheaper than in other States where you get very expensive health care and lousy results. They crunched all those numbers, and they looked from both sides, and they came up with the number of $700 billion a year in excess health care costs. It is there.

We have a terrible model of service in this country. Anybody who has ever had a sick family member, who has had a chronic condition, who has been sick themselves—you have seen it. You know the inefficiencies in this system: the electronic health record that is not there, so your tests cannot be located and you have to carry your own file around; the insurance companies being just brutal to your doctors and arguing with them about your care, and you cannot get the care while that fight goes on, while they sort it out; the doctors who cannot talk to each other. You have five specialists, and you are the one in the middle, and you are the one who is sick, and nobody is sorting it out for you, and nobody knows what the other person is doing. One person prescribes a prescription and another person prescribes a prescription, and those two interact in a way that makes you sick, and nobody saw that coming because it is disorganized.

All that stuff does not need to be there. It is excess cost. When you get rid of it, you improve the quality of care. A public option can go after that, and it will because it is not bound to try to make a profit every minute, it is bound to try to do the right thing. So there are innumerable reasons why a public option makes sense.

But, finally, I think the strongest one is that by not having to extract all this profit out of the system—by not having to pay CEOs tens of millions of dollars a year, by not having to maintain that huge administrative war with doctors and hospitals and war with their customers as soon as they get sick, trying to deny their coverage—by actually trying to find that newer, better model of care that provides better health care cheaper, they can actually drive down costs—and a lot.

I do not know if the right target number is $700 billion a year or $850 billion a year or $1 trillion a year, but there is a big target number to find, and what a difference that would make for Lisa in Providence, who turned 55 this year. Her birthday present from her insurance company was a 30-percent premium increase—a 30-percent premium increase. She was at the point where she was just able to afford what she had. Madam President, 30 percent more is more than she could afford, so Lisa has now become yet another uninsured American. A public option will help because it will make health care affordable for people who want to have insurance, can be insured, but are not always insured. Lisa is a good example.

Our friends on other side often talk about the people who are uninsured as if they are some like alien species; that it is actually less than we think and we do not really need to worry about it; it is only just a few million here and there. The fact is, in the last year and the year before, 87 million Americans like Lisa had a period in which they were uninsured. They went without health insurance. You know how scary that is. Somebody is not just uninsured; they are a mom, they are a worker, they are part of a family, and something goes wrong and suddenly they cannot afford their insurance, and for a while they are uninsured, and then maybe they try to come back again. They get lucky; somebody in the family gets a job who gets coverage; they find a way to afford it. But there were 87 million Americans who, in those 2 years, went without health insurance.

Do you want to know what 87 million Americans is? That is why this chart I have in the Chamber is colored yellow and red. If you go west of the Mississippi River and take the population of every single State, including the State of New Mexico, which is Senator UDALL's home State—and you just take out California—if you take every single one of those States and add them all up, that is 87 million people. That is the population of every single one of those red-marked States, from Minnesota, Iowa, Missouri, Arkansas, and Louisiana, and go all the way west—except for California—all of those States, if you add them all up, the population of every single one of those States, that is the number of people who in those 2 years at some point were without insurance. So it is important that we take that burden off these nearly 90 million American families.

Even for those who have insurance, this is a big deal because folks who have insurance find they go bankrupt very often. Right now in America, 62 percent of all bankruptcies are health care related. That is why American families go to bankruptcy more than any other reason—because of health care. I tell you, you can make fun of systems like Canada's or England's or France's; you do not see families going into bankruptcy because of health care in those countries.

This is a national tragedy that is happening to those families, which is totally unnecessary. Of that 62 percent of bankruptcies—where the family was doing fine, and a health care emergency put them over the edge and forced them to go into bankruptcy, where they lose their home, they lose their credit—78 percent of those bankruptcies—four out of every five of those bankruptcies happened to families who had health insurance.

So if you are listening to this and you are wondering why it is important we get this reform, because you think: I am insured, I am all set, I am not part of the problem, well, you are very lucky you have not yet had the experience of finding all those holes in your insurance coverage, because I will tell you what, for these families—four out of every five of the health care bankruptcies in this country—they thought they were covered too. It was a rude and sad awakening when their insurance companies started calling them up and saying: Sorry, we are not actually going to be able to cover you. We found an exception. We are rescinding the policy. We are throwing you off. We do not cover that. And they had to pay and pay and pay until everything they set aside, everything they worked for, everything they tried to build up for a secure future for themselves and their families was down the spout, lost in a bankruptcy because their health insurance was not there when they needed it. That is another reason we need a solid public option, so there is an alternative to that kind of behavior, because it does not just keep people out of the insurance market, it clobbers people who think they are safely insured.

Madam President, I yield to Senator UDALL.

Mr. UDALL of New Mexico. Madam President, I say to Senator WHITEHOUSE, I want to ask you a question and see what evidence there was in the HELP Committee because what I understand in New Mexico is, if you look at the uninsured—I showed a chart in the Chamber a little bit earlier—one in four New Mexicans is uninsured. The big question is, Who are the uninsured? Who are the folks out there who are uninsured? As shown on this chart, adults under the age of 65, 31 percent; working New Mexicans, 31.4 percent; Hispanic Americans, 49 percent. So the uninsured are people we fight for every day, people we know, people we run into.

I know in the HELP Committee one of the things really focused on was the fact that we are talking about working people, working families who do not have insurance. They are out there in these smaller businesses. I know when you worked on the bill in the committee, you heard that kind of evidence. And you know your Rhode Island situation. Could you talk a little bit about that because I think people somehow think, like you said—I think you said earlier that being uninsured is from a foreign planet or something. These are people who are in our midst all the time. They are working hard, but they cannot afford insurance, and these small businesses cannot afford insurance to cover them. I was wondering if you could talk about that a little bit.

I see Senator BURRIS from Illinois has also joined us.

Mr. WHITEHOUSE. Madam President, I will speak briefly so the distinguished Senator from Illinois can follow up. I thank the Senator from New Mexico for the question.

In 2007, 2008—2 recent years—nearly 90 million Americans went without health insurance at one point or another. That is close to one in every three Americans, which means as you go around your neighborhood, the fellow with the truck delivering oil to heat your home; the lady in the corner at the bookstore; the guy who owns the gas station down the road—innumerable people whom you know in your real, regular life are in those nearly one in three Americans who are going through a period being without health insurance coverage. Some of them are going to be young people who choose not to do it. Some are between jobs, and they rely on an employer to provide coverage because good luck buying coverage on your own in this country if you do not have an employer to argue the price down for you.

But I think it is really important that we press back against the notion that some of our colleagues are pushing forward: that there is this little group of uninsured who just kind of are not regular people and are different and are a problem, that they are not part of the American fabric. It is one in nearly three Americans who goes in and out of health insurance coverage.

As a parent, I have to tell you, if I had to go home at night and tuck my kids in and then go to bed myself and talk to my wife and be thinking about what might happen the next day if they got sick because we did not have health insurance for them—what an agony for a family to go through that period, when everything is at risk, when you are one illness away from losing everything you have. We put 90 million people through that in the last 2 years. It is real people, working people, real families, and they feel a lot of pain. That is one of the reasons we have to act. We have to get the reform bill done. It is for them, not for the special interests.

Mr. UDALL of New Mexico. Madam President, I say to Senator WHITEHOUSE, thank you very much.

One of the things I have just realized now, one of the things the three of us have in common is we were all attorneys general. I am proud of that fact. I am very proud of my service as attorney general. I know you both are. We were out there as attorneys general fighting for these working Americans we are talking about, whether it was consumer protection or doing law enforcement.

Madam President, I say to Senator BURRIS, I know those working families the Senator worked for back in the 1990s are the same working families he is fighting for on the public option. Could you jump in here? I know you have a situation in Illinois where you have traveled throughout the State. You have taken a measure of what is happening in Illinois with regard to health insurance. What would you say?

Mr. BURRIS. Well, Madam President, I say to the distinguished Senator from New Mexico and the distinguished Senator from Rhode Island, it is certainly an honor for me to be able to participate in this discussion.

I just left my 50th college reunion down in southern Illinois, where I had attended Southern Illinois University. I was introduced at the football game, by the way, which SIU won 46 to 23 or something like that. We beat Illinois State University. They announced me in about the third quarter.

Well, after the game was over, I say to the Senators, there was a line of people lined up to talk to me. What were they saying in that line? Most of them were saying: Senator, whatever you do, we want you to keep a public option in that insurance bill.

I said: Well, there are three bills in the House, and they have a public option in them. The bill that came out of the HELP Committee here in the Senate has a public option. And we have not gotten the Finance Committee bill—as of last Saturday. But we just passed that bill the other day. Now, it does not carry a public option. What I am saying is, I do not see how we can address all of these issues dealing with health care rather than sick care, which is what has been taking place in America, without dealing with something that is going to create competition, create a reduction in costs, and, of course, cover millions of Americans. Senator WHITEHOUSE just talked about that 90 million—well, 47 million who are underinsured, and another 25 million to 30 million who are uninsured. So those are the problems we are having, and that is what it is going to take in order for us to get reform in America.

It is unconscionable to think we could do insurance reform and think that the insurance companies are going to not continue to make their profits. As a matter of fact, I spoke about this on the floor a few moments ago. Would you believe that what they have done is criticize the bill that came out of the Finance Committee? They have played into our hands. They have criticized that bill, talking about how much money it is going to cost, which gives us the best reason we would need a public option: because the premiums are going to go up if they don't have any competition.

When we look at their profits over the years, we see a 428-percent increase in their profits from 2000 to 2007. That is unacceptable. It is just unacceptable.

Mr. WHITEHOUSE. Mr. President, would the Senator yield for a question?

Mr. BURRIS. Yes.

Mr. WHITEHOUSE. As a former attorney general who had antitrust and consumer responsibilities, how many industries can the Senator think of that would get to announce to the world, if this bill passes: We are going to raise our prices! If you are in a competitive marketplace and you are not colluding with each other, how on Earth do you know as an industry that you are going to get to raise your prices, you are going to be able to decide to raise your prices? Isn't the market supposed to do that?

Mr. BURRIS. It is market driven, that is correct. If they do, they have collusion going on in terms of everybody raising their prices so they would be competitive, and they couldn't then go to choice and thereby keep the rates up and their profits up. So we are talking to the current AGs. If they would do this, we might have an antitrust action, but that certainly is a circumstance we must be concerned with in terms of how they are seeking to increase their prices, and they might even be involved in a little price fixing.

Mr. UDALL of New Mexico. Senator WHITEHOUSE and Senator BURRIS, if you would just give me a second, I want to make sure he talks about the situation of workmen's compensation in the State of Rhode Island. I believe several States—and you have had experience with this—have experimented with a public option in the workmen's compensation context. It tells us a lot about what public option would mean if we put this in our health care bill.

Could the Senator speak to that a little bit?

Mr. WHITEHOUSE. We have heard a lot about how, if we let a public option go forward, it will give terrible customer service, horrible customer service. Senators have said it will be the worst combination of the IRS and the local Department of Motor Vehicles. But we can go to a State such as Wyoming, which is the home State, for instance, of the very distinguished ranking member on the HELP Committee who is also on the Finance Committee and, indeed, was one of the negotiators with Senator BAUCUS. When he goes home, he goes home to a workers' compensation system that is a single-payer, government-run system. The Wyoming business community doesn't seem to complain about it. So obviously, the customer service can't be that terrible because they would be thrown out if they were that terrible.

The other thing we hear about the public option is that if we let it in the door, it will take over the system because a public insurance plan can't compete fairly with private plans. There are predators who will be let loose in the system, we have heard people say. Well, half the States in the country have public plans that sell insurance in the workers' compensation market which provides—about half of it is health insurance. Some of it is paid back wages that were lost, but the rest of it is health insurance. It is little things such as carpal tunnel, it is terrible wrecks that occur, chronic conditions. All the different aspects of health care that get provided by health insurance also get provided by workmen's compensation insurance.

If we go to Arizona, for instance, which is the home State of the very distinguished Senator MCCAIN who ran for President on the Republican ticket, and Senator KYL who is the assistant Republican leader of the Republican Party—they go home to a State where there is an Arizona public workers' compensation plan that has been competing with the private sector in that market, I believe, since 1925. I don't have my notes in front of me, but my recollection is that it was from 1925. So for 80 years, they have been running in competition with the private sector.

That doesn't sound to me as though once we let the government in, competition is doomed.

The distinguished minority leader, Senator MCCONNELL, goes home to Kentucky. In the Kentucky workers' compensation system there is a private plan. The Kentucky workers' compensation plan, run by the State, is a public plan. It goes out and competes day to day with the private plans. It adds to the healthy marketplace. It adds to the choices that Kentucky business owners have. I have never heard Leader MCCONNELL or Senator MCCAIN come to the floor to criticize the workers' compensation public plans that operate at home.

So I think there are at least some examples that disprove some of the worst arguments that have been made about the public option: that it will give us terrible public service—well, the single-payer, all-government plan in Wyoming seems to disprove that—and that half of the States in which there is a competitive plan, including Arizona and Kentucky, would seem to disprove the notion that as soon as we let a public plan in to compete, it will take over. It just hasn't, it just doesn't, and the actual facts—what the military calls the facts on the ground—are different than the rhetoric in the air.

Mr. UDALL of New Mexico. Senator WHITEHOUSE, if I can interject at this point, I think you have given great examples of why we need a public option. As part of health care reform we are going to be doing in the next couple of weeks in the Senate—we have a Senate Finance Committee bill out of the Finance Committee now and we have the HELP Committee bill and our leadership is putting those two bills together—we have to have a public option be a part of the bill.

Senator BURRIS was visiting a little bill earlier about Illinois and the Illinois citizens and their comments on the public option. The Senator from Illinois may want to join in with what Senator WHITEHOUSE said about that competitive factor with workmen's compensation.

Mr. BURRIS. Mr. President, I think we must also give what is a very simple

definition because I think the term has gotten misconstrued in terms of what the public option is. I hope our colleagues will understand it is nothing but choice. It will give the person who is uninsured, if they cannot get insurance—let's say the person has a preexisting condition and they lose their job and that person goes to get insurance and they will not insure that person. Hopefully, our bill would take away the preexisting condition problem.

Let's just say the premiums are too high. Well, if there is a public plan, that person can go in and then acquire his or her insurance based on his or her income and ability to pay. That is what we are talking about. That is the option an uninsured person would have. That option will entitle that person to get health insurance. It also, under this legislation, would entitle that person to get preventive care, which would prevent that person from getting a chronic disease or getting to the point where a disease gets chronic and they end up going to the emergency room in order to get service.

So we are talking about saving funds. We are talking about cutting down on the cost. We are talking about eliminating premiums.

So I say to the distinguished Senator from New Mexico, it is crucial the words ''public option'' don't turn people off because it has gotten to the point where it is creating problems in itself, the definition. But the purpose is to make sure those persons who don't have insurance will get insurance.

The President has said this. President Obama said: If you have your insurance and you like your doctor, we are not going to touch you. The reform would not interfere with you. Therefore, we are going to have it so that all of those almost 90 million Americans can get insurance, which will mean it will cut down on the costs we are all paying because of those persons who have to go to emergency rooms and who are not insured.

So I hope our colleagues will understand how important this piece in the whole reform bill is, where there will be choice for Americans, choice so they can select a company and not be paying premiums through their nose because premiums are going to go up. If we don't get reform, if we don't have reform for competition, if we don't do public option—this document says if we compete with private companies, these companies will raise their rates during this critical time by 111 percent. If we look at the profits they are making now and over the years, we will find those profits have been exorbitant. Therefore, I will say to my colleagues, it is key, even to my State of Illinois where we have only two insurance companies doing 69 percent of the insurance—that is almost a monopoly on who gets insurance—but two companies in Illinois, and we are a State of 13 million people. When two companies cover 69 percent of those who are insured, that, to me, is just not enough competition for rates to be reasonable so it is affordable.

Mr. WHITEHOUSE. Would the distinguished Senator from Illinois yield because he has made such an important point.

Mr. BURRIS. Yes.

Mr. WHITEHOUSE. He made the point about the lack of competition out there right now. I know that in Illinois, the lead company has nearly 50 percent market share, and the second company, a 22-percent market share, for a grand total of 70 percent market share, just in those two companies.

Mr. BURRIS. Yes.

Mr. WHITEHOUSE. But it is not just a problem in Illinois. There are 39 States—39 States—in which the top two insurers—just the top two insurers—have the majority of the market; more than 50 percent of the market, just between two companies. In nine States, one insurance company—one insurance company—has more than 70 percent market share, one company.

So the notion that there is a lot of competition going on out there isn't supported by the facts. If you are in one of those nine States where there is one insurer that has more than 70 percent of the market, you don't have a lot of choice. That insurer has extraordinary market power, particularly since they are immune to the antitrust laws.

Mr. BURRIS. Yes.

Mr. WHITEHOUSE. Extraordinary market power, and in the 39 States where more than 50 percent of the market is captured by only two insurance companies, they have extraordinary room to raise prices and fix prices and work with each other to make sure they maximize profits instead of taking care of regular folks, the folks I talked about earlier, real people who suffer real consequences. The result of it is that our health care expenditures are going through the roof.

I was born in 1955. In 1955, we spent $12 billion a year on health care. In 1979, I just got out of college. It grew nearly 20 times, to $219 billion that we spent on health care as a country. In 1987, I was just about to have my first child, my daughter, half a trillion dollars, $500 billion. In 1992, we spent $850 billion. Here we are in 2009, $2.5 trillion. Look at the direction on the chart—the direction of that spending curve. We have to turn that around. Everybody in America, the insured, uninsured, doctors, nurses, hospitals, everybody has an interest in us getting this right and getting this bill passed so we can turn it around. I don't want to make a joke out of this, but do you remember the last time we had tried for health insurance reform, the insurance industry, which has turned on us now, turned on us then with Harry and Louise, who were that nice couple who raised all these worries and fears. They always worked with fear. I said the other day that Harry and Louise are not the problems; now it looks like Thelma and Louise. With those health care costs climbing, we are headed for the cliff, and we are all in the car together. It will be Democrats who have to work together to solve that problem before we go off that cliff.

Mr. BURRIS. That is key. I am looking at 29 of our colleagues in this body calling for a public option. That is a tremendous number.

Mr. WHITEHOUSE. I wouldn't be surprised if it were more.

Mr. BURRIS. Maybe there are 30 of us who signed the letter at this point. Just what the Senator said—it is crucial that we now think about 30 more. We have to work on that.

Mr. UDALL of New Mexico. We have now been joined by Senator BROWN from Ohio. As the Senators who are on the floor know, he led an effort like this last week to put the public option forward. He has been amazing in terms of being dogged and being here on the floor fighting for the public option. I know he talks frequently about how people in Ohio have a real passion for this.

Mr. BROWN. I thank the Senators. Back in our States, Rhode Island, New Mexico, Illinois, Ohio, and Washington, we all hear from constituents all the time who are unsure of what their future is with health care. Too often they are denied coverage with preexisting conditions. Too often they have annual caps or lifetime caps on coverage. They thought they had good insurance. In fact, what I found in the mail I got from Springfield, Cleveland, Dayton, Oxford, and other communities is people thought they had pretty good insurance, and they find out, once they get circumstances when they needed insurance, it is not so great. They get sick and they have huge hospital bills and they have huge doctor costs or other expenses and they get a note from the insurance company that they are not going to cover that.

Some of the letters that break my heart are from people who clearly are under so much stress because of breast cancer or because their child is sick and they are spending hours a week fighting with insurance companies. It is those people who thought they had good insurance who find out it is not so great after all and they really support the public option. They understand we are going to change the rules in this legislation. No more disallowing care for preexisting conditions, no more caps or discrimination based on gender, race, or disability. They also know insurance companies are good at gaming the system. Without a public option, so many people think insurance companies will continue to game the system, even though we have written better rules in this bill. They understand insurance companies such as Medicare doesn't—excuse me, the public option, like Medicare, won't disallow somebody for a preexisting condition and throw them off insurance. They will keep the costs down. We know what the insurance companies said a couple

days ago when they talked about costs going way up as if they have not doubled that anyway in the last 8 or 9 years. That was one more call and is actually is the best endorsement yet of why we need the public option.

Mr. WHITEHOUSE. If the Senator will yield for a question.

Mr. BROWN. Yes.

Mr. WHITEHOUSE. Not to belabor the obvious, but could he comment on why it is that a for-profit private insurance company might pursue things such as rescission, which is when they throw you off a policy when you get sick because they found an error in your form, and you have been counting on the policy for years, but suddenly you are sick and they throw you out the door? What might the difference be between a for-profit insurance company and a public option when they are looking at that circumstance?

Mr. BROWN. Right. I will answer it in a fairly unusual way. I have a friend who is a lawyer for a company that produces soap. She said to me: I am glad we have a strong EPA because we are doing what I want to do anyway, and now our competitors have to.

If you are an insurance executive—if the four of us were insurance executives and I disallow people and I put caps on coverage because of preexisting conditions, and I do rescission, you are all going to have to do that. A lot of people may think this group of Senators up here hates insurance companies. I think insurance companies operate in their own short-term financial self-interests. That is why we need different rules, so they cannot deny care this way, and that is why we need a public option, which sets a gold standard. Public option will not use rescission. Public option will not deny care or put a cap on coverage or discriminate. Public option will not use preexisting conditions to keep people off. The public option will set the standard. So if these other private companies want to compete—and Senator WHITEHOUSE and I and our staffs in the HELP Committee wrote most of the language for the public option in a way that there would be a level playing field, and they will compete with Cigna and Aetna and United and WellPoint and these other companies in a fair way. We may not see the Aetna or Cigna CEOs making $22 million next year because you can make that kind of money because you are cutting people off, you are using rescission. Once these insurance companies have to go under a set of rules, enforced in part by the public option, these salaries and profits may not be so gargantuan as the insurance companies have enjoyed all these years.

Mr. WHITEHOUSE. I mentioned earlier that in Rhode Island a for-profit insurer with only 16 percent market share, in a State of only a million people—you are all from bigger States; Rhode Island is a million people. It had 16 percent market share. It extracted in 1 year $37 million in profit to repatriate to its headquarters out of State—$37 million. Imagine how much care you could provide to 16 percent of a market of a million people with $37 million, if you put that back into health care instead of taking it out in profit.

Mr. BROWN. As the public option mostly will do.

Mr. WHITEHOUSE. Yes, as the public option would do.

Mr. UDALL of New Mexico. We are near the end of our time.

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

Mr. UDALL of New Mexico. I ask unanimous consent to have 3 additional minutes.

Mr. COBURN. I have no objection.

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

Mr. UDALL of New Mexico. I thank the Senator. I point out tonight that we have had a number of Senators come down here, and we have also been presided over by the gracious Senator from the State of Washington, Senator CANTWELL. I know she is a strong proponent of a public option. We have had Senator CARDIN from Maryland, Senator BROWN from Ohio, Senator WHITEHOUSE from Rhode Island; we had our distinguished majority whip, Senator DURBIN, here talking about public option. We have also had Senator ROLAND BURRIS from Illinois. So we have had a key group here.

We are going to continue to do this because, as Senators BROWN and WHITEHOUSE and BURRIS know, we have to get this done. Our constituents want it. The American people want it. There was a poll done, and 72 percent of the American people want to see a public option here.

I don't know if any other Senators want to sum up.

Mr. BURRIS. Well, 72 percent of the doctors also are supportive of the public option.

Mr. BROWN. I know one doctor who may not be for it on the other side of the Chamber.

The Robert Johnson Foundation found that more than 70 percent of the physicians supported the public option.

Mr. UDALL of New Mexico. I thank Senator COBURN for not objecting. I thank all Senators who appeared here today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Madam President, I listened off the floor to the debate of my colleagues. Many of the things that they identify as problems, I certainly agree with. Where we part company—having been in the health care field for over 25 years, and having practiced medicine during that period of time—is on the solutions they propose. Oftentimes, that will destroy the best of medicine that we have in America today and will render a larger government with less freedom in our country.

I want to address a couple of the issues. From the start, the assumption of those for the public option is that the government has done a good job with the health care programs they run today. I wanted to give a little history and put forth a little history.

There is no question that Medicare has benefited millions of Americans, and will continue to do so if we can figure out a way to pay for it, which is one of the sad things about the payfors in this bill—that we are going to borrow $500 billion and take another $500 billion out of Medicare and create another program, when Medicare is not funded. If you go through health care today in the country, 61 percent of all health care expenditures in this country go through the government. If 61 percent is already going through the government and we are having health care inflation at 7 or 8 percent, why is it that if we are so good in 61 percent of it, we still have these kinds of problems as a whole? And actually health care inflation inside government programs is higher than outside government programs, which proves the point that we should not eliminate health insurance companies, but we should make them more efficient and streamlined.

The assumption behind the public option is this: They look at Medicare and at the administrative costs of Medicare and say that is all it costs to run Medicare. Then they look at the 10(k)s, the profit and loss statements of the insurance industry, and say look how high that is. If you take all of the health care insurance industry as a percentage of the dollars spent in health care and look at their expenses and their profit and their costs for running their business, in terms of cost of capital, and compare it to the true cost of running Medicare, what you find is Medicare costs about 3 or 4 percent more to run than private health care.

Nobody could be more disturbed as a practicing physician than I am about wanting to rein in the abuses in the insurance industry. Their answer is to create competition with a government plan. I believe you create competition by creating real competition. A government plan, government option isn't competition. It is the elimination of any other market in health care. How do we know that? We know that the way people are going to sign up for a government plan is because it is going to be cheaper. If you take the same factors—for example, the 15-percent fraud rate in Medicare and Medicaid—and add that to the cost of the plan, what you are going to see is we are going to end up subsidizing the government plan to a greater extent than even CBO would put forward. I will have a report in the next couple weeks that will outline CBO's accuracy on health care costs since they have been scoring them since 1965. I can tell you right now that the record is atrocious. Sometimes they missed it by 15,000 percent. They underestimate what the costs are.

I want to share a story about two of my patients over the last 6 or 7 years.

I also want to share another story about somebody I talked to this week, whose son dropped out of medical school and chose to not go to medical school. He was accepted, but he chose not to go because of this very debate and the likelihood that the government will become more involved in health care.

The story I want to tell goes to the very real need that my colleagues were addressing, which is true changes in health insurance. Everybody in this body wants to address the cost issue because that issue is what is driving the problems with health care. If somebody doesn't have access, it is not because it is not available out there, it is because they don't have the money to buy the access. So cost becomes the first stumbling block. Whatever we do, the No. 1 thing we ought to do is try to decrease the costs associated with health care. How do we do that? Do we do that by modeling Medicare, Medicaid, SCHIP, Indian health care, VA? Is that how we do it? Or can we do it in a way that will truly drive down the costs? There is no estimate out there about the actual cost reductions in the bills that are coming forward, either the Finance Committee bill or the HELP Committee bill. The HELP Committee bill actually raises the cost of health care. Should we be about figuring out how to lower costs? Let me give some examples.

Safeway has had no increase in health care costs for the last 4¾ years. How did they do it? They created incentives for their employees to stay healthy. When I say incentives, they were paying their employees cash money to change their behavior. They are limited on how much they can do that by a law called HIPAA, and, in fact, if they could do more, then they actually could have had a marked decline in their health care costs.

Then there is a company called MedEncentive where they run the insurance program for communities' municipal employees. Everywhere they have been they have lowered the cost of health care. How do they do it? They incentivize doctors by paying them more and incentivize patients by agreeing to do what the doctor says by cutting off their deductible or lowering the cost of their prescriptions if, in fact, they will follow good practices, best practices in terms of their care.

There are other examples such as Asheville, NC, where they have had a marked decrease. On average, what we have seen is a 20 to 30-percent decrease in health care. There is not a government involved in any of that.

I want to go back. Why is it that we view a government option as the answer? Because we perceive that the government can do it more efficiently and we perceive that is the only way you force competition in the health insurance industry. I agree, there is no significant competition in the health insurance industry. But having the government compete in it versus forcing competition is where we divide and go away.

The second reason they want a government option is the following: If you are my age, in your early sixties, what is going to happen to you in Medicare is you are not going to have the same care that the people in the last 10 years have had because the reason they want a government option and the reason we want what is called a comparative effectiveness board is because the real reason for having a public option and a comparative effectiveness board is to mandate what can and cannot happen to you.

As a physician who has delivered thousands of babies and cared for every complication in gynecology and obstetrics one can imagine, as a physician who has cared for thousands of children from birth to high school, as a physician who has taken care of grandmas and grandpas in their elder years with complications from heart failure to cancer to chronic obstructive pulmonary disease to pneumonia to anything else, what is going to happen is the options are going to be limited.

The ultimate undercurrent of why we need and want a public option is that we will eventually create a system where most of America, about 82 million people, who have private insurance today will be in that public option and they will decide what you can and cannot have, which is counterintuitive to how we allocate scarce resources everywhere else in the country. We do allow the forces of competition to allocate it, but it requires individual personal responsibility. It requires a transparent market, which I agree we do not have. It requires real competition, which I agree we do not have. But the answer is not another government program.

Now back to the two examples in my practice. I give these examples because I want people to see what is going to happen as the government becomes more and more involved in health care.

These are two patients I have cared for over 20 years each presented at different periods of time with no true signs or symptoms of significant disease other than the fact that having known these people for years, I sensed something was different. I ordered a test. It was denied by the insurance company. I managed to get my friends, who happen to have an MRI who also practice medicine on a not-for-profit basis, do an MRI on this one gentleman. It just so happens the gentleman had the same disease that Senator Kennedy recently succumbed to. No signs, no physical diagnosis.

The only thing that allowed me to query that was the art of medicine. Not the book training, not the gray hair, not the experience, but the gut of knowing and having seen and been experienced with a patient over a long period of time to say something has changed. In fact, the insurance company came back and paid for the MRI.

An identical thing happened about 4 months later with another individual. One of those individuals, by the way, is still alive. The other, unfortunately, succumbed.

So we do need real competition in the insurance industry. We need to make sure we create that. The debate between what my colleagues on the other side of the aisle offered tonight is how do you best do that. Do you do that by setting up a government program that is infinitely funded and will actually charge rates that will be under the true costs and will be just like another Medicare Program where we have an unfunded, long-term liability that our kids are going to have to pay for, close to $75 trillion? That is the worry. That is what the real debate is.

I thought I would spend a minute talking about can we fix health care without tremendously growing the size and scope of the Federal Government. You cannot even talk about health care until you are willing to talk about what we are doing today. What we are doing today and what we are going to be doing tomorrow, and, if this bill passes, what we are going to be doing for the next 20 years is borrowing a large percentage of the money we will spend from our grandkids. That is an unsustainable course. It is not one that we can achieve.

As we do that, we end up with youngsters such as this. If you cannot read this, it says: ''I'm already $38,375 in debt and I only own a dollhouse.'' That is a pretty stark statement. Here is a cute little girl on whom her parents have put a placard. Her parents obviously recognize that we are spending money we don't have on things we don't need.

I am not saying there isn't anybody in this body who doesn't want health care reform. Nobody probably wants it more than I do. It is the type and how we get there that is important and do we make her situation worse. Do we raise the amount of money we are borrowing to be able to fix a problem that is going to be a government-centered problem rather than a patient-centered focus?

Then we have this quote from Thomas Jefferson:

> I predict future happiness for Americans if they can prevent the government from wasting the labors of the people under the pretense of taking care of them.

That is a pretty interesting statement and pretty insightful and foretelling because that is exactly where our Nation finds itself today—''wasting the labors of the people under the pretense'' that the government will take care of them.

In about 10 years, government spending is going to be about 35 percent to 40 percent of our economy, and that is if we make it in the next 10 years given the present financial difficulties we have. But if we think and ponder a little bit about what Jefferson had to say and we look at the Constitution, what we find is that through the last 20, 30, 40 years in this country, back to 1965, we started stepping outside the bounds

of the enumerated powers that our forefathers brought forth. We have ignored them. Consequently, now we have government program after government program and agency after agency and we cannot afford it. We are borrowing the money. Under the guise of taking care of U.S. citizens, we can rationalize it.

America's health care is the best in the world. It just happens to be the most expensive. There are lots of ways to drive that cost down that are not at all considered in the bills in front of the Congress. Incentivizing people to do the right thing, the best thing, incentivizing the elimination—do you realize that 80 percent of the cost of health care today is defensive medicine; that if you attacked it slightly, not by eliminating lawsuits but by eliminating frivolous lawsuits—let me give the details. Ninety percent of all the suits that are filed never go to court and never get settled and never get answered. In other words, they are extortion claims. There is not a real medical claim. There is not a real issue, and it is not carried forward. Of the 10 percent that are either settled or carried forward, 89 percent of those are decided in favor of the medical community. So that is 11 percent of 10 percent, which is 1 percent of the cases.

If, in fact, we did not have the 90 percent of the cases that are frivolous, that are extortion attempts, what we know is that we could save about—CBO says under their score with limited liability changes, $54 billion over the next 10 years. Other sources say it is closer to $74 billion, $75 billion. Madam President, $74 billion to $75 billion a year does a lot to help individuals in terms of free care, in terms of lowering the cost of care because, in fact, every insurance company in the country is paying for that care.

Finally, I will make one other point, and it is this. What most Americans do not recognize is that in this new bill that is coming out of the Finance Committee, there is a significant number of taxes. Actually, you are going to recognize the fourth tax on health care in this country. Right now you pay income taxes and a large portion of that income tax is now paying for Medicare and Medicaid—57 percent of it and 43 percent we are borrowing.

The second tax you pay is a Medicare tax of 1.45 percent and your employer pays 1.45 percent of every dollar you earn no matter how much you earn.

The third tax you pay is your private health insurance, whether you buy it through your employer or you buy it yourself, costs $1,700 more per year because of the underpayment for the cost of health care for Medicare and Medicaid. So the cost of actually purchasing your health care goes up by about $150 a month per family because we underpay the true cost of care under Medicare and Medicaid, and they are both broke.

Now we have a fourth tax of which 50 percent is going to be levied on people from $40,000 to $140,000 a year, billions and billions of dollars of new taxes.

Then we have taxes on the insurance industry. I don't have any problem with that—taxes on medical devices, taxes on PhRMA. But who is going to pay those taxes? Those taxes are going to get filtered down to the increased cost of health care. When we pay a tax when we go to a store to buy something, we pay that tax on top of the price.

So the groceries or the TV or whatever it did cost—what we thought it cost—it would cost that plus tax. That tax, in terms of the insurance industry, in terms of the Medicare, in terms of the drug industry, in terms of the medical device industry, in terms of PhRMA, is going to get passed on, causing an increase in cost. That does not include the tax you will incur if you choose not to buy health insurance because you think you are healthy or you want to self-insure yourself. You are going to pay a tax for that. Oh, by the way, if you happen to have a great health care plan or maybe a moderate health care plan, the way the bill is written, you are eventually going to pay a tax because it is going to be too good a plan. So we are all going to have four taxes on health care.

I wish to make one other comment. We all traveled during the month of August and we met with our constituents. This is the HELP bill that came out of the committee after 3 weeks of hard work. This is not the complete bill that the Senate will be considering. This is just part of the bill, and it is 840-some pages long. The standard protocol in committees, if you vote a bill out of committee and you have changes to it, what you do is put a modified bill on the floor—a substitute bill when the bill comes to the floor. Well, there are 85 changes to this bill that have not been approved by the committee. Yet this is the committee bill.

So not only do we have a debate that is erroneous in terms of the direction it is taking—in creating a larger government, taking away individual freedom, individual choice, limiting one's availability of insurance, increasing premiums, increasing taxes, and taking away an individual's ability to choose—we also have a bill that has been modified, outside the rules of the Senate, 85 times versus the bill I voted on in committee. That shouldn't surprise us, however, because of the way we are handling health care.

So I will sum up with just a couple other points. I don't believe there is an American out there who doesn't think we need to do something about making health care more affordable, more available, and fairer in its treatment. I don't think there is an American who doesn't agree that we have a lot of waste in the health care system that can be eliminated. I don't think there is a physician out there who doesn't think we need to make some changes in terms of competitiveness in insurance and how that interferes with the decisionmaking by physicians and other caregivers. But I also don't think it is truly appreciated that in this country, if you are sick, you are going to get the best treatment anywhere in the world. It is just that it costs too much.

So how do we address that? Do we address that by growing the Federal Government and creating in this bill 88 new government programs with the bureaucracies that come with it or do we enable people to have the freedom to choose, to make their own choice about what they want and they need? With the finance bill, we are going to tell you what you have, we are going to tell you what the minimum is, we are going to limit your choices, and we are going to see a run toward either a regional co-op plan or a public plan.

But there is no question that what we are going to see is government-centered involvement in what we do and how we do it. That may be the direction we ultimately go. But the loss that comes with that is the loss of freedom, a loss of choice, and a diminished demand for personal responsibility and accountability, which is the very thing this young lady is counting on us doing the opposite of.

We are going to double our debt in the next 5 years. We are going to triple it in the next 10 years. It is going to be worse than that because we are spending money like drunken sailors. What do we owe the generations who follow us? What is it that we owe them? Do we owe them the heritage that was given to us? Are we going to transfer that heritage on, or are we going to ignore it?

In terms of health care, what is the best thing for our country in the long term? Can we take on another $1.3 trillion of government at a conservative estimate, especially when you count what is going to happen with what is called SGR—the physician payment reform? Can we take on $1.3 trillion? Will it only be $1.3 trillion? Will we move another 10 percent of our GDP to the government? Because that is what we are doing. At what point in time does the American experiment quit working?

I look forward to the debate on health care. The plans before us will raise premiums, decrease care, limit choice, and bankrupt our grandkids. By saying no to that plan, it doesn't mean you don't want to fix health care. There are some great plans out there to fix health care that don't cost money; that, according to CBO and others, will give the same results but will not create the massive new Federal bureaucracies and take away personal freedom to make decisions about you and your children and your family based on what your needs are, what your perception is, and what your ability is.

Madam President, I thank you for the time tonight, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

HEALTH CARE REFORM

Mr. BROWN. Mr. President, earlier this evening, only an hour or so ago, Senator UDALL from New Mexico led a discussion with Senator BURRIS and Senator WHITEHOUSE and others. I was there part of that time, with Senator CANTWELL involved from the Chair. It was extolling the importance of the public option, that it makes such a difference in terms of keeping the insurance industry honest, keeping costs down, and providing extra choice, so if people want to choose private insurance, they can; if they want to choose the pubic option, they can.

The insurance industry, in its wild claims only 2 days ago in a manufactured report that an accounting firm did that was clearly incomplete and hastily done, claimed huge insurance company increases based on our legislation. The fact is, they have already doubled insurance rates in less than a decade, in only 7 or 8 years. That is as good an argument for the public option as we can find.

In 5 minutes or so, I would like to speak to the Senate. I have come to this floor, night after night, reading letters from constituents I have, from Trumbull County near Youngstown, near Summit County, the Akron area, from Cuyahoga County. These all happen to be, in this case, from northeast Ohio, from near Dayton or Cincinnati or Wilmington or Chillicothe.

What I found in letters I am getting from my constituents, as is the Presiding Officer, I think, when he gets letters from Richmond or the Washington suburbs or from western Virginia, is that most of this mail I get comes from people who had good insurance policies, they thought, until they got really sick, and then their insurance policies would be canceled or they would spend so much of their time fighting insurance companies just to get payment, to get payment for something they thought they were covered for. I would like to share a couple of these letters.

Beverly and Dennis from Trumbull County write:

> My husband is 62 . . . and worked for the same factory for 42 years . . . last year the factory shut down and his severance package was $8,500 before taxes and 3 months paid insurance.

Forty-two years, $8,500 severance, 3 months paid insurance.

> After the insurance ran out, we picked up COBRA, which will be up this December right before Christmas. We've talked to different private insurance companies, but without anything really wrong with my health, they say my minor medical condition diagnosed 30 years ago was a preexisting condition. The best plan offered, just for me, was $1,000 a month with a $10,000 deductible

A preexisting condition from 30 years before.

> We have always been proud of our accomplishments over the 43 years of our marriage. I don't want to lose everything we have worked so hard for if something happens to us medically.
>
> I wish those opposed to reform—

I wish my colleagues would listen to this.

> I wish those opposed to reform would have to worry about the next meal, the next bill, the next doctor's appointment, or what would happen to them if they got sick.
>
> We thought things would be smooth sailing after we got to our age, but we're afraid our boat is sinking and we are drowning.

Forty-two years in the same plant, married for 43 years, played by the rules, seemed to do everything right. This is what is happening to these people in their early sixties.

As many of these letters indicate, a lot of these letters come from people who are 59 or 63 or 61 or 64, just holding on until they can get Medicare because they know Medicare, like the public option, will never drop them for preexisting conditions, will not discriminate against them because of geography or age or disability, will not cut them out of their plan, whether it is the public option or whether it is Medicare, for all kinds of reasons the way private insurance does.

Angela from Cuyahoga County, Cleveland area:

> As a registered nurse I have seen too many cases where the lack of insurance prohibits needed care. I have experienced first-hand what it means to have insurance but be afraid to use it. My husband has worked for the same employer for more than 10 years, but both he and I are afraid to use his insurance for fear that too many medical bills will increase the cost of our plan. In the past 2 years, he has received memos stating that to keep medical bills down we should seek medical visits only when necessary.
>
> As a strong believer in preventive care, I feel discouraged to go for my yearly physical and my husband has not had a physical in 5 years.

This is from a nurse.

> Thank goodness we are reasonably healthy. I encourage you to keep pushing for a public option—I'd be one of the first to sign up.

Think about that, her husband got a note from his employer saying: Please don't go to the doctor unless you absolutely have to. She is a nurse. She hasn't had a physical for a year. She hasn't had her yearly physical. Her husband hasn't had a physical in 5 years. They know they should get a physical. They are afraid of what it would cost both them and the employer to do that. Again, they are the victims of the health care system that too often skimps on preventive care, too often denies people coverage for reasons it should not, too often simply is a burden to so many of the people who have insurance.

I will close with a letter that is about health care but also about something this Senate needs to vote on quickly; that is, unemployment insurance. This is Mark from Franklin County, central Ohio. He writes:

> I need my health insurance badly since I have had cancer twice. The only way I could previously afford insurance was through my employer. But my company was recently bought out and I was laid off.
>
> Because of my preexisting condition, I can't afford the price of private insurance. In addition to my health and job issues, I have only one more extension on unemployment.
>
> I really don't know what to do if I can't afford insurance. If I could find a way to receive insurance or get a job with insurance, I could be here for my little girls who I care for and who looks up to me for the world.

One person on the other side of the aisle, one Republican, stood up and objected. We were trying to pass the same unemployment insurance extension as they did in the House of Representatives. I know every Democrat is for extending unemployment, and I know most Republicans are probably for extending unemployment, but one Republican stood up and stopped us from doing that. That is so important because every day we fail to extend unemployment insurance, people are dropping off the unemployment insurance rolls and have to fend for themselves in ways that they don't know what to do.

It is not as if people don't want to work. The situation clearly is that people want to work, they are trying to find a job. In this economy, in my State as in many States around this country, people simply cannot find work, as hard as they are trying. We have an obligation to extend unemployment benefits. Not next month, not next year, but tomorrow when we come back here, I am hopeful my Republican friends across the aisle will not object to that extension of unemployment.

The last letter I will read is from Renee from Van Wert County, western Ohio, near the Indiana border. She writes:

> I, along with 300 other workers, were locked out of our company last year after it closed down and moved to Mexico. We will be losing our benefits this month and it is urgent you get unemployment extension passed as soon as possible. It would help so much if we could get our benefits extended, at least through the cold winter months.
>
> I'm looking everywhere for a job and hope there is something opens up by the spring and the economy will pick up.
>
> Thank you for reading my story and making me feel like there is hope.

Renee, again, we will go to the floor tomorrow to try to extend unemployment benefits.

Renee points out, particularly with the winter months coming, people will have to choose, if they don't have unemployment extension, between food and heating their home and taking care of their kids and all the responsibilities people have.

Somebody like Renee, from Van Wert County—I know Van Wert County. I spent a lot of time there. I know about the shutdown of this plant that went to Mexico. There are 300 people who lost their jobs. It is not as if they don't want to work. They were working hard, showing up for work every day. They were productive workers. They did what was asked of them. They were taxpayers, were involved in Little League, involved in their community. Those 300 workers can't find work. It is not a question that there is a job out there for them; they were looking for work. That is why it is so important, as they look for work, for them to get some help from their government. This is not welfare, extending unemployment insurance. It is called insurance, unemployment insurance, because they pay into it. They ought to get some help from that unemployment fund.

It is clear from this mail that people want this legislation to pass. They know our health care bill will allow people who are happy with their insurance to stay in the insurance they have but will build consumer protections around those policies—no more preexisting conditions, for instance, to deny care.

Second, this bill helps small business provide insurance as most small businesspeople do. They want to provide insurance for their employees.

Third, this bill will help those who do not have insurance. They can go into this insurance exchange and get insurance.

Fourth, this bill provides for a public option, so if they don't want to go to CIGNA or Wellpoint or United or one of the big health care companies, they can decide to sign up for the public option which will never throw them off, just as Medicare would never disqualify their coverage.

It is clear what we have to do in the next month. In my State alone, from Akron, to Ravenna, to Cleveland, to Garfield Heights, to Sylvania, to Cincinnati, 390 people in my State every day lose their insurance—390 people every single day lose their insurance. It is important that we move as quickly as we can in the next month or so.

MORNING BUSINESS

Mr. BROWN. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

REMEMBERING SENATOR EDWARD M. KENNEDY

• Mrs. MCCASKILL. Mr. President, I rise today to recognize a great leader, inspiring public servant and American icon, Senator Edward Moore Kennedy.

I do not need to stand here and talk about what the Kennedy legacy has meant and continues to mean to this country. It is, at this point, simply a part of the fabric of our country.

I do not need to recite the résumé of Edward Kennedy or extol his many accomplishments. His life's work speaks for itself. It will stand the test of time and, no doubt, become even more remarkable when viewed in hindsight.

I do not need to reiterate each of the noble causes Senator Kennedy fought for with passion and vigor. We know that his pursuit of dignity, opportunity and respect for every man and woman will benefit generations to come, and inspire so many more to carry on in the cause.

Yes, there is no doubt that Senator Edward Kennedy will be remembered far into the future and that history will treat him well, but I want to take some time today to talk about the people here and now that he leaves behind that may be the most telling about Ted Kennedy. In those moments and for those people, we got a chance to see something very special.

For some people it was very personal moments shared between family and friends—the opportunity to know him in a way others could only hope to glimpse.

And some were his arch enemies at the podium while also his dearest, most respected partners on causes behind closed doors.

Some became believers based on passion-filled political speeches delivered from his earliest of days in the spotlight to some of his last, spectacular moments right here on the Senate floor.

While others had their lives changed because he was brave enough to stand up for them when the cameras were not rolling and the majority was not on his side.

Ted Kennedy, the lion of the Senate, would roar about the need for better health care, improved public schools, and providing help to working families. He knew how to channel the emotion, the urgency and the helplessness he saw in the eyes and heard in the voices of those he was fighting for. And he didn't just beam it from the mountain tops—he worked on the solutions to these needs day in and day out with astute skill.

There is a Ted Kennedy that will be remembered in the history books and he will be great and strong and smart and good, but there is also a unique part of Ted Kennedy that will stay with many of us in our own special ways.

A politician. A public servant. A patriot. A prince of Camelot. A fighter. A negotiator. A liberal. A brother, husband, father, and friend.

The Lion sleeps. . . .•

Mr. CORNYN. Mr. President, I join my colleagues in appreciation and admiration of Senator Ted Kennedy.

By the time I took my seat in the Senate, Ted had already held his for nearly four decades. He had already established himself as one of the most influential members in this body's history. He had already introduced hundreds of bills that became laws and shaped thousands of others. He had already grown from youngest son to elder statesman and become an icon for millions of Americans.

Before I was ever elected, I respected Ted Kennedy. And after becoming his colleague, my respect grew. I was privileged to serve with him on the Judiciary Committee and to be ranking member when he chaired our Subcommittee on Immigration, Refugees, and Border Security. We worked together closely, and that experience has made me a more effective Senator.

Ted Kennedy and I often held different principles, but we shared key convictions too. We agreed that our immigration laws needed reform. We recognized that judicial philosophy mattered. We believed that providing advice and consent on appointments to the Federal bench was not merely a right of Senators but one of our most solemn responsibilities.

Ted Kennedy understood the power of language. On the Senate floor, he used words of passion, calling his colleagues to embrace grand visions with great urgency. In bill negotiations, he used words with precision, understanding better than anyone how legislative language governs, and how to codify his convictions into the law of the land.

Senator Kennedy and I shared an interest in the history of this body, and a special pride in those who held our seats before us. In my case, I have long admired Sam Houston, who liberated the people of Texas, served as one of our first Senators, and raised his voice against secession. In Ted's case, he looked to the great Daniel Webster, who also stood for union, and for liberty.

Ted was drawn in particular to this quote by Webster:

> Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered.

All Americans can agree that Ted Kennedy's service in the U.S. Senate is something worthy to be remembered. Sandy and I continue to keep his wife Vickie in our prayers. And we offer our condolences to all who miss him most.

COMMENDING SENATOR MEL MARTINEZ

Mr. ENSIGN. Mel Martinez came to the United States from Cuba at the age of 15 as part of a humanitarian effort called Operation Peter Pan. We are all familiar with the character of Peter Pan he is careless and does not want to grow up. He is sometimes selfish and often conceited. It is ironic because Mel is the opposite of all of those attributes.

Mel Martinez arrived on our shores with no family and only the hope for a

better life. He had to grow up incredibly fast, and he did so with great determination. He worked hard to learn English, graduate from college and law school, and build a legal career and solid reputation.

And then he decided to selflessly give back to the community and country that had given him so much. He rose to the highest levels of our government as the 12th Secretary of Housing and Urban Development under President George W. Bush. He served from 2001 to 2003, an especially trying time in our Nation's history. But his agency's focus on rebuilding Lower Manhattan provided necessary healing for a city and its citizens.

In 2005, Mel was sworn in as the first Cuban American U.S. Senator. It was a privilege to serve with him and to join together on many legislative efforts. Most significant was our work on expanding freedom and democracy for the people of Cuba. Cubans have been stifled for too long by a brutal communist dictator. They deserve a voice and an opportunity for a better life. Nobody knows that better than Mel Martinez, and I look forward to continuing our fight to support pro-democracy efforts.

Most recently, I was pleased to work with Mel on legislation to promote U.S. tourist destinations abroad. Florida and Nevada miss out on vital international tourism dollars because the United States has no entity to promote our amazing tourism opportunities to other countries. I am confident that the Travel Promotion Act, cosponsored by Senator Martinez, will pass the Senate shortly and will represent another accomplishment by my former colleague to improve the lives of his constituents and fuel success for all Americans.

I thank Mel Martinez for his decades of public service in Florida and here in our Nation's Capital. He proved to us all that the hope for a better life combined with determination and the limitless opportunities here in America can make any dream come true.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

ENHANCED PARTNERSHIP WITH PAKISTAN ACT OF 2009

• Mr. KERRY. Mr. President, I ask that my statement and accompanying documents submitted this afternoon be printed in the RECORD.

The documents follow.

Mr. KERRY. Mr. President, today I wish to discuss S. 1707, the ''Enhanced Partnership with Pakistan Act of 2009,'' which President Obama has committed to signing into law this week. The legislation is a result of negotiations between the Senate and House of Representatives reconciling our respective bills that passed earlier this summer. The final version passed unanimously in both the Senate and the House of Representatives, sending a very strong message of the desire of the U.S. Congress to strengthen our relationship with the people of Pakistan through a long-term pledge of economic and development assistance.

I hope that over time it will fundamentally change America's relationship with the people of Pakistan. I especially want to thank my colleagues Senator LUGAR and Representative BERMAN for their partnership in crafting this bill and their ongoing leadership on this issue.

It is hard to overstate the importance to our national security of getting our relationship with Pakistan right. The status quo has not brought success, the stakes could not be higher, and we have little choice but to think big. That is why the Obama Administration and many of us in Congress saw the need for a bold, new strategy for Pakistan.

The ''Enhanced Partnership with Pakistan Act'' is a centerpiece of this new approach, which is why President Obama asked Congress to pass the measure. This Act establishes a legislative foundation for a strengthened partnership between the United States and Pakistan, based on a shared commitment to improving the living conditions of the people of Pakistan through sustainable economic development, strengthening democracy and the rule of law, and combating terrorism and extremism. It is the intent of Congress to strengthen the long-term people-to-people relationship between the United States and Pakistan by investing directly in the needs of the Pakistani people.

The overall level of economic assistance authorized annually by this legislation is tripled over FY 2008 levels, with the bulk of aid intended for projects such as schools, roads, medical clinics, and infrastructure development. The legislation authorizes $1.5 billion annually for fiscal years 2010 to 2014 and recommends an additional five years of funding to demonstrate a long-term commitment to the people of Pakistan.

This legislation is an important first step in turning the page in our relationship with Pakistan and building mutual trust. It is a prime example of ''smart power'' because it uses both economic and security aid to achieve an overall effect that is greater than the sum of its parts.

But this bill is not a silver bullet. It provides powerful tools—but these tools are only as effective as the policy-makers who wield them. We must approach this endeavor with a large dose of humility. Our leverage is limited. This bill aims to increase that leverage significantly. But we should be realistic about what we can accomplish—Americans can influence events in Pakistan, but we cannot and should not decide them. Ultimately, the true decision-makers are the people and leaders of Pakistan.

There have been serious concerns in Pakistan in recent days over the perceived intent of this bill. We have spoken with Pakistani government officials, including Foreign Minister Qureshi and Ambassador Haqqani, to make sure we understand the nature of these concerns and to clear up any misunderstandings.

To clear up any lingering confusion and to reiterate Congress' intent with respect to this legislation, Chairman BERMAN and I are submitting a ''Joint Explanatory Statement'' for the CONGRESSIONAL RECORD. The purpose of the Joint Explanatory Statement is to facilitate accurate interpretation of the text and to ensure faithful implementation of its provisions in accordance with the intentions of the legislation.

As the Joint Explanatory Statement makes clear, the legislation does not seek in any way to compromise Pakistan's sovereignty, impinge on Pakistan's national security interests, or micromanage any aspect of Pakistani military or civilian operations. There are no conditions on Pakistan attached to the authorization of $7.5 billion in non-military aid. The only requirements on this funding are financial accountability measures that Congress is imposing on the U.S. executive branch, to ensure that this assistance supports programs that most benefit the Pakistani people.

The certifications in the Act regarding certain limited forms of security assistance track very closely with previous Congressional legislation. The conditions set forth in the bill are reasonable and should be easy for any nation receiving American aid to meet. They align with and reinforce the publicly-articulated positions of the democratically-elected Pakistani government and Pakistani military leaders. The United States values its friendship with the Pakistani people and honors the sacrifices made by Pakistani security forces in the fight against extremism.

Mr. President, I ask to have printed in the RECORD this Joint Explanatory Statement along with letters of support for S. 1707, passed and printed in the RECORD of Thursday, September 24, 2009, from Secretary of State Clinton, Secretary of Defense Gates, and Chairman of the Joint Chiefs of Staff Admiral Mullen.

The material follows.

JOINT EXPLANATORY STATEMENT—ENHANCED PARTNERSHIP WITH PAKISTAN ACT OF 2009

Sen. John F. Kerry and Congressman Howard Berman

The following is an explanation of S. 1707, the Enhanced Partnership with Pakistan Act of 2009. The final text of the legislation reflects an agreement reached by the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs. The purpose of this Explanatory Statement is to facilitate accurate interpretation of the text and to ensure faithful implementation of its provisions in accordance with the intentions of the legislation.

The core intent of the Enhanced Partnership with Pakistan Act is to demonstrate the American people's long-term commitment to the people of Pakistan. The United States values its friendship with the Pakistani people and honors the great sacrifices made by

Pakistani security forces in the fight against extremism, and the legislation reflects the goals shared by our two governments.

The legislation does not seek in any way to compromise Pakistan's sovereignty, impinge on Pakistan's national security interests, or micromanage any aspect of Pakistani military or civilian operations. There are no conditions on Pakistan attached to the authorization of $7.5 billion in non-military aid. The only requirements on this funding are financial accountability measures that Congress is imposing on the U.S. executive branch, to ensure that this assistance supports programs that most benefit the Pakistani people.

SUMMARY OF CONGRESSIONAL INTENT

The Enhanced Partnership with Pakistan Act of 2009 (the ''Act'') establishes a legislative foundation for a strengthened partnership between the United States and Pakistan, based on a shared commitment to improving the living conditions of the people of Pakistan through strengthening democracy and the rule of law, sustainable economic development, and combating terrorism and extremism. It is the intent of Congress to strengthen the long-term people-to-people relationship between the United States and Pakistan by investing directly in the needs of the Pakistani people. This legislation is intended to fortify a lasting partnership with Pakistan based on mutual trust.

The overall level of economic assistance authorized annually by this legislation is tripled over FY 2008 U.S. funding levels, with the bulk of aid intended for projects such as schools, roads, medical clinics, and infrastructure development. The funds directly authorized by this Act—$1.5 billion in economic and development assistance annually for five years, with a similar amount envisioned for a subsequent five years—place no conditions on the Government of Pakistan. The only requirements are accountability measures placed on the United States executive branch to ensure that the aid directly benefits the Pakistani people.

This Act fully recognizes and respects the independence of Pakistan as a sovereign nation. The purpose of this Act is to forge a closer collaborative relationship between Pakistan and the United States, not to dictate the national policy or impinge on the sovereignty of Pakistan in any way. Any interpretation of this Act which suggests that the United States does not fully recognize and respect the sovereignty of Pakistan would be directly contrary to Congressional intent.

The certifications in the Act regarding certain limited forms of security assistance are consistent with previous Congressional legislation regarding security assistance to Pakistan and other nations. In all cases, they align with the aims of, and serve to reinforce the publicly-articulated positions of, the democratically-elected Government of Pakistan, and Pakistani military leaders, to combat extremists and militants.

Sections 1–4: Strengthening a Relationship Founded on Mutual Respect

Sections 1–4 establish the framework and context for the legislative provisions that follow. The Findings and the Statement of Principles demonstrate an unequivocal appreciation for the friendship of the Pakistani people, and for the sacrifices made by the Pakistani security forces and people in fighting extremism. The Findings in Section 3 include:

Section 3(1): ''Congress finds the following: The people of the Islamic Republic of Pakistan and the United States share a long history of friendship and comity, and the interests of both nations are well-served by strengthening and deepening this friendship.''

Section 3(4): ''Pakistan is a major non-NATO ally of the United States and has been a valuable partner in the battle against al Qaeda and the Taliban, but much more remains to be accomplished by both nations. The struggle against al Qaeda, the Taliban, and affiliated terrorist groups has led to the deaths of several thousand Pakistani civilians and members of the security forces of Pakistan over the past seven years.''

The Statement of Principles in Section 4 include:

Section 4(1): ''Pakistan is a critical friend and ally to the United States, both in times of strife and in times of peace, and the two countries share many common goals, including combating terrorism and violent radicalism, solidifying democracy and rule of law in Pakistan, and promoting the social and economic development of Pakistan.''

Section 4(4): ''The United States supports Pakistan's struggle against extremist elements and recognizes the profound sacrifice made by Pakistan in the fight against terrorism, including the loss of more than 1,900 soldiers and police since 2001 in combat with al Qaeda, the Taliban, and other extremist and terrorist groups.''

Title I: Democratic, Economic and Development Assistance for Pakistan

This Title contains the core intention of this legislation: To make a long-term commitment to the people of Pakistan by tripling non-military assistance, free of any conditions on the Pakistani government. The purposes set forth for the $7.5 billion that is authorized here are all intended to reflect the expressed priorities of the Pakistani people. Specifically, Section 101(a) provides that:

''The President is authorized to provide assistance to Pakistan to support the consolidation of democratic institutions; to support the expansion of rule of law, build the capacity of government institutions, and promote respect for internationally-recognized human rights; to promote economic freedoms and sustainable economic development; to support investment in people, including those displaced in on-going counterinsurgency operations; and to strengthen public diplomacy.''

The funds authorized under Title I are intended to be used to work with and benefit Pakistani organizations. Specifically, Section 101(c)(3) provides that:

''The President is encouraged, as appropriate, to utilize Pakistani firms and community and local nongovernmental organizations in Pakistan, including through host country contracts, and to work with local leaders to provide assistance under this section.''

Section 102(a) makes clear that there are no conditions placed on the Pakistani government for delivery of the $7.5 billion in assistance. The only accounting requirements are of the U.S. executive branch.

Section 102(d) makes clear that a long term commitment to increased civilian assistance for the people of Pakistan is envisioned by stating that it is the desire of Congress that the amounts authorized for fiscal years 2010–2014 shall continue from fiscal years 2015–2019.

Section 103(b) authorizes establishment of field offices for Inspectors General to audit and oversee expenditure of this assistance. It is the intent of Congress that such offices would be established in consultation with appropriate Pakistani authorities for the purpose of ensuring optimal management of resources.

Title II: Security Assistance for Pakistan

The intention of this section is to strengthen cooperative efforts to confront extremism. The purposes of security assistance are intended to be completely cooperative, and reflect the intention that such assistance be used to support Pakistan in achieving its stated objectives in winning the ongoing counterinsurgency, defeating terrorist organizations that threaten Pakistan, and strengthening democratic institutions. Specifically, Section 201(1) ''Purposes of Assistance'' states that:

''The purposes of assistance under this title are—

(1) to support Pakistan's paramount national security need to fight and win the ongoing counterinsurgency within its borders in accordance with its national security interests;

(2) to work with the Government of Pakistan to improve Pakistan's border security and control and help prevent any Pakistani territory from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere;

(3) to work in close cooperation with the Government of Pakistan to coordinate action against extremist and terrorist targets; and

(4) to help strengthen the institutions of democratic governance. . . .''

The provisions applied to certain limited portions of U.S. security assistance in Section 203 are intended to be fully in line with the existing policy of the Government of Pakistan. Specifically, Section 203(c)(1) reflects our understanding that cooperative efforts currently being undertaken by the Governments of Pakistan and the United States to combat proliferation will continue.

Section 203(c)(2) reflects the intent that U.S. security assistance is used in furtherance of the purposes set forth in Section 201 above, e.g., ensuring Pakistan's security, winning the counterinsurgency within Pakistan, preventing territory from being used for terrorist attacks in Pakistan and elsewhere, and coordinating action against extremist and terrorist targets. This section requires a certification by the U.S. executive branch to Congress regarding the efforts and progress made in achieving these purposes, and includes a series of factors to be considered collectively by the Secretary of State in making this assessment.

Section 203(c)(3) includes a provision intended to express support for democratic institutions in Pakistan.

Section 203(e) contains a waiver making clear that this certification could be waived if the determination is made by the Secretary of State in the interests of national security that this was necessary to continue such assistance.

Title III: Strategy, Accountability, Monitoring, and Other Provisions

The intention of this section is to ensure that there is transparency and accountability in the way authorized assistance is spent. This Title requires the U.S. executive branch to provide various reports to Congress designed to demonstrate that funds are being used for the purposes set forth in Title I and Title II; there are no requirements on the Government of Pakistan.

Section 301 ''Strategy Reports'' requires three reports from the U.S. executive branch that detail a plan for how U.S. assistance to Pakistan will be spent and evaluated and a regional security plan for how the United States can best work with its partners for ''effective counterinsurgency and counterterrorism efforts.''

Section 302 ''Monitoring Reports'' reflects the need for ongoing consultation between the U.S. executive branch and Congress on monitoring U.S. assistance to Pakistan, including a ''Semi-Annual Monitoring Report'' where:

''The Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report that describes the assistance provided under this Act during the preceding 180-day period.''

The many requirements of this report are intended as a way for Congress to assess how effectively U.S. funds are being spent, shortfalls in U.S. resources that hinder the use of such funds, and steps the Government of Pakistan has taken to advance our mutual interests in countering extremism and nuclear proliferation and strengthening democratic institutions.

There is no intent to, and nothing in this Act in any way suggests that there should be, any U.S. role in micromanaging internal Pakistani affairs, including the promotion of Pakistani military officers or the internal operations of the Pakistani military.

The reports envisioned in this Section are not binding on Pakistan, and require only the provision of information by the executive branch to the U.S. Congress, in furtherance of the Act's stated purpose of strengthening civilian institutions and the democratically-elected Government of Pakistan.

THE SECRETARY OF STATE,
Washington, DC, September 29, 2009.

Hon. NANCY PELOSI, H–232 Capitol Building, Washington, DC.

Speaker of the House of Representatives,

Hon. JOHN A. BOEHNER,

House of Representatives, H–204 Capitol Building, Washington, DC.

DEAR MADAM SPEAKER AND MR. REPUBLICAN LEADER: I write to express the State Department's strong support of S. 1707, the Enhanced Partnership with Pakistan Act of 2009.

The bipartisan Enhanced Partnership with Pakistan Act of 2009 will be an essential tool in support of our national security interests and underscores a multifaceted, multi-year commitment between the peoples of the United States and Pakistan.

I appreciate the hard work by many in both the House and the Senate in reaching this reconciled text, and urge its passage as soon as possible.

Sincerely yours,

HILLARY RODHAM CLINTON.

THE SECRETARY OF DEFENSE,
Washington, DC, September 25, 2009.

Hon. NANCY PELOSI,

Speaker of the House of Representatives, House of Representatives, Washington, DC.

Hon. HARRY REID,

Senate Majority Leader,

U.S. Senate, Washington, DC.

DEAR MADAM SPEAKER AND MR. MAJORITY LEADER: As the United States Government continues to implement its strategy to disrupt, dismantle and defeat al Qaeda in Afghanistan and Pakistan, it is important that we strongly signal to the Pakistani people our long-term commitment to partnering with them to combat terrorism and extremism.

We appreciate that the House and Senate have worked hard to finalize the Enhanced Partnership with Pakistan Act of 2009, a bipartisan bill that would underscore a long-term, multi-year commitment to increase civilian assistance to Pakistan.

The bill as revised addresses the key concerns we previously raised in an April 28, 2009, letter. We appreciated the opportunity to work with your committees on these concerns.

This bill would support U.S. national security interests in Afghanistan and Pakistan. The Department of Defense strongly supports moving this bill to final passage by the House and Senate as expeditiously as possible.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this letter.

Sincerely,

ROBERT M. GATES,
Secretary of Defense.
M.G. MULLEN,
Admiral, U.S. Navy.●

40TH ANNIVERSARY OF THE VERMONT STUDENT ASSISTANCE CORPORATION

Mr. LEAHY. Mr. President, I wish to take this opportunity to congratulate the Vermont Student Assistance Corporation, VSAC, for three important milestones it has reached this year. This year marks the 40th anniversary of the VSAC Talent Search Program, the 10th anniversary of the VSAC Gear UP Program, and the 10th anniversary of the Vermont Higher Education Investment Program.

Although small in size, Vermont has a long history of establishing national models for making higher education accessible to disadvantaged students. The University of Vermont provided Senator Justin Morrill the inspiration for the first and second Morrill Act. The student loan programs which have made college possible for millions of students each year bear the name of my former colleague and dear friend, Senator Bob Stafford.

The Vermont Student Assistance Corporation has continued this tradition through innovative programs to encourage first-generation and low-income students to pursue their career and education goals. Each year more than 47,000 students and parents participate in one or more of their career, education and financial aid programs. In addition, VSAC has been at the forefront of efforts to reach young people with programs that link career ambitions with educational requirements and opportunities. This past year, VSAC's Start Where You Are program won a prestigious WebAward for Education Standard of Excellence from the Web Marketing Association. In a more traditional vein, VSAC staff was recognized this year with the David Swedlow Memorial College Access Staff Award of Excellence from the National College Access Network.

Several States have established not-for-profit State agencies to administer financial aid and to provide their residents and students attending their schools with quality counseling services and low-cost loans. Vermont pioneered this movement by creating the Vermont Student Assistance Corporation more than 40 years ago. VSAC has worked hard to establish and maintain strong and longstanding working relationships with Vermont's higher education institutions as well as K–12 schools to provide outreach programs critical to the economic vitality of Vermont.

The U.S. Department of Education has proposed that all future student loans be made through direct lending from the Federal Government to students. The Direct Loan program is projected to save students millions of dollars in fees and interest payments. Additional savings would be distributed to States for school construction and grants for K–12 education. Unfortunately this proposal does not include a role for not-for-profit State agencies such as VSAC. I believe that is a significant oversight. Vermonters have come to rely on the high quality, comprehensive programs that VSAC offers. A one-size-fits-all Federal direct loan program does not acknowledge all of the hard work and experience of nonprofits such as VSAC and their tremendous staff. As this proposal makes its way through Congress, Senator SANDERS, Congressman WELCH, and I will be working for changes to ensure a role for nonprofit State financial aid agencies such as VSAC.

I congratulate VSAC on their landmark 40th anniversary, and I hope there will be many more to come.

ADDITIONAL STATEMENTS

RECOGNIZING AMERICAN GOLD STAR MOTHER'S DAY

● Mr. SCHUMER. Mr. President, today I wish to recognize that September 27, 2009, is designated as ''Gold Star Mother's Day.''

It is fitting that we recognize the American Gold Star Mothers, whose sons and daughters have died in defense of the ideals of individual liberty. They should be honored and offered respect and gratitude for their personal sacrifice.

Gold Star Mother's Day is intended to honor women who deserve special recognition and gratitude for their tremendous personal loss on behalf of our country.

During the early days of World War I, a Blue Star was used to represent each soldier in military service of the United States, and as the war progressed and soldiers were killed or wounded in combat or died from wounds or disease, a Gold Star superimposed over the Blue Star designated the loss of these individuals. This tradition recognized soldiers for their ultimate sacrifice to our country, and the Gold Star offered families an outward symbol by which to honor the loss of a loved one. In 1928, the Gold Star tradition was formalized in Washington, DC, by a group of mothers who had lost sons and daughters in service to their country and met to form the American Gold Star Mothers organization. This organization is a nondenominational, nonprofitable, and nonpolitical organization that is dedicated in supporting veterans, military families, and servicemembers returning from our present-day battlefields.

In 1936, President Franklin Roosevelt issued a proclamation which recognized Gold Star Mothers for their strength and inspiration to this country. The

services rendered to the United States by the mothers of America have strengthened and inspired our Nation throughout history, and we honor the Gold Star Mothers of America for their courage and their strength.●

RECOGNIZING AUBURN MANUFACTURING, INCORPORATED

● Ms. SNOWE. Mr. President, today I celebrate the vital work that a small business in my home State of Maine is doing to provide extreme temperature textiles to dozens of industries worldwide. Auburn Manufacturing, Incorporated—or AMI—of Mechanic Falls is a veritable leader in its field, and has been designing and manufacturing advanced industrial textiles since its inception in 1979.

Auburn Manufacturing's name is synonymous with quality and dependability because of its longstanding dedication to providing customers with products made using the most cutting-edge technologies. AMI develops and manufactures top-of-the-line products for welding protection, gasketing and sealing, and pipe and hose covering, as well as safety apparel like gloves and clothing. And the company's 48 employees make all of its products at the company's central Maine facility.

One of AMI's major new products is the Ever Green Cut 'n Wrap insulated cover. Designed for companies seeking to reduce greenhouse gas emissions and heat loss while saving on energy costs, the custom-fit insulation blankets fit flexibly over valves and piping and reduce room temperatures for workers in extreme conditions. In fact, the Ever Green Cut 'n Wrap kits can reduce heat loss by over 85 percent, and they have a payback of less than 1 year. Last month, AMI received a seed grant from the Maine Technology Institute to help the company commercialize this forward-thinking, environmentally friendly product.

Additionally, earlier this year Auburn Manufacturing announced that it had received dual contracts to provide the U.S. Navy with the company's remarkable AMI–SIL fabrics that are used for hot work protection during the repair of naval ships. The Navy has certainly demonstrated its approval of this impressive product, having awarded AMI five contracts over the past 15 years to supply it with more than 1.25 million yards of fabric.

Another quality that makes AMI special is its status as a Women's Business Enterprise, a certification made by the highly regarded Women's Business Enterprise National Council. Additionally, AMI owner Kathie Leonard was recently named one of Mainebiz's 2009 Women to Watch. In my estimation, Kathie Leonard has been a woman to watch throughout her entire career. She founded AMI in 1979—at the age of 27—when she realized the vast potential of new heat-resistant fabrics which were developed to replace asbestos. Over the company's 30-year history, Ms. Leonard has been a part of several major professional organizations both national and local, including the National Insulation Association and the Lewiston-Auburn Economic Growth Council, which she previously chaired. She readily admits that these connections have helped her company grow into the giant it is today.

The quality of AMI's numerous products afford its clients a sense of confidence that has solidified the company's status as a premier developer and manufacturer of extreme textiles nationwide. I congratulate Kathie Leonard and everyone at Auburn Manufacturing for the incredible work they do, and I wish them much success in the future.●

MESSAGES FROM THE HOUSE

At 11:25 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1593. An act to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic River System.

H.R. 2877. An act to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the ''1st Lieutenant Louis Allen Post Office''.

H.R. 3433. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

H.R. 3476. An act to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission.

H.R. 3537. An act to amend and reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

H.R. 3606. An act to amend the Truth in Lending Act to make a technical correction to an amendment made by the Credit CARD Act of 2009.

H.R. 3689. An act to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes.

The message also announced that pursuant to section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), the Speaker appoints from private life Ms. Lillie Coney of Washington, DC, as a member of the Election Assistance Commission of Advisors on the part of the House.

At 3:02 p.m., a message from the House of Representatives, delivered by Ms. Niland, 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. 621. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

ENROLLED BILLS SIGNED

At 6:08 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1717. An act to authorize major medical facility leases for the Department of Veterans Affairs for fiscal year 2010, and for other purposes.

H.R. 1016. An act to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, and for other purposes.

H.R. 2997. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 965. An act to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Environment and Public Works.

H.R. 1593. An act to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

H.R. 2877. An act to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the ''1st Lieutenant Louis Allen Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3433. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes; to the Committee on Environment and Public Works.

H.R. 3476. An act to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission; to the Committee on Energy and Natural Resources.

H.R. 3537. An act to amend and reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994; to the Committee on Environment and Public Works.

H.R. 3689. An act to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1776. A bill to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula, and for other purposes.

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–3335. A communication from the Commission on Wartime Contracting in Iraq and Afghanistan, transmitting, pursuant to law, a report entitled ''Lowest-Priced Security Not Good Enough for War-Zone Embassies''; to the Committee on Armed Services.

EC–3336. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Reference to Ratings of Nationally Recognized Statistical Rating Organizations'' (RIN3235–AK17; RIN3235–AK19) received in the Office of the President of the Senate on October 6, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–3337. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Encryption Simplification Rule'' (RIN0694–AE18) received in the Office of the President of the Senate on October 9, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC–3338. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–3339. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC–3340. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Office of Management and Budget's request for the Board's views on H.R. 3619, the ''Coast Guard Authorization Act of 2010''; to the Committee on Commerce, Science, and Transportation.

EC–3341. A joint communication from the Acting Deputy Administrator of the National Highway Traffic Safety Administration and the Assistant Secretary for Communications and Information of the National Telecommunications and Information Administration, transmitting, pursuant to law, a report entitled ''A National Plan for Migrating to IP-Enabled 9–1–1 Systems''; to the Committee on Commerce, Science, and Transportation.

EC–3342. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Rules Prohibiting Discrimination Based on Genetic Information in Health Insurance Coverage and Group Health Plans'' (RIN0938–AP37) received in the Office of the President of the Senate on October 7, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–3343. A communication from the Acting Assistant Secretary, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Claims for Compensation; Death Gratuity Under the Federal Employees' Compensation Act'' received in the Office of the President of the Senate on October 7, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC–3344. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, the annual performance evaluation report relative to mammography accreditation; to the Committee on Health, Education, Labor, and Pensions.

EC–3345. A joint communication from the Secretary of the Department of Agriculture and the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, a report relative to Thefts, Losses, or Releases of Select Agents or Toxins for calendar year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–3346. A communication from the Secretary to the Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Board's Strategic Plan for 2009–2014; to the Committee on Health, Education, Labor, and Pensions.

EC–3347. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Technical Correction to Remove Obsolete Compliance Date Provisions from Electronic Cargo Information Regulations'' (CPB Dec. 09–39) received in the Office of the President of the Senate on October 6, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–3348. A communication from the Acting Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's Fiscal Year 2009 Commercial Activities Inventory and Inherently Governmental Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC–3349. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled ''Auditor's Certification Review of the Accuracy of Initiatives and Key Performance Indicators Set Forth in the Department of Consumer and Regulatory Affairs' Fiscal Year 2008 Performance Accountability Report''; to the Committee on Homeland Security and Governmental Affairs.

EC–3350. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Establishment of the Happy Canyon of Santa Barbara Viticultural Area (2007R–311P)'' (RIN1513–AB52) received in the Office of the President of the Senate on October 9, 2009; to the Committee on the Judiciary.

EC–3351. A communication from the Acting Under Secretary and Acting Director, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Changes to Practice for Continued Examination Filings, Patent Applications Containing Patentably Indistinct Claims, and Examination of Claims in Patent Applications'' (RIN0651–AC36) received in the Office of the President of the Senate on October 13, 2009; to the Committee on the Judiciary.

EC–3352. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Azoxystrobin; Pesticide Tolerances'' (FRL No. 8794–4) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3353. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Highlights of the Diesel Emissions Reduction Program''; to the Committee on Energy and Natural Resources.

EC–3354. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Quality Designations for the 2006 24-Hour Fine Particle (PM2.5) National Ambient Air Quality Standards'' (FRL No. 8969–2) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Environment and Public Works.

EC–3355. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Arizona State Implementation Plan, Maricopa County Air Quality Department'' (FRL No. 8947–2) received in the Office of the President of the Senate on October 14, 2009; to the Committee on Environment and Public Works.

EC–3356. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Inert Ingredients; Extension of Effective Date of Revocation of Certain Tolerance Exemptions with Insufficient Data for Reassessment'' (FRL No. 8794–1) received in the Office of the President of the Senate on October 14, 2009; to the Committee on Environment and Public Works.

EC–3357. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Ohio Administrative Code Rule 3745–21–17 Portable Fuel Containers'' (FRL No. 8958–1) received in the Office of the President of the Senate on October 14, 2009; to the Committee on Environment and Public Works.

EC–3358. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Indiana; Carbon Monoxide Maintenance Plan Updates; Limited Maintenance Plan'' (FRL No. 8968–1) received in the Office of the President of the Senate on October 14, 2009; to the Committee on Environment and Public Works.

EC–3359. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Primary Drinking Water Regulations: Drinking Water Regulations for Aircraft Public Water Systems'' (FRL No. 8967–9) received in the Office of the President of the Senate on October 14, 2009; to the Committee on Environment and Public Works.

EC–3360. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, a Uniform Resource Locator (URL) for a document entitled ''Interim Policy on Managing the Duration of Remedial Design/Remedial Action Negotiations'' received in the Office of the President of the Senate on October 14, 2009; to the Committee on Environment and Public Works.

EC–3361. A communication from the Director of the Office of Congressional Affairs, Office of Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Criminal Penalties; Unauthorized Introduction of Weapons'' (RIN3150–AI31) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Environment and Public Works.

EC–3362. 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 manufacturing license agreement for the manufacture of significant military equipment abroad in the amount of $85,000,000 to Japan; to the Committee on Foreign Relations.

EC–3363. 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 manufacturing license agreement for the export of defense articles, including, technical data, and defense services relative to the Proton launch of the QuetzSat-1 Commercial Communication Satellite in the amount of $50,000,000 or more to Belgium, Germany, Kazakhstan, Luxembourg, Mexico, The Netherlands, Russia, Spain, United Kingdom and Sweden; to the Committee on Foreign Relations.

EC–3364. 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 manufacturing license agreement for the export of defense articles, including, technical data, and defense services relative to the manufacture of X200-Series transmissions in the amount of $100,000,000 or more to the Republic of Korea; to the Committee on Foreign Relations.

EC–3365. 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 manufacturing license agreement for the manufacture of significant military equipment abroad in the amount of $100,000,000 or more to Turkey and Australia; to the Committee on Foreign Relations.

EC–3366. 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 technical assistance agreement to include the export of technical data, defense services and defense articles in the amount of $50,000,000 or more to Canada, Russia, and Kazakhstan; to the Committee on Foreign Relations.

EC–3367. A communication from the Chief Counsel, Economic Development Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Trade Adjustment Assistance for Firms Program Regulations and Implementation Regulations for the Community Trade Adjustment Assistance Program'' (RIN0610–AA65) received in the Office of the President of the Senate on October 13, 2008; to the Committee on Finance.

EC–3368. 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 ''Tier 1 Issue—Industry Director Directive on Section 936 Exit Strategies #4'' (LMSB–4–1009–039) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Finance.

EC–3369. 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 ''Credit for Carbon Dioxide Sequestration under Section 45Q'' (Notice No. 2009–83) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Finance.

EC–3370. 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 ''Measurement of Assets and Liabilities and Benefit Restrictions for Underfunded Pension Plans'' (TD 9467) received in the Office of the President of the Senate on October 13, 2009; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 507. A bill to provide for retirement equity for Federal employees in nonforeign areas outside the 48 contiguous States and the District of Columbia, and for other purposes (Rept. No. 111–88).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

*Marcia K. McNutt, of California, to be Director of the United States Geological Survey.

*Arun Majumdar, of California, to be Director of the Advanced Research Projects Agency-Energy, Department of Energy.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. SHAHEEN (for herself and Mr. VITTER):

S. 1778. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to generic drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAYH (for himself, Mr. DORGAN, Mr. LUGAR, Mr. BYRD, Mr. SPECTER, Mr. ROCKEFELLER, Mr. MERKLEY, and Mr. WYDEN):

S. 1779. A bill to amend title 38, United States Code, to provide health care to veterans exposed in the line of duty to occupational and environmental health chemical hazards, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LINCOLN (for herself, Mrs. HUTCHISON, and Ms. SNOWE):

S. 1780. A bill to amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. SHAHEEN (for herself, Mr. BROWN, and Mr. MENENDEZ):

S. 1781. A bill to provide for a demonstration program to reduce frequent use of health services by Medicaid beneficiaries with chronic illnesses by providing coordinated care management and community support services; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, and Mr. SESSIONS):

S. 1782. A bill to provide improvements for the operations of the Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself, Mr. FEINGOLD, and Mr. BROWN):

S. 1783. A bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ENSIGN:

S. 1784. A bill to amend title 38, United States Code, to ensure that State approving agencies provide timely responses to applications for approval of courses of education and provide justifications for disapproval of courses, to provide for the review of the disapproval of courses by State approving agencies, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ENSIGN:

S. 1785. A bill to amend title 38, United States Code, to require State approving agencies to approve courses of education that have been accredited and approved by a nationally recognized accrediting agency or association, and for other purposes; to the Committee on Veterans' Affairs .

By Mr. LEAHY:

S. 1786. A bill to extend the temporary suspension of duty on certain ski boots, cross country ski footwear, and snowboard boots; to the Committee on Finance.

By Mr. BINGAMAN:

S. 1787. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 211

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2–1–1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 229

At the request of Mrs. BOXER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 292

At the request of Mr. BROWNBACK, his name was added as a cosponsor of S. 292, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 451

At the request of Ms. COLLINS, the names of the Senator from North Dakota (Mr. CONRAD), the Senator from Massachusetts (Mr. KERRY) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 455

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry ''Hap'' Arnold, and

Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 461

At the request of Mrs. LINCOLN, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 510

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 624

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KIRK) was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 883

At the request of Mr. KERRY, the names of the Senator from Nevada (Mr. REID), the Senator from Kentucky (Mr. MCCONNELL), the Senator from North Dakota (Mr. DORGAN), the Senator from Nebraska (Mr. NELSON) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

S. 987

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1065

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1065, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1073

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1073, a bill to provide for credit rating reforms, and for other purposes.

S. 1076

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1340

At the request of Mr. LEAHY, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 1340, a bill to establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

S. 1366

At the request of Mrs. BOXER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate a portion of their income tax payment to provide assistance to homeless veterans, and for other purposes.

S. 1376

At the request of Ms. KLOBUCHAR, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 1376, a bill to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission to the United States.

S. 1382

At the request of Mr. DODD, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1408

At the request of Mr. MENENDEZ, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1408, a bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation.

S. 1524

At the request of Mr. KERRY, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 1524, a bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

S. 1547

At the request of Mr. REED, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1547, a bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

S. 1600

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 1600, a bill to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration.

S. 1630

At the request of Mr. ROCKEFELLER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1630, a bill to amend title XVIII of

the Social Security Act to improve prescription drug coverage under Medicare part D and to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to improve prescription drug coverage under private health insurance, and for other purposes.

S. 1668

At the request of Mr. BENNET, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1668, a bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of the Post-9/11 Educational Assistance Program, and for other purposes.

S. 1672

At the request of Mr. REED, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1672, a bill to reauthorize the National Oilheat Research Alliance Act of 2000.

S. 1681

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 1723

At the request of Mr. CORKER, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1723, a bill to authorize the Secretary of the Treasury to delegate management authority over troubled assets purchased under the Troubled Asset Relief Program, to require the establishment of a trust to manage assets of certain designated TARP recipients, and for other purposes.

S. 1739

At the request of Mr. DODD, the names of the Senator from Delaware (Mr. KAUFMAN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1739, a bill to promote freedom of the press around the world.

S. 1765

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1765, a bill to amend the Hate Crime Statistics Act to include crimes against the homeless.

S. 1775

At the request of Mr. BAYH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1775, a bill to amend the Higher Education Act of 1965 to provide that interest shall not accrue on Federal Direct Loans for members of the Armed Forces on active duty regardless of the date of disbursement.

S. RES. 296

At the request of Mrs. LINCOLN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 296, a resolution designating October 2009 as ''National Work and Family Month''.

S. RES. 312

At the request of Mr. DODD, the names of the Senator from Illinois (Mr. BURRIS), the Senator from Washington (Mrs. MURRAY) and the Senator from Massachusetts (Mr. KIRK) were added as cosponsors of S. Res. 312, a resolution expressing the sense of the Senate on empowering and strengthening the United States Agency for International Development (USAID).

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Res. 312, supra.

AMENDMENT NO. 2668

At the request of Mr. REID, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2668 intended to be proposed to H.R. 3548, a bill to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself and Mr. VITTER):

S. 1778. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to generic drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. SHAHEEN. Mr. President, I rise today to introduce two health care bills that will help control health care costs and provide patients with better care. I believe these bills are easy to understand and reflect commonsense approaches to controlling health care costs.

The first bill, the Reducing Emergency Department Utilization through Coordination and Empowerment, or REDUCE Act, S. 1281, would reduce costly and excessive emergency room visits by providing patients with more consistent and coordinated care.

Emergency room overutilization is a source of wasteful spending in our health care system. Estimates show that $14 billion are wasted each year in unnecessary emergency room visits. It drives up the cost of health care and leads to overcrowding of our emergency rooms.

Frequent users of emergency room services make up a small, but very costly portion of the population. These individuals tend to have multiple chronic illnesses and severe mental illness. They often live in poverty or are homeless. Many times they use the emergency room because they have nowhere else to go.

In the most extreme cases, these individuals can cost the system millions of dollars. You heard right, one person can put a multi-million dollar strain on our health care system. For example in Camden, NJ, one person cost taxpayers $3.5 million over 5 years in Medicaid and Medicare payments.

We need to fix this problem, and I believe we can. The REDUCE Act is modeled after successful pilot programs across the country. It provides beneficiaries with a care management team consisting of a medical provider, a social worker and a community health worker that can provide medical care and support in any setting. The care management team also helps to ensure that these individuals are going to their primary care doctors and mental health providers on a regular basis.

Research shows it works. In fact, after two years of enrollment in one pilot program, on average, individual emergency room visits were reduced by 61 percent and emergency room charges were reduced by 59 percent for those that participated.

There is a lot we need to do to reform our health care system, but as we work on reform broadly, we also need to focus attention on individuals, especially these high cost patients. Doing so will improve care for this vulnerable population and reduce costs.

The second bill, the Access to Affordable Medicines Act, S. 1778, will increase access to lower cost generic drugs by closing a loophole some brand name drug companies exploit that needlessly and unfairly delays the entry of safe, lower-cost generic drugs to the consumer market.

As the law currently stands, when brand name manufacturers make labeling changes, generic drug labeling must reflect this change prior to the drug being approved and introduced in the market.

Too often, big pharmaceutical companies make last minute changes to the label. Many times the labeling changes are insignificant and do not deal with safety or warnings. In fact, these last minute changes are often used by brand name pharmaceutical companies to purposefully delay the introduction of cost-saving generic drugs by weeks or months. This can cost consumers and the federal government millions of dollars.

My bill would stop these costly practices by providing a 60–day grace period for the generic drug company to submit the new labeling for approval and marketplace distribution, while preserving safeguards if the new labeling truly presents a safety issue.

As we work to pass comprehensive health care reform in Congress, we do it with families and small businesses who struggle everyday with the high cost of health care in mind. These bills are the types of sensible reforms that we need to make so that the health care system is more affordable and more efficient. I look forward to working with my Senate colleagues on this legislation.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, and Mr. SESSIONS):

S. 1782. A bill to provide improvements for the operations of the Federal courts, and for other purposes; to the Committee on the Judiciary.

Mr. WHITEHOUSE. Mr. President, I rise today to introduce the Federal Judiciary Administrative Improvements Act of 2009 on behalf of myself and the Chairman and Ranking Member of the Judiciary Committee, Senators LEAHY and SESSIONS. I thank them for their support. It has been a pleasure to work with them on this important bipartisan effort.

The Federal Courts decide crucial issues of criminal and civil law every day, providing justice and protecting our constitutional rights. It is our responsibility in Congress to ensure that our governing technical issues of judicial administration will help them in this effort.

The Federal Judiciary Administrative Improvements Act of 2009 takes up that responsibility by making nine technical fixes necessary for the better administration of the Federal courts. The bill will clarify the role of Senior Judges in the selection of Magistrate Judges, enable better workload distribution among the judges of the District of North Dakota, align the benefits received by territorial judges in Guam, the U.S. Virgin Islands and the Northern Mariana Islands with those of other term judges, equalize leave limits and pay scales for judicial executives with those for senior executive branch officials, protect individual privacy in connection with judges' role in the sentencing process, clarify the authority of pretrial service officers over juvenile offenders, amend requirements for the reporting of wiretap information to the Administrative Office of the Courts, and add an inflation adjustment for the case expenses that must be reviewed by the chief judge of a district court. The Administrative Office of the Courts supports each provision.

I urge my colleagues to act promptly on this bipartisan legislation. I again thank Chairman LEAHY and Ranking Member SESSIONS for their support.

Mr. LEAHY. Mr. President, today, I am pleased to join Senators WHITEHOUSE and SESSIONS to introduce the Federal Judiciary Administrative Improvements Act of 2009, a bipartisan bill that would improve the administration and efficiency of our Federal court system. This legislation would also provide the third branch of government with important assistance to the women and men who comprise the Federal judiciary.

I thank Senator WHITEHOUSE and Senator SESSIONS for their hard work on this critical issue. I previously introduced a court improvement bill in the 108th Congress. I hope the bill we introduce today will pass the full Senate with unanimous support, and will not be subjected to the objections of Senate Republicans as it was 5 years ago. I have also supported past legislative proposals from the Judicial Conference to improve the administration of justice in the Federal courts, including a similar measure last year, which was enacted into law.

In recent years, the job of a Federal judge has changed considerably. Today, Federal judges at both the trial and appellate level are hearing more cases with fewer available judicial resources. We have a responsibility to pass legislation that helps them keep up with changing times and circumstances. Just as it is the judiciary's duty to deliver justice in a neutral and unbiased manner, it is the duty of the legislative branch to provide the requisite tools for the women and men who honorably serve on the judiciary to ably fulfill their critical responsibilities. I believe our independent judiciary is the envy of the world, and we must take care to protect it.

The legislation we introduce today contains proposals that the Federal judiciary believes will improve its operations and allow it to continue to serve as a bulwark protecting our individual rights and liberties. It also contains additional technical and substantive proposals carried over from previous Congresses.

The Judiciary Administrative Improvements Act of 2009 would facilitate judicial operations and improve judicial resource management. The bill would clarify existing law to ensure that senior judges with a minimum workload can participate in the selection of magistrate judges. The bill would also revise the statutory description of the District of North Dakota to eliminate unnecessary references to divisions and counties, while maintaining the present requirement that North Dakota constitutes one judicial district. I believe this technical change would improve the judicial workload distribution in that district and reduce travel time for litigants.

Our legislation also contains critical provisions that would improve personnel and benefits for certain judges and their hardworking judiciary staff. The bill would authorize a cost-of-living adjustment for Federal territorial judges entitled to receive an annuity. It would also authorize territorial judges who are 65 years of age or older to collect, for the remainder of their lives, an annuity equal to the salary received when they left office. These changes would reduce existing inequities between Federal territorial judges and other term judges such as Federal magistrate and bankruptcy judges. The bill would extend to senior executives in the Federal courts, the Federal Judicial Center, and the Sentencing Commission the same ability to carry over annual leave hours as that enjoyed by senior employees in the Executive Branch and the Administrative Office of the United States Courts, AO. It would also allow the Federal Judicial Center to provide a modest increase in pay for certain division directors.

The Judiciary Administrative Improvements Act of 2009 would also improve the administration of criminal justice. The bill would better protect confidential information about a defendant during sentencing by allowing the ''statement of reasons'' form that judges are required to issue upon sentencing to be filed separately with the court. This change would allow confidential information contained within the ''statement of reasons'' to be more easily controlled and protected. In addition, the bill would clarify the scope of authority of Federal pretrial services officers to supervise and assist juveniles awaiting delinquency disposition in Federal court. Current laws regarding the duties of pretrial service officers focus solely on adults and thus it is unclear what duties those officers have to provide services to juveniles. This bill would fill that gap and ensure that pretrial services officers are fully authorized to arrange drug treatment and other critical services for juvenile offenders. The bill would also improve the statistical reporting schedule for criminal wiretap orders. It would eliminate burdensome monthly deadlines for state and Federal judges to report their wiretap data and unrealistic interagency deadlines for reporting that data to the AO. This change will allow for more comprehensive reporting of wiretap data.

In addition, the legislation we introduce today would also conserve judicial resources over certain court requests from indigent defendants. Under current law, a certain statutory threshold exists at which the costs of hiring expert witnesses and conducting investigations for indigent defendants must be approved by the court. These thresholds do not account for inflation, however, which results in a waste of precious judicial resources. This bill would apply an inflationary index to the threshold amount to make them more cost-effective. As a result, this change will allow judges to spend more time on less of these requests each year, which would better improve the overall administration of justice.

I am glad that this important legislation has the support of the Administrative Office of the Courts, on behalf of the Judicial Conference, and Senators on both sides of the aisle. The Federal judiciary needs these improvements to increase its efficiency and administrative operations. I urge all Senators to support prompt passage of this noncontroversial legislation this year.

By Mr. FRANKEN (for himself, Mr. FEINGOLD, and Mr. BROWN):

S. 1783. A bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FRANKEN. Mr. President, all across the country, family dairy farms are in dire straits. In Minnesota alone, 200 dairy farms have closed this year. There is no single cause for this crisis. Family dairy farmers are confronting an unprecedented global recession, consolidation in the market, high feed prices, and unpredictable price swings—all at the same time.

Since arriving in Washington, I have been proud to work with my dairy State colleagues in order to give our family farmers the tools they need to weather this storm. In July, Senators from the midwest, the northeast, and the southwest worked together with Secretary Vilsack to raise price supports. Just last week we provided the Department of Agriculture with another $350 million for price supports in the annual agriculture spending bill. Unfortunately, raising price supports alone won't calm the economic storm.

Just as there is no single cause for this, there is no single solution. Our family farmers need multiple tools in their shed. Today, I am introducing a bill with Senator FEINGOLD and Senator BROWN to give our family farmers another tool.

The Dairy Country Of Origin Labeling Act, or Dairy COOL, is really pretty simple—it would extend mandatory country of origin labeling to dairy products. The current country of origin labeling law, which went into effect last year, applies to meats, produce, and nuts, but it doesn't include dairy products. Our bill would simply add dairy products—such as milk, ice cream and cheese—to the list.

Minnesota, Wisconsin, and Ohio dairy farmers, as well as family farmers across the Nation, have the right to distinguish their products from imported products. As families do their weekly grocery shopping, they should have the option of putting milk, cheese, and ice cream from our own family farms into their cart. It is more than ''from farm to table''—it's really ''from one family to another.''

Families are what this is about. Hardly a week goes by where you don't hear another story of contaminated food and toys coming in from foreign shores. Labeling our dairy products lets parents make smarter choices at the grocery store.

This bill isn't a silver bullet, but it does give family farms another tool that will help them weather the current storm, grow a little stronger, and keep our families a little safer.

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. 1783

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 ''Dairy COOL Act of 2009''.

SEC. 2. COUNTRY OF ORIGIN LABELING FOR DAIRY PRODUCTS.

(a) DEFINITIONS.—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (x), by striking ''and'' at the end;

(ii) in clause (xi), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(xii) dairy products.''; and

(B) in subparagraph (B), by inserting ''(other than clause (xii) of that subparagraph)'' after ''subparagraph (A)'';

(2) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(3) by inserting after paragraph (2) the following:

''(3) DAIRY PRODUCT.—The term 'dairy product' means—

''(A) fluid milk;

''(B) cheese, including cottage cheese and cream cheese;

''(C) yogurt;

''(D) ice cream;

''(E) butter; and

''(F) any other dairy product.''.

(b) NOTICE OF COUNTRY OF ORIGIN.—Section 282(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a(a)) is amended by adding at the end the following:

''(5) DESIGNATION OF COUNTRY OF ORIGIN FOR DAIRY PRODUCTS.—

''(A) IN GENERAL.—A retailer of a covered commodity that is a dairy product shall designate the origin of the covered commodity as—

''(i) each country in which or from the 1 or more dairy ingredients or dairy components of the covered commodity were produced, originated, or sourced; and

''(ii) each country in which the covered commodity was processed.

''(B) STATE, REGION, LOCALITY OF THE UNITED STATES.—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 14, 2009, at 2:30 p.m., to conduct a hearing entitled ''Examining the State of the Banking Industry.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on October 14, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate, on October 14, 2009, at 11:30 a.m. in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 14, 2009, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Prohibiting Price Fixing and Other Anticompetitive Conduct in the Health Insurance Industry.''

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

SPECIAL COMMITTEE ON AGING AND THE SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Special Committee on Aging and the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on October 14, 2009, from 2:30 p.m.–5 p.m. in room 342 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Shauna Agan and Amber Oldham of my staff be granted floor privileges for the duration of today's session.

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

Mr. GRASSLEY. Madam President, I ask unanimous consent for Preston Rutledge, Carolyn Coda, Chantal Matin, and Stephen Theulen be granted the privileges of the floor for the duration of the 111th Congress.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BROWN. I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 472 and 473; that the nominations be confirmed en bloc, the motions to reconsider be laid on the table en bloc; that no further motions be in order; and that any statements relating to

the nominations be printed in the RECORD as if read; provided further that the President be immediately notified of the Senate's action and the Senate return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF JUSTICE

David Lyle Cargill, Jr., of New Hampshire, to be United States Marshal for the District of New Hampshire for the term of four years.

Timothy J. Heaphy, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate resumes legislative session.

FDR DOCUMENTS ACT

Mr. BROWN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 172, S. 692.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 692) to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

There being no objection, the Senate proceeded to consider the bill.

Mr. BROWN. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate and any statements be printed in the RECORD.

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

The bill (S. 692) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 692

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

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

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

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

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

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

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

ALLOWING FUNDING FOR THE INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT PROGRAM

Mr. BROWN. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 1694, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1694) to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. BROWN. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (S. 1694) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1694

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

SECTION 1. PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANTS.

(a) Notwithstanding section 3006(a)(2) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note), sums made available to administer the Public Safety Interoperable Communications Grant Program under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) shall remain available until expended, but not beyond September 30, 2012.

(b) The period for performance of any investment approved under the Program as of the date of enactment of this Act shall be extended by one year, but not later than September 30, 2011, except that the Assistant Secretary of Commerce for Communications and Information may extend, on a case-by-case basis, the period of performance for any investment approved under the Program as of that date for a period of not more than 2 years, but not later than September 30, 2012. In making a determination as to whether an extension beyond September 30, 2011, is warranted, the Assistant Secretary should consider the circumstances that gave rise to the need for the extension, the likelihood of completion of performance within the deadline for completion, and such other factors as the Assistant Secretary deems necessary to make the determination.

NATIONAL LEARN AND SERVE CHALLENGE

Mr. BROWN. Mr. President, I ask unanimous consent that the HELP Committee by discharged from further consideration of S. Con. Res. 46 and the Senate proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 46) recognizing the benefits of service-learning and expressing support for the goals of the National Learn and Serve Challenge.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BROWN. I ask unanimous consent the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate; and any statements be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 46) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 46

Whereas service-learning is a teaching method that enhances academic learning by integrating classroom content with relevant activities aimed at addressing identified needs in a community or school;

Whereas service-learning has been used both in school and community-based settings as a teaching strategy to enhance learning by building on youth experiences, granting youth a voice in learning, and making instructional goals and objectives more relevant to youth;

Whereas service-learning addresses the dropout epidemic in the United States by making education more ''hands-on'' and relevant, and has been especially effective in addressing the dropout epidemic with respect to disadvantaged youth;

Whereas service-learning is proven to provide the greatest benefits to disadvantaged and at-risk youth by building self-confidence, which often translates into overall academic and personal success;

Whereas service-learning provides not only meaningful experiences, but improves the quantity and quality of interactions between youth and potential mentors in the community;

Whereas service-learning empowers youth as actively engaged learners, citizens, and contributors to the community;

Whereas youth engaged in service-learning provide critical service to the community by addressing a variety of needs in towns, cities, and States, including needs such as tutoring young children, care of the elderly, community nutrition, disaster relief, environmental stewardship, financial education, and public safety;

Whereas far-reaching and diverse research shows that service-learning enhances the academic, career, cognitive, and civic development of students in kindergarten through 12th grade, and students at institutions of higher education;

Whereas service-learning strengthens and increases the number of partnerships among institutions of higher education, local schools, and communities, which strengthens communities and improves academic learning;

Whereas service-learning programs allow a multitude of skilled and enthusiastic college students to serve in the communities surrounding their colleges;

Whereas service-learning programs engage students in actively addressing and solving pressing community issues and strengthen the ability of nonprofit organizations to meet community needs;

Whereas Learn and Serve America, a program established under subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12521 et seq.), is the only federally funded program dedicated to service-learning and engages more than 1,100,000 youth in service-learning each year;

Whereas Learn and Serve America is a highly cost-effective program, with an average cost of approximately $25 per participant and leverage of $1 for every Federal dollar invested;

Whereas the National Learn and Serve Challenge is an annual event that, in 2009, will take place October 5 through October 11; and

Whereas the National Learn and Serve Challenge spotlights the value of service-learning to young people, schools, college campuses, and communities, encourages others to launch service-learning activities, and increases recognition of Learn and Serve America: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the benefits of service-learning, which include—

(A) enriching and enhancing academic outcomes for youth;

(B) engaging youth in positive experiences in the community; and

(C) encouraging youth to make more constructive choices with regards to their lives;

(2) encourages schools, school districts, college campuses, community-based organizations, nonprofit organizations, and faith-based organizations to provide youth with more service-learning opportunities; and

(3) expresses support for the goals of the National Learn and Serve Challenge.

NATIONAL WORK AND FAMILY MONTH

Mr. BROWN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 296 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 296) designating October 2009 as ''National Work and Family Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. BROWN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 296) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 296

Whereas, according to a report by WorldatWork, a nonprofit professional association with expertise in attracting, motivating, and retaining employees, the quality of workers' jobs and the supportiveness of their workplaces are key predictors of workers' job productivity, job satisfaction, and commitment to employers and of employers' ability to retain workers;

Whereas, according to the 2008 National Study of Employers by the Families and Work Institute, employees in more flexible and supportive workplaces are more effective employees, are more highly engaged and less likely to look for a new job in the next year, and enjoy better overall health, better mental health, and lower levels of stress than employees in workplaces that provide less flexibility and support;

Whereas, according to a 2004 report of the Families and Work Institute entitled ''Overwork in America'', employees who are able to effectively balance family and work responsibilities are less likely to report making mistakes or feel resentment toward employers and coworkers;

Whereas, according to the ''Best Places to Work in the Federal Government'' rankings released by the Partnership for Public Service and American University's Institute for the Study of Public Policy Implementation, work-life balance and a family-friendly culture are among the key drivers of engagement and satisfaction for employees in the Federal workforce;

Whereas, according to a 2009 survey of college students by the Partnership for Public Service and Universum USA entitled ''Great Expectations! What Students Want in an Employer and How Federal Agencies Can Deliver It'', attaining a healthy work-life balance was an important career goal of 66 percent of the students surveyed;

Whereas a 2008 study by the Partnership for Public Service entitled ''A Golden Opportunity: Recruiting Baby Boomers into Government'' revealed that workers between the ages of 50 and 65 are a strong source of experienced talent for the Federal workforce and that nearly 50 percent of workers in that age group find flexible work schedules ''extremely appealing'';

Whereas finding a good work-life balance is important to workers in multiple generations;

Whereas employees who are able to effectively balance family and work responsibilities tend to feel healthier and more successful in their relationships with their spouses, children, and friends;

Whereas 85 percent of wage and salaried workers in the United States have immediate, day-to-day family responsibilities outside of their jobs;

Whereas, in 2000, research by the Radcliffe Public Policy Center revealed that men in their 20s and 30s and women in their 20s, 30s, and 40s identified a work schedule that allows them to spend time with their families as the most important job characteristic for them;

Whereas, according to the 2006 American Community Survey by the United States Census Bureau, 47 percent of wage and salaried workers in the United States are parents with children under the age of 18 who live with them at least half-time;

Whereas job flexibility often allows parents to be more involved in their children's lives and research demonstrates that parental involvement is associated with children's higher achievement in language and mathematics, improved behavior, greater academic persistence, and lower dropout rates;

Whereas the 2000 Urban Working Families study demonstrated that a lack of job flexibility for working parents negatively affects children's health in ways that range from children being unable to make needed doctors' appointments to children receiving inadequate early care, leading to more severe and prolonged illness;

Whereas, from 2001 to the beginning of 2008, 1,700,000 active duty troops served in Iraq and 600,000 members of the National Guard and Reserve (133,000 on more than one tour) were called up to serve in Iraq;

Whereas, because so many of those troops and National Guard and Reserve members have families, there needs to be a focus on policies and programs that can help military families adjust to the realities that come with having a family member in the military;

Whereas research by the Sloan Center for Aging and Work reveals that the majority of workers aged 53 and older attribute their success as an employee by a great or moderate extent to having access to flexibility in their jobs and that the majority of those workers also report that, to a great extent, flexibility options contribute to an overall higher quality of life;

Whereas studies show that ⅓ of children and adolescents in the United States are obese or overweight, and healthy lifestyle habits, including healthy eating and physical activity, can lower the risk of becoming obese and developing related diseases;

Whereas studies report that family rituals, such as sitting down to dinner together and sharing activities on weekends and holidays, positively influence children's health and development and that children who eat dinner with their families every day consume nearly a full serving more of fruits and vegetables per day than those who never eat dinner with their families or do so only occasionally;

Whereas unpaid family caregivers will likely continue to be the largest source of long-term care services in the United States for the elderly;

Whereas the Department of Health and Human Services anticipates that by 2050 the number of such caregivers will reach 37,000,000, an increase of 85 percent from 2000, as baby boomers reach retirement age in record numbers; and

Whereas the month of October is an appropriate month to designate as ''National Work and Family Month'': Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2009 as ''National Work and Family Month'';

(2) recognizes the importance of work schedules that allow employees to spend time with their families to job productivity and to healthy families;

(3) urges public officials, employers, employees, and the general public to work together to achieve more balance between work and family; and

(4) calls upon the people of the United States to observe National Work and Family Month with appropriate ceremonies and activities.

ORDERS FOR THURSDAY, OCTOBER 15, 2009

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, October 15; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business for 2 hours, 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 hour and the majority controlling the final hour; further, that following morning business, the Senate resume consideration of the conference

report to accompany H.R. 3183, energy and water appropriations; finally, I ask that time during any adjournment, recess or period of morning business count postcloture.

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

PROGRAM

Mr. BROWN. Mr. President, in addition to completing action on the energy and water conference report tomorrow, the majority leader would like to reach agreements to consider the conference reports to accompany the Homeland Security appropriations bill and the Department of Defense authorization bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BROWN. 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 8:17 p.m., adjourned until Thursday, October 15, 2009, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, October 14, 2009:

DEPARTMENT OF JUSTICE

DAVID LYLE CARGILL, JR., OF NEW HAMPSHIRE, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW HAMPSHIRE FOR THE TERM OF FOUR YEARS.

TIMOTHY J. HEAPHY, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. SAM JOHNSON of Texas. Madam Speaker, having been absent from the House for the week of October 5th, I would have voted the following way:

Conference Report to H.R. 2997—"nay."

Conference Report to H.R. 2647—"nay."

CONGRATULATING THE VILLAGE OF ALEXANDER, NEW YORK, ON ITS 175TH ANNIVERSARY

HON. CHRISTOPHER JOHN LEE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. LEE of New York. Madam Speaker, it is with great pride that I commemorate the 175th anniversary of the Village of Alexander, New York, a beautiful community home to nearly 500 Genesee County residents.

Incorporated in 1834, the Village of Alexander is named after Alexander Rhea, who purchased the first land from his employer, the Holland Land Company, in 1802.

Alexander's history is closely tied to the Tonawanda Creek, which flows northeasterly through the town. The lands along the creek attracted numerous settlers, and Alexander continued to grow throughout the early 1800s and quickly became one of the most populous towns in Genesee County. By 1812, more than 100 families had taken up land in the town.

A tavern, tannery, blacksmith shop, general store, and a library were all soon built. A literary society was then formed out of the library, and after residents were able to raise $6,000, the Alexander Classical School and later the Genesee and Wyoming Seminary were formed, leading to some of the first secondary education institutions in Genesee County.

Rich in history and community pride, the Village of Alexander and its residents are a true asset to Western New York.

Madam Speaker, in recognition of its 175th Anniversary, I ask this Honorable Body to join me in commemorating the Village of Alexander, New York.

HONORING SPECIALIST SAM D. MERONEY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Specialist Sam D. Meroney who has exemplified the finest qualities of leadership and citizenship by proudly serving our country in the United States Army. Specialist Meroney is currently stationed at Fort Carson, Colorado, and is most deserving of this special recognition as he continues to fight to protect the United States of America.

Specialist Meroney recently participated in the U.S. Army Military Police Challenge at Fort Leonard Wood, Missouri. From September 16–18, 2009, Specialist Meroney and his two compatriots competed in thirteen spirited events. Of the nation's top 34 three-man teams participating, Specialist Meroney and his team were able to meet the significant challenges and succeed in winning the overall competition. In addition to this achievement, his team placed first in two individual events. Not only has Specialist Meroney earned the respect of his family, peers, and community, he has also made both the state of Missouri and the United States of America proud.

Madam Speaker, I strongly urge all Members of Congress to join me in commending Specialist Sam D. Meroney for his accomplishments in the United States Army and for his efforts put forth in defense of this nation.

RECOGNIZING THE CONTRIBUTIONS OF THE INDIA PLAZA

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. MITCHELL. Madam Speaker, I rise today to recognize the many contributions of the India Plaza to the city of Tempe. The India Plaza has been a strong and distinctive feature in the Tempe community since 2003. The plaza serves as a window into the Indian culture, showcasing India's food, clothing, music and hospitality.

Since its beginnings, the plaza has continuously thrived. Its business owners and employees have partnered with local charities and been active in the Tempe Chamber of Commerce. Those same merchants also worked to create a safer environment by promoting the addition of crosswalk and signal access near the plaza.

I am truly privileged to represent such a strong cultural fixture in our district and will continue to treasure the plaza's addition to Tempe's diversity. As many in the Indian community decorate their homes with lights, share sweets and start the new financial year in celebration of Diwali, I am honored to share in their celebration. Again, I am proud to serve the India Plaza and am eager to see its continued success and growth.

Therefore, I urge you Madam Speaker, in rising to congratulate the India Plaza on its partnerships and accomplishments within the community of Tempe, Arizona.

CONGRATULATING THE ALDINE SCHOOL DISTRICT FOR WINNING THE BROAD PRIZE FOR URBAN EDUCATION

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 791, congratulating the Aldine Independent School District in Harris County, Texas, on winning the 2009 Broad Prize for Urban Education. I am proud to support this resolution because the Broad Prize for Urban Education reflects the hard work and outstanding effort that the Aldine Independent School District, Aldine ISD, has exerted to improve overall performance and reduce achievement gaps among low-income and minority students.

The honor bestowed upon Aldine ISD is a beacon of hope for improving public education in Texas and the United States. With over 61,000 students enrolled, Aldine ISD is one of the largest local education agencies in my congressional district and nearly 80 percent of those students qualify for free and reduced lunches. Providing a quality education to such a large number of students, especially students with diverse socioeconomic backgrounds, poses challenges for school districts across the United States.

Aldine ISD's receipt of the Broad Prize for Urban Education is a testament to the hard work of parents, teachers, and students as well as the steady leadership of the district administration. Aldine ISD uses a district-wide plan focused on student achievement, student behavior, and community relations. The district administration uses that district-wide plan to ensure that its schools provide a supportive, safe, and—most importantly—effective learning environment. The district has succeeded in communicating clear expectations of academic excellence to teachers and increasing school administrators' oversight of student success.

Aldine ISD's model has produced incredible results. The school district regularly ranks as one of the top performers of all districts in the State of Texas. Studies by Texas A&M University and the University of Texas—Pan American showed that Aldine ISD ranks as one of the best school districts for educating African-American and Hispanic students in Texas. In 2008, African-American students in Aldine ISD achieved higher proficiency rates in math at all school levels and in reading at the middle and high school levels than their counterparts across the State. In 2008, Hispanic and low-income students in Aldine ISD performed the best in State reading and math assessments relative to similar Texas school districts.

A crucial product of Aldine ISD's success is the narrowing of achievement gaps. Math achievement gaps at all income levels were among the smallest in the State and between

2005 and 2008 Aldine ISD narrowed the highest percentage of African-American achievement gaps. Not only is Aldine ISD closing the achievement gap but also it is preparing increasing numbers of students for higher education. From 2005 to 2008 African-American and Hispanic student participation in SAT and Advanced Placement rose.

By these measurements, Aldine ISD clearly deserves the Broad Prize for Urban Education. The award is given to large urban school districts that show solid school achievement and demonstrate distinct gains made in narrowing achievement gaps. I am proud of the hard work that Aldine ISD has done to earn this award and I am thankful to the Eli and Edythe Broad Foundation for recognizing their efforts.

PERSONAL EXPLANATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, unfortunately, I was unable to be present in the Capitol for three votes on Tuesday, October 13, 2009.

However, had I been present, I would have voted ''yea'' on H.R. 3689, providing for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center; ''yea'' on H.R. 3476, reauthorizing the Delaware Water Gap National Recreation Area Citizen Advisory Commission; and ''yea'' on H. Res. 659, congratulating Kappa Alpha Psi Fraternity, Inc. on 98 years of serving local communities and enriching the lives of collegiate men throughout the Nation.

MEDIA GIVE TALE OF TWO PROTESTS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. SMITH of Texas. Madam Speaker, in Pittsburgh and Washington, DC, the national media have given us a tale of two protests.

The media's coverage of the conservative September 12 protests intentionally tried to paint a negative picture of the protestors, even though there were no arrests or acts of violence.

The Washington Post described the 9/12 protests as an outpouring of a ''spectrum of conservative anger.''

The New York Times used words like ''angry'' and ''profane'' to describe the protests.

Fast forward to the radical-left G–20 protests in Pittsburgh recently.

The New York Times headline called the protests a ''Peaceful March.''

CNN described the protests as ''more peaceful, less confrontational,'' even though there were dozens of arrests and businesses damaged.

The national media should give fair coverage to protests on both sides, instead of demonizing conservatives and praising radical liberals.

REMEMBERING NAVY SEAL, SO2, RYAN JOB

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. MITCHELL. Madam Speaker, it is with great remorse that I rise today to remember the life of Navy Seal, SO2, Ryan Job. Ryan joined the Navy in 2002 with the goal of joining the select Navy Special-Operations Force, known as the SEALS. Ryan was eventually deployed to serve in Iraq in 2006. While on patrol in the city of Ramadi, Ryan was wounded in an assault, which resulted in the destruction of one of Ryan's eyes and severing the optic nerves of the other. This attack left Ryan entirely blind. After spending time in multiple military hospitals across the country, Ryan's stamina and determination allowed him to make a full recovery, and in 2007, he and his wife Kelly moved to my district and settled in North Scottsdale. There, he was able to complete his business degree, and landed a job with General Dynamics.

Ryan was able to make this smooth transition back to a civilian life with the help of the non-profit Sentinels of Freedom Scholarship Foundation. This incredible organization is devoted to providing aid and support to injured men and women of the U.S. armed forces to help them realize their goals of returning back to their homes and becoming productive and active members of society. The Sentinels of Freedom helped Ryan to locate the condo he and his wife chose to live in, found him the job at General Dynamics, and also enrolled him in online classes to allow Ryan to finish his degree. In return, Ryan became a spokesman for the organization and an advocate for veterans, as he wanted to make sure that his fellow men and women in uniform would be able to make the same transition as he did.

On September 24, 2009, Ryan underwent another surgery. However, this time, there were complications, and in an absolutely heart-breaking turn of events, our brave and inspiring friend Ryan Job passed away.

Madam Speaker, I hope that you will join me in remembering and celebrating the life of Ryan Job. My thoughts are with Ryan's family and loved ones during this difficult time. Ryan is a hero to us all. He will be dearly missed, but he will never be forgotten.

PROCLAIMING CASIMIR PULASKI TO BE AN HONORARY CITIZEN OF THE UNITED STATES POSTHUMOUSLY

SPEECH OF

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 2009

Mr. KINGSTON. Mr. Speaker, I rise today in support of H.J. Res. 26 to honor General Casimir Pulaski, a Polish born National hero, as an honorary American citizen.

Casimir Pulaski received designations ranging from ''Soldier of Liberty'' to ''The Father of the American Cavalry'' for his honorable service of fighting for freedom on two continents. In the United States, streets, counties, squares, and even an American submarine bare his name. Both the beginning and end of his noble life are cloaked with mystery—competing stories exist about his birth and death; however, his actions of defending freedom in his homeland of Poland as well as America are renowned.

Casimir Pulaski was born to a family of Polish nobility either on March 4 or 6, 1745, 1746 or 1747 in Winiary, Warsaw, or Waka on the Pilica, Poland. Pulaski's distant relatives give his birth date as March 4, 1747 in Winiary, Poland; however, scrupulous biographical notes of the Pulaski family history state that Casimir was born on March 4, 1746, but gives no mention of the place. On the other hand, baptismal records show March 4, 1745 as the date of birth, connecting his given name to his birth on the feastday of St. Casimir. The date of Casimir's actual baptism was recorded as March 6, 1745 in Warsaw on Nowy Swiat Street. Then again, the National Park Service records his birth date as March 4, 1747 in Waka on the Pilica, Poland.

Regardless of his curious beginning, historians agree that Casimir began his military career at the age of fifteen when young Pulaski joined his father and other members of the Polish nobility in opposing the Russian and Prussian interference in Polish affairs.

After being banished to Paris, Pulaski met Benjamin Franklin who urged him to support the colonies in the American Revolution. Pulaski was impressed with the ideals of a new nation struggling to be free and volunteered his services. Franklin wrote to George Washington describing Pulaski as ''an officer renowned throughout Europe for the courage and bravery he displayed in defense of his country's freedom.''

In 1777, Pulaski arrived in Philadelphia where he met General Washington, the Commander-in-Chief of the Continental Army. After coming to the aid of Washington's forces and distinguishing himself as a talented military tactician, Pulaski was sent south to assist American colonial forces. Georgia became the only American colony to be re-conquered by the British on December 29, 1778, and Pulaski was sent to assist Comte Jean Baptiste Hector d'Estaing and Benjamin Lincoln regain control of Savannah from the British who had amassed about 3,000 defenders.

The areas surrounding Savannah created a difficult environment for the French and American forces. The left and right sides of Savannah are marshlands which created tough obstacles through which to advance. In the front of the city, a cleared plain of small rolling hills made it impossible for a group of soldiers to advance without being seen from the redoubts that encircled the city. The Siege of Savannah became one of the bloodiest battles of the Revolutionary War, and a military failure of colonists with more than 1,000 of the attacking forces killed. In 2005, archaeologists with Coastal Heritage Society discovered the long-lost Spring Hill Redoubt. This unearthed the site of the bloodiest fighting of the siege and scene of the mortal wounding of Brigadier General Casimir Pulaski.

While historians can agree that Pulaski commanded the French and American cavalry during the Siege of Savannah and sustained mortal wounds during fighting from grapeshot on October 9, 1779, consensus ends there.

Two divergent tales of his death continue today—one from a Georgia family, another

from two of Pulaski's officers. The first has injured Pulaski being sent to Charleston aboard the Wasp, but passing on October 15 and taken to Greenwich Plantation, Georgia for burial. In 1854, bones were discovered in an unmarked grave at the former family plantation of William P. Bowen. Bowen said his grandmother and aunt told him the grave was Pulaski's. The bones were then entombed inside the marble cornerstone of the Pulaski Monument in Savannah. Restoration of the monument in 1996 led to another exhumation by Chatham County Coroner James C. Metts Jr. After eight years of attempts, investigators failed to extract a complete DNA sequence to compare with a living Pulaski descendant in Poland. A draft report by Metts' team concluded "the mystery remains unsolved." It also states that "strong circumstantial evidence does suggest that the remains are Casimir Pulaski."

However, historical accounts from two officers who served under Pulaski tell a different story. They report that General Pulaski was wounded on October 9, 1776, but that he died two days later on October 11 aboard the Wasp on route to Charleston. The two officers report that Pulaski was then buried at sea near the mouth of the Savannah River where it flows into the Atlantic Ocean.

Even with conflicting details of his birth and death, General Pulaski's military history is commemorated in Savannah by multiple tributes including Fort Pulaski, Pulaski Elementary, Pulaski Square, and Pulaski National Monument. I am privileged to commend General Pulaski and his admirable service to our Nation and support his honorary citizenship.

HONORING JESSE RAYMOND NELSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Jesse Raymond Nelson, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1179, and in earning the most prestigious award of Eagle Scout.

Jesse has been very active with his troop participating in many scout activities. Over the many years Jesse has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Jesse Raymond Nelson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, today, I rise in support of H.R. 1327, the "Iran Sanctions Enabling Act of 2009." This legislation, if enacted, will enhance U.S. capacity to further isolate Iran and pressure the government to abandon its military nuclear program.

The recent discovery of a secret enrichment facility at Qom serves as a clear reminder that Iran continues to flagrantly disregard international non-proliferation agreements, and poses a direct and dangerous threat to the peace and security not only in the Middle East, but also around the world.

Unfortunately, the concealment of the facility at Qom is only the most recent in a long line of deplorable and illegal behavior by the Iranian government. From seeking to acquire nuclear weapons and evade IAEA inspectors, to continuing to threaten Israel and opposing the Middle East peace process, to supporting international terrorism, to its deplorable human rights record—specifically surrounding the recent elections—the government of Iran has consistently acted in a reprehensible and dangerous manner.

The only effective way to achieve lasting peace and prosperity in the region, along with bringing about reforms in Iran's polity, is to assist the Iranian people in their quest to achieve political, social, and religious liberty. Every government can be judged with the way in which it treats its ethnic and religious minorities, and the current Iranian government gets a failing grade for its treatment of its many and diverse minorities

While the government's actions in the international community deserve our condemnation, we must distinguish between Iranian people and their government. This fall, I was optimistic that the elections in Iran would serve as a catalyst for change, but given the absence of fair and free elections, coupled with the government's poor record for transparency and accountability, I believe that the democratic voices in Iran need our help to achieve change.

The results of the recent election clearly showed that there was no chance for Iranian citizens to participate in Democracy. On June 12, 2009, Mahmoud Ahmadinejad was ostensibly re-elected to his second term as President, as a result of the tenth Presidential elections in Iran, held and calculated on June 13, 2009. Subject to official results released by Iran's election headquarters, out of a total of 39,165,191 ballots cast in the Presidential election, Ahmadinejad allegedly won 24,527,516 votes, which accounts for approximately 62.6 percent of the votes, while his opponent and former Prime Minister of Iran Mir-Hossein Mousavi purportedly secured only 13,216,411 (37.4%) of the votes. Supreme Leader Ali Khamenei announced that he envisions Ahmadinejad as president in the next five years, a comment interpreted as indicating support for Ahmadinejad's reelection, and so it happened exactly that way.

In the aftermath of an election crisis we must not forget that Iran is marching ever closer to the development of a nuclear weapon, as they continue the pursuit of enriching uranium. Iran's nuclear program, coupled with its continued military assistance to armed groups in Iraq, Afghanistan, the Palestinian group Hamas, and to the Lebanese Hezbollah has been the basis for President Obama's characterization of Iran as a "profound threat to U.S. national security interests."

Yet the last Administration's approach of isolationism failed to stop or even slow the escalation of Iran's nuclear development. The recent discovery of a secret enrichment facility at Qom serves as a clear reminder that Iran continues to flagrantly disregard international non-proliferation agreements, and poses a direct and dangerous threat to the peace and security in the Middle East, and around the world.

In that vein we do not want to ostracize Iran, as has been done in the past. This Administration indicated that if Iran refuses to come to the "nuclear bargaining table" by late September 2009, sanctions will resume. This deadline passed, and Iran has not changed. Consequently, it is time that we move to enable effective sanctions to remind Iran that we remain serious in our demands. This bill does not move the U.S. past the point of no return in regards to sanctions, but, it sends a clear message to Iran while enabling more effective sanctions in the future.

Mr. Speaker, although Iran has committed heinous human rights violations, and continues to threaten its neighbors, I do not believe that it is productive to punish Iran for their past delinquencies. Instead, we should use our threats and sanctions to persuade the government of Iran to change its behavior by holding free and fair elections, allowing dissent, and finally ending its military nuclear program. I hope that, one day in the near future, we will lift these sanctions; but, until reforms are implemented, we must remain vigilant in pressuring Iran.

Last year, this body passed H.R. 7112—The Comprehensive Iran Sanction Act, but the Senate failed to follow suit. It is my hope that, this time, our colleagues in the Senate realize how much is at stake and act quickly to pass this legislation.

Thank you, Mr. Speaker, I urge the passage of this legislation.

HONORING VIRGINIA HOUSE SPEAKER WILLIAM J. HOWELL FOR RECEIVING THE CARRINGTON WILLIAMS PRESERVATION AWARD

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. WOLF. Madam Speaker, I rise today to recognize Virginia House Speaker William J. Howell for receiving the Carrington Williams Preservation Award. The Carrington Williams Preservation Award is presented by the Shenandoah Valley Battlefields Foundation to an individual whose accomplishments in furthering the cause of preservation have been noteworthy and will be long-lasting. This year, the Shenandoah Valley Battlefields Foundation selected a Virginian of remarkable accomplishments for the Commonwealth and to the preservationist cause to receive this award.

The award is made in honor of Carrington Williams, whose dedication to preservation, especially Civil War battlefields, is well known. He served as chairman of the predecessor organization to the Civil War Preservation Trust, the Association for Preservation of Civil War Sites. He was chairman of the federal commission that wrote the management plan for the Shenandoah Valley Battlefields National Historic District, and he served as the founding chairman of this organization.

The Honorable William J. Howell is the 54th Speaker of the Virginia House of Delegates, a nearly 400–year old institution and the oldest continuously elected law-making body in the world. First elected a delegate in 1987, he represents the 28th House District which includes parts of Stafford County and the City of Fredericksburg.

In addition to his noteworthy legislative contributions to public education and public safety, the 2007 enactment of his legislation for historic land use changes were supported by statewide and regional funding of roads, railroads, and transit. He has been a strong supporter of restoring the Chesapeake Bay and also led the effort to enact Virginia's national model program for preserving open spaces using free market principles. He has stood firmly with battlefield preservationists in many of their efforts, including those at Slaughter Pen Farm in Fredericksburg, as well as more recently at the Wilderness. And his leadership enabled the General Assembly to appropriate $5 million in state funding for Civil War battlefield preservation.

Speaker Howell is chairman of the Virginia Sesquicentennial American Civil War Commission that is now preparing to mark the 150th Anniversary in 2011 of Virginia's entry into the Civil War. He has been twice honored by the Civil War Preservation Trust with its State Leadership Award. He was one of the overseers of the recent State Capitol renovations as well as one of the leaders in organizing the commemoration in 2007 of America's 400th Anniversary at Jamestown.

HONORING EISENHOWER HIGH SCHOOL

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BACA. Madam Speaker, I rise today to honor Eisenhower High School in Rialto, California, on the occasion of its 50th Anniversary.

The students and alumni of Eisenhower High School will celebrate 50 years of continued academic excellence, October 17, 2009. This anniversary is a milestone for Rialto, California. Throughout the past 50 years, the school has provided an exemplary educational service to its students and has contributed greatly to the community.

Eisenhower first opened its doors in fall of 1959, and since then has achieved success in academics, athletics and community service while providing a high level of education. They have always been a school of inclusion and unity regardless of an individual's background.

Eisenhower High School has been able to maintain an outstanding athletic program for their students, allowing them to participate in activities that promote the values of team work, integrity, and dedication. Their athletic teams have consistently won conference titles in varied sports, including football, basketball, wrestling, and swimming. The boy's basketball team currently holds the State Championship title. With this victory they became the first California Interscholastic Federation State title holders for a school from San Bernardino County.

Pro Football Hall of Famer Ronnie Lott graduated from Eisenhower High School. He went on to play for the San Francisco 49ers and was named to the NFL's 75th Anniversary team. Among other Eisenhower High School alumni whom have played on the professional level are Brandi Burton, David Lang, Jeff Conine, Darnell Coles, and Craig Newsome. Another distinguished alumnus is Derek Parra, Olympic Speed-Skating gold medalist and 1500 meter world record holder.

Eisenhower High School has also achieved recognition in academics and community service. They have achieved recognition on the state level as well as national recognition. Anita Ware, alumna of Eisenhower, was its first student to be awarded the prestigious Westinghouse Science Award. The school newspaper, the Eagle's Eye, received an award in 1976 for being one of the nation's best student newspapers from the National Scholastic Press Association and Quill & Scroll. Eisenhower High School was also recognized as a National Blue Ribbon and as a California Distinguished School.

Both of my sons graduated from Eisenhower High School. My son Joe Baca, Jr., served in the State Assembly and is now the Mayor Pro Tem for the City of Rialto. Jeremy Baca is an outstanding private consultant.

Madam Speaker, I ask that my colleagues join me today in honoring Eisenhower High School. Their continuing record of accomplishment is due in no small part to the teaching practices of the faculty who have guided the school through the years.

FCC'S HEAVY HAND

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GENE GREEN of Texas. Madam Speaker, I submit the following article.

[From the Washington Post, Sept. 28, 2009]

THE FCC'S HEAVY HAND

In a speech at the Brookings Institution last week, Federal Communications Commission Chairman Julius Genachowski promised that his agency's plan for regulating Internet service providers (ISPs) will be ''fair, transparent, fact-based and data-driven.''

That's nice. But Mr. Genachowski failed to convincingly answer the most important question of all: Is this intervention necessary?

Mr. Genachowski claims to have seen ''breaks and cracks'' in the Internet that threaten to change the ''fundamental architecture of openness.'' He and other proponents of federal involvement cite a handful of cases they say prove that, left to their own devices, ISPs such as Comcast Corp. and AT&T will choke the free flow of information and technology. One example alluded to by the chairman: Comcast's blocking an application by BitTorrent that would allow peer-to-peer video sharing. Yet that conflict was ultimately resolved by the two companies—without FCC intervention—after Comcast's alleged bad behavior was exposed by a blogger.

Mr. Genachowski offered two proposals to combat alleged ISP misconduct. One should be embraced, the other shelved.

Mr. Genachowski is right to insist that ISPs be candid with the agency and the public about network management practices. Such disclosures are necessary, Mr. Genachowski asserted correctly, to ''give consumers the confidence of knowing that they're getting the service they've paid for'' and ''enable innovators to make their offerings work effectively over the Internet.'' Transparency should go a long way toward allaying the concerns of those who fear ISP manipulation of markets. It also puts in doubt the need for Mr. Genachowski's second, dubious offering.

Aptly dubbed an ''immodest proposal'' by the Free State Foundation's Randolph J. May, the FCC would prohibit ISPs from ''discriminating against'' different applications. Mr. Genachowski explains it this way: ISPs ''cannot block or degrade lawful traffic over their networks, or pick winners by favoring some content or applications over others in the connection to subscribers' homes.'' In short, ISPs, which have poured billions of dollars into building infrastructure, would have little control—if any—over the kinds of information and technology flowing through their pipes.

In a slight concession, Mr. Genachowski said that the commission would consider whether to allow ISPs to offer ''managed services in limited circumstances''; this approach could allow ISPs to create a two-track delivery system—one for routine traffic, the other for applications that use exorbitant amounts of bandwidth. But unneeded regulation could still interfere with their ability to manage bandwidth-hogging applications that can hamper service, especially during peak times.

Mr. Genachowski claims that the FCC ''will do as much as we need to do, and no more, to ensure that the Internet remains an unfettered platform for competition, creativity and entrepreneurial activity.'' He will advance this goal by insisting on transparency; he will jeopardize it—and stifle further investments by ISPs—with attempts to micromanage what has been a vibrant and well-functioning marketplace.

CONFERENCE REPORT ON H.R. 2647, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 8, 2009

Ms. WOOLSEY. Mr. Speaker, I am proud that H.R. 2647 contains provisions of H.R. 3403, the Supporting Military Families Act, a bill that I introduced in the House earlier this year.

In the 110th Congress, we passed and the President signed into law the first-ever changes to the Family Medical Leave Act, FMLA, permitting ''next of kin'' of seriously injured and ill servicemembers to take up to twenty-six weeks of unpaid leave to care for these injured and ill servicemembers. In addition, the legislation provides up to twelve weeks of leave to workers when their family servicemembers are about to be deployed overseas to attend to certain ''exigencies'' relating to deployment, such as arranging for alternate child care or going to a lawyer for a will.

The legislation passed in the 110th Congress was a good start, however, it has some gaps in coverage, which H.R. 2647 addresses. Under these new provisions, a next of kin can take up to twenty-six weeks of unpaid leave to care for a seriously injured or ill veteran, so long as that veteran incurred the injury or illness while on active duty and the injury or illness manifests itself within five years of the

veteran's discharge from active duty. In addition, the twelve weeks of leave for ''exigencies'' relating to deployment includes not only leave for families of National Guard or Reservists in support of a contingency operation, but also leave for: (1) families of regular active duty servicemembers; and (2) families of those who have been deployed overseas.

The FMLA is intended to help individuals balance their family and work obligations. So far, working people have used FMLA more than 100 million times to care for themselves and their family members. When the Act was first passed in 1993, it was a giant step and, while we need to pass legislation to provide paid leave, FMLA is still of great importance to working families.

Since a majority of military spouses work, they too must balance work and family. They work to put food on the table and support their families. But they face additional challenges because their lives are disrupted by multiple deployments, involving not only active servicemembers but those in the National Guard and Reserves as well.

Over 35,000 servicemembers have been injured—many seriously—in the conflicts in Iraq and Afghanistan. These injured warriors need substantial support and care from their families, often for long periods of time, and some permanently.

In addition, veterans of both conflicts are developing serious illnesses and injuries after they are discharged from active service. Brain injuries such as traumatic brain injury and post-traumatic stress syndrome are disabling conditions but often do not materialize until well after servicemembers have been discharged from active duty. A recent study by the Department of Defense estimates that 11 percent of Iraq veterans and 20 percent of Afghanistan veterans suffer from post-traumatic stress syndrome as a result of their service.

No matter where we come down on the merits of these conflicts, we must support families whose loved ones put their lives and their futures on the line for our nation. The provisions of H.R. 2647 will certainly help.

HONORING THE SERVICE AND SACRIFICE OF UNITED STATES ARMY STAFF SERGEANT JUSTIN GALLEGOS

HON. GABRIELLE GIFFORDS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. GIFFORDS. Madam Speaker, I rise today to honor United States Army Staff Sergeant Justin T. Gallegos, who was killed in action with seven fellow Soldiers as their remote outpost in mountainous eastern Afghanistan was attacked by insurgents on October 3, 2009. He leaves behind his mother, two sisters, brother and a 5-year-old son.

Born in Tucson, Arizona, Justin graduated from Tucson High School before joining the Army in 2002. Staff Sergeant Gallegos was assigned to Bravo Troop, 3rd Squadron, 61st Cavalry Regiment, 4th Brigade Combat Team, 4th Infantry Division.

Justin was on his first deployment to Afghanistan, but he had already completed two previous deployments to Iraq, the first a one-year deployment from November 2005 to 2006 and the other a fifteen-month deployment from March 2007 to May 2008.

Since entering the Army, Justin had earned a reputation for being a good Soldier. Over his career he earned more than a dozen honors including three Purple Hearts, two Army Commendation Medals and two Army Achievement Medals. He also earned the Bronze Star for his actions that day in defending his combat outpost.

On this day, he was deployed to a remote base near the Afghanistan-Pakistan border. As insurgents poured over the hilltop ridge toward his position and the base, Justin and his fellow Soldiers held their ground before the camp was partially overrun and nearly destroyed by rocket and mortar fire. The team held back hundreds of enemy fighters before ultimately succumbing to the overwhelming volume of fire.

These men fought bravely and will not be forgotten.

We remember Staff Sergeant Gallegos and offer our deepest condolences and sincerest prayers to his family. My words cannot effectively convey the feeling of great loss nor can they offer adequate consolation. However, it is my hope that in future days, his family may take some comfort in knowing that Justin's legacy reaches beyond the desolate landscape of Afghanistan and into the hearts of a grateful nation.

This body and this country owe Justin and his family a debt of gratitude and it is vital that we remember him and his fellow servicemembers who have paid the ultimate price.

Justin is a hero both to his country and to his wonderful family. We salute his selfless service, sacrifice and bravery. May he not be forgotten and may his mission continue in the work of this body and the hearts of all Americans.

PERSONAL EXPLANATION

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. MILLER of Florida. Madam Speaker, I missed rollcall vote Nos. 772–774 on October 13, 2009.

Had I been present, I would have voted:

Rollcall vote No. 772, To provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, ''yea.''

Rollcall vote No. 773, To reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission, ''yea.''

Rollcall vote No. 774, Congratulating Kappa Alpha Psi Fraternity, Inc., on 98 years of serving local communities and enriching the lives of collegiate men throughout the Nation, ''yea.''

HONORING KYLE L. REECE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Kyle L. Reece, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 332, and in earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop participating in many scout activities. Over the many years Kyle has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Kyle L. Reece for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE BICENTENNIAL CELEBRATION OF HIRAM LODGE

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mrs. BLACKBURN. Madam Speaker, I ask my colleagues to join me in celebrating with the Hiram Lodge #7, Free & Accepted Masons, in Franklin, Tennessee, on the occasion of their bicentennial.

Hiram Lodge is home to the oldest continuous Masonic Lodge in Tennessee, predating the establishment of a Grand Lodge in the state. Located just off the square in Franklin, this beautiful structure has been home to many historical occasions—from President Andrew Jackson's negotiations with the Chickasaw Nation, to serving as a lookout post, barracks, and hospital during the Civil War. The Lodge is undertaking careful renovations to ensure this magnificent structure, the oldest Gothic Revival building in the state of Tennessee, survives for generations to come.

More importantly, however, is the role the Lodge has played in the life of the community over these past 200 years. So many of Franklin's leaders have been members of the Lodge, and to this day the Lodge is deeply involved in the civic and charitable affairs of the City.

Please join me in honoring 200 years of the Hiram Lodge's past, and celebrating this momentous occasion.

EARMARK DECLARATION

HON. JOANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mrs. EMERSON. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information in regards to H.R. 2892, the Fiscal Year 2010 Homeland Security Appropriations Bill.

Requesting Member: Rep. JO ANN EMERSON

Bill: Fiscal Year 2010 Homeland Security Appropriations Act

Account: State and Local Programs

Legal Name of Requesting Entity: Howell County Emergency Preparedness

Address of Requesting Entity: 3 Courthouse, West Plains, Missouri 65775

Description of Request: Provide an earmark for $250,000 for an Emergency Operations

Center in West Plains, Missouri. The Emergency Operations Center will serve the residents of Howell County and surrounding counties in the region in case of any natural or man-made hazards. The funding is budgeted at approximately $7,275 for administrative and legal expenses; $81,000 for land, structures, right-of-ways, appraisals, etc.; $2,925 for project inspection and architectural and engineering fees; $153,175 for equipment, construction and miscellaneous items; $5,625 for contingencies.

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Mr. QUIGLEY. Mr. Speaker, I rise today in strong support of the Iran Sanction Act.

On September 25, we learned that Iran has been operating a secret uranium-enrichment plant in the city of Qom, capable of producing enriched uranium for bombs.

The work at Qom has gone on for years in secret and despite five UN Security Council resolutions calling for Iran to cease all work on uranium.

The Iranians continue to claim that their nuclear intentions are peaceful, but the recently discovered plant's ''size and configuration'' are ''inconsistent'' with peaceful purposes.

If we had any doubt that Iran was pursuing nuclear weapons, the discovery at Qom dashed that doubt.

Now the U.S. must do its part to stop Iran from obtaining nuclear weapons.

The first step toward crippling Iran's progress toward a nuclear weapon is to impose the sanctions proposed in the bill before us today.

The Iran Sanctions Act calls on state and local governments to cease investing public funds in companies that support Iran's oil and gas sector.

A nuclear armed Iran is a threat to the entire region, particularly our friends in Israel, and could incite nuclear proliferation in the Middle East and around the world.

We must do everything in our power to keep weapons of mass destruction out of the hands of the Iranians, and those efforts start today with this bill and these sanctions.

HONORING COLLIN HUSTER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Collin Huster, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Collin has been very active with his troop participating in many scout activities. Over the many years Collin has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Collin Huster for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMEMORATING THE 80TH ANNIVERSARY OF THE DAUGHTERS OF PENELOPE

SPEECH OF

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Ms. BERKLEY. Mr. Speaker, I rise today as a proud daughter of Greece, and as a cosponsor of this resolution, to join my colleagues in honoring the Daughters of Penelope, an organization of women who exemplify Hellenic values and ideals, both within the United States and across the globe. Over the past 80 years, the efforts of the Daughters of Penelope have had a significant impact on the welfare of those in need. From assistance to battered women and children, to support for cancer research and funding for schools, the work of these women is deserving of our wholehearted recognition and praise.

I want to draw special attention to the contributions that the Daughters of Penelope have made in the fight against breast cancer. Not only has the organization participated in a variety of fundraisers for breast cancer research, the Daughters of Penelope have engaged members of different ethnic communities in countries across the world by preparing and distributing awareness pamphlets that they translated into several languages. Raising awareness is a vital method of fighting breast cancer and I commend the efforts of these women in educating underserved communities about this disease.

Another notable accomplishment of the Daughters of Penelope is the Greek Immigrant Oral History Study, recordings that document the history of Greek women, like my grandmother and great-grandmother, who immigrated to the United States. This project marked the first time that an ethnic organization had submitted its oral history to the Library of Congress, paving the way for other ethnic communities to share their own stories as well.

With great appreciation and admiration, I recognize the invaluable contributions the Daughters of Penelope have made in the spirit of Hellenism. I join in supporting this resolution and urge my colleagues to support it as well.

COMMENDING THE STAFF AT JOHNS HOPKINS BAYVIEW MEDICAL CENTER

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. SARBANES. Madam Speaker, as Congress works to extend health insurance coverage and improve the quality of care for all Americans, I would like to commend the Johns Hopkins Center for Innovative Medicine and their Aliki Initiative, an effort to restructure medical education with an emphasis on patient-centered care, for creating an innovative program that puts patients first. The Center for Innovative Medicine, launched five years ago by Dr. David Hellmann and Mr. Richard Paisner, has three goals: getting doctors to know their patients as people, members of families and communities; encouraging collaboration among all members of the Johns Hopkins Bayview campus; and creating a culture where everyone on the Bayview campus feels like a part of something special.

The Center's Aliki Initiative focuses on the first goal and has been called the most important innovation in graduate medical education in a generation by the renowned historian Dr. Kenneth Ludmerer. As described in Pharos, the journal of Alpha Omega Alpha, the honor society of medical schools, the Aliki Initiative seeks to train young doctors to get to know their patients as people. Through the generosity of Mrs. Aliki Perroti, internal medicine residents care for patients hospitalized at Johns Hopkins Bayview Medical Center under the direction of Dr. Roy Ziegelstein and Dr. Cynthia Rand. This initiative emphasizes that optimal medical care can only be delivered if medical treatments are tailored to the individual patient, and this can only be done if doctors get to know patients better as people, which sometimes involves visiting them at home after hospital discharge. Dr. Charles B. Green, Surgeon General of the Air Force, circulated the Pharos article to all Air Force Medical Service personnel and said, ''It [the article] emphasizes the necessity for all of us to understand that health care must be patient-centric. We must know our patients and ensure schedules provide time for care teams to spend with patients. We must focus on the patients to help them achieve new levels of health.''

Madam Speaker, I commend the hard-working people at Johns Hopkins Bayview Medical Center, the Center for Innovative Medicine and the Center's Aliki Initiative. Their work should be seen as a model for improving the quality of care for all Americans. I'd like to enter the full text of the Pharos article into the RECORD.

TEACHING RESIDENTS TO KNOW THEIR PATIENTS AS INDIVIDUALS

THE ALIKI INITIATIVE AT JOHNS HOPKINS BAYVIEW MEDICAL CENTER

Neda Ratanawongsa, MD, MPH; Cynthia S. Rand, PhD; Cathleen F. Magill, MD, MHS; Jennifer Hayashi, MD; Lynsey Brandt, MD; Colleen Christmas, MD; Janet D. Record, MD; Eric E. Howell, MD; Molly A. Federowicz, MA; David B. Hellmann, MD; Roy C. Ziegelstein, MD

MS. P: CASE SUMMARY

Ms. P is a fifty-year-old woman with a history of hypertension who presented to the hospital with a severe allergic reaction to over-the-counter pain medications. During her hospitalization, Ms. P admitted to the intern that she had experienced the same allergic reaction before and felt ashamed that it had occurred again. In discussing how Ms. P organizes her medications, she also admitted that she only intermittently takes her blood pressure medications. She revealed that she is a busy caregiver for her mother and son, both of whom live with Ms. P and have complex medical problems of their own. The intern, consulting with her resident and attending, wondered how she can best help

Ms. P return home safely and avoid future problems with her medications.

Sir William Osler, if reincarnated and the attending for Ms. P, would have taken this opportunity to teach his residents the importance of knowing her as a person, for it was he who famously observed, ''It is much more important to know what sort of a patient has a disease than what sort of a disease a patient has.'' Despite increasing evidence that knowing the patient as an individual improves patient outcomes, graduate medical education (GME) pays little attention to affording residents the opportunity to know their patients well.

If you ask the members of an inpatient ward team what keeps them from knowing their patients, most—from students to residents to attendings—say, ''We don't have enough time.'' Medical historian Kenneth Ludmerer laments the recent focus of residency training on service over education, with residents caring for greater numbers of patients for shorter periods of time. He argues that a fundamental educational principle of traditional medical education requires that residents learn deeply from and about fewer patients, citing the landmark report by Abraham Flexner: ''Men become educated by steeping themselves thoroughly in a few subjects, not by nibbling at many.''

Hippocrates wrote, ''Healing is a matter of time, but it is sometimes also a matter of opportunity.'' At Johns Hopkins Bayview Medical Center, we are seizing the opportunity to give residents the gift of time to allow them to become healers and know their patients in the way Osler recommended. The Aliki Initiative—a new educational program named for philanthropist Mrs. Aliki Perroti, who supports our efforts—reduces residents' workloads and creates new opportunities for residents to know their patients more fully both inside and outside the hospital. The program provides residents the time both to get to know their patients and to learn from the reflect with their teachers.

THE IMPORTANCE OF PATIENTS' NARRATIVES

The opportunity to know patients as individuals is one of the greatest rewards in medicine. The narratives of our patients' lives fuel our passion for this work and keep us grounded in the art and humanity of medicine. By allowing us into their lives—whether through a single, brief interaction in the hospital or an enduring relationship over decades—patients bestow on us a special privilege.

Beyond this, however, our capacity to know patients as individuals allows us to translate the best evidence-based medicine into the highest quality, personalized care. In 1977, George Engel exhorted physicians to break free from the constraints of the biomedical model to understand ''the patient as well as the illness'' by uncovering the psychological and social aspects of patients' lives and life views. This patient-centered framework of care is associated with improved patient outcomes, including better quality of life, improved adherence, pain reduction, and improved blood pressure control.

Despite its demonstrated benefits, the widespread failure of the health care system to provide individualized, patient-centered care is directly linked to suboptimal patient outcomes. A survey of 39,090 patients by Consumer Reports published in 2007 shows that fifty-eight percent of them feel their doctors do not know them as individuals. Another report in zoos indicates that, on discharge from the hospital, fewer than half of patients can list or explain the purposes and side effects of their medications. A study by D. R. Calkins and colleagues published in 1997 shows that physicians, on the other hand, tend to overestimate the quality of their discharge instructions. A 2007 paper by Derjung Tarn and coworkers noted that physicians prescribing new medications only stated the name of the medication seventy-four percent of the time and addressed adverse effects and duration of therapy about one-third of the time. This failure by physicians to communicate critical elements of medication use may contribute to failure by patients to take medications as directed. Similarly, Sunil Kripalani and colleagues in an article published in 2007 report that communication between hospital physicians and primary care physicians is often lacking or suboptimal in detail, affecting the quality of care in twenty-five percent of follow-up visits.

PATIENT CENTEREDNESS—ONE OF SIX CORE AIMS FOR IMPROVING THE QUALITY OF HEALTH CARE IN THE UNITED STATES

The Institute of Medicine (IOM) report Crossing the Quality Chasm highlights patient-centeredness as one of the six core aims for improving the U.S. health care system. The report defines patient-centeredness as: ''Providing care that is respectful of and responsive to individual patient preferences, needs, and values, and ensuring that patient values guide all clinical decisions.'' Toward that goal, the IOM in the follow-up report Health Professions Education: A Bridge to Quality proposes that skills in providing patient-centered care should be a central competency for health professionals.

Unfortunately, traditional GME is not prepared for this imperative. The goal of GME is not only to provide trainees with the knowledge and skills to care for patients like Ms. P, but also to inculcate in them the core values of the medical profession. GME today, however, is largely driven by the service needs of medical centers instead of thoughtful educational priorities. Residency graduates emerge from three years of stressful, demanding training ill-equipped to provide the type of patient-centered, quality care Ms. P deserves. Rather than learning to care for patients collaboratively across transitions and in the greater context of their lives, health care is both practiced and taught in ''silos.'' At the same time, the structure and financing of GME elevates the business of medicine over the vocation of medicine, creating a hidden curriculum in which ''the values of the profession are becoming increasingly difficult for learners to discern.''

Medical school curricula at many schools show an increased emphasis on patient-centered care and the value of effective patient-provider communication. However, once these physicians-in-training enter the typical residency program, they find that their training experiences do not reinforce this emphasis and are not structured to allow them to know and understand their patients as individuals. Unlike proficiency in traditional medical knowledge or clinical judgment, the skill of knowing one's patient as an individual may decline under the influence of a hidden curriculum that may not promote humanistic care. Duty hour reforms limiting the number of hours without adjusting the volume of work may lead some residents to make conscious decisions about how to spend their time, as voiced by one resident in a 2005 survey: ''It is harder to have as much time to speak with and really get to know patients, which impacts the ability to have shared decisions and understand patient perspectives.''

Finally, GME leaves little time for reflective learning. Reflection allows physicians-in-training to think about the meaning of their experiences with patients and how these experiences are influencing their own overall professional development. Although medical educators promote the potential value of self-reflection through activities like critical incident reports and portfolios, trainees' capacity for reflection may decline with the workload and fatigue of residency training.

Thus today's young physicians-in-training may master the mechanics of delivering medical care, yet never have the opportunity to learn the art of healing.

CREATIVE PHILANTHROPY—KEY TO SUCCESS OF THE ROCKEFELLER FOUNDATION

At the turn of the twentieth century, Frederick T. Gates advised John D. Rockefeller to establish an institute of medical research focused on medical education reform. Rockefeller's $32 million endowment of the General Education Board comprised the largest gift to higher education up to that time. In 1905, Henry Pritchett of the Carnegie Foundation commissioned Abraham Flexner to study the state of medical education in North America and to make recommendations to improve it. This effort resulted in the publication of the Flexner Report, perhaps the most influential document in the history of American medical education. These achievements a century ago represent striking examples of the ways creative philanthropy can both reform and shape medical education to meet the needs of society.

The need for educational reform is once again upon us, but the funding constraints of a market-driven health care environment hamper innovation by hospitals and educators. Reform in the twenty-first century may require educators to consider again the potential of partnering with the public. The Aliki Initiative is a program designed to create physicians who treat all patients with compassionate, competent, and personalized care.

The Aliki Initiative aims to develop caring doctors who have a genuine and deep appreciation of the importance of knowing each patient's unique personal circumstances and who make patient care recommendations that apply the best evidence to the individual patient. The program reduces the number of patients assigned to each resident, providing residents more time to spend with patients during and after their hospitalizations, and thus offering new opportunities for residents to learn from and about their patients.

The Johns Hopkins Bayview Medical Center is an academic medical center serving 8700 medicine inpatients per year; twenty percent are poor. Patients hospitalized on the medical service receive care either from a hospitalist service or from one of four house staff teams. Teams contain one resident, two interns, two students on basic medicine clerkship rotation, a faculty attending, and a case manager. A traditional team admits ten patients every fourth night on ''long-call'' and four patients during an intervening ''short-call.'' In October 2007, one team became an Aliki Team, admitting five long-call patients and two short-call patients. Hospitalists care for the patients who would otherwise be admitted by this house staff team.

LOWER PATIENT LOAD ENABLES MORE TEACHING TO THE ALIKI TEAM

With this reduced census, the Aliki Team has the time to participate in teaching sessions and mentored experiences designed to foster appreciation of knowing each patient as a unique person and understanding each patient's psychosocial circumstances. This begins from the admission encounter, when house staff learn to elicit a more meaningful, detailed history that includes patients' understanding of their illness and their health. By engaging in this dialogue with patients, their caregivers, and their outpatient

health care providers, house staff learn who and what patients have left behind when they arrive at the hospital, an often forgotten but equally important transition time.

Residents also learn how to provide counseling and treatment to match patients' needs and concerns. One key component of the Aliki Initiative is learning to assess and overcome potential barriers to medication adherence, particularly by tailoring evidence-based treatment to the patients' particular preferences and resources.

During each day of the hospitalization, house staff continue these conversations, honing their skills in patient education and joining with patients in shared decision making about diagnostic or therapeutic options. Leading up to and on the day of discharge, house staff prepare patients and their caregivers for the transition to home, rehabilitation centers, or other settings in the patients' communities.

In contrast to usual practice following discharge, residents call all patients within a few days of discharge to answer questions, check their understanding of the hospitalization and treatment recommendations, review their understanding and ability to adhere to the discharge treatment regimen, and offer assistance with any problems that have arisen in the transition.

Finally, the Aliki Initiative provides the most powerful learning opportunity of all: team members learn to know their patients as individuals within their own homes and communities. Five or more patients per month give residents permission to visit them after discharge in their homes or subacute care facilities. Often, patients allow residents to photograph or film these visits, so the house staff can teach their colleagues about these rich, rewarding experiences during a monthly Aliki morning report conference.

OUTCOME—NARRATIVE MEDICINE YIELDS BETTER PATIENT CARE

Since October 2007, over half of our house staff have participated in the Aliki rotation. During hospitalizations, residents spend more time at the bedside with their patients and patients' loved ones, discussing medications and other treatments and coordinating care with outpatient providers. Interns and residents say they gain their greatest insights during their time with patients after discharge, when they call all of their patients and visit five or six patients at their homes or subacute care facilities.

In addition to enhanced time with patients, team members have the time to reflect on their professional and personal growth, both individually and as a team. Each month, faculty and attendings working with the Aliki house staff meet to debrief the team about their experiences. The most striking and consistent observation is how often house staff report ''being surprised'' by what they have learned about their patients. Prior assumptions about a patient's preferences, barriers, abilities, or concerns are regularly challenged when residents take the time to know patients individually. This deeper insight, in turn, has repeatedly led to opportunities to provide better patient care. Below we present some examples of ''assumption-challenging'' Aliki experiences and how they impacted patients and house staff.

MS. P: THE HOME VISIT

A few days after discharge from the hospital, the Aliki Team intern and attending visited Ms. P at her home, learning more about her home situation and meeting her mother and son. They discovered that—in an attempt to remind herself to take her medications—Ms. P keeps her medications on her dining room table. Otherwise, she reported, the medications are ''out of sight, out of mind:' The intern realized that both Ms. P's mother and her son also keep their prescription and over-the-counter medications in the same location, increasing the chances that any of them could take the wrong medication. The intern also learned about the ways Ms. P copes with caring for her family, including the supports she receives from her community. Together, the intern and Ms. P brainstormed about how to organize her medications more safely and help her remember how to take them.

From the home visit the intern learned more about the challenges of integrating a complex medical regimen into a person's daily life and ways to engage patients in finding solutions to these challenges. Ms. P expressed appreciation that the intern took the time to come to her home: ''They treated me like I was someone special.''

This learning experience is just one of many. Other examples of Aliki experiences include:

An intern spent significant time with a man facing a difficult decision about treatment for pancreatic cancer. The patient initially told him, ''I'll do whatever you say, Doc.'' Nevertheless, the intern patiently spoke with him every day to learn about his goals of care and preferences. He wasn't sure he was making any difference until one day the patient told him, ''Doc, I don't want any of those things. I want to go home.'' The intern helped him transition to home hospice, and felt certain that this was ''the right thing to do for him.''

A former Aliki resident working as the urgent care doctor for the clinic described ''an Aliki moment'' during which he discovered that a patient with gastrointestinal bleeding was unable to afford his proton pump inhibitor after hospitalization. Experience on an Aliki Team gave him the skill and confidence to ask the patient explicitly and thoughtfully about all barriers to adherence. The resident switched the patient to a generic medication covered by the patient's insurance and spent time counseling the patient about the rationale for this therapy.

An intern visited a patient with urinary retention in a subacute care facility and learned that the patient's Foley catheter had been removed despite notations not to do so in the ''hospital course'' section of the discharge summary, and despite the patient's own recall of their recommendations. The team resolved that in the future they would document more explicit instructions with the medications list at the end of discharge summaries and call ahead to subacute care facilities for similar important follow-up issues.

Although residents were initially concerned that fewer patients would mean less opportunity for traditional medical learning, in fact, they report having more time for evidence-based and bedside teaching. One team decided to focus on physical diagnosis skills. The teaching attending physician on this team described the experience as ''the first time I am sure that the interns really knew how to examine a patient by the end of my weeks with them.'' The supervising residents also relished the additional time to search the literature for articles and prepare teaching for the team.

House staff participating in the Aliki team feel greater pride and more fulfilled in their work. In the words of one intern, ''It's given me time to be the kind of doctor I've always wanted to be and do the things I should be doing for all my patients.''

MS. P: EPILOGUE

Asked about the home visit, Ms. P said, ''I thought those days were over. You know, how the doctors used to come to your house. They came down, sat down to talk, to see how I was getting out of the hospitalization. And that made me feel good because some doctors don't have that interest or do a follow-up to find out how the patients are doing . . . That's letting the patients know that someone else cares. That made me feel that I was important, and they're learning from me! . . . They treated me like I was the only patient they had to see that day. They treated me like I was someone special.''

WHERE FROM HERE? MORE OPPORTUNITIES FOR INNOVATIVE MEDICINE

Our early experience suggests that the Aliki Initiative has the potential to increase residents' skills and motivation to deliver patient-centered care. Ongoing and planned evaluations of the program's outcomes include:

An assessment of Aliki residents' self-assessed behaviors, attitudes, and skills before and after participation in the experience.

Trainees' perceptions and understanding of medication adherence and cost.

An audit of the medical records of patients cared for by an Aliki team, compared with patients cared for in other settings, to evaluate prespecified aspects of inpatient care, transitions of care, and the quality of discharge documentation.

In addition, we will examine the impact of the Aliki Initiative on such patient outcomes as hospital length of stay, quality and safety of the transition from hospital to home or to another care team at a skilled nursing facility, rates of rehospitalization, patients' knowledge about their medical conditions and medications, and patients' perspectives about the quality of their care and health care providers. These evaluations may help educators at other institutions determine what parts of this curriculum to try at their own institutions, and to secure grant funding to support such efforts. In addition, such evaluations may prove helpful to policy makers as they shape the future funding structure of GME.

Like the Flexner Report a century ago, the Aliki Initiative resulted from private philanthropy directed to improving medical training for the public good. When doctors and private citizens together view medicine and medical education as a public trust, everyone benefits. It also reminds medical educators that we cannot accept the status quo and need to show the public what our vision for patient-centered care can and must be. As Molly Cooke and her coauthors write, ''No one would cheer more loudly for a change in medical education than Abraham Flexner. . . . He would undoubtedly support the fundamental restructuring of medical education needed today. Indeed, we suspect he would find it long overdue.''

Acknowledgment: The Aliki Initiative is funded through the Johns Hopkins Center for Innovative Medicine, thanks to the generosity of Mrs. Aliki Perroti.

HONORING TYLER AARON BEDELL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Tyler Aaron Bedell, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

Tyler has been very active with his troop participating in many scout activities. Over the

many years Tyler has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Tyler Aaron Bedell for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

SUPPORTING NATIONAL WORK AND FAMILY MONTH

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise before you today in support of H. Res. 768, ''Expressing support for the designation of the month of October as National Work and Family Month'' I would like to thank my colleague, Rep. MCCARTHY, for introducing this act of solidarity, as well as the co-sponsors.

It is well established that employees who are able to effectively balance family and work responsibilities feel healthier and more successful in their relationships with their spouses, children, and friends. The quality of workers' jobs and the supportiveness of their workplaces are key predictors of job productivity, job satisfaction, commitment to employers, and retention; employees who are able to effectively balance family and work responsibilities are less likely to report making mistakes or feeling resentment toward employers and coworkers. These workers are also engaged and less likely to look for a new job in the next year, and also enjoy better overall health, better mental health, and lower levels of stress.

It is not only at the office that this balance makes a difference—job flexibility often allows parents to be more involved in their children's lives, and parental involvement is associated with higher child achievement in language and mathematics, improved behavior, greater academic persistence, and lower dropout rates. Conversely, a lack of job flexibility for parents negatively affects child health by preventing children from making needed doctors' appointments and receiving adequate early care, which makes illnesses more severe and prolonged.

American workers know this firsthand. That's why research by the Radcliffe Public Policy Center in 2000 found that men in their 20s and 30s and women in their 20s, 30s, and 40s identified as the most important job characteristic a work schedule that allows them to spend time with their families. According to research by the Sloan Center for Aging and Work, a majority of workers age 53 and older attribute their success as an employee, by a great or moderate extent, to job flexibility, and also report that, to a great extent, job flexibility contributes to an overall higher quality of life.

In a 2009 survey entitled ''Great Expectations! What Students Want in an Employer and How Federal Agencies Can Deliver It'', attaining a healthy work-life balance was an important career goal of 66 percent of respondents, and a 2008 study entitled ''A Golden Opportunity'', which found that workers between the ages of 50 and 65 are a strong source of experienced talent for the Federal workforce and that nearly 50 percent of these potential workers find flexible work schedules ''extremely appealing''. According to the 2006 American Community Survey, 47 percent of wage and salaried workers are parents with children under the age of 18 who live with them at least half-time.

Since 85 percent of United States wage and salaried workers have immediate, day-to-day family responsibilities outside of their jobs, efforts to help workers achieve this balance is of no small importance to the prosperity of our nation. As an example, from 2001 to early 2008, 1,700,000 active duty troops have served in Iraq and 600,000 members of the National Guard and Reserve (133,000 on more than one tour) have been called up to serve, creating a need for policies and programs to help military families adjust to the realities that come with having a family member in the military.

This resolution supports the designation of ''National Work and Family Month''; recognizes the importance of balancing work and family to job productivity and healthy families; recognizes that an important job characteristic is a work schedule that allows employees to spend time with families; supports the goals and ideals of ''National Work and Family Month'', and urges public officials, employers, employees, and the general public to work together to achieve more balance between work and family; and requests that the President issue a proclamation calling upon the people of the United States to observe ''National Work and Family Month'' with appropriate ceremonies and activities.

CONGRATULATING ST. JOHN THE BAPTIST GREEK ORTHODOX CHURCH

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. TITUS. Madam Speaker, I rise today to congratulate St. John the Baptist Greek Orthodox Church as they mark their 50th anniversary as a congregation during the month of October. I am looking forward to celebrating with my friends at the church in the coming weeks.

Incorporated on April 8, 1959, and named in September of the same year, the Church has long served as a pillar of the Las Vegas community. As the first Greek Orthodox Church in Southern Nevada, St. John's welcomed new Americans of Greek descent to Las Vegas and helped them feel at home in the community. St. John's has also educated thousands of children in the rituals and faith of the Greek Orthodox Church, ensuring the strength and vitality of the doctrine.

Since 1959, the congregation and its leaders have remained true to its core Greek Orthodox principles of faith and family. This large and dynamic community has been a guiding light in Southern Nevada. The Church offers both religious and Greek language classes for children and young adults, as well as a bookstore for all ages. The Church has been home to many happy occasions, including christenings, religious holidays, birthdays, and weddings. Our community has also come together in times of mourning to offer consolation and comfort to the grieving. St. John's has been a valuable part of my life since I moved to Las Vegas more than 30 years ago as I was welcomed with authentic Greek hospitality.

In the past 50 years, the Church has expanded from a small group of patrons to a large community meeting in a beautiful Church located in the heart of District 3, whose design was inspired by St. Euphemia of the Hippodrome in Constantinople. Today, St. John's has a vibrant membership and is host to a community center and educational facilities.

Since 2003, the Hellenic Historical Society has been preserving and chronicling the history of the Greek community of Las Vegas in order to pass on this important record to future generations. Through exhibits and presentations, the Historical Society has been educating and informing the Greek community of its deep roots in the Las Vegas Valley. Their newest educational project is tracing the ancestral roots of the Greek community and their journey to Southern Nevada.

The Church is also active in social justice projects that benefit children, seniors, the sick, and the poor. Through a variety of social action projects, congregation members are constantly contributing and working not only to improve Southern Nevada, but also the worldwide community.

The Church hosts regular events celebrating Greek heritage such as folk dancing, led by award winning dancing teams, and Easter egg hunts. There is also an annual Greek Food festival which is famous throughout the Las Vegas Valley for its wonderful music, camaraderie, and the best Greek food outside of Athens.

I congratulate St. John the Baptist Greek Orthodox Church for its first 50 years of successes and extend my best wishes for the next 50 years.

COMMEMORATING THE 120TH ANNIVERSARY OF THE FENIMORE STREET UNITED METHODIST CHURCH

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. CLARKE. Madam Speaker, I rise today to commemorate the 120th anniversary of the Fenimore Street United Methodist Church located in Flatbush, Brooklyn.

Fenimore Street Methodist Church was incorporated on August 20th 1889 and admitted into the New York East Conference in April 1890 with Rev. James L. Hall as its first pastor.

Over the years, Fenimore has served the people of Brooklyn as not only a house of worship, but as a pillar of the community. As the neighborhood changed, so did church patronage which culminated in 1968 with Rev. William J. Smart becoming Fenimore's first black minister. In the tradition of firsts, in 2002, Rev. Dr. Maxine Nixon was named Fenimore's first female minister.

Fenimore Street Methodist Church has undergone many renovations and weathered many challenges under the steadfast leadership of its pastors. Providing such services as the summer camp for neighborhood children

and remaining a pillar of support for those who have fallen on hard times are just some of the ways in which Fenimore has served Brooklyn over the years.

Madam Speaker, I'd like to acknowledge the very distinguished pastors that have poured their heart and soul into Fenimore Street United Methodist Church. They include: Revs. James L. Hall; C.S. Willisams; J.S. Bell; C.A. Knesai; H.E. Kiley; G.W. Osman; L.H. Caswell; W.G. Griffin; G.L. Thompson; C.C. Coile; E.J. Marvin; H.C. Whitney; Arthur C. Brown; James Link; John S. Smith; Dr. W.C. Sainsbury; Ward J. Kemenway; James Veatch; Maron Cox; William Smartt; Randolph Fisher; Alfred Harper; Lester Baker; Dr. Neville Buchanan; Dr. Ivan J. Roberts and Dr. Maxine Nixon.

Again I'd like to congratulate and thank Fenimore Street United Methodist on 120 years of service to Brooklyn.

RECOGNITION OF MT. DIABLO PEACE AND JUSTICE CENTER 40TH ANNIVERSARY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GEORGE MILLER of California. Madam Speaker, I rise to recognize the Mt. Diablo Peace & Justice Center, an invaluable institution in the San Francisco Bay Area that will be celebrating its 40th Anniversary on October 19, 2009.

Founded in 1969 by the late Andy Baltzo, the Mount Diablo Peace and Justice Center was initially known to most residents of Contra Costa County as simply, ''The Peace Center.'' Its goal was to provide residents of the East Bay with a voice against the escalating war in Vietnam as well as a focal point for issues of social justice.

After our troops returned from Southeast Asia, members of the Peace Center recognized that the quest for peace and justice is never ending. The Center turned its attention to issues of nuclear arms reduction, military disarmament, and avoidance of U.S. entanglement in the conflicts in Central America.

Instrumental in the early development of the Peace Center was the work of a core group of committed peace activists including Arne Westerback , Louise Clark, and Sheila Pedersen.

Over the years, the Center expanded its focus to include a wide range of programs that addressed raising peaceful children and race awareness. The larger community continued to have a voice through the Peace Center and has benefited from organized non-violent protests against military conflicts, including most recently the wars in Afghanistan and Iraq. These protests take the form of peace marches, demonstrations, and a unique war memorial known as The Crosses of Lafayette. Much national and even international attention was focused on the local community when multi-denominational memorials were erected on a highly visible hillside one for each American military service member who has died in the current conflicts. It's a silent but powerful reminder to all who pass by of the human toll of war.

The Mt. Diablo Peace and Justice Center also provides inspirational classes in non-violence that continue to benefit the community as a whole. With its access to nationally known speakers, educational forums, and film series, the Center is able to promote peace and justice through a variety of mediums. Students, parents and teachers have access to a wide range of programs that include the Art and Writing Challenge and Youth in the Military, a counseling service for young people on national service alternatives to the military. Through local food collection and distribution, The Center also addresses the needs of the poor living in our local community.

As our world becomes seemingly smaller, the Peace Center is once again broadening its program. Currently, plans are underway for an International Peace Youth Camp which will bring outstanding teen leaders from around the world to the Center. Once at camp, they will have the opportunity to get to know each other and learn new methods of co-existence through cultural exchange.

Today, dedicated Peace Center leaders such as Barbara and Ed Tonningsen and Bob Hanson continue to bring the lessons of non-violence to our community and beyond.

I applaud the Mt. Diablo Peace and Justice Center for its strong, principled, and ongoing voice on the issues of peace and justice and I am proud to bring this organization to the attention of my colleagues. Congratulations to past and present members who have kept the Center viable and dynamic throughout the decades. As you celebrate 40 Years of Peacemaking, I wish you continued success.

40TH ANNIVERSARY OF THE TEXAS A&M INTERNATIONAL UNIVERSITY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. CUELLAR. Madam Speaker, I rise today to mark the momentous 40th anniversary of the Texas A&M International University.

Texas A&M International University first began as a ''center'' in August 1970 under Texas A&I University in Kingsville in order to fill a demand in teacher education and business disciplines. Seven years later, the name changed to Laredo State University and in 1993, the institution became Texas A&M International University. In the fall of 1995, the Texas Legislature authorized the expansion of a four-year undergraduate program status with an eventual authorization for doctoral programs. Today, the university has been at the forefront of providing higher education and cultural opportunities to students of Laredo and surrounding south Texas region.

Texas A&M International University consists of the College of Arts and Sciences, the College of Business, the College of Education, the College of Nursing and Health Sciences, and a NCAA Division II Athletics program. Undoubtedly, this university serves as a unique asset to the fundamental groundwork for progressive and influential Hispanic serving institutions. TAMIU has 92 percent of students identifying themselves as minority, including, Hispanic, African-American, Asian and other. Additionally, a rising number of baccalaureate graduates have been first-generation college students. This university has seen enrollment growth of approximately 10 percent every academic semester and recently welcomed its largest freshman class ever. The growth in admission numbers has provided social strides towards students attending the highest quality programs built on solid academic foundations.

Over the years, TAMIU has increased success for the development in the community, educational achievement, and promising academic endeavors. I am happy to have this opportunity to congratulate Texas A&M International University on the occasion of its 40th anniversary, and I wish all staff and students many more years of success.

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Mr. HOLT. Mr. Speaker, I rise today as a cosponsor and supporter of H.R. 1327, the Iran Sanctions Enabling Act. The apparent pursuit of nuclear weapons capability by the Government of Iran cannot be met with silence. Iran's history of concealing its nuclear facilities and programs has rightfully alarmed the international community about Iranian Government's ambitions. The revelation last month of a previously undisclosed uranium enrichment facility under construction near Qom adds to a growing list of deeply troubling actions by the Iranian regime. President Obama stated clearly that this new facility does not appear to be configured for the production of fuel for nuclear power reactors. Iran has a responsibility to fully comply with the International Atomic Energy Agency inspections and to definitively clarify the status and nature of the Qom site.

Unfortunately, the mistrust and skepticism surrounding the Iranian nuclear issue are a result of more than Iran's covert efforts. The provocative and threatening rhetoric that we have come to expect from the President of Iran is cause for great concern both for our allies, such as Israel, and for our own interests in the region. In addition, we have witnessed the Iranian regime carry out brutal acts of violence against Iranian citizens as they gathered peacefully to express their political beliefs. The United States cannot ignore this violation of basic human rights, but neither can we ignore the stark reminder about the potential consequences of a nuclear weapon in the hands of a government that expresses such disregard for the lives and liberties of its own citizens.

Taken together, the Iranian Government's actions are inconsistent with those of a nation seeking peaceful nuclear energy technology. It is incumbent upon the Government of Iran to demonstrate unequivocally to the international community that it is not attempting to cultivate nuclear weapons.

Until the Iranian regime fulfills this responsibility, Iran will face the consequences of noncompliance with this internationally recognized obligation. The provisions of the Iran Sanctions Enabling Act should be part of those consequences. This bill would authorize state and local governments to divest their assets from, and prohibit investment in, any company

that invests $20 million or more in Iran's energy sector. It also protects from legal action any asset managers who choose to divest assets from, or avoid investing in, persons or companies with the same level of financial ties with Iran's energy sector. These are common sense measures that enable state and local governments or individual U.S. citizens to choose not to allow their financial investments to support companies or persons that contribute to the prosperity and strength of the current Iranian government.

I firmly believe that the United States must do everything in its power to prevent Iran from further destabilizing the Middle East by obtaining a nuclear weapon, and I am encouraged by the Obama administration's vigorous diplomatic efforts to achieve that end. The Iranians should be given credit for their recent tentative agreements to meet international expectations, but these words must be matched with sincere and transparent actions that convince the international community of Iran's peaceful intentions. To that end, I note that the provisions of H.R. 1327 would terminate upon certification by the President that Iran is no longer designated a state sponsor of terrorism and has ceased the pursuit of nuclear, biological, and chemical weapons. It is my hope that this sunset clause serves as a potent reminder to the Iranian government that while all actions have consequences, the United States always stands ready to match positive actions with positive consequences. I urge my colleagues to support this legislation.

EARMARK DECLARATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. SIMPSON. Madam Speaker, in accordance with the policies and standards put forth by the House Appropriations Committee and the GOP Leadership, I submit a list of the congressionally directed projects I have requested in my home state of Idaho that are contained in the Conference Report to accompany H.R. 3183, the FY 2010 Energy and Water Development Appropriations Bill.

Project Name: City of Boise Geothermal Expansion to Boise State University

Amount Received: $1,000,000

Account: DOE Energy Efficiency and Renewable Energy Geothermal Technology

Recipient: City of Boise

Recipient's Street Address: 150 N Capitol Boulevard, Third Floor, Boise, Idaho 83702

Description: The Boise City geothermal system currently provides a low cost, environmentally sound, sustainable, locally provided heat source to commercial and publicly owned buildings in downtown Boise. Geothermal heat is considered a renewable source of energy and does not rely on fossil fuels, nuclear power, mining or damming of rivers and emits zero emissions into the atmosphere. This project will extend the City of Boise geothermal pipeline system to Boise State University and would have the capacity to heat almost two million square feet on the campus. As global energy costs increase, the expansion to increased facilities will provide significant cost savings.

Project Name: Idaho Accelerator Center Production of Medical Isotopes

Amount Received: $1,500,000

Account: DOE Office of Science

Recipient: Idaho State University

Recipient's Street Address: 921 South 8th Avenue, Pocatello, ID 83209

Description: The National Academy of Sciences recently issued a report recommending that the federal government increase support to radionuclide production, distribution and basic research in production mechanisms; increase the domestic production of medical radionuclides through dedicated accelerators and reactors; and educate the next generation of medically-related nuclear scientists. The Idaho Accelerator Center (IAC) will develop a medical isotope production facility that will serve regional isotope needs, conduct basic research in isotope production, educate the next generation of medically-related nuclear scientists, and partner with regional and national entities in medical isotope distribution and use. This program will meet regional and national needs in education and isotope production and provide new isotopes that are not currently part of the national isotope portfolio. IAC will complement, supplement and enhance DOE's National Isotope Program.

Project Name: Idaho National Laboratory Center for Advanced Energy Studies (CAES)

Amount Received: $1,000,000

Account: DOE Office of Science

Recipient: Idaho National Laboratory

Recipient's Street Address: 2525 North Freemont St., Idaho Falls, Idaho 83415

Description: CAES is a partnership between the State of Idaho and its academic research institutions, the federal government through the U.S. Department of Energy and the Idaho National Laboratory managed by the Battelle Energy Alliance, LLC. Through its collaborative structure, CAES combines the efforts of these institutions to provide timely energy research on both technical and policy issues. The funds provided will procure world-class computation and visualization research equipment to be located in the CAES research laboratory. These research tools will enable both critical-path scientific research and graduate education programs focused on such twenty-first century energy challenges as the availability of carbon-neutral renewable energy, such as biofuels for transportation; the stewardship of the environment including water resource management through energy efficiency; the management of fossil fuel energy systems; and the expansion of energy production from commercial nuclear power while educating the next generation of scientists, engineers, policy makers and the public.

Project Name: Little Wood River Ecosystem Restoration

Amount Received: $100,000

Account: Corps of Engineers

Recipient: City of Gooding, Idaho

Recipient's Street Address: 308 5th Ave. West, Gooding, ID 83330

Description: This funding was authorized in the Water Resources Development Act of 2007 and would be used to repair and replace an aging WPA/CCC project that channeled the Little Wood River through the City of Gooding, Idaho. The project will remove and replace the existing rock wall and the boxed culverts that severely restrict the stream channel flow. Approximately 1.5 miles of the Little Wood River flow within Gooding city limits. Over the years, aging along with high water and ice jam events have caused severe deterioration of the masonry rock walls constructed in the 1930's and 40's in order to protect the city from floods. Large portions of the existing lava rock walls that line the Little Wood River through the city are structurally unserviceable and many have failed and fallen into the channel. This deterioration has increased at an alarming rate. The Corps of Engineers and the City of Gooding have been working on a solution for this rock wall failure for the past 20 years. The Army Corps has completed the Reconnaissance Study and the General Investigation Study, but the project has been on hold due to a lack of funding.

Project Name: Rural Idaho Section 595

Amount Received: $3,875,000

Account: Corps of Engineers

Recipient: Walla Walla District Corps of Engineers

Recipient's Street Address: Boise Field Office, 304 8th St., Rm. 140, Boise, ID 83702–5802

Description: The funding was authorized in the Water Resources Development Act of 2007. This funding is critical to assisting rural Idaho communities in upgrading their water and wastewater treatment facilities. In many cases, this funding is required to comply with unfunded mandates passed down by this Congress and federal agencies. In addition, these funds help rural communities in Idaho trying to attract new businesses and spur economic development. The vital water funding in this bill will assist rural communities in job creation and affordable housing by offering improved services at lower costs than would otherwise be possible. This request is consistent with the intended purpose of this account. Funding will be directed primarily to the Eastern Idaho Regional Wastewater Authority in Shelley, Idaho.

I appreciate the opportunity to provide a list of Congressionally-directed projects included in the Conference Report to accompany HR 3183, the FY2010 Energy and Water Development Appropriations bill, on behalf of Idaho and provide an explanation of my support for them.

HONORING ROBERTO MAESTAS

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. McDERMOTT. Madam Speaker, today I rise to offer special recognition to my constituent and friend, Roberto Maestas, as he steps into a new role after serving as the executive director of El Centro de la Raza for the past 37 years. For more than 40 years, Mr. Maestas has been intimately involved in the ongoing struggle for civil rights and social justice, not only for Latinos, but for all disadvantaged people. He is among Seattle's most respected figures, esteemed for his effectiveness, his political savvy, and his legendary persuasive powers.

Mr. Maestas recently has become Senior Advisor and Chair of Historical Resources at El Centro de la Raza. El Centro de la Raza's board of directors has asked Mr. Maestas to lead a program to chronicle, collect, record and preserve El Centro de la Raza's historical contributions to the local, national, and international community and to the social justice movement. We are so fortunate to have this

opportunity to capture an accurate, vibrant history of a tumultuous, formative era with someone who not only lived through it but actually helped to make that history.

Roberto Maestas was born in New Mexico, but he has called Seattle, Washington, his home since the early 1950s. As a young man, Mr. Maestas taught at Franklin High School before pursuing a graduate degree at the University of Washington in 1968, where he became one of the University's first Chicano graduates.

In the early 1970s, as part of the United States War on Poverty, Mr. Maestas helped form an Adult Basic Education and English as a Second Language (ESL) program at South Seattle Community College to serve the city's growing Latino community. But, in 1972, funding was abruptly cut, and the program needed a new home. Mr. Maestas, along with fellow teachers, students, and a number of community activists, peaceably occupied the abandoned Beacon Hill School, and negotiated its conversion into a new community center, El Centro de la Raza.

Under his leadership, El Centro has become a voice and hub for Latinos seeking services, advocacy, and social justice. It has grown from a provider of ESL classes to a multi-million dollar Community Action Agency offering a wide array of services to thousands of low-income people of diverse ethnic backgrounds. Its programs include a bilingual child care center, a Basic Healthcare enrollment program, a food bank, senior services, and a home ownership program.

In addition, Mr. Maestas and El Centro de la Raza have been at the forefront of multicultural and international initiatives. El Centro played a prominent role in local solidarity campaigns with Central American social justice activists, and it continues to host art exhibitions, cross-cultural exchanges, and international speakers. Mr. Maestas, along with Bernie Whitebear, Larry Gossett, and Bob Santos cofounded the Minority Executive Directors' Coalition; his extraordinary work over three decades to build the strongest municipal multi-racial coalition in the United States is widely acknowledged and justly acclaimed. Although the founding of El Centro de la Raza was sparked by Latinos and distinguished with a Spanish name, that name translates in English to: "The Center for the People of All Races." Through the years, Mr. Maestas has worked with diligence and determination to ensure that El Centro is "home" for all people interested in advancing the struggle for a better world by serving, educating, defending, and organizing each other to build the "beloved community" envisioned by Martin Luther King, Jr.

Appropriately, El Centro de la Raza and Mr. Maestas have received countless international, national, state, and local awards, including the "Thousand Points of Light" award in 1991 from the President George Bush, Sr.

Madam Speaker, Roberto Maestas is an invaluable asset to the Seattle community. His contributions and his commitment to better the lives of all people deserve our gratitude, our deep respect, and our keen approbation. The people of Seattle, including the thousands who have been served at El Centro de la Raza and the countless students, volunteers, and staff whom he has touched, are grateful for his kind guidance and his visionary leadership. I join them in thanking Mr. Maestas for his service, and in wishing him all the best in his future endeavors.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. WOOLSEY. Madam Speaker, on October 13, 2009, I was unavoidably detained and was unable to record my vote for rollcall No. 773. Had I been present I would have voted:

Rollcall No. 773: "yea"—to reauthorize the Delaware Water Gap National Recreation Area Citizen Advisory Commission.

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Ms. BERKLEY. Mr. Speaker, I rise today in support of the Iran Sanctions Enabling Act, which helps State and local governments do their part to divest from Iran.

The Iranian regime represents a threat to us, to Israel, and to our allies throughout the Middle East and beyond. Their president has threatened to destroy Israel and has repeatedly denied the Holocaust. Iran's leaders have sought to destabilize the entire Middle East and are sparking an arms race in that region. In the last few weeks, we have seen just how far the Iranians are willing to go to conceal their weapons programs, and only time will tell how many more hidden nuclear sites we will find there.

With this bill today, we help our States and local governments to play a role in the international effort to halt Iran's march toward nuclear weapons. As is so often the case, they have not waited for us to act. I am proud that, in June of this year, my home State of Nevada passed a law to help make sure our State Public Employee Retirement System does not invest in Iran, or in companies that do a large amount of business with Iran. Steps like this will help to show just how determined we are—on every level—to stopping Iran's nuclear threat.

We must do everything we can to stop Iran from obtaining nuclear weapons. The UN Security Council must act now, and place further sanctions on Iran. UN member states must do their part to enforce the already-existing sanctions. We in Congress will soon pass our own further sanctions, and I hope we will continue to give our government the tools it needs to further tighten the screws on Iran's financial sector. We must use every tool available to us before it is too late.

I urge support for this bill.

HONORING CHARLES JOSEPH WATSON BRYAN HUCKE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Charles Joseph Watson Bryan Hucke, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and in earning the most prestigious award of Eagle Scout.

CJ has been very active with his troop participating in many scout activities. Over the many years CJ has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Charles Joseph Watson Bryan Hucke for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

NATIONAL HISPANIC HERITAGE MONTH 2009

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. TOWNS. Madam Speaker, I rise today in support of the observance of National Hispanic Heritage Month 2009.

Since the birth of this country, Hispanics have played a tremendous role in the nation's social, economic, and political movements. Today, more than 47 million people of Hispanic origin live in the United States and represent the nation's fastest growing ethnic population. At this time, more than half a million Hispanic men and women reside in my home state of New York.

During National Hispanic Heritage Month, we celebrate the rich history and culture of Hispanic Americans. Hispanic Americans from all 50 states and territories are honored for their contributions to our society, which make up a critical part of America's identity and background. Hispanic Americans continue to share in the sacrifice and civic duties of their fellow U.S. citizens, and in fact, the Puerto Rican military participation rate is the second highest in the country.

Last month, I was joined by Representatives PIERLUISI, WASSERMAN SHULTZ and MICA in cosponsoring legislation, H.R. 3718, to make residents of Puerto Rico fully eligible for the refundable portion of the child tax credit. The bill broadens the Internal Revenue Code of 1986 that currently excludes from the child tax credit Puerto Rican families with less than three children. At this time, the child tax credit is available to U.S. citizens in the 50 states, including residents of Puerto Rico who move to a state.

Expanding the child tax credit to Puerto Rican families with one child or more will inject critical funds into Puerto Rico's economy by directly boosting the incomes of the island's working families. Puerto Rico has been in an official recession for over three years, and its unemployment rate is 15.1 percent, which is significantly higher than the national average of 9.8 percent. Denying Puerto Rican families' access to proven United States economic recovery measures is unproductive and unjust, and it is time to afford U.S. citizens who are living in Puerto Rico the benefits of the child tax credit.

In conclusion, National Hispanic Heritage Month 2009 is marked by President Obama's

successful appointment of the first Hispanic Associate Justice to the United States Supreme Court, the Honorable Sonia Sotomayor. The nomination and appointment of our fellow New Yorker to the Supreme Court earlier this year is one in which our nation should take pride—for it broke down ethnic and gender barriers that will forever open the doors to future generations of Americans. I congratulate Justice Sotomayor on her appointment.

As this year's National Hispanic Heritage Month comes to an end, please join me in proudly honoring Hispanic Americans for their countless contributions to our nation.

IN HONOR OF PATROL OFFICER JAMES SIMONE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. KUCINICH. Madam Speaker, I rise today in honor of Patrol Officer James Simone, a Cleveland Division of Police officer, who is one of just 12 officers to have been honored at the 2009 Police Service Awards.

Officer Simone was born on Cleveland's Eastside and attended St. Thomas Aquinas Elementary School. His family later moved to Lakewood, Ohio in 1966 where Officer Simone graduated from Lakewood High School. In 1968 Officer Simone joined the U.S. Military's 101st Airborne Paratrooper unit during the Vietnam War and received two Purple Hearts and two Bronze Stars for his service. After returning to Cleveland, Officer Simone became an officer for the Cleveland Police Department at the age of 25.

Officer Simone has now served the residents of Cleveland, Ohio as a police officer for 36 years in the capacity of a homicide detective, member of the SWAT team, undercover agent and currently serves as a patrolman for Cleveland's second district. Throughout his career, Officer Simone has been shot, stabbed and run over numerous times, and despite it all, he continues to serve as a dedicated officer.

While it is not the first award for the decorated Officer Simone, it is his heroic actions on January 10th, 2009 that has earned Officer Simone the honor of being named one of America's Top Police Officers this month. On that night, a woman fell through the ice-covered Cuyahoga River and was unable to get out of the freezing water. Officer Simone arrived at the scene and when a life-preserver failed as a rescuing device, he risked his life and jumped into the water to save the victim. Both the woman and Officer Simone suffered from hypothermia but survived because of his selfless and heroic decision.

Madam Speaker and colleagues, please join me in honor of Patrol Officer James Simone who has been the awarded an honorable mention in the 2009 Police Service Awards. While his heroic actions on January 10th, 2009 have earned him this honor, the residents of Cleveland have been awarded with Officer Simone's 35 years of dedicated service.

HONORING JOSEPH C. WEEKS, HERNANDO COUNTY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to recognize Joseph C. Weeks, Sr. This Friday Joe will receive the "2009 Great Brooksvillian of the Year Award". Created in 2002, this award recognizes individuals who have demonstrated a sincere commitment to the history, culture, and economy of the Brooksville community.

Born and raised in Brooksville, Joe temporarily left his hometown to serve his country in World War II and to attend college at the University of Florida. In 1951, upon his graduation, he returned to Brooksville to help his brother run the family business, Weeks Hardware; which has been a Brooksville staple since 1916. To this date, Weeks Hardware is considered the oldest existing business in Hernando County.

Aside from running a successful business, Mr. Weeks is a founding member of two prominent Brooksville organizations; the Brooksville Rotary Club and the Brooksville Downtown Development Organization, the latter of which he served as Vice-President and Treasurer. He also served as Vice-President and Treasurer for the Jaycees and was an active member of the Junior Chamber of Commerce. In recognition of his business successes, he was awarded the Independent Businessman of the year by the Republican Club. Additionally, he holds the unofficial distinction of being the oldest living member of the local American Legion Chapter.

Madam Speaker, Joseph C. Weeks, Sr. has demonstrated steadfast dedication to the Brooksville community. I ask my colleagues to join me in congratulating him on this momentous occasion.

TRIBUTE TO AMELIA BOYNTON

HON. PARKER GRIFFITH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRIFFITH. Madam Speaker, I rise today to recognize the life of Amelia Platts Boynton. Mrs. Boynton is member of the civil rights group that formulated strategies for nonviolent social resistance in Alabama and is most widely known as an activist and organizer for the march over the Edmond Pettus Bridge in Selma, AL.

Mrs. Boynton was a proud supporter of Dr. Martin Luther King and used her home in Selma as a center for Selma's civil rights battles, which was used by King and his lieutenants, Congressmen and attorneys from around the nation, to plan the demonstrations known as the "Selma to Montgomery Marches".

On March 7, 1965, during a march which later became known as Bloody Sunday, Boynton was viciously attacked. Following that event, her character and courage helped lead to the passage of the Voting Rights Act of 1965.

Mrs. Boynton is Vice Chairwoman of the International Schiller Institute. She is a 98-year-old author, playwright, speaker and organizer, speaking out publicly for justice, and inspiring people of all ages, nations, and backgrounds.

Madam Speaker, I wish to congratulate Amelia Boynton on a remarkable career and a heroic life and wish her the best as she continues to be an influential civil rights pioneer.

PERSONAL EXPLANATION

HON. ADAM H. PUTNAM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. PUTNAM. Madam Speaker, on Tuesday, October 13, 2009, I was not present for 3 recorded votes. Had I been present, I would have voted the following way: roll No. 772—"yea"; roll No. 773—"yea"; roll No. 774—"yea."

A TRIBUTE TO THE VISION OF CHILDREN FOUNDATION

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BURTON of Indiana. Madam Speaker, I rise today to salute the Vision of Children Foundation. The Vision of Children Foundation is an independent, not-for-profit 501(c)(3) organization dedicated to the funding of innovative clinical and translational research into vision disorders and creating effective therapies. The Foundation supports scientists at top universities and academic medical centers worldwide who are involved in the most advanced and promising research.

According to the World Health Organization, globally more than 161 million people are visually impaired, including 1.4 million blind children below age 15. In the United States alone, over 1 million children suffer from vision impairment, a loss of vision that makes it hard or impossible to perform daily tasks without specialized adaptation, and which cannot be corrected to a "normal" level. These children face technological and socially-imposed obstacles that make it difficult to succeed in life.

The challenges of living with visual impairment are all too real for Sam and Vivian Hardage, founders of the Vision of Children Foundation. Their son, Chase, now 20 years old, was diagnosed with ocular albinism (OA) as an infant. OA is an inherited disorder in which the eyes suffer from deficient amount of melanin and pigment, resulting in reduced visual acuity, or Nystagmus, and sensitivity to sunlight. The Hardages were told that there was no cure, and that their son would never be able to play sports or live a normal life. Although Chase's original diagnosis was dire, the reality is that all children with visual impairments have different visual acuities and developmental potential. Many of these individuals, such as Chase, have learned to compensate for their disability and have functional and productive lives.

The Hardages were also stunned to find that no one was doing research into understanding OA, much less treating it. Hereditary vision disorders such as OA, retinitis

pigmentosa, and Ushers syndrome belonged to a group of diseases that were underrepresented and under-funded. It was clear that if there was any hope for finding a cure, funding was needed. In 1990, the Hardages established the Vision of Children Foundation (VOC), with a mission to cure hereditary childhood blindness and vision disorders, and to improve the quality of life of visually impaired individuals and their families. It is the only international, non-profit foundation that funds genetic vision research into ocular albinism and connects affected families all over the world.

Until there is a cure, the VOC works hard to provide educational support and services. Families of the visually impaired often feel isolated and confused, and need support to face day-to-day life. The VOC believes communication between families, educators, healthcare professionals, and researchers who care for these children is critical, and the VOC does all that it can to facilitate the process. The Foundation maintains a worldwide Family Network that provides information and support via constant communication, a biannual newsletter, and an informative Web site. Joining the Family Network enables parents to contact other families who face similar challenges in their geographic region to offer support, and share experiences and local resources and programs. Hundreds of families around the world belong to the VOC Family Network.

The VOC strives to enable thousands of children to have a clear image of the world around them. The foundation continues to gather and share information and tools available to ease the daily challenges that the visually impaired face. For example, VOC developed a computer monitor system designed to accommodate students and adults with low vision. This system works to alleviate the stress and strain that individuals with low vision face when using computer technology. The Foundation donates monitor systems to schools and individuals nationwide.

VOC also partners with book publishers to provide educational books to eye clinics, schools, libraries, doctors' offices, and families, such as the illustrated storybook, ''All Children Have Different Eyes.'' These books help to raise awareness, reduce emotional stress, develop social competencies, improve academic performance, and increase confidence in low vision children.

These efforts to provide support, education and needed assistive resources to children diagnosed with OA have enabled Chase and many others like him to have a more normal and functional life. Chase played varsity football on a championship team and was his high school's first CIF wrestling champion in 28 years. Today, he is a sophomore studying business at Southern Methodist University.

To foster scientific communication and collaboration, VOC hosts a biennial World Symposium on Ocular Albinism and genetic vision disorders. In this forum, the Foundation brings together top vision and genetic eye researchers from around the globe to present and discuss the latest discoveries and research efforts involving OA and related genetic conditions.

This year's World Symposium theme: ''Understanding the Pathway—Discovering a Cure'' was reflected in each of the presentations. The symposium was highly successful, with researchers agreeing to openly discuss their latest discoveries and research efforts. Updated results from the successful recent human gene therapy trials provide continued hope for a cure. One of the most important outcomes of the symposium resulted in the formation of an informal, web-based forum for attendees to continue the collaborative relationships that were formed. The Vision of Children Foundation is a leader in fostering these kinds of relationships and helping move science forward.

For eighteen years, the Vision of Children Foundation has been a driving force in the worldwide quest for a cure for genetically caused childhood blindness. Progress and problems are discussed on a regular basis as VOC researchers gather for an invitation only Symposium sponsored by the Vision of Children Foundation. In October 2006, Dr. James Bainbridge of Moorfields Eye Hospital in London attended VOC's European Symposium and described his lab's plan for a human gene therapy trial to cure Leber's Congenital Amaurosis. In March 2008, his team achieved the world's first successful gene therapy trial on a human. Their success was quickly followed by the University of Florida and Children's Hospital in Philadelphia, successfully restoring the vision of nine young adults who were nearly blind. These young people can now see and some can even read lines on an eye chart. All nine patients had the treatment in one eye and all have volunteered to have their other eye treated. I am told that the medical community is equating this discovery to the first heart transplant.

The Vision of Children Foundation is one of the largest sources of non-governmental funding in the world for genetically caused childhood blindness research. The urgent mission of the Vision of Children Foundation is to drive the research that will provide preventions, treatments and cures for children affected by ocular albinism and the entire spectrum of hereditary childhood blindness and vision disorders. The Foundation has invested millions of dollars to support scientific research of diseases of the retina, which cause blindness. I commend the steadfast support of and determination of the Vision of Children Foundation to eradicating genetically caused vision disorders and blindness in children.

HONORING THE LIFE OF SPECIALIST PAUL E. ANDERSEN OF SOUTH BEND

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. DONNELLY of Indiana. Madam Speaker, I rise today to honor Specialist Paul E. Andersen of the 855th Quartermaster Company based out of South Bend, Indiana, for his dedication and service to the United States of America. A 24-year-veteran of the armed forces, Paul was completing his second tour of duty in Iraq when he was killed in action on October 1, 2009, by indirect fire of enemy forces. Paul risked everything in service to America, and for that we are eternally grateful.

Paul devoted his life to serving our country. He graduated from Buchanan High School in Michigan in 1979 and enlisted in the Army Reserves in 1985. He worked to better our armed forces, and was prepared to answer the call for duty whenever his country needed him. In 2003 that time arrived, and Paul served his first tour in Iraq.

Upon his return home, he met his beloved wife Linda at the home of a friend. They fell in love and enjoyed listening to country music, watching old movies, and savoring strawberry milkshakes together. Within months, he proposed to her. Three weeks later they were married. Linda fully appreciated and understood the commitment that Paul had to his country. Paul had recently re-enlisted for six more years of duty, but only with the consent and blessing from Linda. When he asked her how she would feel if he opted to redeploy, she told him, ''Go ahead.'' ''I knew I married an Army man,'' Linda said. Her love for Paul was unwavering, as she said of Paul, ''He's my world, my life, my friend.''

After beginning his second tour in November 2008, Paul had the honorable duty of serving his country with the 855th Quartermaster, QM, Company, from South Bend, Indiana. Paul's mission in Iraq was to provide both shower and laundry services as well as operating a clothing repair, SLCR, shop supporting Coalition forces based in 10 different locations throughout the Iraqi theater. These locations are often dangerous, but despite the adversities the 855th QM Co. successfully accomplished their SLCR mission. Services of the SLCR team provided great contributions to the welfare and morale of the Soldiers they supported. Without their support, the Soldiers would not have been able to perform their duties and accomplish their own combat missions. It was a necessary job that his family and friends admired. Linda was in constant contact with Paul, and he was even allowed to take a leave in August to celebrate their fifth wedding anniversary. Paul had recently been informed that he was due to come home November 4, 2009.

Paul will be remembered as a devoted husband, father and grandfather. As a civilian, Paul worked at a tube and bending company. He loved to tinker with machines, and was notorious among family members for going overboard on the Christmas lights every year. He lived a life full of love and joy. He is survived by his wife; three biological children; three step-children; one biological grandchild; and eight step-grandchildren

It is my somber duty to honor and remember Paul and a life cut tragically short. I am saddened by the loss to his family, our community and our country. We were all blessed by his presence and diminished by his passing.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. CONYERS. Madam Speaker, on October 13, 2009, I was unable to cast votes, due to personal reasons. I was not present for roll-call votes 772 and 773. Had I been present, I would have cast a ''yea'' vote for final passage of H.R. 3689. Also, I would have cast a ''yea'' vote on final passage of H.R. 3476.

IN HONOR OF GEORGE SMITH

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. ADLER of New Jersey. Madam Speaker, I would like to congratulate an important member of New Jersey's 3rd District, Mr. George Smith. Mr. Smith, 79, was awarded the Nobel Prize in physics for his work developing technology that is the basis of digital photography.

Mr. Smith worked at Bell Laboratories until his retirement in 1986. He was born in 1930 in White Plains, New York, served in the United States Navy, and briefly studied mathematics before switching to physics. In 1959, he earned his Ph.D. from the University of Chicago. Mr. Smith currently resides in Waretown in Ocean County, NJ.

George Smith was awarded the 2009 Nobel Prize in physics along with colleague Willard Boyle for their work creating an image semiconducting circuit, or charge coupled device, CCD. Their research laid the foundation for digital images and lightning-fast communication by developing fiber-optic cable and the sensor found at the heart of digital cameras. They share their prize with Hong Kong professor Kuen Kao for his work on fiber optics.

Madam Speaker, I ask that my colleagues join me in commending Mr. George Smith for his much deserved Nobel Prize. May his dedication and innovative thinking serve as a model for all those who seek to achieve original solutions within their respective fields.

HONORING THOMAS O'BRIEN UPON BEING NAMED THE NEW YORK STATE PRINCIPAL OF THE YEAR

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge the accomplishments of my constituent, Brentwood High School Principal Thomas O'Brien.

Mr. O'Brien has been recognized as the New York State Principal of the Year by the School Administrators Association of New York State. This award is given annually to a school administrator ''who has set the pace, character, and quality of education for the children in his or her school.''

Mr. O'Brien has served as an educator for 38 years, 14 in his current position—all within the Brentwood School District. He was recognized for his outstanding work at Brentwood High School, where he worked successfully to move the school from the New York State Department of Education's list of ''Schools in Need of Improvement'' to the list of ''Schools in Good Standing.''

I congratulate him on this accomplishment and applaud his long record of contributions to education on Long Island.

REGARDING S. 1707, THE ENHANCING PARTNERSHIP WITH PAKISTAN ACT OF 2009

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BERMAN. Madam Speaker, the following is an explanation of S. 1707, the Enhanced Partnership with Pakistan Act of 2009. The final text of the legislation reflects an agreement reached by the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs. The purpose of this Explanatory Statement is to facilitate accurate interpretation of the text and to ensure faithful implementation of its provisions in accordance with the intentions of the legislation.

The core intent of the Enhanced Partnership with Pakistan Act is to demonstrate the American people's long-term commitment to the people of Pakistan. The United States values its friendship with the Pakistani people and honors the great sacrifices made by Pakistani security forces in the fight against extremism, and the legislation reflects the goals shared by our two governments.

The legislation does not seek in any way to compromise Pakistan's sovereignty, impinge on Pakistan's national security interests, or micromanage any aspect of Pakistani military or civilian operations. There are no conditions on Pakistan attached to the authorization of $7.5 billion in non-military aid. The only requirements on this funding are financial accountability measures that Congress is imposing on the U.S. executive branch, to ensure that this assistance supports programs that most benefit the Pakistani people.

SUMMARY OF CONGRESSIONAL INTENT

The Enhanced Partnership with Pakistan Act of 2009 (the ''Act'') establishes a legislative foundation for a strengthened partnership between the United States and Pakistan, based on a shared commitment to improving the living conditions of the people of Pakistan through strengthening democracy and the rule of law, sustainable economic development, and combating terrorism and extremism. It is the intent of Congress to strengthen the long-term people-to-people relationship between the United States and Pakistan by investing directly in the needs of the Pakistani people. This legislation is intended to fortify a lasting partnership with Pakistan based on mutual trust.

The overall level of economic assistance authorized annually by this legislation is tripled over FY 2008 U.S. funding levels, with the bulk of aid intended for projects such as schools, roads, medical clinics, and infrastructure development. The funds directly authorized by this Act—$1.5 billion in economic and development assistance annually for five years, with a similar amount envisioned for a subsequent five years—place no conditions on the Government of Pakistan. The only requirements are accountability measures placed on the United States executive branch to ensure that the aid directly benefits the Pakistani people.

This Act fully recognizes and respects the independence of Pakistan as a sovereign nation. The purpose of this Act is to forge a closer collaborative relationship between Pakistan and the United States, not to dictate the national policy or impinge on the sovereignty of Pakistan in any way. Any interpretation of this Act which suggests that the United States does not fully recognize and respect the sovereignty of Pakistan would be directly contrary to Congressional intent.

The certifications in the Act regarding certain limited forms of security assistance are consistent with previous Congressional legislation regarding security assistance to Pakistan and other nations. In all cases, they align with the aims of, and serve to reinforce the publicly-articulated positions of, the democratically-elected Government of Pakistan, and Pakistani military leaders, to combat extremists and militants.

SECTIONS 1–4: STRENGTHENING A RELATIONSHIP FOUNDED ON MUTUAL RESPECT

Sections 1–4 establish the framework and context for the legislative provisions that follow. The Findings and the Statement of Principles demonstrate an unequivocal appreciation for the friendship of the Pakistani people, and for the sacrifices made by the Pakistani security forces and people in fighting extremism. The Findings in Section 3 include:

Section 3(1): ''Congress finds the following: The people of the Islamic Republic of Pakistan and the United States share a long history of friendship and comity, and the interests of both nations are well-served by strengthening and deepening this friendship.''

Section 3(4): ''Pakistan is a major non-NATO ally of the United States and has been a valuable partner in the battle against al Qaeda and the Taliban, but much more remains to be accomplished by both nations. The struggle against al Qaeda, the Taliban, and affiliated terrorist groups has led to the deaths of several thousand Pakistani civilians and members of the security forces of Pakistan over the past seven years.''

The Statement of Principles in Section 4 include:

Section 4(1): ''Pakistan is a critical friend and ally to the United States, both in times of strife and in times of peace, and the two countries share many common goals, including combating terrorism and violent radicalism, solidifying democracy and rule of law in Pakistan, and promoting the social and economic development of Pakistan.''

Section 4(4): ''The United States supports Pakistan's struggle against extremist elements and recognizes the profound sacrifice made by Pakistan in the fight against terrorism, including the loss of more than 1,900 soldiers and police since 2001 in combat with al Qaeda, the Taliban, and other extremist and terrorist groups.''

TITLE I: DEMOCRATIC, ECONOMIC AND DEVELOPMENT ASSISTANCE FOR PAKISTAN

This Title contains the core intention of this legislation: To make a long-term commitment to the people of Pakistan by tripling non-military assistance, free of any conditions on the Pakistani government. The purposes set forth for the $7.5 billion that is authorized here are all intended to reflect the expressed priorities of the Pakistani people. Specifically, Section 101(a) provides that:

''The President is authorized to provide assistance to Pakistan to support the consolidation of democratic institutions; to support the expansion of rule of law, build the capacity of government institutions, and promote respect for internationally-recognized human rights; to promote economic freedoms and sustainable economic development; to support investment in people, including those displaced in on-going counter-insurgency operations; and to strengthen public diplomacy.''

The funds authorized under Title I are intended to be used to work with and benefit Pakistani organizations. Specifically, Section 101(c)(3) provides that:

''The President is encouraged, as appropriate, to utilize Pakistani firms and community and local nongovernmental organizations in Pakistan, including through host country contracts, and to work with local leaders to provide assistance under this section''

Section 102(a) makes clear that there are no conditions placed on the Pakistani government for delivery of the $7.5 billion in assistance. The only accounting requirements are of the U.S. executive branch.

Section 102(d) makes clear that a long term commitment to increased civilian assistance for the people of Pakistan is envisioned by stating that it is the desire of Congress that the amounts authorized for fiscal years 2010–2014 shall continue from fiscal years 2015–2019.

Section 103(b) authorizes establishment of field offices for Inspectors General to audit and oversee expenditure of this assistance. It is the intent of Congress that such offices would be established in consultation with appropriate Pakistani authorities for the purpose of ensuring optimal management of resources.

TITLE II: SECURITY ASSISTANCE FOR PAKISTAN

The intention of this section is to strengthen cooperative efforts to confront extremism. The purposes of security assistance are intended to be completely cooperative, and reflect the intention that such assistance be used to support Pakistan in achieving its stated objectives in winning the ongoing counterinsurgency, defeating terrorist organizations that threaten Pakistan, and strengthening democratic institutions. Specifically, Section 201(1) ''Purposes of Assistance'' states that:

''The purposes of assistance under this title are—

(1) to support Pakistan's paramount national security need to fight and win the ongoing counterinsurgency within its borders in accordance with its national security interests;

(2) to work with the Government of Pakistan to improve Pakistan's border security and control and help prevent any Pakistani territory from being used as a base or conduit for terrorist attacks in Pakistan, or elsewhere;

(3) to work in close cooperation with the Government of Pakistan to coordinate action against extremist and terrorist targets; and

(4) to help strengthen the institutions of democratic governance . . . .''

The provisions applied to certain limited portions of U.S. security assistance in Section 203 are intended to be fully in line with the existing policy of the Government of Pakistan. Specifically, Section 203(c)(1) reflects our understanding that cooperative efforts currently being undertaken by the Governments of Pakistan and the United States to combat proliferation will continue.

Section 203(c)(2) reflects the intent that U.S. security assistance is used in furtherance of the purposes set forth in Section 201 above, e.g., ensuring Pakistan's security, winning the counterinsurgency within Pakistan, preventing territory from being used for terrorist attacks in Pakistan and elsewhere, and coordinating action against extremist and terrorist targets. This section requires a certification by the United States executive branch to Congress regarding the efforts and progress made in achieving these purposes, and includes a series of factors to be considered collectively by the Secretary of State in making this assessment.

Section 203(c)(3)includes a provision intended to express support for democratic institutions in Pakistan.

Section 203(e) contains a waiver making clear that this certification could be waived if the determination is made by the Secretary of State in the interests of national security that this was necessary to continue such assistance.

TITLE III. STRATEGY, ACCOUNTABILITY, MONITORING, AND OTHER PROVISIONS.

The intention of this section is to ensure that there is transparency and accountability in the way authorized assistance is spent. This Title requires the U.S. executive branch to provide various reports to Congress designed to demonstrate that funds are being used for the purposes set forth in Title I and Title II; there are no requirements on the Government of Pakistan.

Section 301 ''Strategy Reports'' requires three reports from the United States executive branch that detail a plan for how U.S. assistance to Pakistan will be spent and evaluated and a regional security plan for how the United States can best work with its partners for ''effective counterinsurgency and counterterrorism efforts.''

Section 302 ''Monitoring Reports'' reflects the need for ongoing consultation between the U.S executive branch and Congress on monitoring U.S. assistance to Pakistan, including a ''Semi-Annual Monitoring Report'' where:

The Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report that describes the assistance provided under this Act during the preceding 180-day period.

The many requirements of this report are intended as a way for Congress to assess how effectively U.S. funds are being spent, shortfalls in U.S. resources that hinder the use of such funds, and steps the Government of Pakistan has taken to advance our mutual interests in countering extremism and nuclear proliferation and strengthening democratic institutions.

There is no intent to, and nothing in this Act in any way suggests that there should be, any U.S. role in micromanaging internal Pakistani affairs, including the promotion of Pakistani military officers or the internal operations of the Pakistani military.

The reports envisioned in this Section are not binding on Pakistan, and require only the provision of information by the executive branch to the U.S. Congress, in furtherance of the Act's stated purpose of strengthening civilian institutions and the democratically-elected Government of Pakistan.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BECERRA. Madam Speaker, I was unavoidably detained last evening and missed rollcall 773. If present, I would have voted ''yea.''

IRAN SANCTIONS ENABLING ACT OF 2009

SPEECH OF

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 13, 2009

Mr. KIRK. Mr. Speaker, as the lead Republican sponsor of H.R. 1327, the Iran Sanctions Enabling Act, I rise in strong support and urge my colleagues to pass this bill.

We know that certain international corporations still invest billions of dollars in Iran's energy sector—in effect, subsidizing the regime's nuclear program. If states and local municipalities want to divest public funds from investments in such companies, the Federal government should support their decisions.

The Iran Sanctions Enabling Act would authorize state and local governments to divest from firms with investments of $20 million or more in Iran's energy industry. Arizona, California, Florida, Georgia, Illinois, Louisiana, Maryland, Michigan, Indiana, New Jersey, Colorado, New York, Ohio, Texas, and Washington have all enacted some form of divestment laws. The Iran Sanctions Enabling Act would encourage more states and local communities to take similar action.

With Iranian uranium enrichment accelerating—and the recent disclosure of a secret uranium enrichment site at Qom—the window for effective diplomacy is starting to close. To avoid conflict, we must pass effective sanctions and provide our diplomats with greater leverage. H.R. 1327 is a good first step—but it cannot be the last. I urge Speaker Pelosi and Chairman Berman to move H.R. 2194, the Iran Refined Petroleum Sanctions Act, to the floor for immediate consideration. This legislation, modeled after my Iran Sanctions Enhancement Act of 2007 and Iran Diplomatic Enhancement Act of 2009, would extend current sanctions to companies that supply gasoline to Iran. Iran's dependence on foreign gasoline remains its greatest weakness—and offers the greatest hope for diplomacy to succeed.

In addition, the President must take steps to fully implement current law. The Iran Sanctions Act was enacted in 1996 as an important measure to deny Iran the resources to further its nuclear program and to support terrorist organizations. According to the law, a firm that invests more than $20 million in Iran's energy sector is determined to be a violator, and is subject to a range of sanctions. The Congressional Research Service has identified more than 20 firms that likely violate the Iran Sanctions Act. Nevertheless, no Administration has ever enforced this law. I urge my colleagues to sign the Kirk-Klein letter to President Obama urging him to enforce the Iran Sanctions Act without delay.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I

made and which were included within H.R. 2997, ''Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.''

Requesting Member: Congressman JOHN DUNCAN

Account: National Institute of Food and Agriculture—SRG

Project Amount: $1,000,000

Legal Name of Requesting Entity: University of Tennessee, 114 Morgan Hall, 2621 Morgan Circle, Knoxville, Tennessee 37996

Description of Request: This funding will be used for producing crop plants that can be used directly as early-warning sentinels for the detection of plant diseases.

IN RECOGNITION OF THE 100TH BIRTHDAY OF ANNE FORRESTER LYBRAND

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. ROGERS of Alabama. Madam Speaker, I would like to request the House's attention today to pay recognition to the special life of Anne Forrester Lybrand of Oxford, Alabama.

Mrs. Lybrand was born on November 11, 1906 in Talladega County. She was married to Mr. Eule Lybrand in 1928 and was blessed with two sons, Eule Lybrand, Jr. and Fred Ray Lybrand.

Mrs. Lybrand and her husband owned their own business and she also worked as a City Clerk for the City of Oxford. She has been an active member of First United Methodist Church of Oxford since 1946 where she taught Sunday school, and is past President of the United Methodist Women's Group.

She also has been involved with Interfaith Ministries and is a Charter Member of the Oxford ''Meals on Wheels'' program.

On November 7th, her friends and family will celebrate her birthday at her church. Today I would like to wish Mrs. Anne Forrester Lybrand a very Happy 100th Birthday.

PERSONAL EXPLANATION

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. ABERCROMBIE. Madam Speaker, I regret that I missed rollcall votes nos. 772–774. Had I been present, I would have voted ''yea'' on all rollcall votes.

CONGRATULATING ACT, INC., ON ITS 50TH ANNIVERSARY

HON. DAVID LOEBSACK

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. LOEBSACK. Madam Speaker, I would like to recognize and congratulate ACT, Inc., on its 50th anniversary, and 50 years of accomplishments. ACT, originally American College Testing Program, was founded in Iowa's first state capitol in Iowa City, IA, in 1959. The goal was to help all students who wanted to attend college find the best match for their interests and abilities and to help colleges and universities place students into appropriate freshman-level classes. On November 7, 1959 about 75,000 students took the first ACT Assessment; in the high school graduating class of 2009 nearly 1.5 million students—45 percent of all high school graduates in our nation took the ACT.

While ACT started with a single focus, the organization now conducts research and offers a broad array of programs and services to help provide solutions to many of the complex education and workforce problems facing our nation and those abroad. ACT, with its educational knowledge, has expanded to help bridge the barriers that remain in accessing the globalized marketplace for millions of individuals around the globe. Through local partnerships in 13 countries ACT is working to improve the educational opportunities for the students and help teach English as a second language.

I am honored to represent many of the employees of ACT here in the U.S. House of Representatives. I congratulate them and all of the ACT employees, directors, and members of state organizations on their 50-year history of helping people achieve education and workplace success.

PERSONAL EXPLANATION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. CAPUANO. Madam Speaker, yesterday I missed several rollcall votes, and I wish to state how I would have voted had I been present: rollcall No. 772—''yea,'' rollcall No. 773—''yea,'' rollcall No. 774—''yea.''

TRIBUTE TO W. FRANK JONES

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. CLYBURN. Madam Speaker, I rise today to pay tribute to a good friend and an important public servant. W. Frank Jones recently retired after 14 years as Executive Director of the Marion County Economic Development Commission. His leadership and devotion will certainly be missed.

Frank Jones was born in Marion County in the farming community of Gapway. Although he loved growing up on a farm, Frank knew early on that he didn't want to follow his parents, Ernest F. Jones and Nina Brown Jones, into the family business.

After graduating from Mullins High School, Frank enlisted in his local National Guard unit in December 1953. On October 1957, upon graduation from Palmetto Military Academy, he was appointed an armor officer assigned to the 1st Battalion, 263rd Armor in the South Carolina Army National Guard. He served in this battalion through December 1982, with assignments ranging from Company Commander to Battalion Executive Officer and Battalion Commander. From December 1982 through March 1986, he was assigned to the State Area Command, where he served as Deputy Commander, Detachment 1 (Troop Command) from June 1983 to September 1984. He became Deputy Commander of the 218th Heavy Separate Brigade in March 1986.

Frank received numerous federal and state awards and decorations during his 40 years of service to the National Guard. He eventually retired from the Army National Guard after he rose to the rank of Brigadier General in the Army National Guard where he commanded the 3rd Brigade of the historic 1st Infantry Division.

General Jones also demonstrated his commitment to serving his community in other ways. From 1966 until 1982, he served on the Mullins City Council and was Mayor pro tem in 1981–1982. Professionally, he pursued a career in banking receiving degrees from the South Carolina Bankers School, the Louisiana State Graduate School of Banking, the Commercial Lending School of the University of Oklahoma, and the State University of New York at Albany. He went to work for Davis National Bank of Mullins, and in 1981, he became the bank's President and CEO, a position he held for 13 years. Frank decided to embark on another career as Executive Director of the Marion County Economic Development Commission. He also furthered his education by completing an economic development course at Georgia State University in 1995.

Frank's tenure at the Commission was marked by difficult circumstances. Marion County historically had an agricultural-based economy. With the decline in tobacco farming, the county became a hub for textile manufacturing. Subsequently the textile industry suffered big losses as jobs were moved overseas and plants were closed leaving large unemployment in the county.

Frank did a tremendous job attracting diverse smaller industries to the county, which helps protect against the devastation the county suffered when its two previous economic engines collapsed. He also grew Marion County Progress, an organization made up of local business leaders that help drive economic development in the area, from a handful of people to members.

Throughout his life, Frank has remained connected to his community. He is a member of Mullins First Baptist Church where he serves as Treasurer, teacher of adult men's Sunday School, and Deacon. He is a member of the Mullins Rotary Club, and is a past President. He has also served as Chairman of the Board of Visitors at Francis Marion University, and is a past Director of the S.C. Bankers Association. Frank is a recipient of the Order of the Palmetto, the highest civilian honor bestowed by the Governor of South Carolina.

He is married to Joann McCumber Jones. The couple has two children Charles Jones and Karen Grice, both of Marion, and five grandchildren.

Madam Speaker, I ask you and my colleagues to join me in congratulating Frank Jones on his retirement and thanking him for his years of service to Marion County, the State of South Carolina and our nation. He has dedicated his life to helping his community and it is a much better place because of his

tremendous contributions. I wish Frank well in retirement, and know he will remain an active part of the Marion County community.

EARMARK DECLARATION

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. DUNCAN. Madam Speaker, consistent with House Republican Earmark Standards, I am submitting the following earmark disclosure information for project requests that I made and which were included within H.R. 2997, ''Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2010, and for other purposes.''

Requesting Member: Congressman JOHN DUNCAN

Account: National Institute of Food and Agriculture—SRG

Project Amount: $1,000,000

Legal Name of Requesting Entity: University of Tennessee, 114 Morgan Hall, 2621 Morgan Circle, Knoxville, Tennessee 37996

Description of Request: This project would entail the ARS at Knoxville working in cooperation with University of Tennessee scientists in improving plant carbon production from atmospheric CO_2 and the sequestration of the carbon in plants.

PERSONAL EXPLANATION

HON. JOHN H. ADLER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. ADLER of New Jersey. Madam Speaker, on rollcall No. 775 had I been present, I would have voted ''yes.''

TRIBUTE TO TOM RICHARDSON

HON. PARKER GRIFFITH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. GRIFFITH. Madam Speaker, I rise today to recognize the career of Dr. Tom Richardson. Dr. Richardson is the Chief Scientist and Technical Director at the Missile and Space Intelligence Center in Redstone Arsenal, Alabama.

Tom began his career at MSIC in 1974 working primarily in the areas of sensor data analysis, weapon systems stimulations, and analysis methodologies. Over his tenure, he has held supervisory duties for several organizations involved with analyses of air defense, and theater and strategies ballistic missile defense systems.

Dr. Richardson has received the DIA Director's Award for Exceptional Civilian Service and the National Military Intelligence Association John T. Hughes Award. His leadership and service to the Defense Intelligence Agency has been exceptional and he has represented North Alabama well.

Madam Speaker, I wish to congratulate Dr. Tom Richardson on a phenomenal career and wish him continued success.

EARMARK DECLARATION

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. SIMPSON. Madam Speaker, in accordance with the policies and standards put forth by the House Appropriations Committee and the GOP Leadership, I submit a list of the congressionally directed projects I requested in my home state of Idaho that are contained in the Conference Report to accompany H.R. 2997, the FY2010 Agriculture Appropriations bill.

Project Name: Aquaculture Research Initiative

Amount Received: $529,000

Account: USDA/CSREES

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: Research and development of strains of barley for the production of high-value protein concentrates from barley and oats that can be used as fish feed. Increasingly, fish that are consumed world wide originate from aquaculture. This increase has taxed global supplies of marine protein and oil traditionally used in aquafeeds resulting in record prices for these commodities. Idaho is a leader in the national aquaculture industry, producing over 70% of the nation's commercially grown rainbow trout and generating $100 million per year. Funding would support innovative research to develop new ways of addressing problems in the industry.

Project Name: Barley for Rural Development

Amount Received: $547,000

Account: USDA/CSREES

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: Funding for this program would support research directed at the continued development of improved malt, feed, cellulosic ethanol and food barley varieties for growers and value added end-users in rural Idaho, Montana, and North Dakota communities. This research is starting to expand and meet market opportunities, addressing the critical need of growers in production agriculture to increase economic yield, enhance domestic and international market access, improve production technologies, better compete with Canadian imports and reduce dependence on government subsidies. Research supported by this project will increase the manufacture and sale of value-added barley products (malt, beer, fuel, food, livestock) in these states, having a substantial positive impact on their economies, supporting jobs, generating business activity, and federal, state, and local tax revenue. Maintenance of the strength of barely in the Idaho economy requires continual efforts to improve crop quality and productivity. This can only be accomplished by investing in strong research programs that keep the industry at the forefront.

Project Name: COOL Season Legume Research

Amount Received: $350,000

Account: USDA/CSREES

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: This program is an aggressive cooperative research program between the USDA, the University of Idaho, and the University of Washington that seeks new, high yielding, high quality, nutritious dry pea, lentil, and chickpea varieties to meet producer and consumer needs. This research focuses on the breeding of new, superior varieties of legumes; management of nematodes, insects, plant diseases and weeds that can limit production; and reduction of soil erosion and water degradation associated with production, as well as the development of value-added new products. The technology being generated through the research is essential for the pea, lentil, and chickpea industries to remain competitive and profitable. Funding would be provided to the University of Idaho through the USDA ARS facility located at 29603 U of I Lane, Parma, Idaho 83660.

Project Name: Greater Yellowstone Interagency Brucellosis Committee

Amount Received: $605,000

Account: USDA/APHIS

Recipient: Idaho State Department of Agriculture

Recipient's Street Address: 2270 Old Penitentiary Road, Boise, ID 83712

Description: Idaho, Montana, and Wyoming are each required by law to manage brucellosis-infected wildlife within their borders in order to prevent the spread of brucellosis to non-infected wildlife, cattle, or domestic bison. The Committee is coordinating with federal, state, and private actions in eliminating brucellosis from wildlife in the Greater Yellowstone Area and preventing transmission of this disease from wildlife to livestock. The funding will be used to develop and implement brucellosis herd unit management plans; to perform functions and duties of Idaho relative to the Greater Yellowstone Interagency Brucellosis Committee; to conduct brucellosis prevention, surveillance, control and eradication activities in Idaho and the Greater Yellowstone Area.

Project Name: Increasing Shelf-Life of Agriculture Commodities

Amount Received: $603,000

Account: USDA/CSREES

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: In order to prevent serious food safety issues, this project will fund research and development of bio-electronic sensors that can detect the presence of microbial pathogens in food and food products. Preventative detection and treatment at the agricultural commodity level and fast, accurate detection of biological pathogens and dangerous food toxins is an important element for ensuring safety and shelf life. The research being conducted in this area at the University of Idaho will advance and expand previous work on biosensor systems to further enhance preventative detection and treatment of biological pathogens and dangerous food toxins.

Project Name: Nez Perce Bio-Control Center

Amount Received: $176,000

Account: USDA/APHIS

Recipient: Nez Perce Tribe Bio-Control Center

Recipient's Street Address: 102 Agency Road, Lapwai, ID 83540

Description: The Nez Perce Bio-Control Center is authorized by the Noxious Weed Control and Eradication Act of 2004 and manages and establishes nurseries to increase biological control organism availability, distribute biological control organisms, monitor their impacts, and provide an increased number of annual technology transfer workshops to Cooperative Weed Management Areas and other landowners and managers regionally. This funding will continue the partnership between USDA and the Nez Perce Tribe to maximize the effectiveness of implementing a complete bio-control of weeds program in an Integrated Weed Management strategy. The Center will increase the availability of agents for landowners and managers throughout the region. Biological control offers long-term management of invasive weeds and can be used with other integrated pest management approaches.

Project Name: Potato Cyst Nematode Research

Amount Received: $349,000

Account: USDA/CSREES

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: This funding would be used by the University of Idaho for research and development of means to eradicate and better protect the Idaho potato crop from the soil-borne pathogen potato cyst nematode, hardened nematode bodies filled with eggs which can persist in the soil for up to 25 years. Current eradication depends upon methyl bromide, which is not totally effective and which may be banned because of its ozone depleting properties, as well as other chemicals which are even less effective and several of which may also be banned. The funds will be used to maximize the efficiency of methyl bromide while it is available and develop new "green" replacement eradicants (such as green manure or biologically derived nematicides) and procedures (advance hatching frequency), as well as to improve planting material screening procedures and to study plant-vector-virus relationships, which may also lead to new ways to fight potato viruses. Previous funding established the groundwork and prepared the University of Idaho to fully implement the needed research. This project will work in concert with the ongoing USDA eradication program by providing new methods of treatment. This crop pest can result in 80% yield reductions and has negatively affected agricultural trade. There is a good chance that if this threat is addressed with adequate research and treatment it can be eliminated.

Project Name: Small Fruit Research, ID, OR, WA

Amount Received: $307,000

Account: USDA/CSREES

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: The Small Fruits Initiative-Plant Improvement project will build upon the strengths of existing cooperative research programs aligned through the Northwest Center for Small Fruits Research. This ongoing tri-state program supports the development of small fruits as an alternative agriculture crop in the Pacific Northwest. The funding will strengthen existing programs throughout the region and add key programs to fill in critical gaps that are not met by the existing infrastructure associated with the Center, providing key resources for Idaho scientists to address problems that negatively impact the emerging berry, grape, and wine industries in the Northwest.

Project Name: STEEP IV—Water Quality in the Northwest

Amount Received: $444,000

Account: USDA/CSREES

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: Soil erosion affects 10 million acres of cropland in the Inland Pacific Northwest, reducing farm productivity. STEEP is a coordinated research and technology transfer program designed to develop and implement erosion control practices for agriculture. Emerging environmental and human health concerns also require control of erosion and other environmental impacts of agriculture. New strategies and cropping systems for the protection of soil, water, and air resources are being developed and assessed through collaborative research conducted by scientists in the Pacific Northwest. The STEEP program continues to provide Pacific Northwest farmers and supporting agribusiness entities the new conservation technologies, tools, and understand to meet with evolving demands of agriculture, the environment, and Pacific Northwest residents.

Project Name: Tri-State Predatory Control

Amount Received: $926,000

Account: USDA/APHIS

Recipient: USDA Animal Plant Health Inspection Service

Recipient's Street Address: 9134 West Blackeagle Drive, Boise, ID 83709

Description: This project would continue assistance to Idaho, Montana, and Wyoming to control wolves and other predators. The Yellowstone wolf population has reached levels 3 to 4 times the initial recovery goals, leading to a delisting from the ESA earlier this year for the wolves in Idaho and Montana and leaving states responsible for managing the increasing wolf populations. As a result, ranchers are facing increasing threats from these predators. The continuation of this program will ensure that the tri-state area will be able to address predator management.

Project Name: Northwest Center for Small Fruit Research

Amount Received: $275,000

Account: USDA/ARS

Recipient: University of Idaho

Recipient's Street Address: 875 Perimeter Drive, Moscow, ID 83844

Description: The Small Fruits Initiative-Plant Improvement project will build upon the strengths of existing cooperative research programs aligned through the Northwest Center for Small Fruits Research. This ongoing tri-state program supports the development of small fruits as an alternative agriculture crop in the Pacific Northwest. The funding will strengthen existing programs throughout the region and add key programs to fill in critical gaps that are not met by the existing infrastructure associated with the Center, providing key resources for Idaho scientists to address problems that negatively impact the emerging berry, grape, and wine industries in the Northwest. Funding would be provided to the University of Idaho through the USDA ARS facility located at 29603 U of I Lane, Parma, Idaho 83660. Biological control offers long-term management of invasive weeds and can be used with other integrated pest management approaches.

I appreciate the opportunity to provide a list of congressionally-directed projects I requested that are included in the Conference Report to accompany H.R. 2997, the Agriculture Appropriations Act for FY2010 and provide an explanation of my support for them.

NEW YORK TIMES WEIGHTS POLL IN FAVOR OF DEMOCRATS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. SMITH of Texas. Madam Speaker, the New York Times reported recently that President Obama has "considerable political strength."

The Times' based this statement on its own poll, which found the President has an approval rating of 56 percent—a higher number than any other poll has found recently.

One reason for this might be that the Times weighted the poll in favor of Democrats.

Among those who actually responded to the poll, there were more Democrats than Republicans by 6 percentage points.

But when the Times finished computing the results, they had increased the gap to an unreasonable and inexplicable 15 percentage points.

With so many more Democrats in the sample, it should come as no surprise that the President's approval rating is a higher than other polls have found.

The Times would do well to show more balance in their polling—and their reporting.

SUPPORTING H. RES. 800, H. RES. 816, AND H. RES. 810, EXPRESSING CONDOLENCES AND SOLIDARITY WITH THE CITIZENS OF THE PHILIPPINES, AMERICAN SAMOA AND SAMOA, AND INDONESIA IN THE AFTERMATH OF DEVASTATING NATURAL DISASTERS

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. AL GREEN of Texas. Madam Speaker, I extend my support for H. Res. 800, H. Res. 816, and H. Res. 810, which express sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma, for the people of American Samoa and Samoa in the aftermath of an earthquake and tsunami, and for the citizens of Indonesia after a devastating earthquake.

On September 26, 2009, Tropical Storm Ketsana made landfall in the Philippines. Rain and flooding submerged 80 percent of the capital city, Manila, took 277 lives, forced 135,470 families into evacuation centers, and destroyed over 4,500 homes. Typhoon Parma hit the islands several days later on October 2, 2009 and caused further damage.

On September 29, 2009, a powerful earthquake struck below the ocean 140 miles

southwest of American Samoa and 125 miles south of Samoa. The earthquake, which registered 8.3 on the Richter scale, produced waves 20 feet in height that penetrated one mile inland, sweeping away homes and cars.

On September 30, 2009, 700 lives were lost to a 7.6 magnitude earthquake originating in West Sumatra, Indonesia, which also destroyed 83,700 homes, 200 public buildings, 285 schools and other infrastructure.

In the wake of these recent events and on behalf of the 70,000 Asian American and Pacific Islanders living in the 9th Congressional District of Texas, including the 6,000 Filipino Americans that I represent, I extend my sincerest condolences to the families whose loved ones were lost in these tragedies. As the Philippines, American Samoa, Samoa, and Indonesia rebuild homes and communities destroyed in the disasters, we recognize the heroic rescue efforts mounted by international aid organizations and foreign governments, including American forces sent by President Obama. Let these events remind us of our shared humanity and concern for those struggling in the face of adversity.

Americans across the country continue to watch the recovery efforts being undertaken in the Philippines, American Samoa, Samoa, and Indonesia. We stand ready to assist our fellow brothers and sisters in need at a minute's notice, and we keep you every day in our thoughts and prayers.

I urge my colleagues to support H. Res. 800, H. Res. 816, and H. Res. 810.

HONORING THE MADISON COUNTY ROTARY CLUB FOR THEIR EFFORTS TO BUILD ACCESS RAMPS FOR DISABLED PERSONS IN THEIR COMMUNITY

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. BROUN of Georgia. Madam Speaker, I rise today to share with my colleagues and express my deepest appreciation for a great accomplishment in community service in my district.

On Saturday, October 17, 2009, the Madison County Rotary Club will be building their four-hundredth handicap-accessible ramp. As a Rotarian myself, I know that service projects like this allow thousands of disabled Americans to live more independent lives each and every day.

Since 1990, Madison County Rotarians have completed numerous service projects to benefit their community. The club consists of more than 60 members from very diverse professional backgrounds, and over the past 13 years, they have collectively built enough ramps to stretch over two miles if placed end to end.

These folks do not volunteer their time and resources to build these ramps for public recognition, nor do they profit from their work. In fact, they have given away over $600,000 worth of labor and supplies through their ramp-building effort. Instead, these wonderful folks see themselves as a part of something much bigger: an organization of 1.2 million members divided into over 33,000 clubs—all over the world.

Rotary International operates under the motto "Service above Self." This service organization works all across the world to make people's lives better. It combats hunger, improves health and sanitation, provides education and job training, promotes peace, and is working to totally eradicate polio.

I ask my colleagues to join me in honoring the Madison County Rotary Club, its dedicated members, and the goals that all Rotarians are striving to achieve. Their accomplishments make the world a better place every day, and they deserve our heartfelt thanks.

TRIBUTE TO AMERICA'S GOLD STAR MOTHERS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. YOUNG of Florida. Madam Speaker, I rise today in recognition that September 27, 2009, was designated as "Gold Star Mother's Day." It is fitting that we recognize the American Gold Star Mothers, whose sons and daughters have died in defense of the ideals of individual liberty. They should be honored and offered respect and gratitude for their personal sacrifice.

Gold Star Mother's Day is intended to honor women who deserve special recognition and gratitude for their tremendous personal loss on behalf of our country.

During the early days of World War I, a Blue Star was used to represent each Soldier in military service of the United States, and as the war progressed and Soldiers were killed or wounded in combat or died from wounds or disease, a Gold Star superimposed over the Blue Star designated the loss of these individuals. This tradition recognized Soldiers for their ultimate sacrifice to our country and the Gold Star offered families an outward symbol by which to honor the loss of a loved one.

In 1928, the Gold Star tradition was formalized in Washington, D.C., by a group of mothers who had lost sons and daughters in service to their country and met to form the American Gold Star Mothers organization. This organization is a nondenominational, non-profitable and nonpolitical organization that is dedicated in supporting veterans, military families, and Service Members returning from our present day battlefields.

In 1936, President Franklin Roosevelt issued a proclamation which recognized Gold Star Mothers for their strength and inspiration to this country.

Madam Speaker, I urge all of my colleagues to appreciate the services rendered to the United States by the mothers of America who have strengthened and inspired our Nation throughout history and that we honor the Gold Star Mothers of America for their courage and their strength.

HONORING HISPANIC HERITAGE MONTH

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to honor Hispanic Heritage Month, which runs from September 15, 2009 through October 15, 2009.

The earliest Spanish settlers arrived in the United States over 400 years ago. And since then, millions of Hispanic men and women have immigrated to the United States from Mexico, Cuba, Puerto Rico, and other Caribbean nations, as well as Central America, South America, and Spain. These brave men, women, and children have come in search of freedom, peace, and opportunity.

The U.S. Census Bureau currently lists Hispanic Americans as the largest ethnic minority within the entire United States with a population of 46,900,000 people, making up fifteen percent of our nation's total population. Hispanics also comprise the largest ethnic minority group in 20 States including my home State of New Jersey.

Hispanics are a vital cog to our economy and own over 2.5 million small businesses in the United States, which have generated more than $400 billion in revenue. Among these businesses, Latina-owned entities are growing quickly and are currently generating more than $45 billion in sales. Hispanic businesses are rapidly expanding growing 31% from between 1997 and 2002, over three times the national average during that period.

Within my own Congressional District, the Morris County Hispanic Chamber of Commerce is a thriving group that has been recognized with distinction. Last year the Morris County Hispanic Chamber of Commerce was recognized as the best medium Hispanic Chamber in our region, and for nearly thirty five years, the community has been served ably by the Morris County Organization for Hispanic Affairs.

Hispanic Americans have displayed great valor in warfare over the course of our nation's history fighting in every war in the history of the United States. There are over 1,100,000 Hispanic veterans of the United States Armed Forces, with forty-three of them winning the Medal of Honor, the highest military distinction in the United States.

Hispanic Americans have served our nation as dedicated public servants, holding positions at the highest level of government, including Cabinet Secretaries, Senators, Supreme Court Justices, and Members of the House of Representatives.

Madam Speaker, Hispanic Americans have contributed greatly to our country for hundreds of years, and are worthy of recognition. I urge my colleagues to join me in honoring Hispanic Heritage Month.

SERVICE MEMBERS HOME OWNERSHIP TAX ACT OF 2009

SPEECH OF

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 2009

Mr. MAFFEI. Mr. Speaker, today, I rise in support of H.R. 3590, the Service Members Home Ownership Tax Act. It is important that the brave men and women currently serving our country have an opportunity to take advantage of programs such as the First-Time Homebuyer Tax Credit. I was proud to introduce similar legislation with the same goal of extending the opportunity for service men and

women to take advantage of the tax credit for twelve months. I ask that all my colleagues Hon. support the Service Members Home Ownership Tax Act.

Currently, there are approximately 190,000 U.S. troops fighting wars in Iraq and Afghanistan. They are making the ultimate sacrifice for their country. These brave men and women are putting their lives on the line every single day, and we, in Congress, must do all in our power to ensure that they are not excluded from participating in programs like the First-time Homebuyer Tax Credit because they are overseas.

In fact, a constituent of mine called my office to ask if anything was going to be done to ensure his son, a soldier, could benefit from the First-time Homebuyer Tax Credit. While these brave men and women are sacrificing to serve our country, we must ensure that they can take advantage of the same economic recovery resources the rest of us are enjoying.

The Service Members Home Ownership Tax Act also makes sure that members of the armed services are not required to pay back the tax credit if they are forced to sell their home because they have been deployed to a different location. This legislation, like mine, shows Congress's commitment to our troops, and I encourage other Member's to join me in supporting the Service Members Home Ownership Tax Act.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 15, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 20

9:30 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the state of the nation's housing market.

SD–538

10 a.m.

Finance

To hold hearings to examine S. 1631, to reauthorize customs facilitation and trade enforcement functions and programs.

SD–215

Judiciary

Administrative Oversight and the Courts Subcommittee

To hold hearings to examine medical debt, focusing on bankruptcy reform.

SD–226

10:30 a.m.

Small Business and Entrepreneurship

To hold hearings to examine health care solutions for America's small businesses.

Room to be announced

2:30 p.m.

Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Susan Tsui Grundmann, of Virginia, to be Chairman, and Anne Marie Wagner, of Virginia, to be a Member, both of the Merit Systems Protection Board.

SD–342

Intelligence

To receive a closed briefing on certain intelligence matters from officials of the intelligence community.

S–407, Capitol

OCTOBER 21

9:30 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine H1N1 flu, focusing on monitoring the nation's response.

SD–342

Veterans' Affairs

To hold hearings to examine S. 977, to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war, S. 1109, to provide veterans with individualized notice about available benefits, to streamline application processes or the benefits, S. 1118, to amend title 38, United States Code, to provide for an increase in the amount of monthly dependency and indemnity compensation payable to surviving spouses by the Secretary of Veterans Affairs, S. 1155, to amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for health, S. 1204, to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, S. 1237, to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, S. 1302, to provide for the introduction of pay-for-performance compensation mechanisms into contracts of the Department of Veterans Affairs with community-based outpatient clinics for the provisions of health care services, S. 1394, to direct the Secretary of Veterans Affairs to acknowledge the receipt of medical, disability, and pension claims and other communications submitted by claimants, S. 1427, to amend title 38, United States Code, to establish a Hospital Quality Report Card Initiative to report on health care quality in Department of Veterans Affairs Medical Centers, S. 1429, to establish a commission on veterans and members of the Armed Forces with post traumatic stress disorder, traumatic brain injury, or other mental health disorders, to enhance the capacity of mental health care providers to assist such veterans and members, to ensure such veterans are not discriminated against, S. 1444, to amend title 38, United States Code, to clarify the meaning of ''combat with the enemy'' for purposes of service-connection of disabilities, S. 1467, to amend title 38, United States Code, to provide coverage under Traumatic Servicemembers' Group Life Insurance for adverse reactions to vaccinations administered by the Department of Defense, S. 1483, to designate the Department of Veterans Affairs outpatient clinic in Alexandria, Minnesota, as the ''Max J. Beilke Department of Veterans Affairs Outpatient Clinic'', S. 1518, to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, S. 1531, to amend title 38, United States Code, to establish within the Department of Veterans Affairs the position of Assistant Secretary for Acquisition, Logistics, and Construction, S. 1547, to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, S. 1556, to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, S. 1607, to amend title 38, United States Code, to provide for certain rights and benefits for persons who are absent from positions of employment to receive medical treatment for service-connected disabilities, and S. 1668, to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and any pending calendar business.

SR–418

9:45 a.m.

Energy and Natural Resources

To hold hearings to examine the costs and benefits for energy consumers and energy prices associated with the allocation of greenhouse gas emission allowances.

SD–366

10 a.m.

Judiciary

To hold hearings to examine effective strategies for preventing health care fraud.

SD–226

2 p.m.

Judiciary

To hold hearings to examine the nominations of Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, and Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy.

SD–226

OCTOBER 22

10 a.m.

Foreign Relations

To hold hearings to examine the North Atlantic Treaty Organization (NATO), focusing on a strategic concept for transatlantic security.

SD–419

Homeland Security and Governmental Affairs

To hold hearings to examine the past, present, and future of policy czars.

SD–342

2:30 p.m.

Intelligence

To hold closed hearings to consider certain intelligence matters.

S–407, Capitol

OCTOBER 28

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine combating distracted driving, focusing on managing behavioral and technological risks.

SR–253

NOVEMBER 5

10 a.m.

Veterans' Affairs

To hold hearings to examine Veterans' Affairs and Indian Health Service cooperation.

SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10385–S10441

Measures Introduced: Ten bills were introduced, as follows: S. 1778–1787. **Page S10434**

Measures Reported:

S. 507, to provide for retirement equity for Federal employees in nonforeign areas outside the 48 contiguous States and the District of Columbia, with amendments. (S. Rept. No. 111–88) **Page S10434**

Measures Passed:

Franklin Delano Roosevelt Documents: Senate passed S. 692, to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances. **Page S10439**

Digital Television Transition and Public Safety Act of 2005: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 1694, to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and the bill was then passed. **Page S10439**

National Work and Family Month: Committee on the Judiciary was discharged from further consideration of S. Res. 296, designating October 2009 as ''National Work and Family Month'', and the resolution was then agreed to. **Page S10440**

National Learn and Serve Challenge: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Con. Res. 46, recognizing the benefits of service-learning and expressing support for the goals of the National Learn and Serve Challenge, and the resolution was then agreed to. **Pages S10439–40**

Conference Reports:

Energy and Water Development and Related Agencies Appropriations Act Conference Report—Agreement: Senate resumed consideration of the conference report to accompany H.R. 3183, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010. **Pages S10397–S10427**

During consideration of this measure today, Senate also took the following action:

By 79 yeas to 17 nays (Vote No. 321), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the conference report. **Page S10399**

A unanimous-consent agreement was reached providing for further consideration of the conference report at approximately 11:30 a.m., on Thursday, October 15, 2009; provided further, that time during any adjournment, recess, or period of morning business count post-cloture. **Pages S10440–41**

Nominations Confirmed: Senate confirmed the following nominations:

Timothy J. Heaphy, of Virginia, to be United States Attorney for the Western District of Virginia for the term of four years.

David Lyle Cargill, Jr., of New Hampshire, to be United States Marshal for the District of New Hampshire for the term of four years. **Page S10441**

Messages from the House: **Page S10432**

Measures Referred: **Page S10432**

Measures Placed on the Calendar: **Pages S10385, S10432**

Executive Communications: **Pages S10432–34**

Executive Reports of Committees: **Page S10434**

Additional Cosponsors: **Pages S10434–36**

Statements on Introduced Bills/Resolutions: **Pages S10436–38**

Additional Statements: **Pages S10431–32**

Authorities for Committees to Meet: **Page S10438**

Privileges of the Floor: **Page S10438**

Record Votes: One record vote was taken today. (Total—321) **Page S10399**

Adjournment: Senate convened at 10 a.m. and adjourned at 8:17 p.m., until 9:30 a.m. on Thursday,

October 15, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10441.)

Committee Meetings

(Committees not listed did not meet)

BANKING INDUSTRY

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions concluded a hearing to examine the state of the banking industry, after receiving testimony from Sheila C. Bair, Chairman, Federal Deposit Insurance Corporation; John C. Dugan, Comptroller of the Currency, and Timothy T. Ward, Deputy Director, Examinations, Supervision and Consumer Protection, Office of Thrift Supervision, both of the Department of the Treasury; Daniel K. Tarullo, Member, Board of Governors of the Federal Reserve System; Deborah Matz, Chairman, National Credit Union Administration; Joseph A. Smith, Jr., North Carolina Commissioner of Banks, Raleigh; and Thomas J. Candon, Deputy Commissioner, Vermont Department of Banking, Insurance, Securities and Health Care Administration, Montpelier, on behalf of the National Association of State Credit Union Supervisors.

ECONOMIC EFFECTS OF CLIMATE CHANGE LEGISLATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine energy and related economic effects of global climate change legislation, after receiving testimony from Douglas W. Elmendorf, Director, Congressional Budget Office; Richard Newell, Administrator, Energy Information Administration, Department of Energy; Reid P. Harvey, Chief, Climate Economics Branch, Office of Air and Radiation, Environmental Protection Agency; and Larry Parker, Specialist in Energy and Environmental Policy, Congressional Research Service, Library of Congress.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nominations of Arun Majumdar, of California, to be Director of the Advanced Research Projects Agency-Energy, Department of Energy, and Marcia K. McNutt, of California, to be Director of the United States Geological Survey, Department of the Interior.

HEALTH INSURANCE ISSUERS

Committee on the Judiciary: Committee concluded a hearing to examine prohibiting price fixing and other anticompetitive conduct in the health insurance industry, including S. 1681, to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers, after receiving testimony from Senator Reid; Christine A. Varney, Assistant Attorney General, Antitrust Division, Department of Justice; J. Robert Hunter, Consumer Federation of America, Washington, D.C.; and Lawrence S. Powell, University of Arkansas-Little Rock, on behalf of the Physician Insurers Association of America.

FEDERAL LONG-TERM CARE INSURANCE

Special Committee on Aging: Committee concluded a joint hearing with the Committee on Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, The Federal Workforce, and the District of Columbia to examine the cost of federal long-term care insurance, after receiving testimony from Daniel Green, Deputy Associate Director for Employee and Family Support Policy, United States Office of Personnel Management; Mary Beth Senkewicz, Florida Office of Insurance Regulation, Tallahassee; Margaret L. Baptiste, National Active and Retired Federal Employees Association, Alexandria, Virginia; Marianne Harrison, John Hancock Life & Health Insurance Company, Boston, Massachusetts; and Colleen M. Kelley, National Treasury Employees Union, and Chester M. Joy, both of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 3806–3813; 1 private bill, H.R. 3814; and 5 resolutions, H.Res. 827–828, 831–833 were introduced. **Page H11383**

Additional Cosponsors: **Pages H11383–84**

Reports Filed: Reports were filed today as follows:

H.R. 3200, to provide affordable, quality health care for all Americans and reduce the growth in health care spending, with an amendment (H. Rept. 111–299, Pt. 1);

H.R. 3200, to provide affordable, quality health care for all Americans and reduce the growth in health care spending, with an amendment (H. Rept. 111–299, Pt. 2);

H.R. 3200, to provide affordable, quality health care for all Americans and reduce the growth in health care spending, with an amendment (H. Rept. 111–299, Pt. 3);

H. Res. 829, providing for consideration of the conference report to accompany the bill (H.R. 2892) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2010 (H. Rept. 111–300); and

H. Res. 830, providing for consideration of the bill (H.R. 2442) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program (H. Rept. 111–301). **Page H11383**

Chaplain: The prayer was offered by the Guest Chaplain, Pastor Guillermo Maldonado, King Jesus International Ministry, Miami, Florida. **Page H11301**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the vital role family readiness volunteers play in supporting service members and their families: H. Res. 408, to recognize the vital role family readiness volunteers play in supporting service members and their families; **Pages H11306–07**

Honoring the citizen-soldiers of the National Guard of the State of Pennsylvania: H. Res. 754, to honor the citizen-soldiers of the National Guard of the State of Pennsylvania, including the 56th Brigade Combat Team (Stryker) of the Pennsylvania Army National Guard on its return to the United States from deployment in Iraq; **Pages H11307–09**

Recognizing 100 years of military aviation and expressing continued support for military aviators of the United States Armed Forces: H. Res. 445, amended, to recognize 100 years of military aviation and to express continued support for military aviators of the United States Armed Forces; **Pages H11309–11**

Honoring the citizen-soldiers of the National Guard of the State of Washington, including the 81st Brigade Combat Team (Heavy) of the Washington Army National Guard: H. Res. 627, amended, to honor the citizen-soldiers of the National Guard of the State of Washington, including the 81st Brigade Combat Team (Heavy) of the Washington Army National Guard; **Pages H11311–13**

Mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa and Samoa: H. Res. 816, to mourn the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa and Samoa, by a ⅔ yea-and-nay vote of 422 yeas with none voting "nay", Roll No. 777; **Pages H11313–17, H11352–53**

Agreed to amend the title so as to read: "Mourning the loss of life caused by the earthquakes and tsunamis that occurred on September 29, 2009, in American Samoa, Samoa, and Tonga.". **Page H11353**

Expressing condolences to the citizens of Indonesia and support for the Government of Indonesia in the aftermath of the devastating earthquake that struck the island of Sumatra: H. Res. 810, to express condolences to the citizens of Indonesia and support for the Government of Indonesia in the aftermath of the devastating earthquake that struck the island of Sumatra; **Pages H11317–19**

Commemorating the canonization of Father Damien de Veuster, SS.CC. to sainthood: H. Res. 786, amended, to commemorate the canonization of Father Damien de Veuster, SS.CC. to sainthood, by a ⅔ yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 779; **Pages H11319–21, H11353–54**

Celebrating 90 years of United States-Polish diplomatic relations: H. Res. 266, amended, to celebrate 90 years of United States-Polish diplomatic relations, during which Poland has proven to be an exceptionally strong partner to the United States in advancing freedom around the world; **Pages H11321–23**

Recognizing the 140th anniversary of the birth of Mahatma Gandhi: H. Res. 603, to recognize the 140th anniversary of the birth of Mahatma Gandhi; **Pages H11323–25**

Airline Safety and Pilot Training Improvement Act of 2009: H.R. 3371, amended, to amend title 49, United States Code, to improve airline safety and

pilot training, by a ⅔ yea-and-nay vote of 409 yeas to 11 nays, Roll No. 778; **Pages H11328–38, H11353**

Recognizing the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas: H. Con. Res. 138, to recognize the 40th anniversary of the George Bush Intercontinental Airport in Houston, Texas; **Pages H11338–40**

Commending Russ Meyer on his induction into the National Aviation Hall of Fame: H. Res. 719, amended, to commend Russ Meyer on his induction into the National Aviation Hall of Fame; **Pages H11340–41**

Maritime Workforce Development Act: H.R. 2651, amended, to amend title 46, United States Code, to direct the Secretary of Transportation to establish a maritime career training loan program; **Pages H11341–47**

National Women's History Museum Act of 2009: H.R. 1700, amended, to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum; and **Pages H11348–50**

Recognizing the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary: H. Res. 465, amended, to recognize the Atlantic Intracoastal Waterway Association on the occasion of its 10th anniversary. **Pages H11354–56**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, October 13th:

Expressing support for the designation of the month of October as "National Work and Family Month": H. Res. 768, amended, to express support for the designation of the month of October as "National Work and Family Month", by a ⅔ yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 775 and **Page H11351**

Iran Sanctions Enabling Act of 2009: H.R. 1327, amended, to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of $20,000,000 or more in Iran's energy sector, by a ⅔ yea-and-nay vote of 414 yeas to 6 nays, Roll No. 776. **Pages H11351–52**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Expressing sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma: H. Res. 800, amended, to express sympathy for the citizens of the Philippines dealing with Tropical Storm Ketsana and Typhoon Parma and **Pages H11325–28**

George P. Kazen Federal Building and United States Courthouse Designation Act: H.R. 2423, amended, to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse", and to designate the jury room in that Federal building and United States courthouse as the "Marcel C. Notzon II Jury Room". **Pages H11347–48**

Senate Message: Message received from the Senate today appears on page H11305.

Senate Referrals: S. 1510 was referred to the Committee on Oversight and Government Reform and S. 846 was referred to the Committee on Financial Services. **Page H11382**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings of today and appear on pages H11351, H11351–52, H11352–53, H11353, H11353–54. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:28 p.m.

Committee Meetings

AFGHANISTAN STRATEGY

Committee on Armed Services: Held a hearing on Afghanistan: Getting the Strategy Right. Testimony was heard from GEN Jack Keane, USA (ret.), Former Vice Chief of Staff, U.S. Army, Department of Defense; and public witnesses.

DEFENSE BUDGET ISSUES

Committee on the Budget: Held a hearing on the Cost of Current Defense Plans: An Analysis of Budget Issues. Testimony was heard from Matthew Goldberg, Acting Assistant Director, National Security, CBO; and Stephen Daggert, Specialist in Defense Policy and Budgets, CRS, Library of Congress.

STUDENT FEDERAL AID ELIGIBILITY REQUIREMENTS

Committee on Education and Labor: Subcommittee on Higher Education, Lifelong Learning, and Competitiveness held a hearing on Ensuring Student Eligibility Requirements for Federal Aid. Testimony was heard from George A. Scott, Director, Education, Workforce and Income Security Issues, GAO; the following officials of the Department of Education: Mary Mitchelson, Acting Inspector General; and Robert Shireman, Deputy Under Secretary; and a public witness.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce, Subcommittee on Energy and Environment approved for full Committee, as amended, the following bills: H.R. 3276, American Medical Isotopes Production Act of 2009; H.R. 3258, Drinking Water System Security Act of 2009; and H.R. 2868, Chemical Facility Anti-Terrorism Act of 2009.

RYAN WHITE HIV/AIDS TREATMENT EXTENSION ACT OF 2009

Committee on Energy and Commerce: Subcommittee on Health approved for full Committee action H.R. 3792, Ryan White HIV/AIDS Treatment Extension Act of 2009.

FINANCIAL REGULATORY REFORM MEASURES

Committee on Financial Assistance: Began consideration of the following measures: October 2, Discussion Draft of the Over-the-Counter Derivatives Markets Act of 2009; September 25, Discussion Draft of the Consumer Financial Protection Agency Act of 2009 (to be reported as H.R. 3126, Consumer Financial Protection Agency Act of 2009); H.R. 3763, To amend the Fair Credit Reporting Act to provide for an exclusion from Red Flag Guidelines for certain businesses; and H.R. 3639, Expedited CARD Reform for Consumers Act of 2009.

Will continue tomorrow.

PHILLIPPINES INDEPENDENCE/APEC FUTURE

Committee on Foreign Affairs: Subcommittee on Asia, The Pacific and The Global Environment approved for full Committee action, as amended, H. Con. Res. 153, Honoring the 111th anniversary of the independence of the Philippines.

The Subcommittee also held a hearing on the Future of APEC (Asian-Pacific Economic Cooperation). Testimony was heard from Kurt Tong, Acting U.S. Senior Official to APEC, Bureau of East Asian and Pacific Affairs, Department of State; Wendy Cutler, Assistant U.S. Trade Representative, Japan, Korea and APEC Affairs, Office of the U. S. Trade Representative.

HOMELAND SECURITY DEPARTMENT

Committee on Homeland Security: Held a hearing entitled ''Diversity at the Department of Homeland Security: Continuing Challenges and New Opportunities.'' Testimony was heard from Christine Griffin, Vice-Chair, EEOC; Yvonne Jones, Director, Strategic Issues Team, GAO; and the following officials of the Department of Homeland Security: Jane Holl Lute, Deputy Secretary; W. Craig Fugate, Administrator, FEMA; Jayson Ahern, Acting Commissioner, U.S. Customs and Border Protection; Gale Rossides, Acting Assistant Secretary, Transportation Security Administration; and Mark Sullivan, Director, U.S. Secret Service.

SECURING PERSONALLY IDENTIFIABLE INFORMATION WITHIN THE U.S. CAPITOL POLICE

Committe on House Administration: Subcommittee on Capital Security held a hearing on Securing Personally Identifiable Information within the United States Capitol Police. Testimony was heard from the following officials of the United State Capitol Police: Phillip D. Morse Sr., Chief; and Carl W. Hoecker, Inspector General.

AIG BONUSES AUDIT REPORT

Committee on Oversight and Government Reform: Held a hearing entitled ''AIG Bonuses: Audit Report of the Special Inspector General.'' Testimony was heard from Neil M. Barofsky, Special Inspector General, Troubled Asset Relief Program.

BAY AREA REGIONAL WATER RECYCLING PROGRAM EXPANSION ACT OF 2009

Committee on Rules: Granted, by a record vote of 6 to 5, a closed rule providing for consideration of H.R. 2442, the ''Bay Area Regional Water Recycling Program Expansion Act of 2009''. The rule provides for one hour of general debate in the House equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI. The rule provides that the amendment printed in the report of the Committee on Rules shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions of the bill, as amended. The rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives George Miller of California and Hastings of Washington.

CONFERENCE REPORT—DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2010

Committee on Rules: Committee granted, by a non-record vote, a rule providing for consideration of the conference report to accompany H.R. 2892, the Department of Homeland Security Appropriations Act, 2010. The rule waives all points of order against the conference report and against its consideration. The rule provides that the conference report shall be considered as read. Finally, the rule provides that the previous question shall be considered as ordered without intervention of any motion except one hour

of debate and one motion to recommit if applicable. Testimony was heard from Representative Price of North Carolina.

FIRE GRANTS REAUTHORIZATION ACT OF 2009

Committee on Science and Technology: Subcommittee on Technology and Innovation approved for full Committee action, as amended, H.R. 3791, Fire Grants Reauthorization Act of 2009.

SMALL BUSINESSES—INCREASING ACCESS TO CAPITAL

Committee on Small Business: Held a hearing entitled ''Increasing Access to Capital for Small Businesses.'' Testimony was heard from public witnesses.

HIGH-SPEED RAIL

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on High-Speed Rail in the United States: Opportunities and Challenges. Testimony was heard from Representative Tiberi; Joseph C. Szabo, Administrator, Federal Railroad Administration, Department of Transportation; Susan Fleming, Director, GAO; Thomas Carper, Chairman of the Board, National Railroad Passenger Corporation (Amtrak); and public witnesses.

VA—UPDATE STATE

Committee on Veterans' Affairs: Held a hearing on the Update on the State of the U.S. Department of Veterans Affairs. Testimony was heard from Eric K. Shinseki, Secretary of Veterans Affairs.

BRIEFING—HOT SPOTS

Permanent Select Committee on Intelligence, Subcommittee on Terrorism, Human Intelligence and Counterintelligence met in executive session to receive a briefing on Hot Spots. The Subcommittee was briefed by departmental witnesses.

Joint Meetings

PROMOTION OF TOLERANCE AND UNDERSTANDING

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine promoting tolerance and understanding in the Organization for Security and Cooperation in Europe (OSCE) region, focusing on the role of the personal representatives, after receiving testimony from Rabbi Andrew Baker, Personal Representative on Combating Anti-Semitism, Washington, D.C., Adil Akhmetov, Personal Representative on Combating Intolerance and Discrimination Against Muslims, Astana, Kazakhstan, and Mario Mauro, Personal Representative on Combating Racism, Xenophobia and Discrimination, Milan, Italy, all of the Organization for Security and Cooperation in Europe.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1170)*

H.R. 3663, to amend title XVIII of the Social Security Act to delay the date on which the accreditation requirement under the Medicare Program applies to suppliers of durable medical equipment that are pharmacies. Signed on October 13, 2009. (Public Law 111–72)

COMMITTEE MEETINGS FOR THURSDAY, OCTOBER 15, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nominations of Erroll G. Southers, of California, to be Assistant Secretary of Homeland Security, Patrick Gallagher, of Maryland, to be Director of the National Institute of Standards and Technology, Department of Commerce, and Paul K. Martin, of Maryland, to be Inspector General, and Elizabeth M. Robinson, of Virginia, to be Chief Financial Officer, both of the National Aeronautics and Space Administration, 2:30 p.m., SR–253.

Committee on Finance: to hold hearings to examine the nominations of Jim R. Esquea, of New York, to be Assistant Secretary for Legislation, Ellen Gloninger Murray, of Virginia, to be Assistant Secretary for Resources and Technology, and Bryan Hayes Samuels, of Illinois, to be Commissioner on Children, Youth, and Families, all of the Department of Health and Human Services, 10 a.m., SD–215.

Committee on Foreign Relations: Subcommittee on International Development and Foreign Assistance, Economic Affairs and International Environmental Protection, to hold hearings to examine drought, flooding and refugees, focusing on the impacts of climate change, 10 a.m., SD–419.

Subcommittee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues, to hold hearings to examine United States international broadcasting into the war zones, focusing on Iraq and Afghanistan, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine equal health care for equal premiums, focusing on women, 10:30 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine domestic partner benefits, 10 a.m., SD–342.

Committee on the Judiciary: business meeting to consider S. 448 and H.R. 985, bills to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain

persons connected with the news media, S. 369, to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market, and S. 379, to provide fair compensation to artists for use of their sound recordings, and the nominations of Jacqueline H. Nguyen and Dolly M. Gee, both to be a United States District Judge for the Central District of California, and Edward Milton Chen and Richard Seeborg, both to be a United States District Judge for the Northern District of California, 10 a.m., SD–226.

Select Committee on Intelligence: to hold closed hearings to consider certain intelligence matters, 2:30 p.m., S–407, Capitol.

House

Committee on Armed Services, Defense Acquisition Reform Panel, hearing on Can the Department of Defense Protect Taxpayers: When It Pays Its Contractors? 8 a.m., 1310 Longworth.

Committee on Energy and Commerce, to mark up the following bills: H.R. 2994, Satellite Home Viewer Reauthorization Act; H.R. 1147, Local Community Radio Act of 2009; H.R. 3633, Public Safety Interoperable Communications Grant Program Extension Act of 2009; and H.R. 3792, Ryan White HIV/AIDS Treatment Extension Act of 2009, 10 a.m., 2123 Rayburn.

Subcommittee on Commerce, Trade and Consumer Protection, hearing on The Minority Business Development Agency: Enhancing the Prospects for Success, 1 p.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Insured But Not Covered: The Problem of Underinsurance,'' 1:30 p.m., 2123 Rayburn.

Committee on Financial Assistance, to continue consideration of the following measures: October 2, Discussion Draft of the Over-the-Counter Derivatives Markets Act of 2009; September 25, Discussion Draft of the Consumer Financial Protection Agency Act of 2009 (to be reported as H.R. 3126, Consumer Financial Protection Agency Act of 2009); H.R. 3763, To amend the Fair Credit Reporting Act to provide for an exclusion from Red Flag Guidelines for certain businesses; and H.R. 3639, Expedited CARD Reform for Consumers Act of 2009, 9:30 a.m., 2128 Rayburn.

Committee on Foreign Affairs, hearing on Afghanistan Policy at the Crossroads, 10 a.m., 2172 Rayburn.

Subcommittee on the Western Hemisphere, to mark up H.R. 2134, Western Hemisphere Drug Policy Commission Act of 2009; followed by a hearing on Assessing U.S. Drug Policy in the Americas, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, hearing on Ramifications of Auto Industry Bankruptcies, Part IV, 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on H.R. 3644, Bay-Watershed Education and Training (B–WET) Regional Program and National Environment Literacy Grant Program Act, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, to mark up H.R. 1506, To provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances, 2 p.m., 2154 Rayburn.

Committee on Transportation and Infrastructure, hearing on the Clean Water Act after 37 Years: Recommitting to the Protection of the Nation's Waters, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on VA Status Report on Post-9/11 G.I. Bill, 2 p.m., 334 Cannon.

Subcommittee on Health, hearing on Identifying the Causes of Inappropriate Billing Practices by the VA, 10 a.m., 334 Cannon.

Committee on Ways and Means, to approve the reconciliation letter to the House Committee on the Budget, 10 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, briefing on National Security Council Update, 12 p.m., 304–HVC.

Select Committee on Energy Independence and Global Warming, hearing entitled ''Fraudulent Letters Opposing Clean Energy Legislation,'' 9:30 a.m., 210 Cannon.

Next Meeting of the SENATE

9:30 a.m., Thursday, October 15

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond two hours), Senate will continue consideration of the conference report to accompany H.R. 3183, Energy and Water Development and Related Agencies Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, October 15

House Chamber

Program for Thursday: Consideration of the conference report to accompany H.R. 2892—Department of Homeland Security Appropriations Act, 2010 (Subject to a Rule). Possible consideration of H.R. 2442—Bay Area Regional Water Recycling Program Expansion Act of 2009 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

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