United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, MARCH 29, 2011 No. 43

# House of Representatives

The House met at 2 p.m. and was called to order by the Speaker.

## PRAYER

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

Cherry blossoms draw thousands of visitors to the Capitol city, Lord. Their silent beauty causes busy residents to stop their frenzied motion and simply gaze for a moment. Reflected in pools or clustered together on lawns, wrinkled with age, their new life displays a unified motion of gentle friendship.

Today, in our prayer, Lord, we offer voice to their song of spring and praise You and bless You for this momentary revelation of Your unique mystery and the blessing upon this Nation. Lord, this powerful gift of the Japanese people invites us to pray for our friends in their hour of need and suffering. Spring's fragile beauty will not be manipulated or contained for very long. In and through this passing glimpse of glory, the truth of Your promise is revealed. So, we learn the importance of Your timing and the art of subtle cohesion in natural forces.

Lord, grant us patience that You will have Your way with us now and always.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

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

Mr. BURGESS 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.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. POE of Texas) laid before the House the following communication from the Clerk of the House of Representatives:

HOUSE OF REPRESENTATIVES,
*Washington, DC, March 17, 2011.*

Hon. JOHN A. BOEHNER,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 17, 2011 at 6:52 p.m.:

That the Senate agreed to H. Con. Res. 30.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
*Deputy Clerk.*

## COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 16, 2011.

Hon. JOHN BOEHNER,
*Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to clause 5(a)(4)(A) of rule X of the Rules of the House of Representatives, I designate the following Members to be available to serve on investigative subcommittees of the Committee on Ethics during the 112th Congress:

Zoe Lofgren of California
Ben Chandler of Kentucky
John P. Sarbanes of Maryland
Terri A. Sewell of Alabama
Paul Tonko of New York
Ben Ray Luján of New Mexico
David N. Cicilline of Rhode Island
William R. Keating of Massachusetts
Adam B. Schiff of California
Yvette D. Clarke of New York

Best regards,

NANCY PELOSI,
*Democratic Leader.*

## ROTARY INTERNATIONAL ASSISTS JAPAN

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

Mr. WILSON of South Carolina. Mr. Speaker, all Americans have provided sympathy for the people of Japan due to the massive earthquake and tsunami, but I was grateful to learn last week at the Lexington Rotary Club, led by President Nick Pizzuti, that The Rotary Foundation is taking direct action. Special Assistant Bill Walker of the Second District Office is a dedicated Lexington Rotarian. The Rotary Japan and Pacific Islands Disaster Fund has been established for donations online worldwide. Rotary International President Ray Klinginsmith of Kirksville, Missouri, is promoting the people-to-people assistance in the best tradition of Rotary with his creed: Building Communities, Bridging Continents. Japan is a leading Rotary nation, and it is fitting the incoming RI president-nominee to continue the relief assistance is Sakuji Tanaka of the Rotary Club of Yashio, Saitama, Japan.

As a Rotarian, I appreciate Rotarians worldwide, with hundreds of new clubs in formerly Communist countries from Bulgaria to Slovakia to Russia making a difference with Service Above Self. As with Polio Plus, Rotarians can achieve humanitarian assistance which creates worldwide records for effectiveness.

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



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## CONGRATULATING BELLARMINE KNIGHTS

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

Mr. YARMUTH. Mr. Speaker, in Louisville, we have a lot to be proud of—the Kentucky Derby, the Louisville Slugger, Muhammad Ali—and now the NCAA Division II Men's Basketball Champion Bellarmine Knights.

Led by Coach Scott Davenport, the Knights finished their regular season with 24 wins, won their second consecutive conference title, and stormed through the NCAA tournament to bring home the university's first national championship. The Knights corralled Mustangs and tamed Mavericks. And on Saturday, led by all-tourney players Jeremy Kendle and Justin Benedetti, Chris Dowe's 16 points, Luke Sprague's double-double, and clutch free throws from Hobbs and Holmes, the Knights grounded a Jet and sent the Seasiders packing. The Knights are true student athletes who overcame injuries and adversity bound together by trust—trust in their abilities and trust in each other. And let's not forget the trust and support of the fans who traveled by the busload nearly 900 miles to cheer on their Knights.

Mr. Speaker, I ask that you join me today in congratulating Coach Davenport, the team, and the entire Bellarmine community on its 2011 NCAA national championship. This was a victory that made history—and on behalf of everyone in Louisville, we're proud to call the Knights our hometown heroes and national champions.

## MR. PRESIDENT, AMERICA NEEDS ANSWERS

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

Mr. BURGESS. Mr. Speaker, last night, the President took to the airwaves and talked to the Nation about the international efforts that America is leading in Libya. This comes almost 2 weeks after the President gave his approval for the United States to be involved in the action in Libya. The President discussed the United States' interest in the conflict, the limited involvement of the United States military, and the role of other countries. What the President failed to deliver was a clear articulation on what is America's role in this conflict. Putting our men and women in harm's way while not knowing the specifics of how and why is not just unacceptable, it is dangerous.

Mr. President, you need to be more forthcoming. The American people need more information. The American people certainly deserve answers. The explanation last night was disappointing, and we find ourselves even more frustrated as specific information was not provided. What is the exit strategy? What is the endgame? What are our goals? How are we going to ensure that the next government of Libya is not even more hostile than the current regime?

The President does need to follow through with his actions. We need to have the resolve to see this through. The President waited too long to address the Nation. Certainly, the Congress needed to be involved. And certainly the American people needed to be involved.

□ 1410

## 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 after 6:30 p.m. today.

## AIRPORT AND AIRWAY EXTENSION ACT OF 2011

Mr. PETRI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1079) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1079

*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 ''Airport and Airway Extension Act of 2011''.

**SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.**

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking ''March 31, 2011'' and inserting ''May 31, 2011''.

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking ''March 31, 2011'' and inserting ''May 31, 2011''.

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking ''March 31, 2011'' and inserting ''May 31, 2011''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2011.

**SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.**

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''April 1, 2011'' and inserting ''June 1, 2011''; and

(2) by inserting ''or the Airport and Airway Extension Act of 2011'' before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking ''April 1, 2011'' and inserting ''June 1, 2011''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on April 1, 2011.

**SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.**

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended by striking the 2 paragraphs designated as paragraph (8) and inserting the following:

''(8) $2,466,666,667 for the 8-month period beginning on October 1, 2010.''.

(2) OBLIGATION OF AMOUNTS.—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by paragraph (1) may be obligated at any time through September 30, 2011, and shall remain available until expended.

(3) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the 8-month period beginning on October 1, 2010, the Administrator of the Federal Aviation Administration shall—

(A) first calculate funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2011 were $3,700,000,000; and

(B) then reduce by 20 percent—

(i) all funding apportionments calculated under subparagraph (A); and

(ii) amounts available pursuant to sections 47117(b) and 47117(f)(2) of such title.

(b) PROJECT GRANT AUTHORITY.—Section 47104(c) of such title is amended by striking ''March 31, 2011,'' and inserting ''May 31, 2011,''.

**SEC. 5. EXTENSION OF EXPIRING AUTHORITIES.**

(a) Section 40117(l)(7) of title 49, United States Code, is amended by striking ''April 1, 2011.'' and inserting ''June 1, 2011.''.

(b) Section 44302(f)(1) of such title is amended—

(1) by striking ''March 31, 2011,'' and inserting ''May 31, 2011,''; and

(2) by striking ''June 30, 2011,'' and inserting ''August 31, 2011,''.

(c) Section 44303(b) of such title is amended by striking ''June 30, 2011,'' and inserting ''August 31, 2011,''.

(d) Section 47107(s)(3) of such title is amended by striking ''April 1, 2011.'' and inserting ''June 1, 2011.''.

(e) Section 47115(j) of such title is amended by striking ''April 1, 2011,'' and inserting ''June 1, 2011,''.

(f) Section 47141(f) of such title is amended by striking ''March 31, 2011.'' and inserting ''May 31, 2011.''.

(g) Section 49108 of such title is amended by striking ''March 31, 2011,'' and inserting ''May 31, 2011,''.

(h) Section 161 of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 47109 note) is amended by striking ''April 1, 2011,'' and inserting ''June 1, 2011,''.

(i) Section 186(d) of such Act (117 Stat. 2518) is amended by striking ''April 1, 2011,'' and inserting ''June 1, 2011,''.

(j) The amendments made by this section shall take effect on April 1, 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members have 5

legislative days in which to revise and extend their remarks and to include extraneous material on H.R. 1079.

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

There was no objection.

Mr. PETRI. Mr. Speaker, I would like to include in the CONGRESSIONAL RECORD the exchange of letters concerning H.R. 1079 between the Committee on Ways and Means and the Committee on Transportation and Infrastructure.

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
*Washington, DC, March 22, 2011.*

Hon. JOHN MICA,
*Chairman, Committee on Transportation and Infrastructure, 2165 Rayburn House Office Building, Washington, DC.*

DEAR CHAIRMAN MICA: I am writing concerning H.R. 1079, the ''Airport and Airway Extension Act of 2011,'' which is expected to be scheduled for floor consideration the week of March 28, 2011.

As you know, the Committee on Ways and Means has jurisdiction over the Internal Revenue Code. Sections 2 and 3 of this bill amend the Internal Revenue Code of 1986 by extending the current Airport and Airway Trust Fund (AATF) expenditure authority and the associated Federal excise taxes to May 31, 2011. In order to expedite H.R. 1079 for Floor consideration, the Committee will forgo action on the bill. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation. In that regard, I would note that the Committee on Ways and Means recently favorably reported H.R. 1034, the ''Airport and Airway Trust Fund Financing Reauthorization Act of 2011,'' which would provide a similar, but longer-term reauthorization, through September 30, 2014, of the AATF expenditure authority and associated excise taxes.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1079, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration.

Sincerely,

DAVE CAMP,
*Chairman.*

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COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
*Washington, DC, March 23, 2011.*

Hon. DAVE CAMP,
*Chairman, Committee on Ways and Means, 1102 Longworth House Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1079, the ''Airport and Airway Extension Act of 2011.'' The Committee on Transportation and Infrastructure recognizes the Committee on Ways and Means has a jurisdictional interest in H.R. 1079, and I appreciate your effort to facilitate consideration of this bill.

I concur with you that forgoing action on H.R. 1079 does not in any way prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

Finally, I appreciate your decision to forgo further consideration on H.R. 1034, the ''Airport and Airway Trust Fund Financing Reauthorization Act of 2011,'' which would provide a longer-term reauthorization of the Airport and Airway Trust Fund expenditure authority and associated excise taxes. This bill was sequentially referred to the Committee on Transportation and Infrastructure.

I will include our letters on H.R. 1079 in the Congressional Record during House Floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Ways and Means as the bill moves through the legislative process.

Sincerely,

JOHN L. MICA,
*Chairman.*

Mr. Speaker, I yield such time as he may consume to the principal author of the bill and the chairman of the Transportation Committee, our colleague from the State of Florida, JOHN MICA.

Mr. MICA. Mr. Speaker and my colleagues, this is an extension of what would be known as the ''aviation bill.'' I come before the House asking for one extension under the leadership of the new majority in Congress. I also come to the floor to explain the history of how we got here today with 17 extensions.

In 2001, I had the honor and privilege of being named the chair of the Aviation Subcommittee. Not knowing what the future would hold, of course, all of our lives changed on September 11, 2001, and mine did, too.

In 2003, we passed a 4-year authorization: The Federal Government must provide authorization and set the policy for the operation of our Nation's aviation system and for the FAA, which is the primary and lead agency. The bill that we passed in 2003 sets forth the policy and the funding for all the projects and everything eligible for Federal participation. It authorizes all the programs. When we did that again in 2003, we did a 4-year bill.

In 2007, the bill that I helped author and that we brought before the Congress—again after the fateful days of 2001, after the tragedy, and again after the difficulty the aviation industry saw from 2001 to 2003—the bill that expired in 2007, the 4-year bill, was extended some 17 times. That is shameful and irresponsible that we find ourselves in a situation where we haven't passed policy.

Now, why is this important?

Most of the emphasis in this Congress should be on getting people back to work. If we have people working, most of our problems are solved. The States would have revenue, and the Federal Government would have revenue. Yet it's absolutely amazing, when you have the aviation industry, which accounts for 9.2 percent of our gross domestic product and activity in the United States—9.2 percent—that the Federal Government and Congress did not have in place a long-term policy and blueprint, which is set forth in that authorization legislation. So 17 times we've come to the floor, and there have been these short-term extensions of the bill that we passed originally in 2003 and that expired in 2007. That's the situation we find ourselves in.

Now, several weeks ago, we did pass in the Transportation and Infrastructure Committee a long-term 4-year bill. The Senate has acted, the other body, and they've passed a bill. If it had been just our committee, we probably could have had the bill up a little bit quicker, but we do rely on several other committees to add input into this process. We have the Science, Space, and Technology Committee, which just before we left last week completed their portion of the bill. We have the Ways and Means Committee, which also has part of the financial responsibility, the Ways and Means' responsibility, in the legislation for the extension, and they finished their work.

We do need a little bit more time to come to conference, and I pledge an open conference. In the past, legislation has been decided behind closed doors. I hope this to be an open process. This extension will run us through May 31, I believe, of this year, the end of May, and it is my hope that the first bill that we can get done will be done with this one extension for, again, authorizing all of our aviation programs for the Nation.

So that's the situation we find ourselves in. We need to pass this legislation because the current 17th extension expires at the end of this week, and we must have this in place to make certain that we can even function in any manner, even though we don't have all the details of new legislation in place, which I pledge to do in the next 60 days.

With that explanation, I would like to thank the chairman of the Aviation Subcommittee, the gentleman and our leader on aviation issues, Mr. PETRI.

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

Mr. Speaker, I rise in support of H.R. 1079, the Airport and Airway Extension Act of 2011.

As you heard, this is the 18th short-term extension for FAA programs. With the enactment of a long-term FAA reauthorization in sight, as the chairman has just mentioned—and we all look forward to that—I want to echo my colleague's hopes that this will be the last short-term extension. I know, if we have to have one, we'll probably do one, but we all hope that it's the last one we do.

Without the enactment of this bill, the FAA's funding, programs, and expenditure authority would lapse on March 31. This clean and straightforward extension will keep the FAA operating at current funding levels for another 2 months, through May 31. It will give Congress time to work out the long-term reauthorization. Yet I want to be clear: While I support this short-term extension bill, I have serious concerns about H.R. 658, the long-term

FAA reauthorization bill, which I expect the House may try to take up this week.

In fiscal year 2010, the FAA's major programs were funded at approximately $16 billion. H.R. 658, the FAA Reauthorization and Reform Act of 2011, is a 4-year reauthorization that would reduce the FAA's annual funding to approximately 2008 appropriation levels, $14.9 billion, for the remainder of 2011 and then each year through fiscal year 2014. H.R. 658 would effectively cut, roughly, $1 billion annually and almost $4 billion total below current funding levels for FAA's budget over the next 4 years. These proposed cuts will have dire consequences on our Nation's infrastructure, jobs, and the economy.

Mr. Speaker, in February, the House Aviation Subcommittee held a hearing for industry stakeholders to testify about FAA reauthorization. In response to a question that I posed, witnesses representing the aerospace industry, general aviation manufacturers, general aviation pilots, airports, air traffic controllers, and FAA managers all testified that Congress could not cut $1 billion annually from the FAA's budget without harming safety-sensitive programs or hampering the industry. At the same hearing, Ms. Marion Blakey, the FAA administrator under President George W. Bush, stated: ''The prospect is really devastating to jobs and to our future.''

Every $1 billion of Federal investment in infrastructure creates or sustains approximately 35,000 jobs. Yet H.R. 658 would cut the airport improvement grants for runway construction and safety enhancements by almost $2 billion. Cuts to airport improvement grants alone would cost the Nation 70,000 jobs.

□ 1420

So let's be clear about one thing: The FAA reauthorization bill that we will consider later this week will not create jobs; it will destroy them. Although much work is ahead of us, I'm optimistic that Congress will be able to enact a long-term bill and we will not be considering a 19th short-term extension this summer. For the present, however, this particular extension, this bill before us today, I support, and I urge my colleagues to support it.

I yield back the balance of my time.

Mr. PETRI. I would just like to observe to my colleague, we will have plenty of opportunity to defend and debate the overall reauthorization later this week. The reauthorization bill is broadly supported by the industry affected. We may differ on some portions of it, but one of the major features of the reauthorization is to put in place a strengthened framework and benchmarks for NextGen; and as that new technology is deployed, almost every expert we've had testifying before the committee has said it will markedly increase the efficiency and safety of the aviation industry and reduce fuel use by some 25 percent, helping the environment and our import situation as well.

In any event, I would like to mention that the current reauthorization extension, the short-term extension before us, has bipartisan support. I would urge my colleagues in both parties to support it.

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 Wisconsin (Mr. PETRI) that the House suspend the rules and pass the bill, H.R. 1079.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 839 and to insert extraneous material thereon.

The SPEAKER pro tempore (Mr. PETRI). Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

## THE HAMP TERMINATION ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 170 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 839.

□ 1425

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Massachusetts (Mr. FRANK) each will control 30 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BIGGERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 839, the Home Affordable Modification Program, or HAMP, Termination Act and commend my colleague from North Carolina (Mr. MCHENRY) for introducing this bill.

H.R. 839, the HAMP Termination Act, would put an end to the poster child for failed Federal foreclosure programs. Announced by the administration in February 2009 and launched in March 2009, the program has languished for 2 years, hurt hundreds of thousands of homeowners, and must come to an end.

According to the Congressional Budget Office, this bill would save $1.4 billion over 10 years. To date, the HAMP program has already consumed $840 million of the more than $30 billion of TARP funds that were set aside for the program. For this extraordinary investment, the administration predicted that 3 to 4 million homeowners would receive help.

Sadly, for many American homeowners, the program has been an abysmal failure. In fact, HAMP has hurt more homeowners than it has helped. The program has completed about 540,000 mortgage modifications. Another 740,000 unlucky homeowners had the rug pulled out from under them: their modifications were cancelled. Even the Government Accountability Office, GAO, commented that ''more borrowers have had their trial modifications cancelled than have received permanent modifications.''

Earlier this month, on March 2, the Financial Services Subcommittee on Insurance, Housing, and Community Opportunity received testimony from the Special Inspector General for the Troubled Asset Relief Program, SIGTARP, Neil Barofsky. He exposed the most hazardous failing of the program, noting that ''there have been countless published reports on HAMP participants who end up worse off for having engaged in a futile attempt to obtain the sustainable relief that the program promised. Failed trial modifications often leave borrowers with more principal outstanding on their loans, less home equity, depleted savings, and worse credit scores.'' He continued by saying that ''worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties, and even late fees that suddenly become due on their 'modified' mortgages and that they are unable to pay, thus resulting in the very loss of their homes that HAMP was meant to prevent.''

Mr. Chairman, many of my own constituents, like homeowners around the country, were lured into HAMP with the promise of relief. In the end, these misled homeowners ended up with no permanent modification, tens of thousands of dollars deeper in debt. One of my constituents reported that after many, many months under a trial modification, he was rejected from the program and immediately handed a bill for $42,000 in back payments, penalties, and late fees. How is that an effective foreclosure protection?

HAMP has been plagued by problems from the start and is beyond mere reform. Numerous oversight bodies, including the GAO, have cited time and time again that Treasury has failed to respond to recommendations to ''increase the transparency, accountability and consistency of the program.'' Last year, the Congressional Oversight Panel, or COP, noted that ''because Treasury's authority to restructure HAMP ended on October 3, 2010, the program's prospects are unlikely to improve substantially in the future.''

□ 1430

COP also stated that ''billions of taxpayer dollars will have been spent to delay rather than prevent foreclosures.'' It is clear that the administration has no intention of fixing the numerous problems in its flagship foreclosure program, a fact which has not gone unnoticed by the public.

Americans for Tax Reform submitted testimony for our March 2 hearing, stating that ''HAMP has been the U.S. Treasury and Department of Housing and Urban Development's primary spending program for combating foreclosures, and the program has been a costly failure.''

Headlines around the country agree. A recent Washington Times article said that ''Obama's helping hand hoodwinks homeowners; government mortgage assistance can be worse than nothing.'' A recent Wall Street Journal article was entitled ''Housing Market Masochism; the latest bad idea to raid banks and delay a home-price recovery.''

We need to break down the barriers that have delayed the housing market recovery, including expensive and ineffective programs that have hurt so many homeowners. Unfortunately, programs like HAMP were set up in haste and have done little to restore stability in the market.

We need to stop funding programs that don't work with money that we don't have. Out-of-control Federal spending is hurting our economic recovery. Our Nation faces a $14.2 trillion national debt, and economists agree that reducing government spending will create a more favorable environment for private sector job growth. That's exactly what unemployed Americans and homeowners need: a job and a paycheck, not a handout or other failed taxpayer-funded government programs.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to a member of the committee, the former mayor of Somerville, Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. I thank the gentleman for yielding.

Mr. Chairman, this is a program that I'm the first to admit has not lived up to what our hopes were. This program we had hoped would help several million people. Thus far we've only helped about 550,000 people. I fully admit that this program, like all the other foreclosure programs, could use a healthy dose of reconsideration and improvement, and I'm happy to work with that.

But to simply repeal all of these programs is to walk away from individual homeowners, walk away from neighborhoods.

In this particular case, last week before the break, we walked away from neighborhoods. We walked away from cities and counties all across the country. In this case, we're walking away from homeowners.

In this particular bill, as I said, this program, short of what we had hoped, it has still helped 550,000 homeowners to keep their homes, 550,000 with approximately another 150,000 on trial as we speak. And 550,000 homes, just as a point of information, is more owner-occupied homes than exist in at least 17 different States. Wyoming, Alaska, Utah, Nevada, New Mexico, Nebraska, and on—all individually have fewer homes in the entire State than this program has helped. Yet we're going to walk away.

Every single State in this Nation has homeowners who have been helped. In Illinois, 29,000 homes have been saved; in North Carolina, 10,000 homes; in my own State, 12,000 homes and counting.

Again, I'm not going to defend the specifics or every single aspect of this program that has been put together, and I am happy to work with anyone to make it better, to help more people to keep their homes, keep their families together. But to simply walk away without offering an alternative means we don't care; this Congress doesn't care if you lose your home, period. Well, I understand that that's what some people want to say. They're entitled to do that. They're duly elected and have the power and authority to do that. But I just can't imagine they could look at the individual constituents in their district and say to their face, We don't care.

And if you feel that strongly about it, then you should not just repeal the program prospectively; you should repeal it retroactively and tell the 550,000 people whose homes have been saved, We didn't mean it, it was a mistake, we didn't support it then, and as far as we're concerned, you can leave your home tomorrow.

Now, I understand if that makes me a bleeding-heart liberal according to some people, so be it. Call me any name you want. But if you have the courage and the audacity to look at your own constituents and tell them forget it, you don't care, I would encourage you to do so.

Mrs. BIGGERT. I yield 5 minutes to the gentleman from North Carolina (Mr. MCHENRY), the sponsor of this bill.

Mr. MCHENRY. I thank the gentlewoman for yielding the time.

The HAMP Termination Act, which is the legislation before us today, ends what I believe to be a failure of a government program. Not just a failure to help those 3 to 4 million homeowners that the Treasury originally set out to assist, and they've fallen well short of it—just over 500,000 mortgage modifications have taken place in the 2 years it's been in existence. Not only has it been a failure in terms of the metrics they set up to achieve the goal; it's been a failure for the very people who enter into the program and yet are pushed out.

Now, I want my colleagues to understand what this government program does. The HAMP program, the Home Affordable Mortgage Program, brings folks in who are having trouble making their mortgage payments. They bring folks in, and they will give them a verbal modification for their mortgage. And what has happened—and this is what my constituents tell me and this is what the hard facts and the data indicate as well—is that a majority of those folks that enter into this program are actively harmed by this Federal program. Actively harmed. They are left materially worse off.

And let me quote from the Special Inspector General for TARP, Mr. Neil Barofsky, who is a very independent-minded individual. He said that people who apply for modifications via HAMP sometimes ''end up unnecessarily depleting their dwindling savings in an ultimately futile effort to obtain the sustainable relief promised by the program guidelines. Others, who have somehow found ways to continue to make their mortgage payments, have been drawn into failed trial modifications that have left them with more principal outstanding on their loans, less home equity, or a position further underwater, and worse credit scores. Perhaps worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties, and even late fees that suddenly become due on their modified mortgages that they are unable to pay, thus resulting in the very loss of their home that HAMP is meant to prevent.

''Treasury's claim that every single person who participates in HAMP gets a 'significant benefit' is either hopelessly out of touch or a cynical attempt to define failure as success.''

Those are the words of the Special Inspector General designated to oversee this program and to report to Congress and the public on the success or failures of Federal programs and ways to fix them.

Now, sadly, in the 2 years of this program and over 1½ years of criticism of this program, the Treasury has refused to fix it. My colleagues on the other side of the aisle have not offered legislation to fix it when they were in the majority. So we're left with what is required today, which is to root out this Federal program that spends our taxpayer dollars, yet hurts more people than it helps.

One of my constituents from Hickory said, ''We've been in the HAMP program since February of 2010 and still have no answer. We're being charged

late fees and we were reported to the credit bureau. We've been underwater since April and on trial payments for 6 months, which was only supposed to be 3 months. We have not yet received an answer.''

This is a Federal program. If the private sector were doing this, there would be lawsuits. If the private sector were doing that, my friends on the other side of Congress in particular would be filing legislation to make sure they were unable to do that.

Instead, my colleagues on the other side of the aisle and this administration are defending a failed program. And they refused to reform it. They refused to change. They refused to improve it. They refused to do anything to it except defend it. And I believe, indeed, as the Special Inspector General said, it may be a cynical attempt to define failure as success.

So I ask my colleagues to vote for this legislation and remove this costly, ineffective, and painful government program.

□ 1440

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY), a member of the committee.

Mrs. MCCARTHY of New York. Mr. Chairman, let me say something first. In the beginning of this program, we didn't have any service. That means there were no people out there to help those that were trying to apply. But we have seen encouraging signs in the economy; yet we are still on a long path towards economical recovery. Many of my constituents are still facing hardship, including trying to keep their homes.

When the housing crisis hit, the private sector responded by turning their backs on those that needed the help. As a result, Congress stepped in and created housing programs to hold the industry accountable and to help these families weather the worst housing crisis that we have seen in generations.

Now, thanks to the leadership of the President and the Democratic-controlled 111th Congress, we are seeing more and more servicers adopting their own programs, largely based on the eligibility criteria within the programs such as HAMP.

The past few weeks my colleagues on the other side of the aisle have brought bills to the floor to terminate these programs, claiming they have done more harm than good to the homeowner and that struggling homeowners are in better hands with the private companies that contributed to the housing crisis in the first place. Most of the homeowners got in trouble because the private sector is the one that got them in the problems.

I disagree with that and point to constituents who have reached out to my office for help because their servicers were not being responsive.

The bill before us totally terminates the HAMP program; however, it protects assistance to the homeowners in a trial or a permanent modification.

My amendment, which was not made in order, would have expanded that provision to include homeowners who, on or before March 1 of this year, submitted required paperwork for HAMP or had made a verified request to their servicers seeking that modification.

My district office has heard from dozens and dozens of my constituents who have been waiting for up to 16 months, 16 months for a response from their servicer regarding the eligibility for HAMP. They reach out to my office at the point of total frustration due to the lengthy response time when they have submitted the required paperwork. I shudder to think what the response rate would have been without this program in place.

It's very disheartening that my colleagues on the other side of the aisle would like to shut down these distressed homeowners before they have even a chance to qualify for the assistance.

The HAMP program was by no means perfect. Everybody agrees on that. Nor was it meant to be permanent. We all agree on that. Instead, it was meant to hold the mortgage service industry accountable and responsive to those that needed the assistance.

At a time when our housing market is still very fragile and foreclosures continue to occur in record numbers, instead of terminating these programs, we should be trying to improve them.

During the markup in committee, when we were trying to improve, we asked our colleagues, all right, let's not terminate it; let's try and fix some of the things that are not right.

The CHAIR. The time of the gentlewoman has expired.

Mr. FRANK of Massachusetts. I yield the gentlewoman an additional minute.

Mrs. MCCARTHY of New York. Supporting efforts to terminate these housing assistance programs means turning your back on your own constituents.

Mr. Chairman, we have our disagreements. There's no two ways about it. But with that being said, to judge a program from the beginning when we couldn't get servicers, now we are getting servicers, now we are getting people to be responsive on getting people to stay in their homes.

And think about it: All these homes that are being lost to families, where are they supposed to go? In New York, you can't find an apartment, so what are we doing, making more people homeless?

It was not the fault of the homeowners. I agree, there were many people that shouldn't have probably bought a house for $700,000 or $800,000. The majority of us here in Congress couldn't even afford something like that. They should have never been given a mortgage. All of us, when we bought our homes, had to go through the third degree. How much money do you earn? Can you pay the insurance? Can you pay your taxes?

That's why we also put legislation in there to have the servicers help them.

Mrs. BIGGERT. Mr. Chairman, if I might inquire how much time is remaining on both sides.

The CHAIR. The gentlewoman from Illinois has 19½ minutes remaining. The gentleman from Massachusetts has 23 minutes remaining.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 2 minutes to the gentleman from Delaware (Mr. CARNEY).

Mr. CARNEY. Mr. Chairman, I rise today to oppose this ill-advised effort to repeal the Home Affordable Modification Program. Instead, we ought to be focusing on how we can move together, Democrats and Republicans, to address the foreclosure crisis and keep families in their homes.

Since the housing bubble burst, over 9 million Americans have gone into foreclosure. In my little State of Delaware, annual foreclosure filings nearly tripled over the past few years. And we aren't even one of the worst, hardest hit States.

Now, one thing is clear. We can't help every one of these homeowners. Every situation is different; and, frankly, not every homeowner can or should be helped. And most of the help should come from the banks and mortgage servicers, but they are not doing nearly enough in the State of Delaware.

What is incredible to me is that, with the HAMP Termination Act, our friends on the other side of the aisle have decided not to help at all; and that will mean a more direct path to foreclosure for thousands of families.

The claim is that HAMP has hurt more people than it has helped. That is simply a ridiculous charge. Back in my home State of Delaware, the HAMP program has helped 1,600 homeowners, by far the most effective government program. That's 25 percent of the homeowners who filed for foreclosure last year.

And I know a little bit about this. I served as the chair of the foreclosure task force when I was lieutenant governor for over a year.

And the best course, the best result we know is for the private banks, as I said, and the servicers to make the modifications necessary, for the private sector to shoulder the bulk of the burden. But they're just not doing it. And so public officials need tools to help out, and HAMP is one of the best tools we have.

The real question here is whether you believe there is an appropriate role for government at all to help homeowners facing foreclosure through no fault of their own. It's okay to use taxpayers funds to bail out the banks, but my friends on the other side don't want to use a small amount to help homeowners.

Mrs. BIGGERT. I yield myself 30 seconds.

The gentleman from Delaware talks about his State. Let me just say that

in Illinois, if we look back quarter by quarter, HAMP permanent modifications, for example, in the second quarter of 2010 were 167,000; but the proprietary were 331,883. The next quarter, 97 HAMP and 346,910. And it goes on. And I think that's something to keep in mind, that the private sector can do it better.

The CHAIR. The time of the gentlewoman has expired.

Mrs. BIGGERT. I yield myself another 30 seconds.

The private sector, out of 4.1 million modifications, 3.5 million of those were private sector, and the rest of the 550. And that doesn't include the 750,000 modifications that were made by HAMP that were canceled.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield myself 90 seconds to say that that is an extraordinary bit of illogic we have just heard. The private sector, nothing in the existence of HAMP in any way retards people from going to the private sector.

If you listen to the gentlewoman, you would get this fantasy picture that people were being restrained by the Federal Government not to go to the private sector, go to HAMP.

In fact, HAMP is also the private sector. That's part of the problem. It is also a private sector decision with no coercion by the government. Some people wish there was more.

But, yes, it is true the private sector has done the easy ones on its own. And anybody who wants to go to the private sector and get it does not have to go to HAMP. But there is no requirement that people go to HAMP.

And this set-up that it's a choice, you have to go to one or the other, people are free to go to the bank. If the bank won't do it, then they may go to HAMP. So this is an absolutely illogical notion that one blocks the other.

The other point is that HAMP is the Federal Government bringing people into contact with the private sector. It is still ultimately a private sector decision.

Part of the problem here is that it remains voluntary. I wish we had passed in this House bankruptcy. You know, you can go bankrupt for anything but your primary residence. And my Republican friends overwhelmingly blocked that from happening. And absent that, we don't have the leverage with the private sector we'd like to have. But it is in every case the private sector that decides. And if it is a relatively easy one to do, the private sector does it without any hindrance.

□ 1450

If there is a problem, then you go into the HAMP.

The other point is, and I have been waiting to hear, Members have said more people are harmed than helped. That statistic appears nowhere in the record, and I wait to see it explained.

I reserve the balance of my time.

Mrs. BIGGERT. I yield 2 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Chairman, I rise today in support of H.R. 839, the HAMP Termination Act.

I was sent to the Nation's capital like so many Members of the 112th Congress, to do something about cutting back on wasteful Washington spending, to do something about the $14 trillion national debt. And in pursuing this goal, we have made many difficult decisions about funding government programs. At a time when families and businesses across Pennsylvania are being asked to do more with less, we cannot continue ineffective Federal spending. Like so many programs hatched in Washington, HAMP has been one of those programs that, while well intentioned, has grossly missed its mark.

Established in 2009 to assist homeowners seeking to avoid foreclosure, of the $30 billion allocated to the program, only a fraction has been spent. And of the homeowners expected to be helped through the program, only one-eighth have seen any permanent modification.

Despite the fact that U.S. taxpayers have given lenders an average of $20,000 for each participating homeowner, there is nothing that prevents a lender from still foreclosing after the modification. That means that the bottom line of the HAMP program is this: False hope for homeowners who see the Federal Government send thousands to big lenders only to lose their homes a few months later.

According to the Special Inspector General of TARP programs, ''there have been countless published reports of HAMP participants who end up worse off for having engaged in a futile attempt to obtain the sustainable relief that the program promised. Failed trial modifications often leave borrowers with more principal outstanding on their loans, less home equity, depleted savings, and worse credit scores.''

As we work to rein in government spending, to create certainty, confidence and, ultimately, jobs, this program, well intentioned as it is, has not been tax dollars well spent.

I urge my colleagues to support the bill.

Mr. FRANK of Massachusetts. I yield 3 minutes to another member of the committee, the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Over the last few years, the United States has faced a devastating economic crisis.

As a result of the economic downturn, many homeowners have lost their homes or are at imminent risk of foreclosure. That is why the Obama administration launched the Federal Home Affordable Modification Program: to stem the escalating tide of home foreclosures and the disastrous impact it has on families and their communities.

HAMP's purpose is to help eligible homeowners avoid foreclosure by providing them with permanent loan modifications to terms they can afford. Although this program is far from perfect, it has helped more than 600,000 families lower their mortgage payments and stay in their homes. H.R. 839, the HAMP Termination Act of 2011, will end this program and is the latest effort by House Republicans to end foreclosure avoidance and mitigation programs.

With forecasts showing that there will be 3 million foreclosures nationwide this year and the housing turnaround not expected for at least 3 years, Republicans have yet to offer any alternative to help solving our housing crisis.

Republicans have also failed to address the impact this crisis is having on minority communities. An estimated 17 percent of Latino families and 11 percent of African American families have lost their homes or are at imminent risk of losing their homes.

Eliminating support for distressed homeowners at this point in time would be disastrous for neighborhoods trying to recover from the foreclosure crisis. Instead, we should focus our efforts on ways to make HAMP a useful, wide-reaching program with meaningful goals, goals such as pushing lenders to reduce the principal on loans that are underwater and give struggling homeowners real relief.

I urge opposition to this misguided bill.

Mrs. BIGGERT. I yield such time as he may consume to the chairman of the Financial Services Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the gentlewoman.

As Republicans and Democrats, let's talk about what this bill does. This bill shuts down a Federal program which spends money. Every dime of that money, of the over 1,000 million dollars, has already been spent, and they have authorized $29 billion more to be spent. Now, that's taxpayer money; and that is money that, in 2008, we promised the American people, when the banks paid it back, that it would go into the Treasury. That was a promise that we made. So this bill keeps that promise, and that's that the money will be returned to the Treasury.

Now, why do we make that promise and why do we defend that promise today on the floor of the House? Because, ladies and gentlemen, we are spending our children and grandchildren into financial oblivion. We are threatening the national security of this country.

Now, where do I get such a fact as that? Why do I say that it is a threat to national security, which I said last week and I was criticized?

Well, let me quote Defense Secretary Robert Gates when he said 2 months ago, ''this country's dire fiscal situation and the threat it poses to American influence and credibility around the world will only get worse unless the U.S. Government gets its finances in order.''

And I was told, well, that didn't say that it was a threat to our national security. But following that statement, Admiral Mike Mullen made this statement, the Chairman of our Joint Chiefs of Staff, ''The most significant threat to our national security is our debt.'' In case you weren't listening, let me say that again. ''The most significant threat to our national security is our debt.'' Now, that wasn't a Republican on the floor of the House. That was the Joint Chiefs of Staff's Mike Mullen.

We are spending $1.42 for every $1 we get. We are borrowing 42 cents of that. Twelve percent of our debt is owed to the Chinese. Every day we write the Chinese a check for $120 million. They could buy the most advanced strike jet fighter in the world and still have $20 million to put in their pocket each day. In 1970, only 19 percent of our national debt was owed to other countries; today, it approaches 50 percent.

Now, let's not talk about whether we can afford this program; let's talk about whether our children and our grandchildren can, because—let's not kid ourselves—we can't pay it back. Now, do we want to spend $30 billion of our children's and our grandchildren's money?

□ 1500

First of all, should we do that morally? But let's just assume that you say yes, we should do this with our children and grandchildren's money. Well, who should we pay that money to?

You talked about the banks. Where does this money go? It goes to the banks. Every dime of it is paid to a bank. You have a borrower, you have a lender. As many of you have correctly said, and I agree with you, people loaned homeowners money they couldn't afford to pay back. And is that the taxpayers' fault? Should they pick up the bill? No. It is the bank's, or it may be the homeowner's. But the people that ought to pay it back are not the taxpayers, and if it can't be paid back, the banks ought to take the loss.

You talk about the homeowners, but it is the banks that will be paid. And you talk about 500,000 Americans that have been helped. You didn't mention almost 1 million that have been made worse off. Now, again, is that some mean Republican saying they are worse off? No.

Today, March 29, a letter from the largest national Hispanic civil rights and advocacy organization in the United States. Do you know who that is? It is La Raza. What did they say? Let me quote what the largest, and I think we would all agree, a very liberal organization, what did they say?

I urge you to vote ''yes'' on this legislation, they said. ''Structural flaws, especially the voluntary nature of HAMP, have resulted in an abysmal performance by mortgage servicers and hundreds of thousands of families losing their homes to foreclosure unnecessarily.'' They say this program has resulted in hundreds of thousands of American homeowners losing their homes.

Now, are they the only people who have said this? No. Our own Inspector General, our own Neil Barofsky, SIGTARP, who was put in charge of monitoring this program, what did he say? Let me quote what he said. ''HAMP benefits only a small portion of distressed homeowners, offers others little more than false hope, and in certain cases causes more harm than good.'' When did he say that? He said it this month before our committee. This month.

How about the Congressional oversight panel, a majority of which are Democrats. What did they say? They said billions of taxpayer dollars—billions, billions—will have been spent to delay rather than prevent foreclosures.

Now, that is not Republicans who are getting some crazy idea that this program isn't working. No. It is Democrats.

And who has President Obama appointed to temporarily run the Consumer Financial Protection Bureau? Well, it is Elizabeth Warren, we all know the answer to that. What does Elizabeth Warren say about this program? Let me quote what she said. Just the facts. Not SPENCER BACHUS, not PATRICK MCHENRY, not JUDY BIGGERT. No. Elizabeth Warren, who works out of the White House and who is in charge of consumer protection. Here is what she said, December 14th: ''Because Treasury's authority to restructure HAMP ended on October 3, 2010, the program's prospects are unlikely to improve substantially in the future.'' In other words, they are not going to improve this program.

So let's end by saying this. We say shut it down. You say mend it. Let's mend this program. Why? Let's not pretend. We are not talking about mending. We are talking about pretending. The Treasury, according to Elizabeth Warren, doesn't even have the ability to do that.

The administration itself, not someone here, but your administration, Laurie Maggiano, a Treasury official, said at the Mortgage Banking Conference February 24, just a month ago, ''You won't see any major new programs coming out. We may tweak around the edges, but our primary objective in 2011 is excellence in the program we have.'' Well, there has been no excellence in the program. It has failed. The largest Hispanic group in America has said, end this program.

But I tell you what, our grandchildren and children would say this, and you continue to say, and I agree with you, we have got 13 million American families underwater with their mortgages, and you want to pick and choose 500,000 of those to help. What about the others? Should the Federal Government pay everybody's mortgage that is behind?

Why, one out of four American families are underwater on their home. You have got, it just came out yesterday: 13 million vacant houses in America, and almost immediately you come up with a cash-for-keys program where you are going to buy these abandoned properties from the banks, from the speculators.

I don't think you have listened to the American people. I don't think you heard what they said in November. This program has been criticized ever since its inception. You haven't mended it. You are talking about mending it today.

Where is your bill to mend it? Is there a bill to amend it? Have you introduced it? Is there a bill?

Mr. FRANK of Massachusetts. Will the gentleman yield?

Mr. BACHUS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Yes, we are introducing legislation to make sure that the taxpayers are off the hook.

Mr. BACHUS. You will be?

Mr. FRANK of Massachusetts. We have introduced a bill to restore a provision that was knocked out by Republicans.

Mr. BACHUS. Is the gentleman saying you will be?

Mr. FRANK of Massachusetts. It has been filed.

Mr. BACHUS. What, today? Was it filed today, or Monday?

Mr. FRANK of Massachusetts. No, last week. Last week.

Mr. BACHUS. Last week. Two years——

Mr. FRANK of Massachusetts. The gentleman doesn't want an answer, apparently.

Mr. BACHUS. I reclaim my time. One thousand million dollars and $29 billion of authorization, 2 years of a failed program, and the week before we come to the floor, you file a bill. You file a bill. I'm sorry to say to the ranking member, you can file the bill, we will take a look at it, but we are ending this failure.

Mr. FRANK of Massachusetts. I yield myself 2 minutes.

I regret the chairman's refusal to allow me to answer the question he asked.

Yes, we just filed the bill because we are restoring a provision that was in the financial reform bill. The gentleman, who has shown very little regard for the taxpayer in his own vote sending money to Brazilian cotton farmers—and, by the way, I wish he had listened to Secretary Gates and Admiral Mullen and not voted to force on them money for weapons systems they didn't want. They said those things when they tried to get the Congress not to give them weapons they didn't want, but many of my Republican friends, the majority, disregarded that.

But in the TARP legislation we said that in 2013, when this program ends, any penny that was spent and not returned to the taxpayers will come from the banks, will come from the hedge

funds. And we can anticipate Republican opposition to that, because in the financial reform bill last summer, already passed, not recently introduced, we say that for many of these programs to recover the costs of the foreclosure mitigation and dealing with the results of foreclosure, we would get it from large financial institutions. The Republicans objected to that, and the Republicans insisted in the Senate that it be knocked out. So every time we have tried to get money from the large financial institutions to pay for the costs of the damage their irresponsibility inflicted, the Republicans have opposed it.

Again, when it came to Brazilian cotton farmers or weapons the Pentagon didn't want or infrastructure in Afghanistan or Iraq Security Forces, all of the things the gentleman from Alabama voted for that comes out of the taxpayers' hide, and then he votes against and opposes our legislation already passed and just reintroduced to have the large financial institutions pay for this. So his concern for taxpayers comes into play when we are trying to help people who are in need, but it is not in play when we are talking about heavy defense contractors, Brazilian and American cotton farmers, or the large financial institutions, because he and his fellow partisans have consistently fought every effort we have made to get the large financial institutions to bear this cost. But we do have still, as people will hear later, provisions to do that.

□ 1510

Mrs. BIGGERT. May I request again the time remaining, Mr. Chairman?

The CHAIR. The gentlewoman from Illinois has 5 minutes. The gentleman from Massachusetts has 15½ minutes.

Mrs. BIGGERT. Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 5 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Chairman, I rise to oppose this bill, but I do so with mixed feelings because I have been one of the critics of the HAMP program.

The members of the majority have pointed out correctly that this program has been widely criticized for more than 2 years. It has been criticized by the congressional oversight panel, by the SIGTARP (Special Inspector General for the Troubled Asset Relief Program), by La Raza, by Elizabeth Warren, and, yes, by me. But I have not criticized it for the reasons that the gentleman from Alabama gave. If this bill is keeping a promise, it is not a promise made in open to the American people, it is keeping a promise made in secret to the banks, because the costs of this program are not going to come out of the pockets of the American people. This comes out of the TARP program. That legislation said that any money not recovered by 2013 has to be recovered from the financial industry, and whoever's present in 2013 has to propose to Congress exactly how it is we're going to get that money back.

They can afford it. Thirty percent of all corporate profits are in the financial sector. They can more than afford it.

The gentleman from Alabama frequently says that he hates visiting debt on his grandchildren, and I believe him when he says it, but I have good news for him. Unless his grandchildren take a job on Wall Street in the next 2 years, they are not going to have to pay this debt. This debt, if Congress does keep its promise to the American people, will not come from the American people. It will come from Wall Street. It will come from the people who created the mess that we are now trying to clean up.

But I have criticized this program because it is not as effective as it should be. It has gone on for 2 years. It is not what we need. The problem, however, has not been what government has made banks do. This program has been run by the banks. It has not been run by the government. It has been run by the banks. Every horror story about a homeowner's being abused is being abused by a bank, the bank handling the mortgage, not by the Department of the Treasury, not by the Federal Government.

So, of course, when they come to see a Republican Member of Congress, the Republican Member of Congress says, ''Oh, isn't it terrible what the Federal Government made that poor bank do to you.'' No, the Federal Government didn't make the banks do that.

My criticism of this program and my criticism of the Obama administration in how they have run this program is not that they've made banks do what they've done, but they have let banks do what they've done. This program can work if there are some tough rules that are really enforced, tough on the banks.

The gentleman from Massachusetts mentioned earlier the bankruptcy proposal 3 years ago. I introduced that bill. I have been trying to put rules, requirements, on the banks that they let people out, that they try to begin to let people out in a very orderly, logical, fair way, through judges, through a judicial process, to begin to get control of the collapse of the housing market.

Something has got to happen to stop the continuing fall of housing values. Something has got to happen to end the cycle of foreclosures and diminished home values and more foreclosures. Republicans have offered nothing to do that. We know something can work. We know that we can design a program that will work, because it has been done before.

In the New Deal, one of the most successful programs in the New Deal was the Home Owners' Loan Corporation which bought mortgages, modified them, worked with homeowners, tailored the mortgages to something the homeowner could buy for those homeowners who really could afford a house, the house that they were in but not the mortgage that they had, and most historians say that program saved the housing market in the Great Depression and saved the middle class.

We have got to make something work. There are rules on the horizon. There is now a pending settlement negotiation for the violations of law by the banks in how they've managed mortgages. It is with States attorneys general and it is with the Federal regulatory agencies. Some on the Republican side have publicly pressured the Federal agencies to lay off the banks. I really cannot tell much difference between what they are doing in the pressure they are putting on banks and the regulatory agents in an enforcement matter and what happened a generation ago with the Keating Five. But they're doing it. They're saying, ''Lay off our buddies the banks. Don't come down too hard on them.'' But there is a real possibility the result of that settlement will be some tough rules, and there is now rule-making authority. There is now a cop on the block. The CFPB has the authority to develop rules for banks in how they manage mortgages.

But something has to work. This has not been working. It can be fixed. It has to be fixed. Something has to work.

Mrs. BIGGERT. I yield 1 minute to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I thank my colleague for yielding, and responding to my colleague from North Carolina, Mr. Chairman, I would say that we agree: The HAMP program is a failure. I think there is bipartisan agreement on that. Even the SIGTARP, Mr. Barofsky, says, ''The Treasury Department is so content with the wretched, shameful status quo, they refuse to even acknowledge the program is a failure.'' We agree. It's a failure. Although it sounds like, at the end of the day, he is going to vote to defend a failed program.

Secondly, I would remind my colleague that this program actually writes checks to those evil banks that he talks about, with those evil profits that he talks about, to the tune of about a billion dollars. So this program is actually cutting checks to banks.

Third and finally, that TARP money is actually the taxpayer, the American people's money, not the banks' money, and we owe it to the American people to give them back that money.

Mr. FRANK of Massachusetts. How much time do I have remaining, Mr. Chairman?

The CHAIR. The gentleman from Massachusetts has 10½ minutes.

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, this bill is just like saying, ''You know what, you said you were going to give

us a loaf of bread, but you only gave us a slice. So because you didn't give us the whole loaf, we're going to take all of the bread away, even the slice.''

Because the program isn't as successful as it could be, we ought to be getting in here and doing something about all the foreclosures across America as opposed to what the majority wants to do, which is get rid of even the meager program that exists.

This is unresponsive government. This is government that is turning its back and folding its arms on the American people. We've got 4 million foreclosures, and may end up with 7 million, and yet instead of trying to make a program work, we just get rid of the whole thing. This is a really sad day and a big mistake.

If you want to get up here and criticize the HAMP program, you can do that. But you know what: The HAMP program has come up with more than 600,000 active modifications. That's not nearly enough of what we need, but it has done something. Rather than get the program right, we abandon all those people who are underwater, all those people who are in foreclosure. That is a shame, and it's wrong.

Now let me say, Mr. Chairman, the fact is that this program, this HAMP program that we're terminating today, this program, doesn't do anything to put Americans back to work. It doesn't do anything at all. The Republican majority has been here for 13 weeks and all they've done is cut programs that could put people to work. They haven't tried to fix anything that's not working. They've just tried to cut back on what America needs.

So that we will be in a position when people aren't working, they won't be paying taxes, we won't be even addressing this deficit because of the Republican no jobs agenda. It's really too bad. We were sent here to do something about jobs. We were sent here to do something about foreclosures. We're not doing anything about either, because the Republican majority refuses to address it.

One of the biggest problems with the HAMP program, now that we're on that subject, is that we did just allow incentives. We didn't really make the banks and the services do what they should do, which is to readjust these mortgages. People bought at bubble prices based on Republican majority decisions to not regulate, to abandon consumer protection, and this bubble market created expansive and big prices. The loans people got, we didn't see consumers get protected from no doc, low doc, NINJA loans. We didn't see any protection for the American taxpayer with any of these financial regulations involving derivatives. And yet when the bubble burst, the people are there to try to pick up the pieces.

But what does the Republican majority do? They just take away the one slice that might help some people instead of trying to do something to help the American people.

I hope the American people are watching this debate today, Mr. Chairman. I just hope they take careful note of who is on the side of the American neighborhood, who is on the side of the American people, and who's trying to take away that American Dream.

□ 1520

The CHAIR. The gentlewoman from Illinois has 4 minutes remaining.

Mrs. BIGGERT. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. FRANK of Massachusetts. I yield 3 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. I thank the gentleman for yielding.

As best I can discern, the argument about the HAMP program is we should terminate it because it's run inefficiently. That seems a fairly strange argument for most of us around here because we know that there are inefficiencies in every department of the government. If you use that as the touchstone for terminating programs, we would close down the entire Defense Department; we would close down the Department of Commerce; we would close down the Department of Health and Human Services. We would go right down the list and close them all because every one of the departments and every program has some inefficiencies in them. You don't solve the problem by closing a program. You solve the problem by trying to correct the problems that exists.

This is a whole new philosophy for this group of people, because when the Securities and Exchange Commission was not equipped to fine the Bernie Madoff episode, their answer to it was let's cut out the SEC or let's reduce this budget, not make it more efficient so that it can stop the kind of fraud and abuse that was taking place, let's just starve it to death. That's the same philosophy that's being applied in this context, Mr. Chairman. Because the program is inefficient, which all of us agree it has been, their answer is let's close it down. Ours is to make the program more efficient and work for the purposes for which it was intended; and that's what we ought to be devoting our attention to today, not terminating the program.

Mrs. BIGGERT. I yield 15 seconds to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I will respond to my colleague, Mr. Chairman, that, if we can't eliminate this failed program, what program can we eliminate?

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself the balance of my time.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Well, let me begin with my friend from North Carolina. $150 million a year to Brazilian cotton farmers, which the gentleman voted for. Now, what we could have done was, instead of giving them $150 million—

Mr. MCHENRY. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from North Carolina.

Mr. MCHENRY. Mr. Chairman, I didn't vote for the farm bill.

Mr. FRANK of Massachusetts. No, the question was not the farm bill. It was the amendment from the gentleman from Wisconsin to cut out $150 million that is being voted subsequent to the farm bill to the cotton farmers of Brazil.

We had an amendment offered by the gentleman from Arizona (Mr. FLAKE) and the gentleman from Wisconsin (Mr. KIND) not to pay $150 million a year to Brazilian cotton farmers. We were told that we had to do that because otherwise we would be in trouble. But we had an alternative. We could have knocked $150 million out of the subsidy to American cotton farmers. That's $300 million a year that we are losing.

We have the second engine on the F–35. My friend on the other side, the gentleman from Alabama, quoted the Secretary of Defense and the Chairman of the Joint Chiefs of Staff saying national security is at risk, but then they vote against him and force on him money he doesn't want. The gentleman from Alabama voted for a second engine. The administration, at the request of Secretary Gates, said he'd veto the bill if that happened. So it does seem to me a little odd to quote the Secretary of Defense and the Admiral, the Chairman of the Joint Chiefs of Staff, about the problems of debt and then vote for money over their objection.

So those are things I would do. Brazilian cotton farmers, I would have limited the amount that we pay others.

There's a couple of other major flaws here. We've heard several times from people on the majority side that more people are hurt than helped by HAMP. That appears nowhere in anybody's testimony. Neil Barofsky didn't say it. La Raza didn't say it. They said some people are hurt.

I will yield if the gentleman wants to point to any document that says more people were hurt than helped.

Mr. MCHENRY. I thank the gentleman for yielding.

There are 800,000 people that are given temporary modifications, verbal modifications, that are kicked out of the program. Those are the people that have their credit dinged and——

Mr. FRANK of Massachusetts. Reclaiming my time, the gentleman quoted Barofsky, quoted La Raza. Those figures are nowhere in there. And their credit is not worse off because they're in the program. That's the fundamental flaw. What they are saying is—and people have said, the gentlewoman from Illinois—go to the private sector.

The problem, by the way, that La Raza has is this is too much private sector. La Raza's problem here is that the problem is that it leaves too much to the private sector. The private sector does the easy stuff. The notion that

more people are hurt than helped is simply nonexistent.

By the way, we've always heard from my Republican friends that we shouldn't be the nanny state, to let people make choices. No one is forced to go into this program. If they can go into another program, they can make it better.

The final point I want to make is this. Yes, there is a question about who pays for it. Under the TARP bill that we passed, it is mandated that in 2013 we get money from the financial institutions for this. In the financial reform bill that passed the House, we had a provision that required that that assessment be made right away. In the conference report on financial reform, we had an assessment on the financial institutions, those above $50 billion in assets, except hedge funds above $10 billion. We have had three legislative efforts to assess these costs on the financial institutions. The Republicans have opposed every one, unfortunately, with some success; although, we still have one left.

The final point I would make is this. Yes, the HAMP program has a lot of problems. Solutions cannot be more elegant than the problems they seek to resolve. The absence of any program leaves people worse off. The Republicans successfully defeated efforts to give bankruptcy powers. They have successfully opposed efforts to make the banks pay for this. So they set up a program which, thanks to them, at least for now, looks like it comes from the taxpayers—although we'll be able to recover that money—which has no leverage over the private sector, and then they object to it.

So I would say again, Mr. Chairman, look at the votes on subsidizing Brazilian cotton farmers or a second engine or money for infrastructure in Afghanistan or security in Iraq. Billions of dollars collectively in all those programs, which my Republican friends, including the advocates on the other side of killing this program, voted for. We have a program here that will be paid for by assessments on the large financial institutions if the Republicans aren't successful and once again go to their rescue. It is a program that people go to voluntarily. They have a right to go purely to a private sector program. If that doesn't work, they can go in here.

It has not helped everybody. The fact that some people didn't get a modification here I regret, and I wish we'd give them more power, but it doesn't mean they are worse off. A few are worse off. Nobody quoted and said a majority were worse off. I hope the program is continued.

Mrs. BIGGERT. I yield the remainder of my time to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. I appreciate my colleague yielding, and I certainly appreciate the rhetoric used on the floor. I respect my colleagues. I respect their opinion.

I think people of good will created this program; I really do. The intent was to help homeowners. But 2 years after the fact, we're left with the cold, hard facts that this program has hurt more people than it's helped: a Federal Government program that brings people in, destroys their credit, takes their savings, and at the end of the day takes their home. It offers hope, but it isn't able to deliver it. It's false hope that this program delivers.

I would point to the Special Inspector General's report from January 26, 2011. On page 11: A combined total of more than 792,000 trial and permanent modifications have been canceled.

I would also point my colleague to the Treasury Department's monthly report on their housing programs.

□ 1530

Of the trial modifications that are canceled, those are the individuals who are brought in, given verbal modifications, and strung out for a period of months, some for 3, 6 months. I've had constituents tell me they've been in this trial modification period for up to a year. At the end of the day, these people are kicked out after their savings have been taken, and they're left with nothing, not even their homes, not their credit ratings, not their savings.

It's a Federal Government program that's doing this. This is so objectionable at its core, and I have my colleagues on the other side of the aisle saying that they're bleeding heart liberals—right?—and they're making their arguments. Well, let me see if this actually burns your bleeding hearts.

A constituent of mine from Kings Mountain says, ''They keep requesting the same information over and over again. They have supposedly been working with me to get approved under the Make Home Affordable Modification for over 14 months now. The person handling my case returned my call to tell me that they've declined my request for a modification because I was unemployed. I've never been unemployed. I've been with the same employer for over 5 years now, and that has not changed through this whole process. After sending her the proof of my income, she now says that I do not qualify because I am so behind on my payments. I would not be behind on my payments if they would have let me continue to pay them.''

Can you believe this is a Federal program? If that doesn't tear at your heart, if you don't see the tears of your constituents who have been put through the wringer of this Federal program—this Federal program—then I would say that every program must be acceptable then no matter how much harm it's doing.

I know that we're better than that. I think the folks on the left and the right who have analyzed this program, who have done a bipartisan, nonpartisan analysis of this and research, have shown that it has been a failure. It is this Congress' responsibility to end a failure of a program and to make sure that the Federal taxpayers, the American people, don't continue to write the check for a program that destroys people's lives and that has hurt more people than it has helped.

I encourage my colleagues to vote ''yes'' on this bill.

Mr. TOWNS. Mr. Chair, I rise today to urge my colleagues to vote no on H.R. 839 "The HAMP Termination Act of 2011". This bill would prohibit new mortgage loan modifications under the Home Affordable Modification Program (HAMP) which has assisted over 600,000 people. The program works with loan servicers and borrowers to allow hard working people to stay in their homes.

Mr. Chair, my home state of New York has over 140,000 households with at least one member of that household out of work. We must invest in programs that give relief to families that have lost income in this great recession through no fault of their own. HAMP entitles qualified homeowners to reduced mortgage payments at a sustainable debt to income ratio of 31 percent. This program also provides incentives to loan investors and servicers for every permanent loan modification. These incentives allow homeowners in distress the ability to stay in their homes and to continue making payments on time.

I realize that this program is not perfect and that there are still some outstanding issues that must be addressed in order to make HAMP more efficient and effective. However H.R. 839 would simply prevent any future attempt by this congress to address those concerns. Mr. Chair, we were sent to Congress to solve problems. We must deal with the current foreclosure crisis by using every tool in our arsenal to make sure people can afford to stay in their homes.

It is my hope that Members of Congress from both sides of the aisle will work together to make sure the American dream of homeownership is viable in 2011. We must work together to solve the major challenges of our day and we must do so in a bipartisan manner.

H.R. 839 is not the answer to our nation's foreclosure crisis. I urge my colleagues to vote no on this measure.

Ms. HIRONO. Mr. Chair, I rise in strong opposition to H.R. 839, the Home Affordable Modification Program (HAMP) Termination Act.

The House majority supports H.R. 839 and other bills that would end new and existing foreclosure mitigation programs, turning their backs on the middle class families in our country.

Instead of coming up with practical ways to improve these programs, or establishing new initiatives that assist homeowners and stabilize the housing market, my colleagues on the other side of the aisle support immediate termination of these programs without working to address the housing crisis and its effect on the nation's economy.

Most of us would agree that HAMP has not been nearly as successful as initially hoped. Since this program started, about 5 million foreclosures have been completed. HAMP is far from reaching the targeted goal of assisting 3 to 4 million homeowners: nearly 1.5 million homeowners have received a trial HAMP

modification, but only about 600,000 have had their mortgages permanently modified under HAMP.

On March 28th, fifty of my colleagues and I sent a letter to Treasury Secretary Geithner to share our concerns about HAMP, including (1) establishing a single point of contact requirement for mortgage servicers; (2) suspending the foreclosure process when the borrower makes a request for a loan modification; (3) providing for an independent review of loan modification denials; and (4) urging the Treasury Department to begin levying fines and penalties against servicers who fail to follow program rules. These reforms are essential to ensure that HAMP becomes a more successful and effective program.

While HAMP has been far from perfect, the program has had its share of successes. About 30,000 additional homeowners are receiving a permanent HAMP modification every month.

Moreover, the Office of the Comptroller of the Currency reports that the re-default rate for the program's permanent modifications at six months was about half that of other modifications, and nearly 85 percent of homeowners who received a permanent HAMP modification remain in their modification a year later. This program has also set important mortgage industry standards to address the magnitude of this housing crisis and ensure that struggling homeowners get the help that they need to stay in their homes.

If it were not for HAMP, there is no question that even more homes in my congressional district would have been subject to foreclosure. A constituent from Hilo on the island of Hawaii contacted me desperate for assistance. At 72 years old, he has a medical condition and lives on a fixed income. This constituent has no substantial debt and put in over $300,000 of his savings into his home. His bank ignored his pleas for help, and he was on track to getting a foreclosure notice until he received assistance from HAMP.

Another constituent, a disabled veteran living in Volcano on the island of Hawaii, tried for over two years to get help from her lender, to no avail. It was only as a result of the Making Home Affordable foreclosure prevention services that she was able to get a permanent loan modification, which saved her $500 a month and lowered her interest rate by over two percentage points.

These are only two of the personal and heart-wrenching stories that I've heard from people in my congressional district who are struggling to stay in their homes. The bottom line is that HAMP provides yet another lifeline for these families. Terminating HAMP would effectively end a lifeline to tens of thousands of homeowners.

I urge my colleagues to vote against this misguided bill.

Mr. POSEY. Mr. Chair, I rise today in support of H.R. 839, the HAMP Termination Act.

As you know, this bill would terminate the failed Home Affordable Modification Program (HAMP), while still protecting assistance for homeowners who were already extended an offer to participate in the program. If passed, it would save taxpayers $1.4 billion.

HAMP was established under the Troubled Assets Relief Program (TARP) and was aimed at helping homeowners modify their loans. The Administration rolled out HAMP with the goal of assisting three to four million homeowners, yet the program has fallen far short of that goal, assisting only 500,000 borrowers and at a cost much higher than anticipated. In fact, this program is hurting more homeowners than it is helping. Many trial modifications ultimately end up being cancelled—putting borrowers in a worse financial position than they were before they applied for HAMP assistance. Too many found HAMP to be less than helpful, and ended up owing back payments, interest, and fees in one lump sum once their modification request is rejected.

Numerous government watchdogs—including the Government Accountability Office, the Special Inspector General for TARP, and the Congressional Oversight Panel—are all on record labeling HAMP as ineffective. Unfortunately, as I've witnessed in Financial Services Committee hearings and on the House floor, the Administration has been unwilling to accept these objective analyses and terminate the program, instead choosing to throw good money after bad.

I believe when we see valuable tax dollars being spent on a flawed program we must terminate those programs. A dollar saved here is one less dollar borrowed and put on the tab of future generations.

Washington is on an unsustainable path. Out-of-control government spending has caused a massive increase in borrowing and the national debt is now a record $14 trillion. Facing a $1.5 trillion deficit for the third year in a row, the time is past due for Washington to make tough decisions so that our nation's financial future will be secure. All across America, families are doing more with less, and it is time for Washington to do likewise. Fiscally responsible Americans know the budgetary challenges we face and are supportive of the steps we are taking to stop the waste.

Mr. Chair and my colleagues, I ask that you join me in support of H.R. 839, the HAMP Termination Act. Together, let's stand with the American people and get Washington's spending spree under control.

Mr. VAN HOLLEN. Mr. Chair, today's bill represents the fourth piece of legislation we have considered in as many weeks to withdraw assistance from struggling homeowners, worsen the foreclosure crisis and further weaken the middle class.

Specifically, H.R. 839 proposes to terminate the Home Affordable Modification Program, or HAMP. HAMP is a voluntary program with strict and sensible guidelines that has already provided permanent loan modifications to 600,000 American households, including over 17,000 in my home state of Maryland—and is expected to help another 30,000 Americans stay in their homes every month through the end of next year. Furthermore, HAMP's standards have now been largely adopted and standardized across the mortgage industry, thereby benefiting millions of additional homeowners outside the program itself.

HAMP is not a silver bullet, and it will not help everyone. For example, it is not available for mortgages over $729,750, for second homes, for investment properties or for vacant houses. Additionally, HAMP is not for homeowners who can afford to pay their mortgages without government assistance—or for homeowners who could not afford to pay their mortgages even with government assistance. But for the estimated 1.4 million Americans who are eligible for the program, HAMP is a lifeline that can make all the difference.

Mr. Chair, as we struggle to pull ourselves out of the worst economic downturn since the Great Depression, it makes little sense to terminate a targeted and effective foreclosure prevention program like HAMP when so many of our fellow Americans still face completely avoidable foreclosure.

I urge a no vote.

Mr. BACA. Mr. Chair, I rise in opposition to H.R. 839—the HAMP Termination Act.

HAMP is far from perfect—and we all are aware of some of the problems it has experienced since it began.

But it has helped over 500 thousand homeowners gain mortgage modifications.

And—it is expected to help another 500 thousand homeowners gain modifications over the next two years.

These modifications have resulted in real savings for American families.

In fact—the median savings for homeowners who have received a modification is $537 a month.

I know much has been made by my friends on the other side, about how some advocacy organizations—like NCLR—support the termination of HAMP.

I understand the frustration of these groups. HAMP is a voluntary program. Treasury could have pushed our financial regulators harder to comply with standards. And—we have yet to see a comprehensive plan to punish the bad actors.

But terminating HAMP—without any alternative plans to assist struggling homeowners—is wrong.

Unfortunately, Republicans are eager to turn control of loan modifications over to the same banks who got us in this mess to begin with.

Before HAMP, homeowners who were lucky enough to get a modification would often pay more per month.

Now—we have standardized the modification market, and are expanding HAMP's reach.

Make no mistake—HAMP is not perfect.

But it does give us a framework to build from.

And doing nothing is not a viable alternative.

I urge my colleagues to oppose this effort to deny mortgage assistance to over a half a million Americans.

Vote no on H.R. 839.

Mr. TURNER. Mr. Chair, I rise today in support of H.R. 839, the HAMP Termination Act. The foreclosure crisis facing our nation is far from over. Families across the nation who face the threat of losing their homes need help they can count on and hope for a better future. Unfortunately, the Home Affordable Modification Program, better known as HAMP, has failed to deliver on both counts.

According to The New York Times, in 2010 Fannie Mae and Freddie Mac took over a foreclosed home approximately every 90 seconds. By the end of December, they owned 234,582 homes. They spend 10 million dollars in just one month to have the lawn of each home mowed twice!

To try and help those who are suffering most, both the Bush and Obama Administrations created programs to help families who are at risk of losing their homes. One of these programs was the Home Affordable Modification Program which we will end with the enactment of the bill before us today.

In the face of such a large crisis it is our responsibility to terminate programs that falsely

raised the hopes of so many, but were poorly designed and help only a very few. While the administration has allocated $75 billion for HAMP, it failed to perform under any honest observation.

When the Administration announced the program they estimated it would help between three and four million homeowners. As of December 2010, only 521,630 HAMP modifications have been made permanent. I am concerned that for every one of these success stories there are so many more that have been kicked out of the program, since nearly 800,000 modifications have been canceled since the start of the program. Temporary modifications offer little help to homeowners who do not receive permanent ones, and they end up losing their homes anyway. In addition, the Treasury Department reports that about 20 percent of the borrowers who had their modifications made permanent are now 60 days or more behind on their mortgages.

Why would a program that was designed to help so many homeowners fall so short? Perhaps it's because the program was not designed to help homeowners facing foreclosure. On June 22, 2010, Secretary Geithner testified before the TARP Oversight Panel regarding HAMP and stated "This program was not designed to prevent foreclosures."

Programs that were not designed to help families keep their homes deserve termination. Programs that kick many more qualifying families out of the program than are assisted by the program deserve termination. Programs that have such a high redefault rate among the families that are helped by the program are fundamentally flawed and deserve termination.

I ask my colleagues to join me in supporting this bill to terminate a program that has fallen so short of its laudable goals.

Ms. BROWN of Florida. Mr. Chair, I rise today to oppose this spurious legislation to eliminate a program that has just begun to help our constituents recover from the horrible housing crisis that has taken hold of our communities.

This program has helped more than 600,000 families stay in their homes while helping neighborhoods avoid the associated blight that comes with vacant and foreclosed homes.

The legislation allowed hard-working American families in danger of losing their homes to refinance into lower-cost government-insured mortgages they can afford to repay.

Florida has had over 82,000 permanent and trial modifications under this program. This is over 82,000 families who do not have to worry about where they are going to sleep tomorrow. 82,000 families who know where their kids are going to go to school tomorrow.

I was able to hold foreclosure workshops in cities and towns throughout my district to help these families at risk of losing their homes. With this program's help, these families were able to stay in their homes, keeping neighborhoods intact.

I believe that more money should be used to keep people in their homes. To the administration's credit, they attempted to create other programs that would do that. The Republican majority has spent the last weeks attempting to eliminate those programs also.

Eliminating this program without a replacement program for the people on the front lines of this recession is heartless and should be criminal.

Defeat this legislation and vote to keep people in their homes and our communities living and vibrant.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 839

*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 ''The HAMP Termination Act of 2011''.*

***SEC. 2. TERMINATION OF AUTHORITY.***

*Section 120 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5230) is amended by adding at the end the following new subsection:*

*''(c) TERMINATION OF AUTHORITY TO PROVIDE NEW ASSISTANCE UNDER THE HOME AFFORDABLE MODIFICATION PROGRAM.—*

*''(1) IN GENERAL.—Except as provided under paragraph (2), after the date of the enactment of this subsection the Secretary may not provide any assistance under the Home Affordable Modification Program under the Making Home Affordable initiative of the Secretary, authorized under this Act, on behalf of any homeowner.*

*''(2) PROTECTION OF EXISTING OBLIGATIONS ON BEHALF OF HOMEOWNERS ALREADY EXTENDED AN OFFER TO PARTICIPATE IN THE PROGRAM.—Paragraph (1) shall not apply with respect to assistance provided on behalf of a homeowner who, before the date of the enactment of this subsection, was extended an offer to participate in the Home Affordable Modification Program on a trial or permanent basis.*

*''(3) STUDY OF USE OF PROGRAM BY MEMBERS OF THE ARMED FORCES, VETERANS, AND GOLD STAR RECIPIENTS.—*

*''(A) STUDY.—The Secretary shall conduct a study to determine the extent of usage of the Home Affordable Modification Program by, and the impact of such Program on, covered homeowners.*

*''(B) REPORT.—Not later than the expiration of the 90-day period beginning on the date of the enactment of this subsection, the Secretary shall submit to the Congress a report setting forth the results of the study under paragraph (1) and identifying best practices, derived from studying the Home Affordable Modification Program, that could be applied to existing mortgage assistance programs available to covered homeowners.*

*''(C) COVERED HOMEOWNER.—For purposes of this subsection, the term 'covered homeowner' means a homeowner who is—*

*''(i) a member of the Armed Forces of the United States on active duty or the spouse or parent of such a member;*

*''(ii) a veteran, as such term is defined in section 101 of title 38, United States Code; or*

*''(iii) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.*

*''(4) PUBLICATION OF MEMBER AVAILABILITY FOR ASSISTANCE.—Not later than 5 days after the date of the enactment of this subsection, the Secretary of the Treasury shall publish to its Website on the World Wide Web in a prominent location, large point font, and boldface type the following statement: 'The Home Affordable Modification Program (HAMP) has been terminated. If you are having trouble paying your mortgage and need help contacting your lender or servicer for purposes of negotiating or acquiring a loan modification, please contact your Member of Congress to assist you in contacting your lender or servicer for the purpose of negotiating or acquiring a loan modification.'.''.*

The CHAIR. No amendment to the committee amendment is in order except those printed in part A of House Report 112–34. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HANNA

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112–34.

Mr. HANNA. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following new section (and redesignate the succeeding sections accordingly):

**SEC. 2. CONGRESSIONAL FINDINGS.**

The Congress finds the following:

(1) According to the Department of the Treasury—

(A) the Home Affordable Modification Program (HAMP) is designed to ''help as many as 3 to 4 million financially struggling homeowners avoid foreclosure by modifying loans to a level that is affordable for borrowers now and sustainable over the long term''; and

(B) as of February 2011, only 607,600 active permanent mortgage modifications were made under HAMP.

(2) Many homeowners whose HAMP modifications were canceled suffered because they made futile payments and some of those homeowners were even forced into foreclosure.

(3) The Special Inspector General for TARP reported that HAMP ''benefits only a small portion of distressed homeowners, offers others little more than false hope, and in certain cases causes more harm than good''.

(4) Approximately $30 billion was obligated by the Department of the Treasury to HAMP, however, approximately only $840 million has been disbursed.

(5) Terminating HAMP would save American taxpayers approximately $1.4 billion, according to the Congressional Budget Office.

The CHAIR. Pursuant to House Resolution 170, the gentleman from New York (Mr. HANNA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HANNA. Mr. Chairman, this amendment would add a findings section detailing the flaws of the Home Affordable Modification Program, or HAMP. It would also state that terminating HAMP would result in significant savings for the American taxpayers.

I filed this amendment during Sunshine Week, which highlights the importance of open government. In keeping with the spirit of transparency, this amendment would include within the bill the specific reasons why we should end the failed HAMP program.

The HAMP program was designed to assist between 3 and 4 million homeowners. However, as of February, only 607,000 active permanent mortgage modifications were made under HAMP. While $30 billion was obligated by the Treasury to HAMP, only $1.04 billion has been disbursed. Furthermore, the Special Inspector General for TARP reported that HAMP offers many homeowners ''little more than false hope and in certain cases causes more harm than good.'' The program does not fulfill its intended purpose of helping American homeowners. It delays rather than prevents foreclosure.

This program was flawed from the beginning. According to The Wall Street Journal, the number of applications canceled far exceeds those that were approved, and the number of applications continues to slow. I agree with the Journal's assessment, which also pointed out that keeping people in homes they cannot afford is bad policy. Incentivizing mortgage servicers to do just that only exacerbates our housing crisis. Moreover, the private sector is better equipped to deal with the problem, and they have modified nearly double the number of loans themselves without government involvement.

My amendment concludes that ending this ineffective program would save taxpayers $1.4 billion, which is according to the Congressional Budget Office. This is one step toward restoring fiscal discipline to our Federal Government.

Too often, our constituents receive biased or incomplete information on the issues we are discussing in Congress, thus making it difficult for them to make informed assessments of our work. Including additional facts on the intended consequences of legislation is beneficial to the public. That is why I urge support for the Hanna amendment and the underlying bill.

I yield back the balance of my time.

Mr. ELLISON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. ELLISON. I rise in opposition to the gentleman from New York's amendment and in opposition to the underlying bill today.

Mr. Chairman, the middle class is shrinking, and deficits are rising because Republicans are giving a pass to special interests who cheated American homeowners and wrecked our economy. This is the 13th week of the Republican-controlled Congress. Republicans continue to ignore the people's top priority, which is jobs. Instead of working to keep middle class families in their homes, the Republican plan is to foreclose on the American middle class. The American people sent us here to protect the dream, not to destroy it, not to perpetuate a Wall Street nightmare. Democrats are standing with the American people to create good-paying American jobs and to keep Americans in their homes.

This legislation is just the latest attempt by the Republican majority to end foreclosure programs to help middle class Americans. The majority's housing plan is very simple: foreclose on the middle class. Now that millions of families have already lost their homes, their plan is to hand out foreclosure notices to everybody else.

What's the Republican answer if you lose your home to foreclosure? So be it. What's the Republican answer if your neighbors lose their homes? So be it. What's the Republican answer if you lose your job? So be it.

Mr. Chair, I would like to yield 20 seconds to the gentleman from New York for a question. I am offering the gentleman 20 seconds because I want to ask him a question.

Does the gentleman want to answer the question?

Mrs. BIGGERT. The gentleman is not here.

Mr. ELLISON. How many jobs does this amendment create?

Mrs. BIGGERT. This legislation is to reiterate what the Congressional Budget Office says about——

Mr. ELLISON. Reclaiming my time, the gentlelady hasn't told me the jobs that this amendment, this bill, is going to create.

Mr. MCHENRY. Will the gentleman yield?

Mr. ELLISON. I yield to the gentleman from North Carolina.

How many jobs is this amendment going to create or is this bill going to create?

Mr. MCHENRY. Certainly, a multibillion-dollar Federal program doesn't create any real private sector jobs.

Mr. ELLISON. I reclaim my time.

''No jobs'' is the answer from the gentleman from North Carolina. I appreciate his candor.

Mr. MCHENRY. Will the gentleman yield?

Mr. ELLISON. Let me just finish here.

Mr. MCHENRY. If the gentleman would yield, I would be happy to explain.

The CHAIR. The gentleman from Minnesota controls the time.

Mr. ELLISON. We are here for the specific purpose of trying to create some jobs and to help the American people create their own dreams. That's about jobs. We've been here 13 weeks, and the majority caucus, Mr. Chair, hasn't created one single job.

I asked the gentleman from North Carolina how many jobs this bill is creating, and he just went off on a tangent somewhere. Now, I'm looking for some kind of a number. I'll even take an estimate.

How many jobs does this bill create?

I yield to the gentleman.

Mr. MCHENRY. When you cut Federal spending, you create private sector jobs. When you tax people more, you get less private sector growth.

Mr. ELLISON. I reclaim my time.

Look, we are supposed to be creating jobs around here, Mr. Chair, and we're not creating anything.

□ 1540

The fact is we get spin and we get imaginary arguments and we get failed and flawed economic theory but no answer to the fundamental question, which is, when are the jobs going to start arriving around here?

Mr. Chair, it is a pretty simple question: How many jobs does this bill create? How many families will this bill help keep in their homes? In fact, Mr. Chair, I have three major studies here with me today which I would like to enter into the RECORD which state very clearly that the Republican spending bill eliminates nearly 1 million jobs. The Economic Policy Institute study shows that the Republican spending bill, H.R. 1, will cut nearly 1 million American jobs. Mark Zandi of Moody's Analytics said that the Republican spending bill will cut 1 million jobs. A report from Goldman Sachs says that the Republican spending bill will cut nearly 1 million jobs.

Why is the Republican majority against jobs? Why won't they take a moment to do something about jobs?

[From the Economic Policy Institute, Feb. 9, 2011]

REPUBLICAN PROPOSAL TO 'RIGHT OUR FISCAL SHIP' THROWS MORE WORKERS OVERBOARD

(By Rebecca Thiess)

Update: Since this piece was posted last week, the magnitude of discretionary funding cuts for the duration of this fiscal year proposed by House Republican leadership has grown substantially, especially considering the short time frame for implementation. After the House Appropriations Committee detailed $74 billion in cuts last Wednesday, a number of conservative members demanded $26 billion in additional cuts to make good on the ''Pledge to America,'' bringing the total level of cuts relative to President Obama's FY 2011 budget request to $100 billion. A full $100 billion cut to discretionary spending would likely result in job losses on the order of 994,000, using OMB's GDP projections (CBO's projections are based on current law) and assuming a fiscal multiplier of 1.5.

The new GOP budget proposes cutting non-security discretionary spending by $81 billion relative to the president's $478 billion request for 2011. Non-security discretionary cuts of this magnitude would likely result in job losses of just over 800,000. (2/15/2011)

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Today the Republican-led House Appropriations Committee released a list of 70 proposed funding cuts to government operations for the rest of fiscal year 2011. The cuts included in the committee's proposal are extensive in both their depth and reach. In total, House Republicans propose funding the government at a level $74 billion below President Obama's FY 2011 budget request. Of that cut, $58 billion (over three-quarters) would apply to non-security discretionary spending.

Included on the chopping block are a $224 million cut to Amtrak, a $256 million cut in assistance to state and local law enforcement, an $889 million cut for energy efficiency and renewable energy programs, a $1

billion cut to the National Institute for Health, a $1.3 billion cut to community health centers, and a $1.6 billion cut to the Environmental Protection Agency. All cuts can be seen proportionally, below:

Cuts of this magnitude will undermine gross domestic product performance at a time when the economy is seeing anemic post-recession growth. Cuts in the range of $74 billion will lead to the loss of roughly 700,000 jobs. The domestic discretionary reduction of $58 billion will result in the loss of around 590,000 jobs, as we demonstrate in this briefing paper.

Like Paul Ryan's budget outline, as we stress in this related piece, the proposal suggests Americans take on unnecessary pain with no long-term gain. While $58 billion represents a 12% reduction to the nonsecurity discretionary budget, it only represents 4% of the total 2011 deficit, and less than 2% of total spending as projected by the Congressional Budget Office. In other words, changes to the short-term budget picture would be inconsequential at best, and there would be practically no benefit at all regarding the longer-term budget trajectory. Meanwhile, associated job losses would certainly magnify the ongoing labor market crisis, which has now experienced 21 straight months of unemployment over 9%.

Appropriations Committee chairman Hal Rogers has stated that he has a unique opportunity to ''right our fiscal ship.'' In reality, the nonsecurity discretionary budget is not adding to our long-term debt instability. If anything, the GOP efforts to extend tax cuts for the wealthiest 2% of Americans and water down the estate tax have made our fiscal ship a leakier vessel (according to the Center on Budget and Policy Priorities, these tax policies will have a two-year deficit impact of $139 billion). The proposed program cuts not only fail to offset that lost tax revenue, but they also target programs that exist to promote innovation, global competitiveness, and community and safety-net services. This is an effort to cut helpful and innovative programs and services traditionally opposed by conservatives, disguised as an effort to promote fiscal responsibility. It would reduce jobs, it would hurt millions of people, and it would barely dent our long-term budget picture.

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[From Moody's Analytics, Feb. 28, 2011]

A FEDERAL SHUTDOWN COULD DERAIL THE RECOVERY

(By Mark Zandi)

Odds are uncomfortably high that the federal budget impasse will prompt a government shutdown.

The Obama administration has shown significant spending restraint in its recent budget, but House Republicans want deeper cuts.

While cuts and tax increases are necessary to address the nation's long-term fiscal problems, cutting too deeply before the economy is in full expansion would add unnecessary risk.

The House Republicans' proposal would reduce 2011 real GDP growth by 0.5% and 2012 growth by 0.2 percentage points. This would mean some 400,000 fewer jobs created by the end of 2011 and 700,000 fewer jobs by the end of 2012.

A government shutdown lasting longer than a couple of weeks would do much more damage to the economy.

Lawmakers are likely to split the difference between the administration and House Republican proposals. This isn't ideal fiscal policy, but the economy will be able to manage through it.

A compromise could send an encouraging signal about the more serious budget battles to come.

The political war is intensifying over the federal budget. Lawmakers are at loggerheads over how to cut government spending, raising prospects that government services will halt temporarily while the debate is resolved. Significant government spending restraint is vital, but given the economy's halting recovery, it would be counterproductive for that restraint to begin until the U.S. is creating enough jobs to lower the unemployment rate. Shutting the government for long would put the recovery at risk, not only because of the disruption to public services but also because of the potential damage to consumer, business and investor confidence.

THE NEAR-TERM FIGHT OVER FUNDING

Washington's most immediate battle is over near-term government spending. The catalyst is the chance of a federal shutdown March 4, when current funding will run out. The Obama administration's recently unveiled budget plan calls for significant spending restraint through the remainder of this fiscal year, but House Republicans want even greater cuts. Their proposal would cut spending by about $100 billion more than in the administration's plan and would put spending $60 billion below fiscal 2010 levels.

It is laudable that policymakers are focused on reining in government spending. Much greater cuts will be needed, along with tax increases, to address the nation's daunting long-term fiscal challenges. Even under the most optimistic assumptions, the current fiscal year's deficit will exceed $1.3 trillion, equal to 9% of GDP. If the economy continues to improve as anticipated, and there are no significant policy changes, the deficit will shrink over the next few years, settling around a level equal to 5% of GDP. This is the so-called structural budget deficit. Left alone, it will cause interest payments on the nation's debt to balloon, producing a fiscal crisis. Policymakers will eventually need to cut annual spending and/or raise taxes to shrink the deficit by $400 billion, bringing it down to a sustainable level at no more than 2.5% of GDP.

TOO MUCH CUTTING TOO SOON

While long-term government spending restraint is vital, and laying out a credible path toward that restraint very desirable, too much cutting too soon would be counterproductive. The economy is much improved and should continue to gain traction, but the coast is not clear; it won't be until businesses begin hiring aggressively enough to meaningfully lower the still-high unemployment rate. The economy is adding between 100,000 and 150,000 per month—but it must add closer to 200,000 jobs per month before we can say the economy is truly expanding again. Imposing additional government spending cuts before this has happened, as House Republicans want, would be taking an unnecessary chance with the recovery.

This is particularly true given the added threat presented by rising oil prices. Unrest in the Middle East has pushed up the price of crude oil by about $10 per barrel; West Texas Intermediate is selling for almost $100 per barrel, and a gallon of regular unleaded gasoline has risen to about $3.25 nationwide. If sustained, these prices will shave about 0.2% from real GDP growth in 2011, a disappointing but manageable outcome. If oil prices approach $125 barrel, and gasoline reaches $4 per gallon, growth will slow sharply and unemployment will begin rising again. Should fuel prices return to their all-time high near $150 per barrel for oil and $4.50 per gallon for gasoline, the economy would sink back into recession. Such a price spike seems unlikely, but handicapping events in the Middle East with any precision is practically impossible.

POLICY AT ODDS WITH ITSELF

Additional spending cuts would also be at cross-purposes with the government's other economic policies. The Federal Reserve is holding short-term interest rates close to zero and purchasing hundreds of billions of dollars in long-term Treasury bonds, in an effort to hold down long-term interest rates. The Fed's credit-easing efforts are scheduled to continue through June, and the central bank is likely keep interest rates near zero through 2011. Monetary authorities clearly remain nervous about the economy's near-term prospects.

The tax cuts and benefit extensions lawmakers agreed to late in 2010 are also providing substantial temporary support to the economy. In addition to extending marginal personal tax rates for two years, the deal provided for a 2% payroll tax holiday in 2011, an extension of emergency unemployment insurance benefits through the end of the year, and—perhaps least appreciated in terms of its economic impact—the expensing of all business investment this year. The deal ensured that fiscal policy, which would have significantly weighed on the economy in 2011, will be largely neutral instead. Fiscal restraint was appropriately put off until 2012, when the expansion is likely to be in full swing.

While the government spending cuts proposed by House Republicans for this fiscal year mean only modest fiscal restraint, this restraint is meaningful. If fully adopted, the cuts would shave almost half a percentage point from real GDP growth in 2011 and another 0.2 percentage point in 2012. There would be almost 400,000 fewer U.S. jobs by the end of 2011 than without the cuts and some 700,000 fewer jobs by the end of 2012. The fallout will extend into next year because it takes time for budget cuts to filter through the economy. In all likelihood, the proposed House cuts would not undermine the current recovery; still, it is not necessary to take the chance.

NO CROWDING OUT YET

This wouldn't be true if the current budget deficits were crowding out private investment, but they aren't. Business demand for credit has recovered modestly, and households continue to lower their debt obligations. Interest rates also remain extraordinarily low. Some of this is due to the Fed's credit easing, but global investors also remain willing buyers of U.S. debt even at low interest rates. Ten-year Treasury bonds are yielding 3.5%, fixed mortgage rates are near 5%, and borrowing costs for below-investment grade, or ''junk'', corporate bonds are 8%—about as low as they have ever been. Global investors won't remain avid buyers of U.S. debt for long if policymakers don't tackle the nation's long-term fiscal problems; yet markets today appear unconcerned about the near-term deficits.

This could change if policymakers remain deadlocked and the government suffers a prolonged shutdown. The 1995–1996 experience suggests that a brief shutdown need not be disruptive; in those years, nonessential functions of the government were stopped briefly twice after the Clinton administration and the Newt Gingrich-led House reached an impasse. By that measure, a week-long shutdown in mid-March of 2011 would cost the economy about 0.2% in annualized real growth in the first quarter. Growth would rebound in the second quarter, and there would be no discernible impact by year's end.

A shutdown that lasted into April would be a problem, however. Not only would this disrupt a wide range of government operations and significantly cut the output of government workers, but the hit to confidence

could be serious. Consumer, business and investor sentiment is much improved from the depths of the recession, but it remains extraordinarily fragile. A government shutdown lasting more than a week or two could easily undermine confidence as questions grow about policymakers' ability to govern. This would be fodder for a new recession.

HITTING THE DEBT CEILING

Even more disconcerting would be a shutdown emerging from an impasse about the federal debt ceiling. Judging from the Treasury's near-term financing needs, the current debt ceiling will become a binding constraint on government operations no later than June. The longer it takes Congress to raise the ceiling, the greater the fallout on financial markets and the economy. Global investors who own Treasury debt will receive their interest and principal payments, but, the spectacle of legislative gridlock on this issue may convince markets that U.S. policymakers will have even more trouble making hard future policy choices. Interest rates could spike, stock prices and the value of the U.S. dollar could fall, and the economy would suffer severe harm.

While these dark scenarios highlight the threat of a serious policy misstep in the next several weeks, the very seriousness of the threat improves chances that policymakers will come to terms. The most likely scenario is thus a political compromise that roughly splits the difference between the administration and House Republican proposals, with spending cuts in fiscal 2011 of closer to $30 billion.

This isn't ideal fiscal policy, but the economy will be able to manage through it. And if the compromise is reached relatively gracefully, it could send an encouraging signal that policymakers can navigate the much more difficult budget battles still to come.

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GOLDMAN SACHS

(By Alec Phillips)

Proposals to cut federal spending, the possibility of a government shutdown, and the escalated debate over state employee compensation has increased interest in the effect of fiscal policy on growth, after last year's fiscal package briefly neutralized the expected drag from federal fiscal policy.

Federal spending cuts deserve the most attention. They are the most likely of these issues to occur, and could have the largest magnitude. The assumption we incorporated into our recently revised budget estimates—discretionary spending cuts of $25bn and $50bn below the CBO baseline for FY2011 and FY2012 respectively—would shave nearly one percentage point off of the annualized rate of real GDP growth in Q2, but would fade quickly with a negligible effect on growth by year-end.

The related risk of a temporary federal government shutdown could also lead to a fiscal drag on growth, but this appears to be a lower probability scenario. We estimate that each week that the federal government is shut down would reduce federal spending by around $8bn, and could reduce real GDP growth by as much as 0.8 pp at an annualized rate in the quarter it occurred, but would provide a lift to growth in the following quarter as federal activity returned to the previous level.

The policies that several state governments are debating related to state employee compensation and organization appear to have—at least in the short term—little potential macroeconomic effect. We assume that state governments will cut spending or raise taxes no more than necessary to balance their budgets. This amount will be determined by the level of tax receipts available to pay for spending, not political negotiations.

Fiscal drag is quickly reemerging as a focus, only a couple of months after an agreement to extend tax cuts and unemployment benefits appeared to have neutralized most of the drag from federal fiscal policy for most of 2011. We see federal spending cuts as the most important near-term risk The possibility of a government shutdown is a significant but less likely factor, while the debate over state employee compensation seems unlikely to have a meaningful near-term macroeconomic effect:

Federal spending cuts would result in additional fiscal drag: In our recently updated budget deficit estimates, we have assumed that Congress will reduce discretionary spending by $25bn below the Congressional Budget Office's (CBO) baseline for FY2011, and another $25bn (for a total of $50bn below the baseline) for FY2012 (for more on these assumptions and our budget estimates, see ''The US Budget Outlook: Better, but Not Good Enough,'' US Economics Analyst 11/05, February 4, 2011). By contrast, the House of Representatives passed legislation over the weekend to cut spending for FY2011 by $60bn from current levels (the House hasn't yet addressed FY2012). Both scenarios would add to the drag from federal fiscal policy on growth:

1. The modest spending cuts we assume in our own budget forecast would lead to renewed fiscal drag. Since spending cuts could be enacted no earlier than next month, when the current fiscal year will be nearly half over, $25bn in cuts would require spending in the second half of FY2011 to be reduced by $50bn at an annual rate. Since the cut would be phased in abruptly, it could result in a drag on growth in Q2 by as much as one percentage point (pp), but would quickly fade over the next two quarters as spending stabilizes at a lower level, with little effect versus current policy on the rate of real GDP growth by year end.

2. The spending cut package that passed the House of Representatives would have a deeper effect. Under the House passed spending bill, the drag on GDP growth from federal fiscal policy would increase by 1.5pp to 2pp in Q2 and Q3 compared with current law. However, we don't see this scenario as likely; while we expect discretionary spending to be cut, the current House proposal doesn't appear viable in the Senate, and the president has already threatened a veto.

A federal shutdown poses less risk, as long as it is brief. A federal shutdown can potentially occur when one or more of the 12 annual appropriations bills have not been enacted for the current fiscal year. Usually, Congress provides temporary funding through a ''continuing resolution'' (CR) until appropriations have been enacted, but from time to time, particularly when control of government is divided, this does not happen and funding lapses. When this occurs, any agency or cabinet department without funding in place for the current fiscal year must cease non-essential operations. So far, Congress has not enacted any of the annual appropriations bills for the fiscal year that began October 1, so a shutdown would affect virtually all non-essential programs. That said, the potential for a federal shutdown probably does not present a major risk:

1. While the possibility of a shutdown is real, it isn't that likely. We wrote more extensively on the key fiscal developments over the next few months last week (see ''The Federal Budget Process Gets Underway,'' US Daily, February 17, 2011). The bottom line is that while rhetoric has escalated regarding spending cuts and the threat of a shutdown, we expect both sides to try to avoid one if possible, with the most likely solution appearing to be a short-term extension of funding at slightly reduced levels.

2. The effect of a shutdown is narrower than the term implies. Even in the most protracted government shutdown to date, from November 13 to 19, 1995 and again from December 15, 1995 to January 6, 1996, the majority of federal employees kept working. In the first episode in November 1995, about 40% of federal employees excluding the postal service were furloughed; in the December lapse the share of furloughed employees dropped to less than 15%, since Congress had managed to enact some appropriations legislation between the two shutdowns. If a shutdown occurred next month, it would probably affect nearly all agencies and departments, since no appropriations legislation has been enacted so far this year. But even so, this would imply that only around 40% of federal employees would be affected.

3. A shutdown lasting more than a week could be meaningful. If Congress fails to renew the continuing resolution that is set to expire on March 4, the lapse seems likely to be fairly short. After all, there have been several short government shutdowns over the last few decades, but only two lasting more than three days. But a lapse of more than a few days, particularly toward the end of the quarter, could be more important. If funding lapsed, non-essential services would shut down immediately, representing around $8bn per week in missed federal spending, assuming that 40% of federal employees (not including the postal service) and their activities are deemed non-essential. This would equate to $32bn in annualized terms, or around 0.2% of GDP for each week of shutdown. Pulling this spending out of Q2 would reduce the contribution to quarterly GDP growth from federal activity by a little over 0.8pp at an annualized rate for each week the shutdown lasted, though if the shutdown ended long enough before the end of the quarter it is quite possible that some of the missed activity could be made up, reducing the overall hit to growth. Otherwise, the return to previous spending levels following a one-week shutdown would actually increase growth in the following quarter by 0.5pp and by smaller amounts in subsequent quarters until most of the effect is reversed.

State budget negotiations seem likely to have the least effect: Debate over state employee compensation and the related issue of collective bargaining and other organizational issues among state employee unions have begun to make headlines in a number of states—Wisconsin, Ohio, and Indiana are the latest. While these issues are important for the longer-run fiscal health of state and local governments, in the short-term their balanced budget requirements make revenue shortfalls the most important factor driving their fiscal stance over the coming fiscal year (for most states, this begins in July). Political decisions will determine how spending cuts are distributed, and will also determine the mix of tax hikes and spending cuts, but are much less likely to change the overall amount of tightening that will occur. So while we continue to expect around 0.5pp in drag this year from state and local fiscal retrenchment, recent developments don't seem likely to change this in either direction.

PARLIAMENTARY INQUIRY

Mr. ELLISON. Mr. Chairman, I have a parliamentary inquiry.

The CHAIR. The gentleman will state his parliamentary inquiry.

Mr. ELLISON. Does the author of the amendment need to be on the floor for his amendment?

The CHAIR. The gentleman from New York had yielded back all of his time.

Mr. ELLISON. So what is the answer to the question? Is that ''no''?

The CHAIR. The gentleman had no time remaining.

Mr. ELLISON. I reserve the balance of my time.

The CHAIR. The gentleman from Minnesota has the only time remaining.

Mr. ELLISON. Well, let me close, then.

We've seen 13 weeks of the Republican majority. The American people made changes and expected jobs. They've gotten zero jobs bills at all. What they've seen is a Republican agenda that cuts 1 million jobs, cuts 1 million jobs, and on this critical issue of Americans keeping their homes, the Republican majority has nothing but to take away the small programs that exist. This is a shame, and I hope the American people are watching this debate today, Mr. Chairman.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HANNA).

The question was taken; and the Chair announced that the noes appeared to have it.

Mrs. BIGGERT. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. ELLISON

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 112–34.

Mr. ELLISON. Mr. Chairman, Congressman QUIGLEY has an amendment at the desk, and I rise to offer his amendment on his behalf.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following new section (and redesignate the succeeding sections accordingly):

**SEC. 2. CONGRESSIONAL FINDINGS.**

The Congress finds that—

(1) the Home Affordable Modification Program (HAMP) was first announced in February 2009 and became active in March 2009;

(2) HAMP provides financial incentives to mortgage servicers, borrowers, and investors to facilitate mortgage modifications that lower borrowers' monthly mortgage payments to no more than 31 percent of their monthly income;

(3) as of February 25, 2011, $1.04 billion of HAMP funding has been disbursed;

(4) as of January 31, 2011, there were 539,493 active permanent modifications and 145,260 active trial modifications, for a total of 684,753 currently active modifications; and

(5) each currently active modification has cost the Department of Treasury approximately $1,518.80.

The CHAIR. Pursuant to House Resolution 170, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

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

Mr. Chairman, it's important that the American people are well aware that the Republican majority has had 13 weeks to introduce some kind of jobs bill, and they have introduced exactly none. Instead, what they've done is, we read the Constitution, and that's good except for we should probably do it on our own time. And then we have pursued an effort to cut American jobs, and now that we're dealing with housing programs, in the midst of the worst foreclosure crisis since the Great Depression, the Republican majority has nothing to offer except to take away the little program that does work.

The Republican majority's quick to say, oh, those 600,000 people who did get a modification, that's nothing, but to those people that's a lot. To those people, that's home. A responsible majority would say, well, how can we double the numbers, how can we triple them, how can we help Americans stay in their homes? But that's not what we have.

What we have today in America's Congress is a Republican plan to foreclose on the American dream. And so Congressman QUIGLEY offers some very commonsense findings that should be contained within this legislation that point out the fact that as of February 25, $1.04 billion of HAMP funding has been disbursed; that as of January 31, there have been about 500,000-plus active and permanent modifications, about another 145,000 active trial modifications, for a total of well over 600,000 currently active modifications. The record should reflect that, Mr. Chairman, because the record should tell the truth. The record should tell the truth, yes, about problems that need fixing but also about the success that has happened.

It's a shame if we can't pass this very simple commonsense amendment, and we need to pass it today.

I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Well, let's talk about the substance of the amendment. If the sponsor will not, I intend to. The sponsor of the amendment and the amendment here says that it costs about $1,500 per mortgage modification. That is, in fact, not the case. The substance of this amendment is extremely deceptive and flawed. In fact, the statistics used within it are not even the dissenting views of the Democrats on the Financial Services Committee. They're not even the views of the Treasury Department. The Treasury Department testified in front of the Congressional Oversight Panel and said that the permanent modifications under HAMP would cost about $20,000. This amendment says $1,500. On its face it's false. I would encourage my colleagues to vote against it.

I reserve the balance of my time.

Mr. ELLISON. To clearly correct the record, paragraph 5 says each current active modification has cost the Department of the Treasury approximately $1,518. That's an accurate statement, and I think the gentleman ought to read the documentation much more clearly because, to date, that has been the cost, and it's an accurate statement.

But my question is even deeper than that. What is the Republican majority going to do about the massive foreclosure crisis in America today? My question is, do you all stand by the proposition that it's just laissez faire economics, and that while we have socialism for the banks, we have hardcore capitalism for the American people? That's the question I'd like to hear the majority answer today. But this is an accurate statement. This has been, up till now, the existing cost of Mr. QUIGLEY's amendment for each modification.

I reserve the balance of my time.

Mr. MCHENRY. I would say that his dissenting views are dissenting from the ranking member of Financial Services, Mr. FRANK and his staff. $7,500 is what they claim. The Treasury Department claims $20,000.

My colleague also said that this is a little program. That's absolutely absurd, Mr. Chairman. That's absurd. It's a $29.5 billion program of our taxpayer dollars. But you know, I think he needs to understand something, and my colleague needs to understand what this program is actually doing to people.

You ask my constituent from Hickory who is in the HAMP program: We've been in the HAMP program since February of 2010 and still have no answer. We're being charged late fees, and we've been reported to the credit bureau. We've been in underwater since April and on trial payments for 6 months, which is only supposed to have been 3 months. We've not received an answer.

Another constituent from Stanley said, We've paid payments every month, but now we're being told we're behind in payments because it was not the original monthly amount on our original loan, but it's the amount we were told to pay in 2010. How can we be behind?

I've heard from constituents that tell the same story. It is reduced monthly trial payments. They've been rejected due to eligibility issues or lost documentation. By payments being reduced in the trial payment period, they've ended up defaulting on their mortgage. This is a Federal program that's actively harmed them.

□ 1550

I would ask my colleague to look at the substance of the facts of this program and admit it's been a failure and vote to repeal and end this program.

I reserve the balance of my time.

Mr. ELLISON. Mr. Chairman, I would like to point out that, in fact, the number $1,518 is accurate for the cost up until to date. That's how much the program has cost. Projected costs are a different matter. And I think if the

gentleman digs into the facts, he'll learn that.

But, again, let's talk about the bigger issue at work here. We're talking about a system in which, under Republican control, we have not regulated markets, have not pursued consumer protection, consumers getting into no-doc, low-doc loans, being taken advantage of by unscrupulous individuals whom the Republican majority refused to regulate. Under Republican majorities in Congress and in the White House, this chicken has come home to roost and has wreaked havoc on the American economy. And instead of trying to do something about it, the Republican majority is not doing anything about it.

It's one thing to get up here and say: You know what? That program isn't working very well, and here's somebody who thinks it doesn't work well. I'm quite sure that that story you read is probably true; but, you know what? There are a lot of people whom it did help. And more than that, why don't we fix it? What is the majority's program to deal with foreclosure? Do they have one, or do they just have criticism for what other people propose?

It's easy to be a critic. I'd rather write a critique to a movie than make one. I think making one is tougher, even a bad one. But being a critic is always easy, and the worst movie is better than the best review.

So let me just say, the Republican majority has a responsibility to respond to the American people. They have a responsibility to do something about foreclosures. And I'm hoping to hear somewhere, sometime, today, that they're ready to do something in favor of the American people.

The Republican no-jobs agenda has been exposed, Mr. Chair. The American people know they haven't done anything to create jobs or to protect homes. All they want to do is criticize programs that could use some improvement. They'd rather just get rid of them altogether.

I yield back the balance of my time.

Mr. MCHENRY. I would say, Mr. Chairman, my colleague is right. It is easy to be a critic of this program because it is an epic failure.

I yield such time as she may consume to my colleague from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

We keep talking about jobs, jobs, jobs. We've talked about that for several years now—jobs, jobs, jobs. What we are trying to do is to create an environment that we will be able to have the private sector create the jobs.

We need to stop funding programs that don't work with money that we don't have. And out-of-control Federal spending is hurting our economic recovery so that we can have those jobs. We've got a $14.2 trillion national debt. And economists agree that reducing government spending will create a more favorable environment for private sector growth and the ability to create jobs. We've got so much uncertainty there right now that we have got to stop the spending and stop the taxing and all the things that could happen.

So exactly what unemployed Americans want and what homeowners want and need is a job and a paycheck, not a handout or another failed taxpayer-paid government program.

I would urge my colleagues to oppose this amendment and stop talking about the jobs. Let's focus on the substance of these amendments.

The CHAIR. The gentleman from North Carolina has 15 seconds remaining.

Mr. MCHENRY. In closing, Mr. Chair, I would encourage my colleagues to understand that when government taxes more and spends more, it crowds out private sector job creation and growth. We're about growing jobs in this Congress, and I urge my colleagues to get on board.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. CANSECO

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 112–34.

Mr. CANSECO. Mr. Chairman, I have an amendment made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, after line 3, insert the following new paragraph:

''(3) DEFICIT REDUCTION.—

''(A) USE OF UNOBLIGATED FUNDS.—Notwithstanding any other provision of this title, the amounts described in subparagraph (B) shall not be available after the date of the enactment of this subsection for obligation or expenditure under the Home Affordable Modification Program of the Secretary, but should be covered into the General Fund of the Treasury and should be used only for reducing the budget deficit of the Federal Government.

''(B) IDENTIFICATION OF UNOBLIGATED FUNDS.—The amounts described in this subparagraph are any amounts made available under title I of the Emergency Economic Stabilization Act of 2008 that—

''(i) have been allocated for use, but not yet obligated as of the date of the enactment of this subsection, under the Home Affordable Modification Program of the Secretary; and

''(ii) are not necessary for providing assistance under such Program on behalf of homeowners who, pursuant to paragraph (2), may be provided assistance after the date of the enactment of this subsection.''.

Page 5, line 4, strike ''(3)'' and insert ''(4)''.

Page 6, line 13, strike ''(4)'' and insert ''(5)''.

The CHAIR. Pursuant to House Resolution 170, the gentleman from Texas (Mr. CANSECO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CANSECO. I thank my colleague from North Carolina (Mr. MCHENRY) for offering this bill that eliminates a wasteful and ineffective program.

Mr. Chairman, I am offering an amendment to this bill that will ensure that every dime of savings that comes from terminating the program will go back to the Treasury to reduce the debt of our country.

Our country finds itself in the middle of a spending-driven fiscal crisis. And back in November, the American people sent a message that was loud and clear: Stop the out-of-control spending in Washington.

For 2 years, the motto in Washington was ''spend now, worry later.'' This is unfair to future generations who will inherit a bankrupt country if we don't act.

It's only appropriate that we in this Congress begin our work by cutting programs that simply don't work. The Home Affordable Modification Program, or HAMP, has hurt the very people it was intended to help by giving them false hope.

In his most recent quarterly report to Congress, the Inspector General of TARP stated that the HAMP program ''continues to fall dramatically short of any meaningful standard of success.'' That, Mr. Chairman, is Washington-speak for ''failure.''

The program has done nothing to halt foreclosures. In fact, home foreclosures in the United States have risen from 2.3 million in 2008 to 2.9 million in 2010. HAMP is not only a bad deal for homeowners, it's a bad deal for taxpayers as well. Every child born in America today is responsible for over $45,000 of our national debt. It is simply unacceptable for Washington to continue spending money on a program that doesn't work.

For 2 years, Washington acted as if it didn't have a spending problem. And as we look around the world at countries who now find themselves in fiscal nightmares because of out-of-control government, we have to take a look in the mirror.

The most dangerous words in America right now are ''it can't happen here,'' but just take a look at the facts:

Moody's has recently downgraded the debt of Spain, a country that is expected to run a budget deficit equal to 6 percent of GDP in 2011;

Today, Portugal and Greece were downgraded by the S&P because of overspending and budget deficits;

And now the United States is expected to run a much greater deficit of 9.8 percent of GDP in 2011;

Admiral Mullen, the Chairman of the Joint Chiefs of Staff, has stated that the most significant threat to our Nation and our national security is our debt.

So make no mistake about it: It can happen here, and it will happen here unless something is done.

I just returned from a constituent workweek in my district, the 23d District of Texas. I had many town hall meetings and conversations with constituents, and all the while I heard

over and over again their concerns of our exploding national debt.

□ 1600

Speaking with one constituent, who is an example of every constituent that I spoke to, Will and Debbie Brenson, are most concerned about their grandchildren, Katlin and Taylor, what kind of a country are they going to inherit, certainly, not with the opportunities that they had to build their small business in Fair Oaks, Texas.

If we don't change course, we will be guilty of committing an intergenerational theft, the likes of which no country has ever seen. We'll be the first generation of Americans to ever leave the next generation with a diminished future.

My colleagues on the other side of the aisle often feel that only government can steer our economy on the right course, but we now know just how wrong that argument is. Unemployment is at an unacceptable 8.9 percent, and over 13 million Americans remain unemployed.

We are on track for our third straight $1 trillion deficit, and we don't have much to show for it. We have to put an end to wasteful spending, and we must reduce the debt for future generations.

Mr. MCHENRY's bill, and my amendment, with them we will stop wasting taxpayer dollars on failing programs and ensure that any savings from termination are not recycled into yet another program. The savings will go towards paying down our country's exploding debt.

I urge passage of my amendment.

I yield back the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I have the right to close, and I am my only speaker.

The CHAIR. Does the gentleman wish to claim time in opposition?

Mr. FRANK of Massachusetts. Yes, I claim the time in opposition, and I'm the only speaker, so I will reserve my time.

The CHAIR. The gentleman from Massachusetts has the only time remaining.

Mr. FRANK of Massachusetts. Has the gentleman used up all the time?

The CHAIR. The time of the gentleman from Texas has expired.

Mr. FRANK of Massachusetts. I apologize. I heard him say reserve, and I misunderstood that.

I will say about this amendment that it is harmless and perfectly okay for people to claim credit for what's already been done, kind of like going to a taxidermist and shooting the bear.

If this amendment didn't happen, the same result would be there. But here's the result: temporarily this comes out of tax funds. But because it's TARP money, it's subject to a—and by the way, we passed an amendment that says it goes back to the Treasury temporarily.

I say ''temporarily'' because over Republican objections, and I hope they're going to relent in these, we put into the TARP legislation language that says that in 2013 whatever hasn't been paid back from the TARP to the general Treasury will be assessed to financial institutions.

What that means is that if this does have a net cost to the Treasury, in 2013 the President in power at that time will be directed to send us legislation to require that this come out of the large financial institutions, that is, nothing from the Treasury.

Now, I say I'm worried about it because we've had two further instances of this which the Republicans have opposed. We've just had a package of four bills. Two of them came out of the financial reform bill, their financing did: help for the unemployed homeowners and the neighborhood stabilization program.

In the version of the bill that we put first in the conference, that money was to be recovered by an assessment on banks with $50 billion or more and hedge funds with $10 billion or more; and Republican opposition to it killed it.

So, yes, it is true that temporarily, now, the unemployed homeowners and the neighborhood stabilization come out of the Treasury. We have filed legislation, and I just refiled it last week, but it goes back to where we were in July that would take it from the large financial institutions.

Similarly, by the way, in the financial reform bill we had a provision that said, over Republican objections, that the FDIC would immediately assess the amount that we thought we would need for the TARP on the large financial institutions.

So let's be very clear. If we carry out our promises and commitments, this money will not come out of the taxpayer; it will come out of the TARP. It will come out of the large financial institutions.

I can't say the same for certain other wasteful spending. Members on the other side insisted, for example, in overriding the objection of Secretary Gates to the second engine. Now, the gentleman from Texas voted with Secretary Gates and me, and I appreciate that.

But a majority of Republicans voted to give him the second engine, even though he said he'd tell the President to veto the bill. People disregarded, a majority in the House, on both sides, the request that the Osprey be killed.

In other words, people cite Secretary Gates and cite Admiral Mullen, but we still hear on the Republican side criticism of them for trying to live up to their own words when they say, well, we're going to limit military spending.

I don't think it is a reasonable policy to cite their worries about the deficit and then override them in specific cases. And we also have, of course—and here the Pentagon wanted it, I think they were wrong—$1.2 billion my colleagues voted for—I voted against it—to spend money to build up the security forces of Iraq. You talk about money not being well spent. At its worst, I cannot imagine anyone thinking that any foreclosure program here would be spent worse than it is being spent in Iraq.

By the way, the Inspector General did say he was critical of the program. When asked by the gentleman's Texas colleague, Mr. GREEN of Houston, he said, no, he would not abolish it. He specifically said he wouldn't abolish it. He was asked that in the hearing and said no.

And we have consistently heard from the other side a statistic they have never yet validated, that more people were harmed than helped. None of the people they quote say that.

Yes, it's a program that's difficult because we wouldn't do bankruptcy and we have left the voluntary decision in the hands of the private sector. That's why this argument that the private sector can do it better is so nonsensical. It is the refusal of the private sector to fully participate in this program in its full spirit that's been the problem.

Mr. CANSECO. Will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Texas.

Mr. CANSECO. Are you in favor of the amendment or opposed to the amendment?

Mr. FRANK of Massachusetts. I am indifferent. Well, I'm against the amendment. I take it back. I am against the amendment because I had to be against the amendment to get the time to speak. So I am against the amendment.

But I'm not against the amendment on substantive grounds. I'm against it on aesthetic grounds. I hate to clutter things up with an amendment that doesn't do anything.

Well, let me go back to the substance. The substance is that we have a false claim that this is because of the taxpayers, when the TARP will make sure that it doesn't come out of the taxpayers, the TARP legislation.

And Members who vote to send money, $1.2 billion, to build up the security forces of Iraq, please don't have them tell me, Mr. Chairman, that they're for efficient spending. The security forces in Iraq.

How about Afghan infrastructure? The majority voted to send money to Afghanistan for infrastructure. There is a great mark of efficiency.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CANSECO).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MILLER OF NORTH CAROLINA

The CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 112–34.

Mr. MILLER of North Carolina. Mr. Chair, I seek to offer the amendment as the designee of Mr. INSLEE of Washington.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 6, before the period insert ''. EFFECTIVENESS OF PROGRAM, AND REPLACEMENT PROGRAM''.

Page 5, line 8, before ''determine'' insert ''(i)''.

Page 5, line 9, after ''by'' insert ''homeowners meeting the criteria under the terms of such Program for eligibility for assistance under such Program, the effectiveness of such Program, and the impact of such Program on such eligible homeowners, including the extent of usage by''.

Page 5, line 11, before the period insert the following: '', (ii) identify improvements to the Program and best practices under the Program, and (iii) determine the need, and appropriate guidelines and standards, for a mortgage modification program of the Secretary to replace the Home Affordable Modification Program that is (I) based on the guidelines and standards for such Program, with appropriate improvements as identified by the study, and (II) available to homeowners who meet the criteria under the terms of such Program for eligibility for assistance under such Program''.

Page 5, lines 16 and 17, strike ''paragraph (1)'' and insert the following: ''subparagraph (A), identifying the improvements to and best practices under the Home Affordable Modification Program identified pursuant to the study, setting forth the Secretary's determination of the need for, the appropriate guidelines and standards for, the mortgage insurance program determined pursuant to the study,''.

Page 5, line 21, before the period insert the following: ''and to the mortgage insurance program identified and described pursuant to subparagraph (A)(iii)''.

Page 6, after line 12, insert the following:

''(D) IMPLEMENTATION.—Upon the expiration of the 90-day period beginning upon the submission to the Congress of the report required under subparagraph (B), the Secretary shall, only to the extent that amounts for such purpose are provided in advance in appropriations Acts, implement the mortgage insurance program described in such report pursuant to subparagraph (A)(iii) through issuance of appropriate guidelines and standards set forth in the report.''.

The CHAIR. Pursuant to House Resolution 170, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chairman, first I want to assure the gentleman from Texas that if he's worried about the debt burden that children being born today face, with respect to this program, unless one of those children takes a job on Wall Street within the next two years, like the talking baby in the ETrade ads, they really are not going to have to pay for this program. This program is going to come from the financial sector. That was a promise made in the TARP legislation; and unless they plan to break that promise, and I'm beginning to get the feeling that they are, this is not going to be a cost borne by innocent taxpayers, but by the industry that created the mess.

Now, many people have criticized the TARP program, including me. The Congressional Oversight Panel has; the Special Investigator, Inspector General for the TARP program; yes, a lot of people have criticized the program.

Unlike Republicans, a lot of us have been trying to figure out a way to make it work. I have offered several suggestions.

□ 1610

I have criticized it continuously for 2 years and said what we should be doing instead, and on what we should be doing instead there has been a deafening silence from Republicans.

We know we can do something. We know we have to do something. The foreclosures and the drop in home values are grinding down the middle class. The value they have in their home, the equity they have in their home is the bulk of their life savings. So when their home goes down in value, their life savings go away. We have got to get control of this. We know we can make something work because we have the tool. One of the most successful programs in the New Deal got control of the foreclosure crisis then, and the Federal Government made a profit from the program.

And there is reason to think that there will be real rules, real enforceable rules soon. There are settlement talks pending on enforcement action by States Attorney Generals and by the Federal agencies for the violations of law by the biggest banks that handled most of these mortgages, which Republicans have opposed; and there are rules in the offing from the CFPB, the Consumer Financial Protection Bureau, which they have also proposed, something that really will make this work.

Mr. INSLEE's amendment is much the same. It requires a pullback, a hard look at the program and what will make it work, what are the guidelines that need to make it work, what are the standards that need to make it work, and requires that those suggested changes be implemented in the program.

I urge adoption of the amendment.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. I think this is a fundamentally flawed amendment.

What this amendment essentially does is say that the last agency in government that we had asked to conduct a review of this program would be in charge of the review of the program and would be in charge of designing a new program, even though the previous program they designed is flawed and harmful and a failure, and immediately report back to Congress a program that is basically the same.

Look, Ronald Reagan once said: The closest thing to eternal life is a Federal program. That quote is this amendment. I ask my colleagues to oppose it.

I reserve the balance of my time.

Mr. MILLER of North Carolina. I yield back the balance of my time.

Mr. MCHENRY. I would say that you read a quote from the Special Inspector General from TARP, Mr. Barofsky: ''The basic idea of a well-run government program is to have clear goals, have a plan to meet these goals, measure progress along the way against these goals, change your program when necessary so you can still achieve those goals.

''But this is how the TARP has been implemented and, in particular, this program within TARP: set goals. Ignore goals entirely. Hope for the best. When the best is different, change your goals and say you never really meant it when you had those goals. Pretend that the program is a success, even though it is not meeting these goals.''

That is Mr. Barofsky's analysis of Treasury's implementation. I would ask my colleague, if that is in keeping with his expectations for a new government program, then, I would submit, that is what they will come up with.

This Treasury has defended TARP and defended HAMP, and in particular HAMP, which has been roundly criticized even by La Raza, which has been a tried and true liberal activist for a long time. But Treasury has been defending it. Why? I'm not sure. But instead of reforming the program, instead of fixing the program, they refuse to do it; and so we must end it.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MS. WATERS

The CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 112–34.

Ms. WATERS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, line 2, strike the last closing quotation marks and the last period.

Page 7, after line 2, add the following:

''(5) NOTIFICATION TO HAMP APPLICANTS REQUIRED.—

''(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this subsection, the Secretary of the Treasury shall inform each individual who applied for the Home Affordable Modification Program and will not be considered for a modification under such Program due to termination of such Program under this subsection—

''(i) that such Program has been terminated;

''(ii) that loan modifications under such Program are no longer available;

''(iii) of the name and contact information of such individual's Member of Congress; and

''(iv) that the individual should contact his or her Member of Congress to assist the individual in contacting the individual's lender or servicer for the purpose of negotiating or acquiring a loan modification.''.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I rise in strong support of my amendment, which is a commonsense provision that provides transparency and clarity for distressed homeowners.

My amendment would require the Secretary of the Treasury to send a letter to HAMP applicants that they will not be considered for a modification due to termination of the program, and that they can contact their Member of Congress for assistance in negotiating with or acquiring a loan modification from their servicer.

I raise this amendment because my friends on the opposite side of the aisle have the majority in the House, and they will probably prevail on this amendment; but I think that we have a responsibility to say to our constituents what we are doing and what we are not doing.

Many of them have just begun to learn about the loan modification program, the HAMP program, and all of a sudden it is going to be pulled out from under them if this amendment prevails and if it passes on the opposite side of the aisle and in the Senate, et cetera; and the constituents need to know exactly what we have done.

Now, I worked with Mr. MCHENRY on this amendment and we worked out some language that he thought was fair, and I believe we do have his support. That is not to say that I support the bill because I don't support this amendment. I don't support this bill that would literally dismantle the HAMP program.

Yes, there are criticisms about this program. I and others would have liked for it to have been broader, for it to have helped more people. But don't forget, over 600,000 people have been helped. I know the target was 3 million to 4 million people, and we certainly haven't come close to that.

But to do away with this program would leave the American taxpayers who have gotten into loans, oftentimes tricked into these loans, misled into these loans by the loan initiators, the banks and the mortgage companies that told them that they could help them get a mortgage even though these were exotic products, these were teaser loans, these were no doc loans, these were loans that were going to reset and cause the taxpayer to be in a loan that they could not afford.

Many innocent people trying to live the American Dream signed on the dotted line. And also there was a lot of fraud involved where some of these loan initiators signed on the dotted line for the homeowner or the would-be homeowner. And so we have this crisis, this subprime crisis that we have been going through, and there is a lot of misery out there, people who were just trying to own a home who now find themselves in foreclosure.

The banks were not helping with loan modification, so we had to come up with something. The administration came up with the HAMP program. It is a voluntary program. But they signed on to these agreements with the banks to say that they would do loan modifications under certain conditions. And the administration had to do this because the banks were not helping out the homeowners. As a matter of fact, the banks said: Well, we don't have anything to do with this anymore. It is up to the servicers.

What a lot of people don't know is who is the servicer. The servicer is simply in most cases a company that is owned by the bank. They own their own servicing company, which means that once the mortgage is signed on by the homeowner, they now give it to this other company that they own, these servicers; and the servicers have the responsibility for collecting on the mortgage, for collecting on late fees, for collecting on attorney fees, and for doing loan modifications. But the homeowners couldn't get to them. HAMP is supposed to help them get to them.

These servicers have gotten away with being unregulated for all of these years. As a matter of fact, there are no standards for servicers. If you call one bank, they will send you to their loss mitigation department. What they don't tell you, banks such as Bank of America, their loss mitigation is an offshore operation. You may be talking to somebody in India who has got this little cookie-cutter sheet which says: How much money do you make? How many times have you been late on your payment? Let's figure out how not to give you a loan modification, but maybe to give you a few months to catch up. But loss mitigation means a lot of different things in all of these different banks, if you are lucky enough to get to the servicer.

The CHAIR. The time of the gentlewoman has expired.

Ms. WATERS. I would just simply ask for support for transparency and support to keep this program going.

□ 1620

Mrs. BIGGERT. I claim the time in opposition, even though I am not opposed to the amendment.

The CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. I just have a question for the sponsor of this amendment. You have had several amendments in several of these bills, and I wanted to make sure this is the same as what you and Mr. MCHENRY agreed to.

Ms. WATERS. Yes, this is absolutely the same thing we agreed to.

Mrs. BIGGERT. You are just asking for this amendment, not to change the bill or anything?

Ms. WATERS. I beg your pardon?

Mrs. BIGGERT. You are just asking for support of this amendment and not for anything concerning the bill?

Ms. WATERS. This amendment is a transparency amendment that I worked on with Mr. MCHENRY, where our constituents would be notified and have an opportunity.

Mrs. BIGGERT. Reclaiming my time, we accept the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 112–34.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

**SEC. 3. STUDY.**

(a) IN GENERAL.—Not later than the end of the 60-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury shall begin a study to identify what aspects of the Home Affordable Modification Program were successful and most effectively carried out the original purpose of the Program.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary shall issue a report to the Congress containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) legislative recommendations for a new mortgage modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I thank the chairman very much, and I thank my colleagues very much as well.

As we come to the floor of the House, I know that Members on both sides of the aisle are committed to knowing the facts. We want to know the facts when we go to town hall meetings when our constituents pose very deliberative questions. We want to give them numbers. We want to be able to reason with them. And one of the deliberative aspects of legislation is that you fix it; you don't end it.

So I rise today to ask my colleagues to support my amendment, an amendment that I think makes common sense. It is an amendment that thoughtful Members can support. It is an amendment that, whether you are Republican or Democrat, you want to know what works.

My amendment would call on the Secretary of the Treasury to commission a study that would identify what aspects of the HAMP program were successful and effectively carried out the original intent of the program. It would then require the Secretary to issue a report to Congress containing all findings and determinations of the

study and legislative recommendations for a new mortgage modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

We have to thank the administration for recognizing that people were literally on their knees. There is no doubt that we have different philosophies. My friends on the other side of the aisle, they keep talking about the deficit and the depressing aspect of the $1 trillion debt. We keep talking about invest and grow the economy. When you grow the economy, you have the ability to pay down on your debt; you have the ability to address the question of the debt ceiling. So my question is: Why wouldn't you want to know the best practices?

Let me give you some of the myths that have been presented. One suggestion is that this legislation that we have before us to end the HAMP program will prevent another $30 billion from going to one of these programs. That is inaccurate. The repeal of this program will, in essence, save only $1.437 billion. That is all that it will save. But, more importantly, what you will have is you will throw homeowners into the streets when the major asset for Americans, middle class, hardworking Americans, is their home. Let's find out the best practices and make this work.

The monthly rate of new loan approvals would have to triple in order to approximate the amount cited by the chairman of this committee, suggesting $30 billion. Actually, we expect the rates are, instead, likely to modestly decline. So you are not going to have that much savings and it is not going to, in essence, blow up with so many people using it that you are going to use this amount of money.

One Republican has suggested that the program goes to private lenders. Well, for every dollar that the HAMP program has paid out, homeowners have received from lenders $5 in reduced mortgage payments. Most of the program funds do not go to lenders but go directly to homeowners as incentives on the on-time mortgage payments. It is giving individuals a leg up.

It is interesting that we would not want to focus on the best practices when, if you look at this map, you will see that every single State has received a HAMP impact, someone has a mortgage problem that the HAMP program has helped.

Now, can we fix it? Yes, we can make it better. But let me tell you about a person by the name of Laurel. She indicated how this program has helped her. ''Well, my income has not fully come back.'' She was unemployed. ''I am making much less than I was making before, so it has been a difficult time. With the modification, my mortgage payment has gone down $800 and I am able to make my payment on time. I have been able to remain in the home that I love, and that has provided me with great stability. I am extremely grateful that I received the modification.''

She has saved an asset that contributes to the economy. What would be the result of ending the modification program? I can tell you what the result would be. The result would be that Laurel would dump another home onto the market that no one could buy, that would bring down the quality of the neighborhood and the house appraisal prices of the neighborhood and, therefore, add another dent to the economy.

Invest and grow. And the question is, all of my friends who are there on the other side of the aisle, here is a document that is 15 pages long that shows that your district, your cities, have been impacted positively by the HAMP program. Job growth is picking up. Invest and grow jobs should be the mindset of the American Congress, for that is what we were sent back to Washington to do.

There is no doubt that we have a collective commitment to bringing down the debt. There is a collective commitment to doing that, and we can look reasonably at what and how to do it. But when you don't even have the best practices or know why you are repealing something, and right now people are in the middle of addressing this question of modifying their mortgage.

I ask my colleagues to support my amendment because it does in fact provide a lifeline, and it invests in the economy, creates jobs and stabilizes the middle class.

With regard to the HAMP program, I would like say, ''Mend it, don't end it!''

The HAMP program has not been perfect, but it has helped a considerable number of Americans modify their mortgages in order to prevent foreclosure and keep their homes and livelihoods that they work so hard for day in and day out.

The White House agrees—The White House has indicated that the President will veto the HAMP termination bill if it passes.

As written, this bill would prohibit new mortgage loan modifications under the Home Affordable Modification Program, (HAMP), which is funded under authority generally referred to as TARP, pursuant to the ''Emergency Economic Stabilization Act of 2008'' (also known as EESA). Despite termination of the program, this bill would grandfather in assistance to homeowners who, prior to the date of enactment, had already been extended an offer to participate in HAMP, either on a permanent or trial basis.

I am here before you today to offer an amendment that I believe will greatly enhance this bill by making it a vehicle that providing us, the Members of Congress, with very useful information. If H.R. 839 were to pass, terminating the HAMP program, my amendment would call on the Secretary of the Treasury to commission a study that would identify what aspects of the HAMP program were successful and effectively carried out the original intent of the program.

It would then require the Secretary to issue a report to Congress containing all findings and determinations of the study, and legislative recommendations for a new mortgage modification program that could more successfully and effectively achieve the original purpose of the Home Affordable Modification Program.

Parliamentarian ruled that the amendment is germane.

Congressional Budget Office, CBO, found that there is no cost associated with my amendment.

If the HAMP program is terminated, we will still be left to deal with the problem of foreclosed homes in a recovering, yet very fragile, housing market. With the unemployment rate still hovering at an uncomfortably high rate, Americans are still dealing with the difficulties of making ends meet. Although our economy is slowly but surely on the path to recovery, Americans struggling to find work will still be faced with the painful reality of losing their home, although now, without an avenue for assistance with refinancing.

To avoid another slump in the housing market, and to avoid dealing yet another blow to our fragile economy, if H.R. 839 becomes law, it will be necessary for us to consider a new mortgage refinance and modification program in the future to prevent stalling the recovery of the housing market, or even worse, allowing it to crumble once again. If that day were to come, it would be most useful to have firm facts and strong statistics about what methods are proven to be most effective in solving the problems associated with high foreclosure rates and ensuring that home loan modifications are both permanent and successful.

The HAMP program was put in place by the Obama Administration in early 2009 with the intent to modify mortgage loans in order that distressed borrowers might have a better chance at making payments and holding onto their homes. The program has successfully modified over 500,000 million mortgages to prevent foreclosure and keep homeowners in their homes. While well intentioned HAMP program has encountered some difficulties—not yet reaching the goal set by the Obama Administration of helping 3 to 4 million homeowners.

Nonetheless, the program has effectively helped a number of homeowners with successful loan modifications that allowed them to keep their homes. To date, there are 539,493 homeowners with permanent HAMP loan modifications.

New permanent HAMP modifications have averaged around 29,000 per month over the last six months of 2010. Therefore, assuming a modestly declining rate from this, a reasonable estimate is that program participation will double by the end of next year, for a cumulative total of 1.1 million homeowners. Based on this estimate, the bill would deny modifications to more than a half million homeowners at risk of foreclosure.

This is a sign, that despite its problems, there are some positive and effective aspects of the HAMP program that should be considered when we look to replace the HAMP program if H.R. 839 is passed terminating this program. My amendment would call for a detailed study that would highlight these best practices, while also ensuring that those aspects of the program which may have hampered its initial success are not repeated.

There are a number of reasons the program has not met the original Obama Administration goal of helping 3 to 4 million homeowners,

some of which are actually sound and appropriate aspects of the program. HAMP appropriately excludes different categories of borrowers—including investors, owners of second homes, homeowners whose mortgages are unsustainable even with HAMP assistance, and homeowners that can pay their mortgage without government assistance. These particular categories of borrowers are either unlikely to refinance successfully, or are not those who the HAMP program originally intended to help—those bar rowers who are in dire need of assistance to keep from losing their home.

Another reason the HAMP program has not reached its desired goal is because banks and other mortgage servicers were understaffed and unprepared to carry out loan modifications—resulting in widespread complaints about lost files, non-responsiveness, etc. Furthermore, legally, mortgage holders can not be forced to reduce mortgage payments. Programs have had to be voluntary, incentivizing lenders to reduce mortgage payments in lieu of foreclosing on the loan.

One of the more fundamental flaws in the HAMP Program was that it does not take certain circumstances into consideration. For instance, the program does not account for second mortgages than many homeowners may have on their property. As a result, some homeowners have ended up paying more than they originally owed, an outrageous thought considering the intended goal of the program. The study and report that would result from my amendment would bring these types of issues to light to ensure that a new program would better achieve the goals set by the Obama Administration

Temporary Modifications—There were many temporary modifications that did not result in permanent modifications but . . . the Obama Administration says 50 percent of those who got temp modifications received permanent modifications in the private market (so this means HAMP temporary modifications did in fact help homeowners)

These types of strengths and weaknesses are invaluable pieces of information. My amendment would simply ensure that Congress would be privy to an official report containing this information and determinations from those experts who have worked most closely with the HAMP program since its inception.

With that, Mr. Chair, I ask that this committee strongly consider accepting my amendment. Thank you again for the opportunity to testify.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chairman, I am not sure what my colleague from Texas has heard at her town hall meetings, but what I have heard from my constituents, I have one resident of Stanley, North Carolina, who said, ''We have paid payments every month.'' Now, I say to my colleague, I have read this before, but I wasn't sure if you were on the floor for this. But one constituent of mine said, ''We have paid payments every month. But now we are being told we are behind in our payments because it is not the original monthly payment on our original loan, but it was an amount we were told to pay in 2010. How can we be behind?''

I would ask my colleagues to read the Special Inspector General's report, ''The Details of Failures of HAMP.'' I ask my colleagues to listen to their constituents. More people in America, I would remind my colleagues, more people in America, close to 800,000 Americans, have been actively harmed and left worse off under this Federal program than have actually been helped.

My colleague points to a laudable survey of the positives. The survey doesn't detail the destroyed lives that this HAMP program has pushed on people, has created.

So, this amendment, the reason why I rise in opposition is because this amendment is similar to ones we have had in committee that we rejected in committee. This directs the Treasury to conduct a study of HAMP and would be completely counterproductive. The reason why it would be completely counterproductive is over the last 6 months we have seen the Treasury Department engage in a frantic 6-month media campaign for this program. They won't admit it is a failure; although, the rest of the world is largely saying it is a failure. They even have offered a veto threat on this legislation.

The Special Inspector General, Mr. Barofsky, said just earlier this week, ''This Treasury Department is so content with the wretched, shameful status quo, they refuse to even acknowledge that the program is a failure.'' And that is why simply to offer the Treasury to study this really is beneath the House.

□ 1630

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 7 OFFERED BY MS. MATSUI

The CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 112–34.

Ms. MATSUI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

**SEC. 3. CONTINUED REPORTING ON MORTGAGE MODIFICATIONS.**

Section 110 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5220) is amended by adding at the end the following new subsection:

''(e) CONTINUED REPORTING ON MORTGAGE MODIFICATIONS.—

''(1) FINDINGS.—The Congress finds that—

''(A) the data on mortgage modifications collected from mortgage servicers and lenders and made available to the public pursuant to the guidelines of the Home Affordable Modification Program has been a valuable tool for increasing transparency; and

''(B) that the public would be served by having such servicers and lenders continue to report information on mortgage modifications.

''(2) IN GENERAL.—Each mortgage servicer and mortgage lender who participated in the Home Affordable Modification Program shall, monthly, disclose on a World Wide Web site owned by such servicer or lender, the following information:

''(A) The number of requests for mortgage modifications that the servicer or lender has received.

''(B) The number of requests for mortgage modifications that the servicer or lender has processed.

''(C) The number of requests for mortgage modifications that the servicer or lender has approved.

''(D) The number of requests for mortgage modifications that the servicer or lender has denied.

''(3) REPORT TO THE CONGRESS.—At the time a mortgage servicer or mortgage lender discloses information pursuant to paragraph (1), such servicer or lender shall also issue a report to the Congress containing such information.

''(4) RULEMAKING.—The Secretary of the Treasury shall issue such regulations as may be necessary to carry out this subsection, including regulations for the protection of the privacy interest of those individuals seeking mortgage modifications with the servicer or lender, including the deletion or alteration of the applicant's name and identification number.''.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. MATSUI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

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

Mr. Chairman, I rise today to offer an amendment to H.R. 839, the HAMP Termination Act, that calls on mortgage lenders to continue to publicly report basic home loan modification information.

Because of an amendment I offered to the Dodd-Frank Wall Street Reform and Consumer Protection Act which passed the house unanimously last Congress, mortgage lenders and services participating in the Home Affordable Modification Program are required to report basic loan modification information to the Department of the Treasury. Due to the enactment of my amendment, we now know that 2.5 million Americans have applied to participate in the Home Affordable Modification Program, and well over 600,000 of those applicants began permanent modifications.

In the Sacramento region, over 9,000 of the nearly 12,000 homeowners who have applied for permanent modifications have been approved, providing assistance to thousands of homeowners in my district. This information is crucial to accountability and transparency and for this Congress to measure the performance of the mortgage industry.

The amendment I offer today requires the same basic home loan modification reporting to continue, such as the number of applications they receive, the number of applications processed, or the number of modifications they approve or deny.

In its current form, H.R. 839 would eliminate HAMP, and, as a result, financial institutions who received HAMP taxpayer funds would no longer be obligated to continue reporting such basic information to the public.

Mr. Chairman, the foreclosure crisis was the root cause of the dire economic situation. It led to the near collapse of our financial system, increased unemployment, and caused the housing and credit crisis. Sadly, there are still millions of American homeowners facing foreclosure, and my home district of Sacramento, California, has been hit especially hard by this crisis.

During the last few years, I have been to foreclosure workshops in my district where I have met with constituents who are facing losing their home. I was recently contacted by Joan, a constituent of mine who would have lost her house without assistance from HAMP. Joan paid her bills on time and was current on her mortgage when her son was diagnosed with a psychiatric disorder that rendered him unable to work. When her adult son moved in with her shortly after, Joan was no longer able to provide for him and make her mortgage payments at the same time and sought assistance. With proper assistance, Joan received a low interest rate HAMP loan and now is able once again to make her mortgage payments on time.

Joan shared with me that her home was saved due to the HAMP program and that her son would have been homeless without it. She said, ''I have no words to express my feelings of gratitude for my loan modification.''

Mr. Chairman, I've heard a significant number of similar stories in Sacramento. It is essential that we require lenders to continue to report their loan modification activities. We need to know how many Joans are out there struggling but seeking assistance. We need to know whether lenders are doing all they can.

Mr. Chairman, this amendment will ensure a level of transparency and accountability continue. I urge my colleagues to support this commonsense transparency amendment.

I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. I appreciate the gentlelady offering this amendment. Unfortunately, I must rise in opposition to it.

The requirements in this amendment are both cumbersome and unnecessary. It requires servicers and lenders to provide information regarding proprietary information on their entire portfolio of loans, not just HAMP. The reporting requirement for, quote, requests for modifications is undefined in the amendment and is, therefore, unworkable based on the research that we have done.

It's unclear why this new role is necessary in the contractual negotiations between private citizens and private companies. Furthermore, servicers already provide results of their modification efforts to the HOPE NOW Alliance as well as in their annual reports without disclosing proprietary information. In fact, the HOPE NOW Alliance reports servicers having completed 961,355 proprietary modifications in 2008; 1,172,490 proprietary modifications in 2009; and 1.2 million in 2010.

Now I might add, this is many multiples in the private sector in terms of mortgage modifications than have been provided under the HAMP government funded program that we're discussing here today and trying to eliminate here today, the program that has hurt just shy of 800,000 Americans, destroyed their credit, taken their savings and, at the end of the day, taken their homes. I would encourage my colleagues to vote against this amendment.

I reserve the balance of my time.

Ms. MATSUI. I yield myself the balance of my time.

Mr. Chairman, I just want to say that these basic reporting requirements are not new. It's about HAMP. Every financial institution receiving HAMP funds from the TARP program is currently required to report this information today.

The current industry reporting requirements have played a significant role in providing a sense of transparency and accountability, and that's what we're talking about, transparency and accountability in our efforts to help homeowners and stabilize our housing market. Requiring basic information to be reported will provide this Congress with the information to make future decisions on loan modification programs as well as monitor the performance of the mortgage industry.

Mr. Chairman, I ask my colleagues to join me in supporting this important amendment to bring clarity and transparency to the mortgage industry.

I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, in closing, I would encourage my colleagues to vote ''no'' on this amendment. The reporting requirements my colleague references are required by the servicers that are participating in HAMP, and they are required to disclose the information related to the Federal program, HAMP.

This amendment goes much further and requires these servicers to disclose hundreds of thousands of other modifications that are in the private sector. We know the aggregate number. What is being requested here is detailed information that is not correct for personal privacy and is not proper in keeping with the hundreds of thousands of private transactions going on across this country.

I urge my colleagues to vote ''no.''

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. MATSUI).

The amendment was rejected.

AMENDMENT NO. 8 OFFERED BY MRS. MALONEY

The CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112–34.

Mrs. MALONEY. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

**SEC. 3. FINDINGS.**

The Congress finds the following:

(1) As of January 2011, active trials and permanent Home Affordable Modification Program (HAMP) modifications had been initiated in all 50 States and the District of Columbia, including—

(A) 4036 active trials and permanent HAMP modifications in Alabama;

(B) 291 active trials and permanent HAMP modifications in Alaska;

(C) 32159 active trials and permanent HAMP modifications in Arizona;

(D) 1527 active trials and permanent HAMP modifications in Arkansas;

(E) 161181 active trials and permanent HAMP modifications in California;

(F) 9349 active trials and permanent HAMP modifications in Colorado;

(G) 8604 active trials and permanent HAMP modifications in Connecticut;

(H) 1166 active trials and permanent HAMP modifications in the District of Columbia;

(I) 2130 active trials and permanent HAMP modifications in Delaware;

(J) 82230 active trials and permanent HAMP modifications in Florida;

(K) 25120 active trials and permanent HAMP modifications in Georgia;

(L) 2656 active trials and permanent HAMP modifications in Hawaii;

(M) 2640 active trials and permanent HAMP modifications in Idaho;

(N) 36907 active trials and permanent HAMP modifications in Illinois;

(O) 6785 active trials and permanent HAMP modifications in Indiana;

(P) 1761 active trials and permanent HAMP modifications in Iowa;

(Q) 1639 active trials and permanent HAMP modifications in Kansas;

(R) 2622 active trials and permanent HAMP modifications in Kentucky;

(S) 3774 active trials and permanent HAMP modifications in Louisiana;

(T) 1925 active trials and permanent HAMP modifications in Maine;

(U) 22028 active trials and permanent HAMP modifications in Maryland;

(V) 17039 active trials and permanent HAMP modifications in Massachusetts;

(W) 22716 active trials and permanent HAMP modifications in Michigan;

(X) 12108 active trials and permanent HAMP modifications in Minnesota;

(Y) 2641 active trials and permanent HAMP modifications in Mississippi;

(Z) 7284 active trials and permanent HAMP modifications in Missouri;

(AA) 764 active trials and permanent HAMP modifications in Montana;

(BB) 917 active trials and permanent HAMP modifications in Nebraska;

(CC) 17860 active trials and permanent HAMP modifications in Nevada;

(DD) 3175 active trials and permanent HAMP modifications in New Hampshire;
(EE) 22105 active trials and permanent HAMP modifications in New Jersey;
(FF) 2190 active trials and permanent HAMP modifications in New Mexico;
(GG) 30955 active trials and permanent HAMP modifications in New York;
(HH) 12663 active trials and permanent HAMP modifications in North Carolina;
(II) 116 active trials and permanent HAMP modifications in North Dakota;
(JJ) 15379 active trials and permanent HAMP modifications in Ohio;
(KK) 1624 active trials and permanent HAMP modifications in Oklahoma;
(LL) 7452 active trials and permanent HAMP modifications in Oregon;
(MM) 14302 active trials and permanent HAMP modifications in Pennsylvania;
(NN) 3539 active trials and permanent HAMP modifications in Rhode Island;
(OO) 6526 active trials and permanent HAMP modifications in South Carolina;
(PP) 273 active trials and permanent HAMP modifications in South Dakota;
(QQ) 7124 active trials and permanent HAMP modifications in Tennessee;
(RR) 17961 active trials and permanent HAMP modifications in Texas;
(SS) 6405 active trials and permanent HAMP modifications in Utah;
(TT) 565 active trials and permanent HAMP modifications in Vermont;
(UU) 16738 active trials and permanent HAMP modifications in Virginia;
(VV) 13387 active trials and permanent HAMP modifications in Washington;
(WW) 1040 active trials and permanent HAMP modifications in West Virginia;
(XX) 6793 active trials and permanent HAMP modifications in Wisconsin; and
(YY) 349 active trials and permanent HAMP modifications in Wyoming.

(2) As of January 2011, 1,493,107 additional trial modifications were started under the HAMP Program.

(3) As of January 2011, 607,607 additional permanent modifications were started under the HAMP Program.

(4) By voting to terminate the Home Affordable Modification Program without a suggested replacement, the Congress is voting to terminate a program that may have helped to modify an additional 2,867,420 delinquent mortgages in the United States.

The CHAIR. Pursuant to House Resolution 170, the gentlewoman from New York (Mrs. MALONEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

□ 1640

Mrs. MALONEY. Mr. Chair, for everyone that cares about the issues of poverty, housing, economic growth, and community life, the last couple of weeks have brought some troubling news. Wednesday came the news that purchases of new U.S. homes declined last month to the slowest pace on record, and new home prices dropped to the lowest level since December, 2003. And yet over the past 2 weeks, House Republicans have said with their votes again and again that their policy to help homeowners is to just give up; to throw in the towel and to say that there's just nothing that Congress can do or will do to address the problem to help struggling American families. They have already voted to terminate three Federal programs that help Americans who are struggling to stay in their homes. And now we are considering yet another one that has helped more than 32,000 New Yorkers stay in their homes—over 600,000 across our great country.

What bothers me is that they are leading the effort to eliminate these programs, voting against them, and yet they have no plans of their own to address the foreclosure crisis that is hurting neighborhoods and disrupting lives throughout their country, like the jobs bills they said they would have. We have yet to see them. The only initiative to help housing is to eliminate the programs that are already there.

The HAMP program has been successful in helping, as I said, over 600,000. And with over 30,000 mortgages modified each month nationally, HAMP is continuing to provide relief to struggling families across this country. My amendment will add findings to the bill with the number of trial and permanent modifications stated under the HAMP program. The findings will also state the number of seriously delinquent mortgages in the U.S. that may be eligible for HAMP modifications but won't be because the program is being terminated. I believe it is important for the public to understand State by State the number of mortgages—the number of families—who are still in their homes because of the HAMP program. Families are saving an average of over $500 per month on their mortgage payments. This amounts to nearly $5 billion in savings since the program started. These are real families and real savings. If our friends who have proposed to terminate this program want to talk about savings, they should think about the number of people in these States who have benefited from HAMP and are now saving money every single month. They should also think about the number of seriously delinquent mortgages out there that are on the verge of foreclosure. Currently, over 2 million families in our country are in this situation. Many of these could be eligible to participate in the HAMP program. But by terminating it now, our friends are saying that these families are on their own. The numbers speak for themselves, and I think it is important that we highlight how we have helped families across this country and how many more are not going to be helped or are not being helped by terminating and closing this program.

So I urge my colleagues to support my amendment and to oppose the underlying bill, and I will place in the RECORD a statement of administration policy from the Executive Office of President Barack Obama in support of the HAMP program, urging a ''no'' vote on the efforts by the Republican majority.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
*Washington, DC, March 29, 2011.*

STATEMENT OF ADMINISTRATION POLICY
H.R. 839—HAMP TERMINATION ACT
(Rep. McHenry, R–NC, and 8 cosponsor)

The Administration strongly opposes House passage of H.R. 839 which would eliminate the Department of the Treasury's Home Affordable Modification Program (HAMP). This program offers eligible homeowners an opportunity to lower their mortgage payments, helping individuals avoid foreclosure and leading to the protection of home values and the preservation of homeownership. The Administration is committed to helping struggling American homeowners stay in their homes, and has taken many steps over the last two years to stabilize what was a rapidly-declining housing market. As tens of thousands of responsible American homeowners struggling with their mortgages receive permanent assistance each month from HAMP, the Administration believes that continuation of HAMP is important to the Nation's sustained economic recovery.

If the President is presented with H.R. 839, his senior advisors would recommend that he veto the bill.

MAKING HOME AFFORDABLE PROGRAM SERVICER PERFORMANCE REPORT THROUGH JANUARY 2011

HAMP ACTIVITY BY STATE

| State | Active Trials | Permanent Modifications | Total | % of Total |
|---|---|---|---|---|
| AK | 63 | 228 | 291 | 0.0 |
| AL | 927 | 3,109 | 4,036 | 0.6 |
| AR | 337 | 1,190 | 1,527 | 0.2 |
| AZ | 5,837 | 26,322 | 32,159 | 4.7 |
| CA | 32,617 | 128,564 | 161,181 | 23.5 |
| CO | 1,762 | 7,587 | 9,349 | 1.4 |
| CT | 1,759 | 6,845 | 8,604 | 1.3 |
| DC | 247 | 919 | 1,166 | 0.2 |
| DE | 454 | 1,676 | 2,130 | 0.3 |
| FL | 18,570 | 63,660 | 82,230 | 12.0 |
| GA | 5,553 | 19,567 | 25,120 | 3.7 |
| HI | 607 | 2,049 | 2,656 | 0.4 |
| IA | 388 | 1,373 | 1,761 | 0.3 |
| ID | 602 | 2,038 | 2,640 | 0.4 |
| IL | 7,803 | 29,104 | 36,907 | 5.4 |
| IN | 1,505 | 5,280 | 6,785 | 1.0 |
| KS | 379 | 1,260 | 1,639 | 0.2 |
| KY | 556 | 2,066 | 2,622 | 0.4 |
| LA | 977 | 2,797 | 3,774 | 0.6 |
| MA | 3,542 | 13,497 | 17,039 | 2.5 |
| MD | 4,545 | 17,483 | 22,028 | 3.2 |
| ME | 452 | 1,473 | 1,925 | 0.3 |
| MI | 4,651 | 18,065 | 22,716 | 3.3 |
| MN | 2,201 | 9,907 | 12,108 | 1.8 |
| MO | 1,536 | 5,748 | 7,284 | 1.1 |
| MS | 571 | 2,070 | 2,641 | 0.4 |
| MT | 176 | 588 | 764 | 0.1 |
| NC | 2,649 | 10,014 | 12,663 | 1.8 |
| ND | 26 | 90 | 116 | 0.0 |
| NE | 198 | 719 | 917 | 0.1 |
| NH | 670 | 2,505 | 3,175 | 0.5 |
| NJ | 4,738 | 17,367 | 22,105 | 3.2 |
| NM | 476 | 1,714 | 2,190 | 0.3 |
| NV | 3,697 | 14,163 | 17,860 | 2.6 |
| NY | 7,022 | 23,933 | 30,955 | 4.5 |
| OH | 3,325 | 12,054 | 15,379 | 2.2 |
| OK | 401 | 1,223 | 1,624 | 0.2 |
| OR | 1,547 | 5,905 | 7,452 | 1.1 |
| PA | 3,124 | 11,178 | 14,302 | 2.1 |
| RI | 719 | 2,820 | 3,539 | 0.5 |
| SC | 1,377 | 5,149 | 6,526 | 1.0 |
| SD | 66 | 207 | 273 | 0.0 |
| TN | 1,601 | 5,523 | 7,124 | 1.0 |
| TX | 4,381 | 13,580 | 17,961 | 2.6 |
| UT | 1,330 | 5,075 | 6,405 | 0.9 |
| VA | 3,364 | 13,374 | 16,738 | 2.4 |
| VT | 125 | 440 | 565 | 0.1 |
| WA | 2,927 | 10,460 | 13,387 | 2.0 |
| WI | 1,474 | 5,319 | 6,793 | 1.0 |
| WV | 209 | 831 | 1,040 | 0.2 |
| WY | 61 | 288 | 349 | 0.1 |
| Other* | 1,136 | 1,097 | 2,233 | 0.3 |

*Includes Guam, Puerto Rico and the U.S. Virgin Islands.

I reserve the balance of my time.

Mr. MCHENRY. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Thank you, Mr. Chairman.

The amendment fails to highlight that there are more failed modifications than successful permanent modifications. In fact, in the dissenting views from the Financial Services Committee Democrats, of which my colleague from New York (Mrs. MALONEY) signed, along with 14 of her Democrat colleagues, it states that, in their view, 570,000 homeowners would be assisted under HAMP if the program were allowed to continue. This amendment, however, states that that number is 2.8 million. This differs from the facts of her own party. And I think both numbers are much higher than what have been agreed upon by the Congressional Oversight Panel of TARP. Their numbers are much, much lower.

I think if you use my colleague's words and figures, it's fair to say that those are grossly inflated and go well beyond what is reasonable, what is serious, and what is agreed upon in the private sector, or by even most of her Democrat colleagues. So I would urge my colleagues to vote against that.

I reserve the balance of my time.

Mrs. MALONEY. The number of over 2 million delinquent mortgages in the United States is the range of people that could be eligible, who could apply for the program, but not all of them would qualify. You have to reach certain standards to qualify to enter the program. So this is the range of the people who could be helped.

The difficulty with my Republican colleagues is that they have no alternative. They're abolishing a program without coming forward with any idea to help themselves. As Mark Zandi said in his recent report, housing remains fragile in America. And housing is roughly 25 percent of our economy. So to the extent that we can help people stay in their homes, thereby not only helping that family but helping their community and helping their country, helping to stabilize the housing prices around that house so it doesn't become delinquent and abandoned, pulling down the values in the communities, this is an important program. And it should be continued. It's no taxpayer dollars used. It's from the TARP program, funded by the banks. This is an effort to help the overall economy.

The Acting CHAIR (Mr. WOMACK). The time of the gentlewoman from New York has expired.

Mr. MCHENRY. Mr. Chairman, in closing, I would quote from page 17 of the dissenting views of the Financial Services Committee Democrats, of which my colleague, Mrs. MALONEY, signed on. Page 17, ''A reasonable estimate is that the program participation will double by the end of next year,'' which, I might add, is a bit ambitious. I'll just continue with the quote. ''A reasonable estimate is that the program participation will double by the end of next year, for a cumulative total of 1.1 million homeowners. Based on this estimate, the bill would deny modification for more than a half million homeowners at risk of foreclosure.'' I might add, the statistics also bear out that for every half a million that are helped in this program, you're actively hurting about 800,000 Americans.

So what the opposition on the other side of the aisle is doing is saying we should continue failure, we should endorse failure. In fact, we should continue to hurt people by keeping this program open. And that, under their view, it means that you'll have 800,000 Americans that will be left worse off because this program exists—worse off. Their credit depleted, their home taken, their credit rating destroyed. I think that is highly inappropriate, Mr. Chairman. That's why I oppose this amendment.

I yield the balance of my time to my colleague from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

My colleague from New York and many of the colleagues from that side of the aisle have been saying that if we end this program, there will be nothing. That simply isn't true. Of the 4.1 million mortgage modifications that were completed, 3.5 million were done by the private sector with no government program and not a dime from the taxpayers. There's also the Home Affordable Refinance Program, or HARP, for homeowners with government-backed Fannie Mae and Freddie Mac loans. And don't forget about the Hardest Hit Fund. According to the Treasury Web site, the President established this in February, 2010, to provide targeted aid to families in States hard hit by the economic and housing market downturn. That includes $1.5 million that went to the hardest hit States—California, Arizona, Florida, Nevada, and Michigan. Another $600 million went to another set—North Carolina, Ohio, Rhode Island, and South Carolina. And finally, $2 billion was distributed to 17 States and the District of Columbia.

□ 1650

In 2008, $300 million in guarantees was committed for HOPE for Homeowners, a voluntary FHA program. Only 200 loans have been modified in this program, but it does exist; $475 million has been appropriated to Neighborhood Works for foreclosure counseling for homeowners. Finally, there are countless local, State, and private sector initiatives.

We have to stop funding programs with money that we don't have. Let's make that clear. With that, I would urge opposition to this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Mrs. MALONEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MALONEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

AMENDMENT NO. 9 OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 112–34.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end the following new section:

**SEC. 3. SENSE OF CONGRESS.**

The Congress encourages banks to work with homeowners to provide loan modifications to those that are eligible. The Congress also encourages banks to work and assist homeowners and prospective homeowners with foreclosure prevention programs and information on loan modifications.

The Acting CHAIR. Pursuant to House Resolution 170, the gentlewoman from California (Ms. LORETTA SANCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I yield to the gentleman from California (Mr. GEORGE MILLER) for a unanimous consent request.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding.

Mr. Chairman, it is with great regret but with clear intent that I rise in opposition to continuing the Federal Home Affordable Modification Program, known as HAMP, without significant changes.

HAMP was designed to help millions of homeowners who had fallen victim to the financial crisis of 2008 and to the collapse of the housing market; but regrettably, at this time, it is not working under its current structure.

On behalf of struggling homeowners in my congressional district trying to avoid foreclosure and stay in their homes, I have gone to great lengths to encourage the Obama administration to recognize the serious shortcomings of the HAMP program, shortcomings that have been well documented by numerous independent and authoritative sources.

But the administration has been unable to successfully respond to the legitimate criticisms of HAMP and as a result the administration faces opposition to its program today on the floor of the House not only from those who oppose everything this administration does for purely partisan reasons but also from representatives like me who have genuinely sought to work with the administration to improve this program.

I hope that my vote today is understood clearly by the administration as one more effort on my part, on behalf of my desperate constituents, to get the administration to recognize the urgency of the housing crisis and

respond to it accordingly. I appreciate that much hard work has already been done. I know that many people are involved in this effort and many hours have been dedicated to the problem. But in the case of ongoing foreclosures nationwide and the abuses homeowners face from banks and mortgage servicers, all the hard work and effort has not been sufficient and more must be done.

Homeowners in my community and across the country are being lied to, chewed up, and abused by banks and servicers in an arbitrary and capricious system that has stripped them of their homes and their livelihoods. In my district, people who are in need of substantial help in their fights against the big banks are simply not getting it. Hard as I try with my staff, and hard as my colleagues try with their staff, we cannot do enough on our own.

Make no mistake—Republicans in Washington are not on the side of homeowners in this fight. They're using the problems with HAMP as an excuse to once again oppose the Obama administration, just as they have opposed the Obama administration on every step it has taken to rescue the economy, for purely partisan reasons. Regrettably, the Republican approach to the housing crisis is to cut and run, to starve the economy of the investments it needs to create jobs and get the economy—and the housing market—back on its feet. Their bill today does nothing to help the housing crisis and it would deprive the administration of funds that could be used to help homeowners. But their bill does one thing that I do support—it sends a message that homeowners are not getting the help they need from HAMP and that HAMP must be significantly improved or replaced in order to offer the kind of help distressed homeowners need.

So far, such improvements have not taken place. And I see no sign that they will. And left with no choice but to register one more complaint by voting to end HAMP.

I hope today's vote is understood clearly as a wake-up call to the administration that HAMP is not good enough today to earn my support and that it must be strengthened immediately or replaced by a program that does work. I hope my vote sends the message that banks and servicers are responsible for the abuse that is taking place in today's housing market and that we intend to hold them accountable for their behavior, and that we are committed to helping struggling homeowners survive and recover from this crisis.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, since my colleagues on the other side of the aisle are ending the Home Affordable Modification Program, my amendment simply states that the Congress should encourage the banks to provide our qualifying neighbors with loan modifications. It also encourages the banks to provide our friends and families with information on foreclosure prevention and loan modification.

My Republican colleagues say that the Home Affordable Modification Program is not helping enough people. Well, it didn't help all the people. That's true. I know people who went and tried to get their loans modified, and it didn't work for them; but there have been quite a few who have been helped. I want to give you some examples just in my own area.

For example, there is this couple in Garden Grove, California. The husband became unemployed. He was a construction worker; and as we all know, construction was the first industry to fold. Well, the family fell behind on their mortgage payments despite the fact that they are extremely frugal and had been saving money for emergencies.

After some time, the husband found a job. Of course it paid less, and they are still unable to pay their full mortgage. They owed $8,825 in missed payments with late fees; plus, they had a balance of $482,000 on their mortgage. Thanks to the modification program, the debts were forgiven, and the balance was dropped by $87,000 so that they have a new balance.

Even with the loss of income, they are very thankful that they can keep their home and that they have a mortgage payment that they can make. The Home Affordable Modification Program allowed this family to keep their home.

A family from Santa Ana was close to losing their home due to financial hardship as the husband's hours and income were reduced. So to make ends meet, he supplemented his primary job with a part-time job. These are not people who are asking for handouts. These are people who are trying to figure out a way to hold onto their homes and to keep stability with their children. The gentleman really wanted to keep his home, so he worked with a counseling agency to formulate a budget that was affordable to him. Thanks to the loan modification program, his payment was reduced, and the family can stay in their home. That's one more family in Santa Ana that is in their home today.

Then there was this couple who worked for a school district. The budget restraints in the State forced them to have furloughs, which took a significant toll on their income. There was a couple from Anaheim who was using their unused sick and vacation days just so they could get that check in order to make the mortgage. Thanks to the loan modification program, the couple was able to permanently modify their loan and keep their home. Their monthly mortgage payment was reduced, and it made it more affordable. Even with an income reduction, this is another couple, another family, who is still in their home.

Those are only three of the success stories we've had. I know I have worked very hard with my housing agencies and with people in putting on forums and talking to people and giving information and calling them in and getting the banks to try to modify these loans. This is a 5-year process at home that we have been working on. I don't know, maybe the rest of my colleagues didn't do this or didn't know how to do it or they weren't as successful, but we have had success. So we have families who are in their homes.

It is my hope that my Republican colleagues will reconsider this bill. Let's work together to find solutions for people because when you keep families in their homes, the stability of the family stays intact; and when you have that in particular, if you have children, they need that stability.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment, even though I am not opposed.

The Acting CHAIR. Without objection, the gentlewoman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. We will accept the amendment.

I have had similar occurrences in my district where actually one gentleman had to pay back $42,000 worth of late fees as well as the penalties and the difference between the loan modification. That's where I think this program has failed.

Yet I think your amendment is a sense for Congress to encourage the banks to work with our constituents and to provide loan modifications to those who are eligible. It also encourages banks to work with our constituents and to provide them with the best services. It encourages the banks to assist prospective homeowners with foreclosure prevention and counseling.

I think this is a help in the private sector and encourages the private sector to do this, so we would accept this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. LORETTA SANCHEZ).

The amendment was agreed to.

Mrs. BIGGERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCHENRY) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, had come to no resolution thereon.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro

tempore (Mr. WOODALL) at 6 o'clock and 30 minutes p.m.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 471, SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112–45) on the resolution (H. Res. 186) providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes, which was referred to the House Calendar and ordered to be printed.

## THE HAMP TERMINATION ACT OF 2011

The SPEAKER pro tempore. Pursuant to House Resolution 170 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 839.

□ 1835

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, with Mr. POE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, amendment No. 9 printed in part A of House Report 112–34, offered by the gentlewoman from California (Ms. LORETTA SANCHEZ), had been disposed of.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 112–34 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. HANNA of New York.

Amendment No. 6 by Ms. JACKSON LEE of Texas.

Amendment No. 8 by Mrs. MALONEY of New York.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. HANNA

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HANNA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 247, noes 170, not voting 15, as follows:

[Roll No. 194]

AYES—247

Adams
Aderholt
Akin
Alexander
Altmire
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (IL)
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lewis (GA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—170

Ackerman
Amash
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Rahall
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Weiner
Welch
Woolsey
Wu
Yarmuth

NOT VOTING—15

Campbell
Conyers
Engel
Frelinghuysen
Giffords
Gohmert
Langevin
McIntyre
Moran
Rangel
Reyes
Slaughter
Speier
Waxman
Wilson (FL)

□ 1858

Messrs. WALZ of Minnesota, CRITZ, SHERMAN, Ms. BASS of California, and Messrs. NEAL, HINOJOSA, and BACA changed their vote from ''aye'' to ''no.''

Messrs. GRAVES of Missouri and SMITH of New Jersey changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. JACKSON LEE OF TEXAS

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 239, not voting 11, as follows:

[Roll No. 195]

AYES—182

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Harris
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Stark
Stearns
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—239

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Campbell
Cleaver
Conyers
Frelinghuysen
Giffords
Gohmert
Moran
Rangel
Reyes
Speier
Waxman

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in this vote.

□ 1903

Mr. MEEHAN changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MRS. MALONEY

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Mrs. MALONEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 173, noes 249, not voting 10, as follows:

[Roll No. 196]

AYES—173

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Harris
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—249

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson

Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Campbell
Frelinghuysen
Giffords
Gohmert
Graves (MO)
Moran
Payne
Rangel
Speier
Webster

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). One minute remains in this vote.

□ 1909

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GRAVES. Mr. Chair, on rollcall No. 196, had I been present, I would have voted "no."

The CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. POE of Texas, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 839) to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, and, pursuant to House Resolution 170, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LARSEN of Washington. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LARSEN of Washington. In its current form, I am opposed to the bill.

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

The Clerk read as follows:

Mr. LARSEN of Washington moves to recommit the bill H.R. 839 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

In subsection (c)(1) of the matter proposed to be inserted by the amendment made by section 2 of the bill, strike ''paragraph (2)'' and insert ''paragraphs (2) and (5)''.

At the end of section 2 of the bill, strike the closing quotation marks and the last period and add the following new paragraph:

''(5) CONTINUATION OF PROGRAM FOR MEMBERS OF THE ARMED FORCES AND GOLD STAR RECIPIENTS.—

''(A) IN GENERAL.—After the date of the enactment of this Act and only to the extent that amounts are made available pursuant to the authorization of appropriations under subparagraph (C), the Secretary may provide assistance under the Home Affordable Modification Program on behalf of any homeowner who otherwise qualifies for assistance under such Program who is—

''(i) a member of the Armed Forces of the United States on active duty, including those members on active duty in Iraq or Afghanistan, or the spouse or parent of such a member; or

''(ii) eligible to receive a Gold Star lapel pin under section 1126 of title 10, United States Code, as a widow, parent, or next of kin of a member of the Armed Forces person who died in a manner described in subsection (a) of such section.

''(B) IDENTIFICATION OF AMOUNTS.—Not later than the expiration of the 180-day period beginning on the date of the enactment of this paragraph, the Secretary shall—

''(i) determine, in consultation with the Secretary of Defense and the Secretary of Veterans Affairs, the amount necessary to provide assistance under the Home Affordable Modification Program to the persons described under clauses (i) and (ii) of subparagraph (A); and

''(ii) submit notice of such determination to the Congress that specifies such amount.

''(C) AUTHORIZATION OF APPROPRIATIONS.—Effective upon the submission to the Congress by the Secretary of the notice required under subparagraph (B), there is authorized to be appropriated, for assistance under the Home Affordable Modification Program only for persons described under clauses (i) and (ii) of subparagraph (A), the amount identified in such notice.''.

Mr. LARSEN of Washington (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. LARSEN of Washington. Mr. Speaker, this amendment does one simple thing:

It continues the Home Affordable Modification Program for members of the Armed Forces and Gold Star recipients.

Mr. Speaker, we all know the Home Affordable Modification Program has not performed to the original projections, but this is an effort that has provided 600,000 permanent loan modifications. Six hundred thousand American families are still in their homes because of this effort. I doubt these families would tell you it is not working.

Mr. Speaker, some will say that terminating this program won't affect those who have already received modifications or are working through a modification currently. Yet many more families still need help, especially military and gold star families.

Even though the economy is beginning to recover, the housing market is still struggling. HAMP is currently helping 30,000 additional families every month.

I would prefer that we keep this effort going for everyone. But if we are not about to, at a minimum we need to preserve this program for active military and gold star families.

Regardless of how anyone feels about the underlying legislation and regardless of how anybody feels about the funding for the original legislation, we can all agree that we owe our men and women in uniform a tremendous debt of gratitude for their service and sacrifice. While defending our country, servicemembers should not be afraid that their families will lose the roof over their heads, but that's the very situation in which a Navy sailor found himself last year as part of Operation Enduring Freedom.

Seven thousand miles from home, there was little he could do to help his spouse balance the stress of raising two children, of her work, and of household expenses. To top it off, their mortgage was about to jump to almost $2,300 a month. But this family was able to find relief in the Home Affordable Modification Program. They applied for a trial

modification under HAMP and began making reduced payments. After a few months, their modification became permanent and reduced their monthly payment by almost $400.

This program helps keep servicemembers and their families in their homes. Some will say that this bill includes a study on the best practices that could be applied to mortgage assistance programs to help members of our military. But, Mr. Speaker, you can't live in a study. A study does not put a roof over your head. A study doesn't provide shelter for your children. And a study won't help you pay your bills when your mortgage rate skyrockets.

Mr. Speaker, our servicemembers and gold star families don't need a stack of paper telling them the ways that we might help. They need actual help. As it currently stands, this bill takes something from our men and women in uniform, a mortgage assistance program, and gives them nothing in return.

My district includes two Navy bases, each home to thousands of servicemembers and their families. Additionally, the district has the Washington State National Guard and Reserve located there. I am proud to represent these men and women and am honored by the work they do each day. These men and women and their families sacrifice for our country. While they're protecting our families, the least we can do is protect their homes.

Let's be clear. The passage of this amendment will not prevent the passage of the underlying bill. If the amendment is adopted, it will be incorporated into the bill, and the bill will be immediately voted upon. We need to do all in our power to ensure the men and women who fight and die in our wars are able to keep their homes. It's very simple.

I urge my colleagues to vote ''yes'' on this final amendment.

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

Mr. McHENRY. I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Mr. McHENRY. Mr. Speaker, first of all, Veterans' Administration loans are not permissible under the HAMP program. They cannot go through the HAMP program in order to get relief of their mortgage. Furthermore, veterans are already covered under an effective program which is assistance to veterans with VA guaranteed home loans. That program is actually working.

The program that my colleague has offered this cynical motion to recommit for is merely a roadblock for us eliminating a failed government program.

I want to tell you, the Special Inspector General for TARP has said that HAMP recipients sometimes end up unnecessarily depleting their dwindling savings in an ultimately futile effort to obtain the sustainable relief promised by the program guidelines. Others, who may have somehow found ways to continue to make their mortgage payments, have been drawn into failed trial modifications that have left them with more principal outstanding in their loans, less home equity, or a position further underwater and worse credit scores. Perhaps worst of all, even in circumstances where they never missed a payment, they may face back payments, penalties and even late fees that suddenly became due on their modified mortgages that they have been unable to pay. This Federal program that my colleagues on the other side of the aisle are standing up and defending leaves people with late fees, penalties under their modified mortgages, and oftentimes results in the loss of their very home.

Furthermore, I would tell my colleagues that some have been helped in this program. But for every one person that's been helped, there's more than one other person that has actively been harmed. They deplete their savings, they ruin their credit, and their house is taken from them.

□ 1920

And this is a government program. I ask my colleagues, do not subject our veterans, with this motion to recommit, to a failed program. We don't want our veterans to come home to a Federal program that is actively harming them. And that's what this recommit does.

Furthermore, I would say to my colleagues, if we can't vote to eliminate this Federal program, I ask you, what programs can we eliminate?

Vote against this recommit. Vote for final passage. Let's move on.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. LARSEN of Washington. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 185, nays 238, answered ''present'' 1, not voting 8, as follows:

[Roll No. 197]

YEAS—185

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NAYS—238

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance

Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

ANSWERED ''PRESENT''—1

Lofgren, Zoe

NOT VOTING—8

Campbell
Frelinghuysen
Giffords
Gohmert
Moran
Rangel
Smith (TX)
Speier

□ 1938

Mr. ROYCE changed his vote from ''yea'' to ''nay.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mrs. BIGGERT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 252, noes 170, answered ''present'' 1, not voting 9, as follows:

[Roll No. 198]

AYES—252

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
Welch
West
Westmoreland
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—170

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Miller (NC)
Moore
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Whitfield
Wilson (FL)
Woolsey
Wu
Yarmuth

ANSWERED ''PRESENT''—1

Kaptur

NOT VOTING—9

Butterfield
Campbell
Frelinghuysen
Giffords
Gohmert
McMorris Rodgers
Moran
Rangel
Speier

□ 1945

Mr. CLEAVER changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 839, THE HAMP TERMINATION ACT OF 2011

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that, in the engrossment of H.R. 839, the Clerk be authorized to correct section numbers, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, to include striking ''paragraph (1)'' on page 5, line 16, and inserting in lieu thereof ''subparagraph (A)''.

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

There was no objection.

## RE-REFERRAL OF H.R. 1148, STOP TRADING ON CONGRESSIONAL KNOWLEDGE ACT

Mr. BACHUS. Mr. Speaker, I ask unanimous consent that H.R. 1148 be re-referred primarily to the Committee on Financial Services and additionally to the Committees on Agriculture, House Administration, Judiciary, Ethics, and Rules.

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

There was no objection.

## HONORING THE ELLIS ISLAND TARTAN

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

Mr. LANCE. Mr. Speaker, I rise today in honor of the 10th annual celebration of Tartan Day on Ellis Island.

The tartan is the definitive symbol of Scotland. No other fabric or pattern is so steeped in tradition, and for the past 10 years, Tartan Day on Ellis Island has promoted Scottish history, heritage, and culture under the leadership and guidance of the Clan Currie Society, one of the largest Scottish heritage organizations in the United States. This year, the Clan Currie Society will be unveiling a new American tartan, the Ellis Island tartan, in honor of National Tartan Day on April 6.

The American tartan's fabric is steeped in colors that represent the experiences of all of those who have traveled to the United States over the last century in search of the American Dream. The tartan's blue illustrates the great Atlantic Ocean, the copper-green in honor of the Statue of Liberty, red signifying the bricks of the historic buildings on Ellis Island, and the gold representing America's golden door, walked through by millions as they looked to this new land as the land of opportunity.

I ask all of my colleagues to join me in honoring and congratulating Mr. Bob Currie and the entire Clan Currie Society in the unveiling of this American tartan, the Ellis Island tartan, and for their years of hard work honoring and recognizing the contributions that Scots and Scottish Americans have made to our great Nation.

## CONGRATULATIONS TO THE MOUNT VERNON HIGH SCHOOL BASKETBALL CHAMPIONSHIP

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

Mr. ENGEL. Mr. Speaker, I am proud to represent the entire city of Mount Vernon, New York, and today I rise to congratulate the Mount Vernon Knights high school basketball team for winning the New York State Federation Tournament of Champions, Class AA. They beat Christ the King from New York City, the winner of last year's championship, 84–78 in overtime on Sunday in Albany, New York.

Jabarie Hinds led his team with 14 of his 31 points in the fourth quarter and overtime to earn MVP honors as Mount Vernon won its fifth State Federation title in program history.

Congratulations also to Coach Bob Cimmino on his fourth championship. His team won their last 10 games and snapped the 12-game winning streak of Christ the King.

Mount Vernon showed its grit and determination by coming back after being down 20–11 after one quarter and 33–28 at the half. The Knights took the lead with less than 1 minute in regulation and never trailed after that.

Other high scorers for Mount Vernon were Khalid Samuels with 21 points and Isaiah Cousins with 12.

Mount Vernon, representing the Public High School Athletic Association in Westchester, got to the title game with a 70–63 win over Boys and Girls High School of New York City in Saturday's semifinal round.

Congratulations to these players and their coach. While March Madness has gripped the rest of the Nation, in Mount Vernon we are very proud of our Knights. I am sure these champions have a bright future and will look back proudly at their accomplishment in the years to come.

□ 1950

## WAR IN THE NAME OF HUMANITY

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

Mr. POE of Texas. Mr. Speaker, the Middle East is in turmoil. Citizens are in revolt and are ousting their dictators. One of the worst rulers is Muammar Qadhafi in Libya. Qadhafi is so bad, the President has involved the United States military in support of the rebels there.

However, Secretary of Defense Gates has stated our national security interest is not at risk in Libya. So why are we there?

It seems to me this war is being waged under a new ''Doctrine of Humanity.'' In other words, the United States will now decide when to drop bombs on another country in the name of humanity when a ruler we don't like acts against humanity. This fuzzy emotional doctrine ultimately gives a President the unilateral ability to intervene militarily anywhere the President doesn't like the way a foreign ruler treats his people.

The President needs to clarify this doctrine of ''War in the Name of Humanity.'' What constitutional authority gives the President the right to enter another country's civil war when our national security is not at risk? America needs some answers.

And that's just the way it is.

## OBAMA'S LACK OF LEADERSHIP ON LIBYA

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

Mr. FLEMING. Mr. Speaker, with regard to the ''kinetic military action'' in Libya, it appears the tail is wagging the dog. The President first says we won't go but Qadhafi must. Then he says we must go but not Qadhafi. He consults the Arab league before his own Congress and then telegraphs to the enemy our mission limitations, yet does not clearly define the mission or goals to the American people. Then he bombs people and calls it a humanitarian act.

I'm sorry, Mr. Speaker. I don't understand this new value system the President is asking us to accept. Let me suggest instead that our President in future conflicts consult the American people and Congress first, then build a coalition, then lead that coalition with a clearly defined mission, taking nothing off the table rather than being pressured into action by other world leaders.

## CONGRATULATING PENN STATE UNIVERSITY ON 20TH ANNIVERSARY OF UNDERGRADUATE EXHIBITION

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Penn State University on the 20th anniversary of the Undergraduate Exhibition.

Last year the House passed House Resolution 1654, a measure expressing support for designation of the week of April 11, 2011, as Undergraduate Research Week. This week recognizes the importance of undergraduate research and encourages colleges and universities, businesses, and other organizations to recognize the occasion.

It is fitting that this week coincides with Penn State's 20th annual Undergraduate Exhibition, scheduled April 12 and 13. Penn State's annual Undergraduate Exhibition communicates and celebrates these same priorities: that research and development of critical thinking are fundamental to American competitiveness and our success as a Nation. Penn State continues to thrive as one of the top research universities in the country through programs such as the Undergraduate Exhibition which encourage participation of undergraduate students in research and creative endeavors.

I congratulate the students, teachers, and staff at Penn State for their tireless pursuit of knowledge and creativity.

## THE NORFORK AND GREERS FERRY NATIONAL FISH HATCHERIES

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

Mr. CRAWFORD. Mr. Speaker, I rise today to enter into the CONGRESSIONAL RECORD Arkansas House Resolution 1014 that was recently passed on February 24 of this year by the Arkansas House of Representatives.

Fish hatcheries at the Norfork and Greers Ferry Dams are vital components of the economy in north central Arkansas. They provide vital fish stock not only to Arkansas' waterways but to Arkansas' neighbors as well, and

they help draw sportsmen and outdoor enthusiasts from all over the world.

State of Arkansas
88th General Assembly
Regular Session, 2011

By: Representatives Linck, Hopper, Benedict

House resolution—Requesting that the President of the United States and the Arkansas congressional delegation support and continue the immediate and future funding of the Norfork and Greers Ferry National Fish Hatcheries.

Subtitle—Requesting that the President of the United States and the Arkansas congressional delegation support and continue the immediate and future funding of the Norfork and Greers Ferry National Fish Hatcheries.

Whereas, the United States Fish & Wildlife Service plans to cut the budgets for the trout hatcheries below Norfork and Greers Ferry dams; and

Whereas, these fish hatcheries provide the foundation for Arkansas's world-renowned trout fishery waters that produce a total economic impact of well over one hundred fifty million dollars ($150,000,000) annually but only cost taxpayers approximately one million five hundred thousand dollars ($1,500,000) annually to operate. The hatcheries at Norfork and Greers Ferry dams alone generate five million five hundred thousand dollars ($5,500,000) in federal tax revenues, roughly three dollars and sixty-five cents ($3.65) for every one dollar ($1.00) invested; and

Whereas, seventy-five (75) years ago, north Arkansas's White River was arguably the best smallmouth bass stream in America. Fisherman came from all over the country to experience once-in-a-lifetime float trips down the beautiful bluff-lined river; and

Whereas, upon a series of dams being built in the White River basin in the 1940s, the federal government assured the state's citizens that mitigation efforts would be included to offset the loss of the river's incredibly productive native fishery. The key component of this commitment was the construction of Norfork National Fish Hatchery in 1955 near Norfork Dam and the establishment of world-class trout waters below both Norfork and Bull Shoals lakes; and

Whereas, a decade later, the trout hatchery at the base of Greers Ferry Dam provided the means for a similarly successful fishery to be established at the Little Red River in Greers Ferry; and

Whereas, these modest projects rank among the all-time success stories of our federal government because of the overall economic impact and return on investment they produce; and

Whereas, fish production at the Norfork hatchery employs nine hundred ninety-four (994) individuals, and the Greers Ferry hatchery employs an additional seven hundred fifty-two (752) people; and

Whereas, dozens of resorts employing hundreds of individuals have been established in these world-class fishing areas because of the increase in tourism. The town of Cotter, Arkansas, for example, bills itself as ''Trout Capital USA''; and

Whereas, trout fishing in the. White River basin is worth about three times the annual flood losses prevented by Beaver, Table Rock, Bull Shoals, Norfork, Greers Ferry, and Clearwater reservoirs, and these structures averted fifty-one million four hundred thousand dollars ($51,400,000) in damages in the last fiscal year; and

Whereas, the electricity generated from Bull Shoals Lake and Norfork Lake averages approximately one hundred million dollars ($100,000,000) of electricity each year, but the trout fishery is worth an additional fifty percent (50%) more than that on an annual basis; and

Whereas, investment in the Norfork and Greers Ferry fish hatcheries has consistently demonstrated positive returns for more than half a century. The federal government's goal to reduce the federal deficit and increase economic growth would be damaged, not enhanced, if funding for trout programs is reduced or eliminated to the detriment of its promise to Arkansas and to these small towns whose livelihood depends on the fish hatcheries; Now therefore, be it

*Resolved by the House of Representatives of the Eighty-Eighth General Assembly of the State of Arkansas*, That the President and Congress of the United States work together to continue the immediate and future funding of the national fish hatcheries at Norfork and Greers Ferry dams and allow the investment in these hatcheries to continue to contribute to the economic vitality of these towns, the State of Arkansas, and the entire country. Be it further

*Resolved*, That the Chief Clerk of the House of Representatives forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives and the President of the Senate of the United States Congress, and to all the members of the Arkansas Congressional Delegation with the request that this resolution be officially entered in the Congressional Record.

## THE EPA

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

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker and ladies and gentlemen, I rise today to speak about H.R. 872.

I was pleased to see this resolution pass the Agriculture Committee with a bipartisan vote. Not one single objection. I want you to think about that. Not one objection from a Democrat or a Republican in the Agriculture Committee.

It somewhat baffles me that we have to waste floor time in the U.S. House of Representatives to help the EPA understand that they're creating regulations that they themselves do not understand.

Mr. Speaker, the EPA already requires pesticide permits from every farmer, rancher, forest manager, State agency, city, county municipality, mosquito control districts, water districts, and golf courses, just to name a few of those that they require permits from. If we do not enact H.R. 872, the EPA would then require an additional Clean Water Act permit for pesticides. I will add again, Mr. Speaker, that many of these permits are already redundant as pesticide applications are already highly regulated under the FIFRA Act.

We all care about the environment, but these EPA regulations fail the common sense test, Mr. Speaker. That agency is on a regulatory path of the destruction of our economy. They are destroying our jobs, and they must be reined in.

Mr. Speaker, perhaps we need a permit for the EPA that says the EPA must understand a rule before they pass one.

## FEDERAL REGULATIONS

The SPEAKER pro tempore (Mr. FLEISCHMANN). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, once again we are going to talk about the fact that the regulators are kind of like the fox watching the henhouse. They just overreach everywhere. And we just heard an example of that actually. Mr. AUSTIN SCOTT was just up here talking about what is going on with this pesticide. We will talk a little bit about that today.

I have been trying for the last 6 or 8, I guess, months now to talk about some of the regulations that are being imposed upon people. You see these regulations and you see how onerous they are on both large and small businesses, and then we sit around and wonder why we're teetering around 9 percent unemployment in this country. It's because not only do folks have to wonder about are we going to raise taxes. Folks have to wonder about are we going to spend ourselves into the poor house. Folks have to wonder about a $1.65 trillion deficit this year. They worry about all those things. They worry about how their children and grandchildren are going to pay off this massive accumulation of debt in this country that is coming down as a result of the policies of the last Congress, the Democrat-led Congress, and the Obama administration, and then you take that and you take on top of that the executive branch's regulations that they are putting on people, many of which are so onerous and make so little sense that, quite honestly, you wonder what's going on.

We've got a lot of things that have been going on, and we've got some tools that we're using to get rid of those things. And a tool that I have been talking about is using the Congressional Review Act to challenge some of these things, and we will talk a little bit about that. But first let's just go back and talk a little bit about what others are doing right now.

First off, tomorrow morning I am going to drop a bill, and this is kind of a nuclear weapon, if you will, of fighting regulations. Because of the continuous onslaught of regulations that seem to be designed to cause unemployment rather than to help with unemployment, I think it's time we just put a big old hold on the regulatory agencies and tell them that unless this is of major national importance, we don't think there ought to be any regulations for the balance of this Congress. So I am proposing a bill for the outright ban of all new Federal regulations through the remainder of the Obama administration until January 31, 2013.

□ 2000

This would remove, in this period of time when we're trying to bring our job

numbers up and bring our unemployment numbers down, this would give the country an opportunity to take, at least in one area, a deep breath and relax, that the regulators are not going to change the playing field on them halfway through a year or through a month.

There are so many regulations that we've talked about in the past few months and for the balance of this year that are surprises to everybody, and they're throwing big, big monkey wrenches in the machinery that drives our economy.

Now, if you read the newspapers or you hear people commenting on why aren't people creating jobs, why is capital investment on the sidelines, why are people holding on to their money instead of investing their money in their businesses or investing their money in some other people's businesses so we can grow this economy, they're sitting on the sideline and they're not participating.

And you will hear both sides of the aisle in this House talk about the trillions of dollars that are being held back from investment. You'll hear arguments made by the other side, by the Democrats in this House, that it's the greed of the big corporations that's doing this.

But then when you study the problem, it's not just the big giant corporations that are kind of sitting back and waiting. It's the small businessman. It's the guy that's got one shop, and he's thinking about adding on to that shop, and he may be thinking about adding one more machinist or one more salesman. But you know what? There are too many questions about what's over the horizon for them to take the chance of investing their money when they don't know what's going to happen. And as I explained as I started out, part of it is they wonder about the possibility of new taxes.

Secondly, because there's been a lot of talk from this administration about taxes, they're backing off of it now, but many of the things they do seem to change depending on which way the wind's blowing, and so they're worried about the possibility of new taxes.

They're worried about the fact that they can look at numbers, they read balance sheets, even the small businessmen can read balance sheets and profit and loss statements. And they look at this Federal Government and they say, my Lord. Just this year alone, based on President Obama's proposed budget for 2011, they're projecting about a $1.6 trillion deficit this year.

And most businesspeople know what deficit means. And most of all of us do, but sometimes we think it's some big word coming out of Washington, not realizing what it really is. It means you're spending money you don't have. In fact, arguably, every time you buy something with your credit card, you're deficit spending. You don't have the cash in your pocket to buy the new television set so you put it on your credit card. You borrow the money. You spend money that you don't have.

Now, if we were like the great State of Texas where we have a balanced budget requirement in the constitution in Texas, then the Texas legislature, they can't deficit spend. They can't spend money they don't have. They have a no-deficit spending provision in that constitution that says you get to spend what the projected revenues are, and that's it. And it's sometimes—and you ask the good members of our legislature, sometimes it's real tough to make things work. But you know what? They always somehow figure out a way to get it done. And this year is no exception.

It's tough in Texas. And they're doing the things we're trying to do here in this House. They are reducing their spending, as are States across the country. All you have to do is turn on the television. You see the issues in Wisconsin and Michigan and other places, and Minnesota—well, not Minnesota, Indiana, all these people are addressing it, New York, Virginia, they're addressing the fact that they've just got to cut back on their spending.

Well, we're addressing that fact too in this House right now. But the businessman looks at that and says, well, what's their track record? Well, our track record's not real good. In fact, our track record is such that they say odds are they're not going to do these cuts that are necessary to stop it.

Here's something kind of interesting. Right now, in H.R. 1, the Republican majority has set forth a series of cuts that total up to about $63 billion. They've agreed now to about $10 billion. So let's call it $53 billion just kind of on the table out there waiting for some kind of action from the Senate. This is attached to a continuing resolution.

Now, that business owner back home, he looks at that and he says, let's see, $63 billion—that's a tiny little bandaid on a gigantic rear end of an elephant, but that's the tax cuts that are being proposed, and they don't seem to be able to get those things. Not tax cuts. That's the spending cuts that are being proposed. They don't even seem to be able to do that. What in the world are they going to do about this $1.6 trillion?

So he says, I don't think I want to play in that ballpark. That's too dangerous for me. I have a little savings in my back pocket to invest in my business. But now's not a good time. There's way too much debt floating around out there. There's way too much uncertainty about the economy floating around out there. I think I'll wait. So my plan to create one or two new jobs to grow my profits for my business is going to have to wait. Even though I may have the money to invest, it's going to wait because I don't feel the environment's good for it. It's another one of those unknowns that's keeping capital and keeping the growing of the labor force from happening.

Finally, these regulations. When, as our friend from Georgia was just talking about—just take, for instance, the issue that has to do with this, these new regulations concerning pesticides that have come out. It came out and then it was—I think, some court has gotten involved in it.

But what they've done, basically, is told the people who use pesticides, and I think everybody knows, pesticides are to kill bugs that eat crops. That's kind of the general use for pesticides. So that means that your farmers, your ranchers, and some of your business people are going to be affected by this. And they look at it and say, wow. I used to have to have a permit. I got one. Now all of a sudden I've got to have a new permit. It's going to cost me some more money. They changed the rules in the middle of the game, and now I'm sitting here wondering what in the world am I going to do if they change the rules again.

So what am I going to do with my money? I'm going to keep it in my pocket. I'm not going to invest in my business. I'm not going to expand my farm. I'm not going to buy that new combine. I'm not going to trade for some more cattle. I'm basically going to sit where I am and hold pat. And I'm also not going to hire anybody to help me with those issues.

These are things that are typical of what causes the people who invest in the real world of private business, who employ two-thirds or more of the American public, to sit on the sidelines. So big business or small, if you don't understand the playing field, and there are people out there that can change your life at a whim, you get concerned about it. We've seen so many examples of that.

I'll just throw out the flex permitting Clean Air Act issues that are going on in Texas, which we've talked about before. After 15 years of using a flex permit in Texas, never a word said by the EPA, all of a sudden, out of the clear blue they decide, oh, you know what? I don't think we like that flex permit, so we're just going to do away with it, and we're going to change the rules.

Without going into what a flex permit is, it's very simple. If flex permit worked for your business 1 day and the next day you had to have a completely different permit with a whole new set of rules and a whole new set of obligations, you would be very concerned about the environment within which your business is being operated. And, by the way you'd be really upset when you realized that your clean air issues in your State where you're using a flexible permit, the clean air reductions have met the demands of the EPA and, in fact, probably exceed many, many States who don't go to a flexible permitting system.

□ 2010

For some reason, your State who is doing good has to change permits to do

like some of the States that aren't doing as good as your State. And you have to say to yourself, What is the motive for all this? Well, would you put your money into a project when something like that could happen to you?

We ask ourselves, Why have we been having unemployment in this country somewhere between 10 percent and 8.9 percent over the last 25 months? Well, part of it is the people who create the jobs, the real jobs, the jobs that make our economy grow, are the business people of this country; and for 25 months they have not been hiring because we have created a world of mistrust in what might happen to you that you couldn't even imagine as a result of actions of this Federal Government.

To me, the most important thing we have to do in this Congress right now is create jobs. It will change the very makeup of our Nation if we get our Nation back to work. And it is time for the government to get out of the way of small business, get out of the way of the entrepreneurs in this country, and give them the opportunity to create jobs. With all the playing defense that we are trying do here in the House with the Congressional Review Act and other proposals that are out there, it seems to me we ought to just say, at least for a 2-year period, just, Time out. Time out. No more regulations. Just stop right where you are.

There are enough regulations in effect right now by the Federal regulatory agencies to fill this entire Chamber to the ceiling with books, so I don't think it would hurt us too much.

If it turns out it is a national emergency and you have such an issue that it is just so overwhelmingly necessary to come up with a regulation, then maybe we will put it out and submit it to Congress and let Congress make a determination about whether or not it is of that dire importance. But right now, just quit messing with us. Just get out of the way and let us have a chance to go do what we do best.

I forget who it was. I want to say it was Calvin Coolidge, but it was one of our past Presidents who said that the business of America is business. And it still is.

Two or three Saturdays ago, I was at South by Southwest, which is a very exciting activity that takes place in Austin, Texas, that not only promotes the live music industry, which is huge in Austin—it is the live music capital of the world—but, in addition, it promotes entrepreneurship among people with new great ideas. And great people, I talked to them and they were so exciting, such great young people, many of them in the high-tech industry, but in all of the industries. And those young people sat there and told me that, The one thing you can do that would hurt us the most is tax stock options and put up regulations that would prevent me doing what I need to do in my project. So, if the government will stay out of my way and if you won't impose taxes on the very source of investment money that I am seeking as a new entrepreneur, if you don't do those two things and you stay out of the way, I have got an idea that can change this country. And many of them have just those ideas.

Some of the things we have now like Facebook, those things like that they made a movie about and all that stuff, all that was the idea of a young entrepreneur, and he got somebody to invest in it and, boom, it swept the world. So that's why I have got a moratorium on regulations.

But in addition, we have got a couple of folks that are taking off after regulations that are clearly hurting the opportunity to create jobs. The Regulatory Flexibility Act, RFA, is being proposed and requires Federal agencies to assess the economic impact of their regulations on small business. We have something like this now, but it is going to be expanded and made more clear. And, if the impact is significant, consider alternatives that are less burdensome. The agencies must balance the burdens imposed by the regulations against the benefits, and propose alternatives to the regulations which create economic disparities among different size entities.

The Small Business Committee has held hearings on the RFA and they are holding some tomorrow, on Wednesday, to discuss this agency compliance with the act. Bad regs are killing good jobs, and that is what I have been talking about, and here is the Small Business Committee looking at small business with really a focus on small business.

Now, why do you hear people talk about small business in Congress when you have got all these giant international corporations that our friends on the other side of the aisle love to talk about? Well, for one thing, seven out of 10 Americans get a job in small business. Small business creates seven out of 10 private sector jobs in the United States. Some of those private sector jobs are real well-paying jobs.

In fact, some of the people that I was talking to at this little entrepreneur group that I was with, they said, Well, the first ten people we will employ, we expect their salary range to be somewhere between $100,000 and $150,000 a year. Now, that's darned good jobs. But they are looking to hire highly skilled technical people to advance a concept they have in the high-tech industry.

What do we get from those concepts? Well, you have probably got a cell phone in your pocket. You may have the new Apple iPad sitting on your desk, or you may actually be communicating with a brand-new one which has a camera in it so you can talk to your spouse around the world or your friend around the world and both of you can see each other. These are all ideas that came from entrepreneurial thinking that began with one person with an idea.

The one thing Americans still have to sell is ideas, and we are the only innovative idea creators on Earth. Everybody else is good at copying, but we are the guys with the original thoughts. We don't want to kill that. We don't want regulations to kill it. And we don't want bad regs to keep this unemployment number above 8 percent, almost 9 percent.

Another act is H.R. 872. This is a bill about Congress battling a bad ruling by the Federal courts. The bill eliminates a costly and duplicative permitting requirement for the application of pesticides. That is what our friend from Georgia was talking about just a few minutes ago, Mr. SCOTT. This will now require a different type of permitting system and it will, quite honestly, place the burden on farmers, ranchers, and anybody who uses pesticides, I assume exterminators and so forth, and will put a huge burden on them. And the only thing you can do is clearly put a halt to this EPA new regulatory activity. Even though the court recently said, Well, we won't require this until October, it doesn't matter whether it is required today or whether it is required in October; whenever it is required, it is still a burden. So my friends on the Ag Committee are very, very serious about challenging the creation of this new regulation.

We have been using the Congressional Review Act, and we have got several things that we have dealt with on the Congressional Review Act. This is a law today. This law was created in the Clinton administration and has been used once, and that is the only time it has ever been used, which surprises me. But we are trying to use it on multiple bills that are out there that are creating a regulatory burden on individuals or industries of this country.

□ 2020

Last year, the Federal Government issued a total of 3,316 new rules and regulations, an average of 13 rules a day. Seventy-eight of those new rules last year were major rules. A major rule is a rule that may result in an annual effect on the economy of $100 million or more, a major increase in costs or prices for consumers or significant adverse effects on the economy.

If it is a new rule, it is required under the Congressional Review Act that it be submitted to the committees of jurisdiction that cover that rule in the House and Senate and that they have the opportunity within 60 legislative days, that is days that the Congress is in session, not counting the days it is not in session. And if there is a vote, and let's say the House passes it and sends it to the Senate, then it only requires 30 Senators to cosponsor the bill to bring that vote to a full vote in the Senate.

Then we will have the opportunity to send some bad regulations that passed both the House and the Senate to the President, and he told us less than a month ago that one of his goals this year was to get rid of these onerous

regulations that are costing us jobs in America. And I think that if both this House and the Senate, the Senate across the way, if both those entities feel it is a bad rule, I think the President will look at it, and I am very hopeful that he will dispose of that rule. When I say this, we are not talking just about the EPA. There are a lot of rules out there, but EPA just seems to have more than their share right now.

I talked about the Flexible Permitting Act. We have filed a CRA challenge, a Congressional Review Act challenge, to the flexible permitting program. Chairman UPTON of the Energy and Commerce Committee has been or is holding hearings on the Clean Air Act and on this issue. That will be one issue that we are going to be working on trying to get done.

The FCC has a regulation for net neutrality. This rule grants the Federal Government new power to regulate the Internet, restricting access and stalling innovation. One of the things that those young people that I met with the other night, it was about 100 of them now, it is not a small group, they all said, most of them, that the Internet was a tool they were using to come up with good ideas or to promote their good ideas or to use the Internet for their good ideas; and they were very much opposed, as am I, to any regulation of the Internet.

The freedom of the Internet is a freedom of expression, a freedom of expression which creates a freedom of ideas, and the exchange of ideas creates innovation, which is the fuel to drive our economy. So Mr. GREG WALDEN is addressing this issue under the CRA of net neutrality.

HHS has a rule on medical loss ratio. This regulation will require all health care plans to pay a minimum of 80 percent of premiums toward health services, eliminating coverage for 47 percent of Americans in small group and individual health plans. This is an area which we have filed, my office and JOHN CARTER have filed this. However, I am going to have a lot of assistance from the medical professionals in this House in going forward on this medical loss ratio. It is a serious regulation which will seriously harm the advancement of health care in America.

Then we have a NESHAP rule for portland cement manufacturing industries. This has to do with cement kilns that make portland cement. ''Portland'' is not named after a town. It is a process whereby you make the cement that binds concrete to create concrete for this country. There are 18 cement kilns that are likely to close as a result of this. This kills good-paying jobs. The average paying job in one of these kilns starts at around $60,000 to $70,000 a year and goes up. These are good jobs.

Now, where are these jobs going to go? You have to have cement. A great number of the kilns that make portland cement have moved offshore already, and they are over in China and they are over in India and places like that where they have no regulation on particulates that go into the air. Meanwhile, we have actually reduced a lot of the things that go into the air under the present regulations. But these new regulations will move those American jobs out of the country to another country; and rather than help the air, because the same air is in India and China as is over here, it is all part of this great big place we call the world, we will still be polluting the air, but 10 times worse than we do under our current regulations in the United States, and we lose the jobs.

So we are going to seek a vote on portland cement manufacturing regulations. And the argument that this increases mercury pollution is absolutely false because we have evidence to show that mercury pollution, if it is in the United States, it is coming from offshore.

So all these things are things that are proposed right now. We have got charts over here to look at each one of them.

Here is the regulatory moratorium, an outright ban on Federal regulations. It removes the top obstacle to economic recovery. Business won't hire with ObamaCare and EPA regs hanging over their head.

The Regulatory Flexibility Act. The shaded areas indicate U.S. recessions. The 09 research—that is a word I can't read—organization. Look at this. This is what is happening from regulations. It is going up on the unemployment scale.

The RFA requires the Federal agencies to assess the economic impact on small businesses—we talked about that—to come up with alternatives, because unemployment rates are around or above 9 percent for the last 22 months, and it is time that we make these regulations be assessed, and seven out of 10 new jobs are created by these small businesses.

When you hear us talk about the Pesticide Act, very clearly there are the folks that are dealing with it right there, the farmers of America. It is duplicative. That means they already have a permit that allows them to put out these pesticides, and because of this ruling they are having to get another permit at another cost and meet other guidelines for these pesticides.

The Sixth Circuit we think with this Cotton Council versus the EPA made a bad ruling, and these higher costs to producers and consumers and the government are all built into this one bad regulation. This act that we talked about, 872, is to block this bad ruling. This is the kind of fight we have to have to prevent the regulators from getting so involved that they actually shut down our businesses.

Now, no one here, including me, I am certainly not, and I don't think anybody in this House, is proposing that we are going to do things that are harmful. It is not like they weren't already regulating that pesticide. They just came up with a new permit, new money to spend, new hoops to jump through in order to apply pesticides.

Here is what I have been talking about, the Congressional Review Act. It allows Congress to review every new Federal regulation issued by the government agencies and by passage of a joint resolution overrule that regulation. On these things I have been talking about, the House and the Senate both can go forward under this act, and we can put the brakes on some bad regulations.

Here are the ones I mentioned. The Texas flexible permitting program, the net neutrality rule, the medical loss ratio and the portland cement: those all can be addressed by this act, and many more.

□ 2030

But maybe we could save ourselves a whole lot of time and effort by just passing the newest proposal that I have put forward, and that is a law that says, time-out until 2013 on any regulations from the government, and let's just hold off and let's give this economy a chance to grow. And when it grows, we will prosper, we will get out of this mess we're in, and we will get back to being the America we all treasure and love.

It's not hard to imagine that if there's something really bad, of course, this House will protect it. But many of these things are people in closed rooms, some of which don't even understand the industry they're regulating, coming up with rules because they have a concept of government that is all government—all roads lead to Rome—all government leads to Washington, and that all government decisions and all life decisions should be made here, in Washington. There are people in this city, literally tens of thousands, maybe hundreds of thousands of people in this city, that believe that all life issues should be resolved by the Federal Government.

The perfect example that just really upsets me is the fact that, kind of randomly, when the opposite party, the Democrats, took over in the House, they decided to get rid of all the light bulbs in all the office buildings, and they put in these curly Q light bulbs all over everywhere. These lights, you turn some of them on, it takes you a good 20 count before the light even has enough light to see. That's very uncomfortable, especially in the bathroom. But we've got them. And if you take yours out and put the old incandescent light bulb in there, the next day you'll come back and the maintenance man will have taken it out and put one of those curly Q light bulbs back in there, because the government knows better what light bulbs you ought to have than you do. In fact, they passed a law that says you're not going to be able to have anything but those light bulbs.

They fail to realize that if you accidentally drop one of those light bulbs

onto the floor and it bursts, it's got mercury vapor in it—and some other nasty stuff I don't even know what it is—and all of a sudden you've got to call the hazardous material team to come in in hoods and suits and do a hazmat removal of that broken light bulb.

Now I'm sorry. I like to say that one of the things that we have a real shortage of in America, especially the America that's inside the Beltway in Washington, D.C., is common sense. But to put a hazardous material light bulb in to correct something that you have against a normal light bulb because you think it burns too much power is really not very cost efficient.

I am very pleased to see my friend, Mr. STEVE KING from Iowa, drift in here. If the gentleman has anything he wants to talk about here tonight, I would be glad to yield him some time.

Mr. KING of Iowa. I thank the gentleman from Texas, the good judge, who has taught me a few things about all of this. One of those things is sitting on the Judiciary Committee with the gentleman from Texas is, and I haven't learned it very well, but at least I saw the demonstration on how to listen. One of the common denominators of the judges from Texas that we have serving in this Congress is they are all good listeners. They also have heard a lot of stories, some the truth and some not, and they sort that out pretty well.

When I hear Judge CARTER come to the floor to tell us how it is, I'm pretty confident that he has listened really carefully and drawn a judgment as to what's the truth and what isn't and boiled it down to the essential facts of Constitution and law and common sense and rendered a verdict. So as I hear this verdict emerging here from the presentation this evening, it calls me to the floor to say thank you to the gentleman from Texas for bringing this up, for all the times that you've come to the floor and sometimes fought a lonely battle that turned out to stand on a good cause.

That's the way good things get started. It's usually one person starting this out and then truth seems to attract more people to a truthful and good and a just cause. I am interested in the gentleman's presentation here and not particularly informed but I came to listen. I would be happy to continue my listening.

Mr. CARTER. I will reclaim my time. I am just about through. I just wanted to point out, I don't have anything against fluorescent light bulbs. I've got a few fluorescent light bulbs in my workshop out in the garage, mainly because they just gave me more light for less money, not because of the electricity. But I made that choice. I think that's fine. If people want to choose to have all fluorescent light bulbs in their house, I think that's great. That's the America we love. But I don't think NANCY PELOSI or anybody else in this House of Representatives ought to be telling us what kind of light bulbs we have to have. It doesn't make sense. It's not fair to you. You are a person of independent will. You are granted liberty and freedom by your Constitution, the Constitution of the United States, and those are just recording God-given rights and privileges. I don't see why we think we are the center of the universe for knowledge in this House to come up and tell you what kind of light bulbs you can have. Or what kind of energy that you can consume. Unless it comes out to be against the national interest. And I would argue right now with all the alternative energy, we haven't got anything to replace what we're using right now yet. But keep working on it and then we'll let us make the choice, let the American citizens make the choice as to what they want to do. I think that's good freedom. That's good liberty. That's what we are all about in this country, and that's why we prosper, because we give the individual the right to make his own choices. If he chooses to do something that harms others, we can put a stop to that. That's why we have laws. But if he doesn't, if he just wants to live his life the way he wants to live it, we don't have any business telling the individual how to live his life. And I would argue this stupid light bulb rule is one of those things. I will argue that until it is imposed completely as a mandate sometime next fall, I think. And then I guess the light bulb police will be coming after me.

But, seriously, this is the kind of things that we do by regulation, or impose our will on others, and in many instances it is done by bureaucrats who sit in Washington, D.C., and they probably have never even seen that plow that we just saw in that farm, except maybe they've seen it on television. But they've certainly not seen anybody out there sweating on an Iowa farm or a Texas farm operating what looks like is a disc harrow that's turning the soil there. And yet they're writing regulations to regulate this man's life. Maybe they're the right thing to do, but you wonder when they have one and they come up with another one that you have to still meet the first one, stack the second one on top of it, and it clearly serves no purpose.

These are all the kind of arguments that frustrate you. They're the kind of things that make the average businessman, the average farmer, rancher, decide to hold off on investing in America because he wants to know what America he's investing in, he or she is investing in. That is the real issue that is driving the fact that we are still sitting here right around 9 percent unemployment after all these months, over 25 months, we're sitting here with the same 8.9, which is as close to 9 as I want to get percent unemployment because the Americans that create the jobs are concerned about what's next.

I yield to the gentleman from Iowa.

Mr. KING of Iowa. I thank the gentleman from Texas.

As I listen to this presentation, a number of things occur to me about what happens when you have the Federal agencies and the Federal agencies are passing rules and regulations that even though there is a broad authority that's granted to those agencies by this Congress, some of the things that they do are beyond the imagination of the people that debated or voted for the bill in the first place.

I look at the Clean Water Act and the Endangered Species Act, which are more than 30 years old by now. They've turned into something way beyond the imagination of the people that passed them. The environmentalists that supported them then seemed to be on the edge of what would be considered mainstream. Looking back on that, they would be considered mainstream now. But the problem that we have, and particularly with EPA, would be that the mothers and fathers of the EPA employees that first implemented the rules and regulations of the Clean Water Act and the Endangered Species Act, now their children have picked this up and others from outside, a second generation of people.

□ 2040

They have come into these professions now with—like many young people do—and it's a very good thing to be idealistic and have a sense of a cause—but if you look at a law that was written in 1978, and you apply it with a vision of having a cause that you want to be championed for in 2011, quite often the second generation environmentalist is something entirely different than the first generation environmentalist. And they will interpret the law and write rules beyond the scope of the imagination of those who drafted it and ratified it and the President that signed it.

And so I deal with things back in an environmental perspective, having spent my life's work in the soil conservation business. We have gone out and done some drainage work. Mostly, it's been surface work, permanent practices—terraces, dams, and waterways—and I've envisioned that we would want to send all the raindrops down through the soil profile to purify that water in nature's intended way and keep the soil from washing down stream and ending up in the Gulf of Mexico.

And yet the regulations that come from some of the EPA initiatives are things such as—I can think of protected streams, an issue that came to many States, but it came to Iowa. It was one of the things that drew me into political life. They wrote a rule that said that these waters for these streams, these 115 streams that were designed to be protected for their natural riparian beauty, to quote the rule, some of them were drainage ditches that I had floated and walked those streams all through western Iowa. And some of those streams were just drainage ditches. There was no natural riparian left-over beauty because they

had all been changed. But they wanted to preserve them and protect them and call them endangered streams.

And so I began going to the hearings for the rules. And in the rules they wrote that these streams, and according to the geographical boundaries that are defined here, and—''waters hydrologically connected to them'' shall be declared protected streams and shall be under the purview of the Department of Natural Resources, which regulates for the EPA. And I began to ask the question. And here's how language gets stretched. I asked the question, What does ''waters hydrologically connected to'' mean? And the regulators would stand before the public meeting and they would say, We don't know. You're here presenting a rule and you don't know what it means, ''waters hydrologically connected to them.'' No, we don't know. Then take it out. We can't. Why can't you? We can't. How do you know you can't if you don't know what it means? Well, we're here to defend this rule.

So I followed that road show around the State, and they knew when I walked in actually the second meeting who I was and what I was there for. And I asked one question and I didn't get an answer. I just opened my mouth for the second question and they said, Only one question per person. And I said, I drove 2½ hours to get here. It's going to take me 2½ hours to get home. And I've got a lot more than one question. I'm going to stand here until I get them all answered.

Anyway, it came to this. They had decided what amounted to every square foot of the State of Iowa under rules that were ''slipperly'' deceptive. And it was the language that said ''waters hydrologically connected to.'' I know that moist soil will have in it a water content of 25, 28, 30 percent and still be fairly stable. So that would regulate us all the way up to the kitchen sink. Two water molecules touching each other are hydrologically connected. And that's one of the things that environmental extremists sought to impose upon us in the State that gave them all kinds of latitude.

And another one would be when they decided to declare wetlands by aerial photographs. And the aerial photographers would look down, take a shot, and if there were a certain amount of vegetation growing in the field, they declared it to be a wetland that otherwise would have been farmed.

And so there could be somebody missed with the herbicide on top of the hill and the foxtail would grow. It would show up in an aerial photograph. The Corps of Engineers would declare that to be a wetland on the top of the hill where water drained completely away. This is how government regulation gets out of hand and starts to take over the property rights of the individuals who have a right to use that property in a responsible way as a means of an income to produce crops, even if it happens to be cotton, which we don't have much of in my district.

So I just think here that this Congress should do this: we should bring every rule before this Congress for an affirmative vote before it can have the force and effect of law. We can do it en bloc. Bring them all in together. We need to give any Member an opportunity to divide a rule out and force a separate vote on it, and we need to give Members the opportunity to amend them.

And the gentleman from Kentucky (Mr. DAVIS) has a bill that addresses this in this fashion. It's not as broad in scope as I would go, but it is a very, very good start on getting this Congress under control and the regulators under control and giving Congress the authority that's vested in us in the Constitution rather than subcontracting it off to the agencies and letting them run this government at will.

So I appreciate the gentleman from Texas giving me an opportunity to vent myself on these frustrating issues. I appreciate your leadership.

Mr. CARTER. Reclaiming my time, our friend from Kentucky has been down here with me talking just about that act. I don't know if you were in when we first started this. I have just proposed, because I see this tidal wave of regulation, this hurry up and regulate everything you can in a hurry going on by the administration, I will tomorrow morning file a bill to declare a moratorium on all regulations. And they would have to come to Congress showing good cause why it's in the national interest for the good of all mankind that there be an exception to that moratorium so that we would basically just call a king's X, time out, and let's wait for the end of this administration and we'll see what happens in the next one. And by that time we can settle down and create a few jobs in this country because they wouldn't have to, at least for the next 2 years, worry about regulations. So I'll get you a copy of that. It's real simple: no regulations for the next 2 years.

Mr. KING of Iowa. If the gentleman would yield.

Mr. CARTER. Yes, I will.

Mr. KING of Iowa. If the title of that bill is the king's X bill, I'm going to be very interested in signing on.

Mr. CARTER. I like king's X.

I thank you, STEVE KING. You're a good friend for coming down here and joining me. I have gone over what I have to say here tonight. I just want to finish up by saying nobody is against doing the right thing. I'm against people who are creating regulations for the sake of regulations and damaging the people who are the job creators in this country. I'm for protecting the environment, but if you're belching out pollutants in China because you moved out of the United States because of onerous regulations and you weren't belching out those pollutants in America because we had a good Clean Air Act in place before you wrote the bad regulations, then you're not helping the environment at all by sending that to an unregulated place in China or India.

So let's get real. Let's try to set up an environment in this Nation that creates jobs so Americans can go back to work. It's all about going back to work.

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

## OBAMACARE

The SPEAKER pro tempore (Mrs. NOEM). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. I thank the gentlelady for recognizing me here on the floor of the House, Madam Speaker, and appreciate the privilege to address you. I came to this floor, one, to hear from Judge CARTER and to listen to the presentation that he made. And the other component of it is I came here to talk about one or perhaps two subject matters. One of them is ObamaCare, as one might imagine.

I would make this point that—first, Madam Speaker, if it's possible that there's anybody that doesn't know why ObamaCare is so bad, if they maybe haven't heard the argument in some time and they're forgetting about how bad ObamaCare is, and if they're starting to hear the language about what is redeemable about ObamaCare, I want to make it real clear: nothing. There is not one single component of ObamaCare that is worthy of us making any effort to do anything except to repeal it all, eradicate it all, pull it all out by the roots.

I listen to some Members of this Congress that will say, Well, don't you want your children to be on your insurance when they're 26? No. I raised them to grow up. I want them to take their own responsibility. If they can be elected to the United States Congress when they're 25, then I think that's a pretty good age to at least say you are free, on your on—well, first, you got your car keys when you were 16—your license, anyway.

□ 2050

Then you get to vote when you're 18 and choose the next leader of the Free World. Then you get to go out and, let me say, go into the tavern legally when you're 21 and get elected to the United States Congress when you're 25. Then they kick you off of Mommy and Daddy's insurance when you're 26? Somehow I think that delays the growing-up process.

I think that we need to have people growing up and taking personal responsibility at an early age rather than delaying it to a later age. If the States want to have it at 26, let them have it at 26. If insurance companies want to provide for that market, let them write the policies to provide for that market; but the Federal Government should not stick a mandate on this that requires all health insurance policies to keep the kids on until they're 26.

Let's just say there's a young person who gets elected to Congress, like—well, yes, I would think that there are some Members of the new class that would fit very close to that category. Would one really think that they would come in here at age 25 and transition from their parents' health insurance on over to the Federal opportunity of health insurance that they can access and pay their share of the premiums that come with this job of working in this Congress and maybe never have a window where they were responsible to go out in the marketplace and buy their own health insurance?

I think that's actually a bad idea, but if people want it, let them drive that through their States.

Some will say that we want to cover preexisting conditions so that children cannot be denied insurance on policies that their parents have. Well, that's a good idea, and it's one that can be sustained by demand in the marketplace. If that doesn't do it, it can certainly be sustained by mandates within the States, but it does not require, Madam Speaker, that the Federal Government get involved in mandating to the States, actually mandating to everybody in America, what shall be done with insurance.

So now I've used up, I think, the two things that had some popularity in ObamaCare. That's it—insurance for 26-year-olds and no denial because of preexisting conditions to children whose parents have policies.

If I want to go out and buy a policy that ensures that my children could stay on it, that policy is available in the marketplace. I will say this, that before ObamaCare wrecked the markets and drove out a number of health insurance companies, we had 1,300 health insurance companies in this country which were viable in the marketplace, competing, providing all kinds of policy varieties for customers to choose from—in fact, over 100,000 health insurance policy varieties and 1,300 companies. There were 100,000 policy varieties. We had plenty of competition. ObamaCare has driven out competition. It has not added to it. It has driven out competition. It has made it harder. It has driven up the cost of health care.

The indecision and the fear of what's happening has caused the entire health care industry to be frozen in place. Now they come along and say, Well, if you're not going to repeal it, can you accommodate me in some way?—perhaps in some way like granting them a waiver. I'm hearing individuals say, I want my waiver. They know that there have been 1,040 waivers to ObamaCare.

Madam Speaker, I know that there are people out there who are listening who maybe don't understand what that means. It is this: ObamaCare is the law of the land. It is imposed upon everyone in America. A law is to be applied to every individual in an equal fashion. We might sit in different categories. We might have Medicare that applies differently to somebody who's 65 than it does to somebody who's 60 years old; but these are waivers to statutes and to individuals and to entities.

From my standpoint, it's unheard of, and where that authority came from I did not see coming; but this administration has found out that they pushed a law that's so bad—so bad—that they are granting waivers to companies, to entities, and to entire States, like the State of Maine.

Now we find out that one of the people who has taken credit for helping to write ObamaCare, the gentleman from New York, who, I believe, is a candidate for the mayor of New York City, is now calling for a waiver for the City of New York to ObamaCare. So maybe, if he gets his way, it won't be 1,040; it will be 1,041 waivers.

That's appalling to think that you would sit in a strategy meeting/session and try to drive a policy that, I believe, is flat out socialized medicine and argue that it's good for everybody in America because they're too ignorant to take care of their own health care and now find out that the policy is so ignorant you want a waiver from it for the largest city in America. That's appalling to think that that would happen.

1,040—1,040 waivers. Let me see. The IRS will enforce this. It will punish people with an extra penalty if they don't comply. Let me see. The E–Z formula. The E–Z form for the IRS is the 1040EZ. We've had 1040 waivers, 1,040 waivers. It's E–Z for them, Madam Speaker, but it's not going to be easy for anyone who doesn't get a waiver.

We have this thing called the equal protection clause. It's in the Constitution, the 14th Amendment. Everybody is going to be protected with equal protection. ObamaCare, itself, violates the equal protection clause because it gives some American citizens a different standard than others. I'm thinking of Florida and their Medicare Advantage, which they have an exemption from under ObamaCare. Even though the cornhusker kickback was removed because, actually, Nebraskans rejected it—to their great credit—Floridians didn't reject their exemptions so that they kept their Advantage. That was an existing policy that exempted them from the wipe-out of Medicare Advantage, which happened to people like Iowans, for example. The equal protection clause? Not hardly. It's a violation of the equal protection clause. It's an unconstitutional bill, ObamaCare.

But I forgot to tell you, Madam Speaker, all of the reasons why it's bad. It cannot be afforded. It's a $2.6 trillion total outlay for the first full 10 years once it would be implemented, and it increases taxes almost to that much over that period of time. It cuts Medicare, which is going to have a huge increase from 40 million to 70 million recipients of Medicare over the next few years. That huge increase cuts Medicare by $532 billion. It purports to reform Medicare. While this cut we know has got to actually happen, it just simply calculates it into the CBO score.

We can't afford ObamaCare. It's unsustainable therefore. It will reduce the research and development. It will increase lines and delays. It will ration care, and it will take that care out of the cost of many people and put it on a mandate that will force more people into Medicaid, and there will be companies that will be forced off the coverage they now provide for their employees and force those people onto a program that's federally subsidized, where there is a fund that will fund their health insurance premiums, which is also unaffordable.

All these things are bad. There are so many bad things about ObamaCare that I don't think there is any one person in the country who could stand up in 30 minutes and list all of the bad things about ObamaCare. It boils down, though, to this: it's unaffordable. It's unsustainable. It reduces research and development. It reduces the quality and lengthens the lines. It delays the service. It rations the care.

It takes away one more thing. The most important thing about ObamaCare is this: I believe it is the unconstitutional takings of American liberty. It is unconstitutional in numbers of ways, three or four ways at least. American liberty is something that is precious; and to think that the Federal Government would step in and commandeer, usurp, the God-given liberty and right that we have to manage our own health care and turn it into a rationed service, according to formula, in which only government would decide who would get what service and when and who would be on the waiting list for surgery and who would be on the waiting list to die without surgery, is a result of ObamaCare. It cannot be argued or refuted.

They put you on a waiting list for a hip replacement, or they put you on a waiting list to die without. That's one of the things that happens. They don't seem to think that's what they're doing willfully, and I don't accuse them of willfully wanting to do that. It's a consequence of the thick-skulled action of people who believe that there is a Socialist model to produce their version of Utopia rather than the individual dynamics that come from people who have free choices.

But we are a vigorous people, Madam Speaker. We're a unique people. We're the kind of people who recognize from the beginning that our rights come from God. We are endowed by our Creator with certain unalienable rights. Among them are life, liberty, and the pursuit of happiness. That pursuit of happiness wasn't the pursuit of hedonism; it was the pursuit of perfection, just the pursuit of perfection—both intellectual and physical improvements. That's the pursuit of happiness in the Greek form, and that's what our Founding Fathers understood.

□ 2100

They're unique, vigorous people with rights that come from God, and of all the things that flow through with this, these rights, many of them laid out in our Bill of Rights: freedom of speech, religion, and the press; freedom to peaceably assemble and petition the government for redress of grievances; the right to keep and bear arms—the right to keep and bear arms; the property rights that are the Fifth Amendment; the right to protection of trial by jury, to be tried by a jury of your peers, and the right to protection against double jeopardy; the rights that are endowed to the States and then the people, respectively, in the Ninth and mostly the Tenth Amendment.

All of those are unique things to Americans. They don't apply to Western European democratic socialist states or, should I say, social democratic states. They don't apply to people in Canada. They don't have that same level of rights. They don't apply to people in Mexico or anyplace in this hemisphere or anyplace else on this planet. These rights, as understood and envisioned by our Founding Fathers, apply only to Americans. And they are the foundation of why Americans are a unique and vigorous people, and they're the foundation of why we are the unchallenged greatest Nation in the world. And we have a unique vigor, and that vigor comes from the foundation of these rights.

But, Madam Speaker, I would take the position this, that you could take all of these rights that we have, that we identify as coming from our Creator, from God, and you can bestow them upon any other people on the planet and ask them to go out and build a vigorous society that would match and mirror that of America, and I will submit that that effort would fail. It would fail no matter if they had unlimited natural resources, if they had free enterprise to no end, if they had a reverence for the Constitution the way we do.

You could take this package, this vision of American rights and Constitution, you could put it in the richest land in the world or the poorest and offer it to any people on the planet, and I will submit that they could not succeed in producing another country that has the vigor and the success that this country has. And I'm not standing here, Madam Speaker, taking credit for this. I'm standing here giving reverence to this gift that we have that is America.

And I will continue, that of all of the rights that are foundations of those beautiful marble pillars of American exceptionalism and the free enterprise component that goes along with it—property rights, freedom of speech, religion, and the press, and the list goes on—there's one other component that no other nation can have, and that is the unique vigor of the American people.

And we are a people that have been blessed by the vigor of every contributing, every donor civilization on the planet, no matter the country. The people that came here, the legal immigrants that came to the United States, came here with the vision of the American Dream. They were attracted to the vision of the American Dream. And so we were able to, by good sense of circumstance and forethought and vision, skim the cream of the crop off of every donor civilization on the planet: the people that had a vision, that had a dream, that had a vision, that wanted to test themselves, that wanted to build something that went beyond their generation; people that wanted to leave the world a better place than it was when they found it; people that wanted to prepare the ground for the next generation to farm, so to speak, and in some cases literally, these are the people that we got that came to America from every country, whether it would be England or Scotland or Wales or Poland or Germany or Italy or any of the countries on the planet, all across Asia, all across Central and South America; people that had a vision that they wanted to live free and breathe free and build something and have children and grandchildren that could benefit from their labors.

And their vision and their intuitiveness and their creativity and the entrepreneurial nature, they came to America, and that set up a natural filter, natural filter for people to save up enough money and to get passage to come to the United States. Some of them sold themselves for as long as 7 years of labor just to pay the passage to get here. That's a dream. You don't get any calls that come like that. You get people that are vigorous, and we attracted them, and that's the American spirit.

This vigorous American spirit is totally unsuitable for a social democracy or socialism or hardcore leftist communist Marxism or any of those other utopian philosophies that many of them emerged out of the non-English speaking portion of Western Europe, and their philosophies permeated a lot of the components of the globe because they're built upon class envy, but they're not built upon the truths of human nature nor are they built upon our rights coming from God.

And so here we are in this country, fantastic that we are the recipients of such gifts, and the gifts that we have and the vigor that we have, we need to understand what it's rooted in. And it's rooted in these freedoms and it's rooted in the filter, the filter that filtered out people that wanted to come here but didn't have quite the ambition to make it happen. It was hard to get here, and you had to have a dream to want to come here; and when you came here, we respected hard work and smart work and people that planned and invested and they were rewarded, and we admired them and raised our children to emulate them.

How many people like Donald Trump today, even though—like I said, I don't have anything bad to say about Donald Trump, not here into the RECORD. It's because he's been successful, people admire him. Bill Gates, because he's been successful. Steve Jobs, they admire him because he's been successful. They've been successful because they've been entrepreneurs. They've been creative. They've worked within the free market system. They have made our lives better and improved the quality of our lives and lowered the cost of the services that we need for our quality of life to be upheld and made those contributions and gotten rich in the process. That's the free enterprise system.

So here we are, these vigorous people, and some of the nanny state advocates here in this Congress—actually, it was a majority of them last year—decided they want to impose ObamaCare on us and take away our personal vigor. They wanted to take over the responsibility of managing our health care. What they finally did was, because ObamaCare is right now the law of the land, they nationalized our skin and everything inside it, a government takeover of my body. The government took my body over and the body of 308 million Americans, and now they're going to tell us when we get health care, under what conditions we get health care, that we must have their health insurance policy that they prescribe for us. They've taken away our individual responsibility. They've nationalized our skin and everything inside it.

And they had the audacity—and the President's fond of that word ''audacity.'' It was in the title of one of his books, ''The Audacity of Hope.'' The President of the United States had the audacity to impose a 10 percent tax on the outside of the skin that he nationalized inside of if you go into a tanning salon to turn yourself a little browner. That is a reach of the nanny state to impose a tax. They wanted to tax your non-Diet Coke. They want to manage our lifestyles in such a way that they will tax us if we eat fat foods and then presume we should get a discount if we eat healthy foods.

This is a nanny state personified. ObamaCare is so bad. It's bad because of all the things that I've listed about the cost and the quality and the lines and the rationing and the net result of all of that, Madam Speaker, but the worst part is it is an unconstitutional taking of American liberty. It takes from us the ability, the right to manage our own health care, and it must go.

And when that legislation was passed and signed into law—I believe the anniversary date was March 23 of this year—I laid awake most of the night and slept a little bit and got up in the middle of the night and drafted a piece of legislation to repeal ObamaCare. It was waiting at the door of the service team to be formally put into the form

of a bill when they opened up that morning.

Very interestingly, Congresswoman MICHELE BACHMANN of Minnesota had done the same thing, and her legislation came down within 3 minutes of mine, exactly the same 40 words that said we're going to repeal ObamaCare and, ''as if it had never been enacted'' were the last words in the bill. Forty words, repeal ObamaCare, gives the names of the bill, the numbers of the bill, et cetera, the last line, ''as if it had never been enacted.''

□ 2110

Rip it out by the roots, Madam Speaker.

Now, that was not necessarily unheard of, but there aren't many precedents in the history of Congress for repeal legislation to be filed actually the next day after a huge piece of legislation has been passed. But that is what we did, and we started down that path immediately, working to get signatures on the bill and building up the support to repeal ObamaCare.

By mid-summer we had a discharge petition. By the end of the 111th Congress, going into the election as the only part that counted, we had 173 signatures on my discharge petition, people that wanted to see ObamaCare repealed come to the floor, bypass the committee process, bypass the Speaker's ability to kill the bill before it got here, and bring it to the floor for a vote. We had 173; we needed 218.

And the message that went out across America was useful in that some Members of Congress that are here today will say straight up they wouldn't be here if it were not for the discharge petition and they could challenge their opponent to sign it. And almost every Democrat refused to do so. And now there are 87 new freshmen Republicans. Every single one has run on the repeal of ObamaCare. As far as I know, everyone has run on the defunding of ObamaCare. And I know that every single Republican in the House of Representatives voted for H.R. 2, which is the repeal of ObamaCare. And I know that every single Republican in the United States Senate voted to repeal ObamaCare. The language that we generated then is the language that emerged into H.R. 2. And today every Republican and some Democrats are on record voting to repeal ObamaCare.

Now, that didn't stop there. The strategy that I put together almost a year ago was this: that we needed to win the majority, which we did; bring the repeal of ObamaCare, which we did. It didn't succeed in the United States Senate, but behind that always was this majority here in the House of Representatives has an obligation to cut off all funding that would be used to implement or enforce ObamaCare.

And I have been consistent with that language all the way through last summer into last fall and past the election and beyond. Repealing ObamaCare, then cut off the funding to ObamaCare. Stop the implementation of ObamaCare and stop the enforcement of it by shutting off the budget dollars and hold this waste of money to this unconstitutional bill of ObamaCare until such a time as we can elect a President who will sign the repeal.

The date for that to happen in my strategy is January 20, 2013, Madam Speaker. And that's the date that the next President of the United States will be inaugurated out here on the west portico of the Capitol Building.

And when that President stands there and takes that oath of office, it's my vision and my dream and my commitment to work towards it, I am going to ask him take your oath of office with pen in hand, Mr. President-elect, and I'm going to ask you to solemnly swear to preserve, protect, and defend the Constitution of the United States to the best of your ability so help you God. And once that statement is made and it's completed and the oath of office is finished and he's formally the President of the United States, and before that new President on January 20 of 2013 shakes the hand of Chief Justice John Roberts, I want that pen in his hand to come right down to the parchment, and I want him to sign the repeal of the ObamaCare right there on the podium of the west portico of the Capitol, right out there as the first act of the next President of the United States. That's my vision. That's my commitment.

But until then shutting off funding to ObamaCare is a must-do. And most of America knows by now that there is $105.5 billion automatically appropriated in a deceptive way by the way the bill was drafted up in NANCY PELOSI's office, not going through committee, not having the work of the will of this Congress, but drafted up in her office and dropped on us with hardly any notice and certainly no time to inform the American people of what was in it, automatic, unprecedented in their scope, appropriations to the tune of $105.5 billion, Madam Speaker.

And already it automatically appropriated in the 2010 budget. So that's $18.6 billion and $4.95 billion in the 2011 budget. It totals up to $23.6 billion, already appropriated, almost all of it set aside for the purposes of implementing ObamaCare.

We must have a showdown. We must face the President down. If the President demands that ObamaCare be funded, what are we going to do? Say, no, Mr. President, that he vetoes legislation that would otherwise fund all of government?

And if President Obama does that or if HARRY REID continues to perform as his proxy and shuts off anything that we send over that way even though we've demonstrated our desire to keep the legitimate functions of government, all of them, functioning, if the President shuts it down or HARRY REID shuts it down and this government comes to a halt, here's the irony.

The irony is this: lights would go out in Federal offices around this land. Not all of them because essential services will keep going. But lights will go out. And as the lights go out in the nonessential service Federal offices, what will be going in the other offices? ObamaCare will continue even in a government shutdown to be implemented because there's $23.6 billion sitting in their pot to spend out of to implement ObamaCare, and we could have shutdown after shutdown, and ObamaCare is implemented and implemented.

We must hold the line. We must stand on this principle. It is our obligation. It is unconstitutional. We take an oath to uphold the Constitution too. And that includes defending the Constitution and opposing unconstitutional legislation with every tool at our disposal.

The President and the Democrats, I believe, Madam Speaker, plan to shut this government down. That's why they agreed to a continuing resolution in December that funds the government until March 4. It was to bring this to a head. They wanted to box us into a corner and then blame Republicans for shutting the government down.

Well, it's real clear: Republican leadership wants to avoid a shutdown. It's clear to me that Democrats are determined to provide a shutdown and try to blame it on Republicans. And it's clear to me that if we fund all the functions of government except ObamaCare and if the President brings about a shutdown, it won't be the House Republicans; it will be HARRY REID as proxy for the President.

If that happens, what we're going to see happen here is the President of the United States could veto an appropriations bill that funds everything except ObamaCare. It would be a Presidential executive tantrum that he would be throwing. That tantrum that he would be throwing would be saying this: that his signature piece of legislation, ObamaCare, means more to him than all of the other legitimate functions of government combined.

That's the scenario that we are in. The American people will render a verdict when that day comes that there is that kind of a showdown. And it must come. The American people will render a verdict. They will side with us. They are not going to side with the President who has imposed ObamaCare when 62 percent of Americans want it repealed, 51 percent intensely want to do so, and only 24 percent want to keep it in any kind of a vigorous way.

So, Madam Speaker, I will say this: we have an obligation to stand and hold our ground. This showdown will come. It must come. If it doesn't, we will be capitulating to the President in every way that he's willing to fight. I say let's stand our ground now. Let's have our fight now. Let's get it over with, and let's get on with the business of the 112th Congress.

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

## CONCERNS ABOUT LIBYA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New Mexico (Mr. PEARCE) is recognized for 30 minutes.

Mr. PEARCE. Madam Speaker, I appreciate the opportunity to address the assembled body tonight.

As one of the few combat veterans in the U.S. Congress, I rise to express deep concerns about what we are doing in Libya at this moment.

Madam Speaker, we have committed the U.S. taxpayers and we've committed U.S. troops to engagements that have extended almost a decade. Having been involved in one of those long overseas engagements before in Vietnam, I know the strain that these actions place on our families and on our young soldiers, and I don't think that the administration has adequately thought out what we are doing and what we're asking the taxpayers of this country to do and the young people of this country to do, engaging in yet a third front with questionable ideas and questionable values at the heart of why we're engaging in the discussion.

□ 2120

I've been an ardent supporter of the war on terror. I believe that we're going to be committed to the war regardless if it is there in their back yard or in our back yard.

But I rise tonight to say that I'm adamantly opposed to extending our forces any further than what we've already extended them without asking our allies to provide their tax money and to put the lives of their young people on the line.

The entire world is benefiting from the sacrifices that this country is making to establish order and to establish some modicum of peace in regions that are not given naturally to such. And since the world benefits, then the world has a responsibility. So I think the President should be calling on our allies to fund the NATO mission and to provide the people, the personnel, and the weapons.

And, yet, as I look at a breakdown of the missions that have been flown and fought so far, I find a dominance of U.S. cost in lives, in hours, monetary resources and in morale.

As a veteran, I find it disturbing that we're in two wars and now intervening in a third with no end in sight. Our mission is unclear.

Having served in Vietnam at a time when our Nation was beginning to withdraw support for that war, and remembering being there in those countries when funding was made short and gasoline and fuel was taken from stateside missions in order to fly combat missions, I remember with dismay a Nation that was not fully supporting the combat troops.

I find these actions to be questionable on behalf of our Commander in Chief as it regards Libya. Despite his speech last night, President Obama simply raised more questions. He explained that America is different. I'm not certain of exactly how that rationale applies to putting young men and women in harm's way, but I don't think it is a deep enough explanation.

What is the time frame? The President has yet to clarify. Are we there to enforce a no-fly zone? Then let our friends and neighbors in the U.N., the United Nations, enforce the no-fly zone.

If we're there to enforce a no-fly zone, why then are we bombing ground troops? They don't affect the no-fly zone.

If the goal is to protect civilians, why did Secretary Clinton meet with the rebel leader in London? Why is Secretary Clinton calling for Mr. Qadhafi to step down if we're only enforcing the no-fly zone and protecting civilians?

This war is going to go back and forth, and already you see our leaders wondering if we can be out by the end of the year. And I wonder if we can be out by the end of the decade.

Now, make no mistake about it: if Libya had done something to harm us, to put our troops in danger, I would be 100 percent supportive, but I question extending us and our troops to one more war zone.

Why are we fighting a war that Secretary of Defense Robert Gates said bears no strategic interest to the U.S. and does not jeopardize our national security?

Why are we working on the side of the rebels?

Their own commander has stated that al Qaeda members who fought our troops in Iraq are now fighting Mr. Qadhafi. In Libya we're working with the same people we're trying to kill in Afghanistan.

Not only that, but it looks like we're arming those same troops. And I worry that our armaments supplied to troops in Libya will show up in the fight against Americans in Afghanistan and Iraq.

As a combat veteran, I find these concerns to be deeply disappointing in an administration who, for nearly 2 weeks, could not point to whether NATO, the U.S., France or the United Kingdom was in charge. This is poor management, a management I saw during the Vietnam war, with little sense of purpose and always a confusion about exactly why we were there and how long we would stay.

Humanitarian missions are admirable. However, sending troops into combat with no apparent overarching mission is dangerous. Everyone in this room remembers Somalia in 1993.

Why are we singling out Libya? There's a war going on in the Ivory Coast right now. Saudi troops have cracked down on protesters in Bahrain in recent weeks, with civilian deaths reported. Not a whisper of American intervention there.

According to the Genocide Intervention Network, since 2009 almost 1 million people have been displaced in ongoing fighting in the Democratic Republic of the Congo; 5.6 million civilians are estimated killed since 1996. Are we going to intervene there?

Saddam Hussein killed hundreds of thousands of his own people using mustard gas and other weapons. The President was totally opposed, as a Senator, to that war, despite the fact that it had congressional authorization. And, yet, here he is leading us into this new conflict.

The President needs to consider the fact that the mission is unclear, despite his speech last night. He needs to realize that America cannot intervene in wars where we face no threat to our national security and have no strategic interest. He should listen to his Secretary of Defense.

As we engage in this yet third conflict, we're going to continue to put budget pressure on a budget that is straining beyond belief. In this country, the greatest threat that we face right now is a mounting national debt that is almost $15 trillion, almost the equivalent of our entire gross domestic product.

At the time when we're expending more resources and more dollars in a conflict that has to be yet determined as to its scope, purpose and length, we're straining our budget even further. And while we're conducting these outside forces to greater cost to our U.S. Government, we are conducting a war on the West in this country, in choking the West of jobs right now. So at a time when the cost to our government is increasing, we're choking down the tax resources by simply regulating and taxing jobs out of existence.

In the past 10 days, most of us were at home at work in our districts. I, like everyone else, made a lot of miles in the last 10 days. We drove almost 1,300 miles and did 20 and 30 and 40 events, meeting with people and listening to their concerns. And everywhere we heard the same concern: What are you doing about jobs?

And my sad report had to be that this government, instead of creating jobs, is, in fact, choking off jobs. This government is, in fact, making it impossible for employers to bring on new laborers to expand the workforce and create that sense of prosperity that this Nation has always had available to it.

And people would ask why. And they would also ask how, how's our government choking off jobs? They find it incredulous. They don't want to believe me when I say that in our speeches to begin with. How is our government choking off jobs?

So I use as an example the forest service. This Nation used to have a vibrant logging industry, a timber industry that employed hundreds of thousands. Just in New Mexico, a very small State, over 20,000 people made their living in the timber industry in New Mexico.

Today, no one makes their living in the timber industry in New Mexico. Over 20 mills have been idled. The woodcutters and the choppers no longer have work.

□ 2130

Our mountain communities that used to depend on logging now depend on tourism, which is a very distant second as it provides incomes for our families to live and pay their bills on.

Our government put an entire industry out of work in the 1970s with a regulation based around the spotted owl. The theory was that if we wanted to protect the owl, we had to limit all the activity in the forest; and so we simply killed the timber-cutting jobs in our national forests across the country, and nowhere did it hit harder than in New Mexico. Our government said you can no longer go into the forest and cuts trees because we are going to reserve the entire amount of land for the spotted owl, and an industry was killed overnight.

Right now, in New Mexico, the oil and gas industry hires about the same number of people that the timber industry used to hire. About 23,000 people now work for oil and gas. We provide energy for much of the country. And yet those jobs now are at risk because the Fish and Wildlife Service just recently announced that they are going to list a lizard as an endangered species.

Now, keep in mind that this lizard is seen everywhere. But when people ask me what is so significant about this lizard, I tell them, well, you just can't count the lizards out there. You have to stop them, raise their arm, and count the number of scales between the elbow and shoulder underneath their arm. And the endangered lizard has one less scale or one more scale, I'm not sure which, than the other lizards. And people are saying: Wait. Your government would kill our jobs over one scale under a lizard's arm, his front leg? And they are simply aghast that, with 9.5 percent unemployment, that our government would be undertaking such punitive ways of interpreting the Endangered Species Act.

Now, my belief is that we can keep the spotted owl alive in our forests and cut timber, and my belief is it will make healthier forests. And so we have introduced a bill which simply says, yes, we want to keep the spotted owl alive in sanctuaries. We will keep 1,000 acres here, 1,000 acres over here. But in the million acres in between we are going to allow logging for the first time in a couple of decades. For the first time, the mountain communities that used to thrive on timber cutting have the opportunity for jobs.

But even more than that, as we cut trees, New Mexico is a very arid climate, and what used to happen is that fires would burn the trees down to where there were only about 50 per acre. So we were broad savannah lands with our natural forests and scattered trees. You can visualize how many 50 per acre is. That would be widely spaced with grass in between. And when the rains would come, the water would soak in and recharge the aquifers, but also recharge the aquifers around our streams.

Since we have stopped cutting trees in our national forests, they now are crowded from 50 trees per acre to 2,500 trees per acre. And now the streams are running dry because the trees use up so much more water than the grasslands that were native to the region. Instead of percolating down, the water is now soaked up by the trees and transpired into the atmosphere, causing our communities to be running out of water, our rivers to be running dry, and irrigation that used to provide jobs to be gone, all in the name of the spotted owl.

Now, I believe that a reasonable society can protect the spotted owl and create jobs, and that's the purpose of my bill. But before we go and rescue an industry from the past, we have to fight the fight to keep American oil being produced here, because the listing of that lizard has the potential to shut down all of the oil and gas jobs in a three-county region and maybe even across the entire State. That is still unclear.

We have people beginning to show up in large numbers to demonstrate against a government that is becoming too insensitive, too concerned about the hypothetical and not concerned enough about people who are just struggling to make ends meet. We find citizens who are simply aghast that this government would be killing jobs at a time when our economy is struggling so bad. And at the very time that we are struggling to keep our industry alive from some nameless bureaucrat, we find our President going to South America to see what he can do to invigorate an oil industry there. My friends, this is a time for us to produce American jobs and American energy.

Now, I believe that we can produce energy and protect the species. I believe that we can produce energy and keep our environment clean. And I believe that we can produce American jobs while protecting species, the environment, workers. I believe that we can do it all, and I believe that Americans insist that we do it. They don't want to see the species go extinct, but neither do they want jobs to be shipped overseas in the name of some value they don't quite understand.

Now, the truth is that where we have stopped logging, the trees are too dense for the spotted owl now. The habitat, instead of getting better, has gotten worse. And right across the street in the Mescalero Indian reservation, where they can log at their own will and they have been logging, the spotted owl prefers that habitat because they need to sit on the branches, they jump off the trees, they get flying speed, and they are able to overtake the rodents or whatever it is they live off of.

And so the habitat we are trying to protect actually is simply not suitable now for the spotted owl and they are moving over next-door, and we have done this in the name of some science that has never been made clear to us and it is very similar to what is going on with the lizard. They are going to list some species that I suspect there is no DNA difference between the five-scaled lizard and the six-scaled lizard. I suspect that is a mutation rather than a DNA difference. I suspect that there is no science on it.

And so we joined with people in our district this week to begin to say publicly to the government: Enough is enough. You are making promises with our money that you can't keep. You are committing us to more wars. You are committing us to more social payments. You are committing the taxpayer to a higher burden. At the same time, you are causing dwindling taxation into the government coffers by killing our jobs, and people are saying it is enough.

We saw in the last election a turnout of incredible magnitude of people saying: The government is not listening, and we don't care about what the government is doing anymore. The frustration is deeper and deeper. And, frankly, I encourage that, because I believe that the only hope in turning back a government that is too strong, a government that does not care, a government that is willing to take jobs from its people, a government that is willing to commit our troops anywhere in the world in the name of whatever vague policy they have is a government that is out of control. This needs to return to be a government of the people, by the people, and for the people.

We have set up on our Web page places where you can go and make comment to the government. You can call our office here and make those comments, and we will relay those comments for you.

So understand that we are in a fight for the future of this Nation, in a fight for our economy, and the greatest enemy is the government itself. The government intervenes in ways that it has no constitutional authority. The government intervenes with increasing tax policies so that even our President said in his State of the Union message that we are too highly taxed in our corporations and we need to get that in control. Let our President get that in control. We will vote gladly for such tax decreases here on the floor of this House in order to ensure that jobs are created.

The greatest reason that our jobs are going overseas are two: taxation policy and regulation policy. Regulations like the spotted owl. Regulations like the listing of the lizard. Regulations like the choking down of our financial system by the regulators now who are going into banks and scaring them by threats of fines. We are choking our economy down in the name of safety and security and achieving neither.

The sad thing is that we could cure most of our economic ills if we simply grow the economy.

□ 2140

Actuarial tables tell us that if we had a 3.5 percent rate of growth, that our economic problems in the States and in this government begin to disappear. And you would ask, is 3.5 percent possible? Well, that is exactly the rate we have averaged for the last 75 years. But, today, because of our policies of overtaxation, overregulation, our unfriendliness to business in general, we find ourselves stuck at about a 1 to 1.5 percent rate of growth.

Thus, we are finding the pressure on Social Security, Medicare, and Medicaid. We are finding the pressure of the $15 trillion debt. We are finding the pressure of $1.5 trillion deficits. In order to meet those pressures, our Federal Reserve is beginning to print more and more money, so we are seeing prices skyrocket.

So at a time when jobs are scarce and people worry for the future, we are seeing the price of gasoline go up, the price of vegetables going up, the price of gold, silver, iron, everything is going up; not because their value has increased since last year or last month, but because the value of your dollar is decreasing because we are printing so many.

And even then we still are having increased pressure. We find the Japanese are not going to be able to lend us money. They typically were large buyers of our Treasury Bills, meaning they were loaning the government money. Not for a long time. China is beginning to decrease its holdings of Treasury Bills. And we are hearing these vague messages that our bankers, Chinese, Japanese, our own citizens, think our economy is out of control, our debt and our deficits are out of control, so they are saying no more, we are not going to lend you any more. That then drives the Federal Reserve to make up the difference by printing money.

That is an avenue that some of the worst economies in the world have pursued. In Argentina last year, Argentina had a rate of inflation of 1,500 percent. That means if you began the year with $1.5 million in the bank, at the end of that year you had about $100,000. At the end of next year it is going to be under $10,000. So in just 2 years, if you had a nest egg in retirement, it will become of no value.

That is the path that Argentina chose, and it is the path now that we are beginning to choose; endless deficits, endless debt, wars that bankrupt us with no reasonable explanation of why we are in those wars. It is that situation that the American taxpayer faces today. It is that situation that causes me to stand and say America has done enough, American soldiers have done enough, American taxpayers have done enough. Let our friends come to the table. Let our friends begin to shoulder their share of the burdens.

Meanwhile, let us begin to cut the spending here in Washington. We can cut many ways without cutting the actual outcomes to people. We have duplicate agencies. We have waste, we have fraud, we have abuse. Cut those, but, on the other hand, begin to grow our economy and create jobs in industries that used to be here, industries that would start up overnight.

These are not 10- and 20-year plans. These are ideas that can begin immediately. The people would begin to work in the forest immediately if we would let them. They would begin to drill wells again. Offshore we could get our deepwater platforms working once again. Those have been idled by a government that is too powerful and has shut down over 100,000 jobs offshore.

These are the reasons that we are having the economic difficulties that we do. And when we have difficulties, as the world's largest economy, the Germans said it best: When you sneeze, you—the U.S.—sneeze economically, you give the rest of the world the flu.

If we will begin to set about creating American jobs, producing American energy, American timber, American manufactured goods up and down the economic spectrum, then we can cure not only our economy, but we can cure the world's economy. And I believe that we are going to do that. I believe that because the American people are beginning to stand and insist on it. Their insistence is patient, their insistence is respectful, but it is insistent nonetheless, and it has no waver and no quiver to it.

It says fix the problems. Come to this city of Washington and vote not like Republicans, not like Democrats, but like Americans. And when we begin to do that in this body, I believe that the American people will come together and support us in rekindling that greatness that lies within this country, that American exceptionalism that people for generations have come here to find, leaving everything behind, leaving families, a culture behind, leaving their own language behind, and they have come here for generations to find those words ''opportunity'' and ''hope'' which have been so deeply ingrained into the fabric of this Nation. And that is what I believe that we should be engaged in at this moment in this body.

Madam Speaker, I would yield back the balance of my time.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RANGEL (at the request of Ms. PELOSI) for today on account of official business in the district.

Mr. FRELINGHUYSEN (at the request of Mr. CANTOR) for today and the balance of the week on account of surgery.

## BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on March 03, 2011 she presented to the President of the United States, for his approval, the following bill.

H.R. 662. To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs.

Karen L. Haas, Clerk of the House further reports that on March 17, 2011 she presented to the President of the United States, for his approval, the following joint resolution.

H.J. Res. 48. Making further continuing appropriations for fiscal year 2011, and for other purposes.

## ADJOURNMENT

Mr. PEARCE. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 30, 2011, at 10 a.m. for morning-hour debate.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

923. A letter from the transmitting the Department's ''Major'' final rule — Regulation to Implement the Equal Employment Provisions of the Americans with Disabilities Act, as amended (RIN: 3046-AA85) received March 18, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

924. A communication from the President of the United States, transmitting a message on the United States' involvement in the international effort authorized by the United Nations Security Council; (H. Doc. No. 112–14); to the Committee on Foreign Affairs and ordered to be printed.

925. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-369, ''Reinstated Government Employee Review Temporary Act of 2011''; to the Committee on Oversight and Government Reform.

926. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-34, ''Balanced Budget Holiday Furlough Temporary Act of 2011''; to the Committee on Oversight and Government Reform.

927. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-35, ''Processing Sales Tax Clarification Temporary Amendment Act of 2011''; to the Committee on Oversight and Government Reform.

928. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-36, ''One City Service and Response Training Temporary Act of 2011''; to the Committee on Oversight and Government Reform.

929. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-37, ''Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Temporary Amendment Act of 2011''; to the Committee on Oversight and Government Reform.

930. A letter from the Chairman, Council of the District of Columbia, transmitting

Transmittal of D.C. ACT 19-38, ''Fiscal Year 2011 Office of Public Education Facilities Modernization Funding Revised Temporary Act of 2011''; to the Committee on Oversight and Government Reform.

931. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-160, ''Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010''; to the Committee on Oversight and Government Reform.

932. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 18-724, ''District of Columbia Official Code Title 29 (Business Organizations) Enactment Act of 2010''; to the Committee on Oversight and Government Reform.

## 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:

*[The following action occurred on January 3, 2011]*

Mr. BRADY of Pennsylvania: Committee on House Administration. Report on the Activities of the Committee on House Administration During the 111th Congress (Rept. 111–715). Referred to the Committee of the Whole House on the State of the Union.

*[Filed on March 29, 2011]*

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 1079. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes (Rept. 112–41 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 362. A bill to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the ''George H.W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building'' (Rept. 112–42). Referred to the House Calendar.

Mr. MICA: Committee on Transportation and Infrastructure. H.R. 872. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; with an amendment (Rept. 112–43 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. LUCAS: Committee on Agriculture. H.R. 872. A bill to amend the FEderal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; with an amendment (Rept. 112–43 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. CAMP: Committee on Ways and Means. H.R. 1034. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund (Rept. 112–44 Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 186. A resolution providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes (Rept. 112–45). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

*[The following action occurred on March 23, 2011]*

Pursuant to clause 2 of rule XIII the Committees on Science, Space, and Technology and the Judiciary discharged from further consideration. H.R. 658 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

*[The following action occurred on March 29, 2011]*

Pursuant to clause 2 or rule XIII the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 1034 referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

Pursuant to clause 2 or rule XIII the Committee on Ways and Means discharged from further consideration. H.R. 1079 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. BILIRAKIS (for himself, Mrs. MYRICK, Mr. BILBRAY, and Mr. WESTMORELAND):

H.R. 1211. A bill to require the Secretary of Homeland Security to strengthen student visa background checks and improve the monitoring of foreign students in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. AMASH (for himself, Mr. CHAFFETZ, Mr. JOHNSON of Illinois, Mr. KUCINICH, and Mr. PAUL):

H.R. 1212. A bill to require the cessation of the use of force in, or directed at, the country of Libya by the United States Armed Forces unless a subsequent Act specifically authorizes such use of force; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. UPTON:

H.R. 1213. A bill to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges; to the Committee on Energy and Commerce.

By Mr. BURGESS:

H.R. 1214. A bill to repeal mandatory funding for school-based health center construction; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA:

H.R. 1215. A bill to amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations; to the Committee on Energy and Commerce.

By Mr. GUTHRIE:

H.R. 1216. A bill to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations; to the Committee on Energy and Commerce.

By Mr. PITTS:

H.R. 1217. A bill to repeal the Prevention and Public Health Fund; to the Committee on Energy and Commerce.

By Mr. SHUSTER:

H.R. 1218. A bill to amend title 23, United States Code, to allow a State to use as a credit toward the non-Federal share requirement for funds made available to carry out such title the Appalachian development highway system program; to the Committee on Transportation and Infrastructure.

By Mr. HALL (for himself, Ms. SCHAKOWSKY, Mr. TERRY, Mr. WHITFIELD, and Mr. BARROW):

H.R. 1219. A bill to amend title XIX of the Social Security Act to require Medicaid coverage of optometrists; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska:

H.R. 1220. A bill to require the conveyance of the decommissioned Coast Guard Cutter STORIS; to the Committee on Transportation and Infrastructure.

By Mr. BACHUS (for himself, Mr. GARRETT, Mr. HENSARLING, Mr. PEARCE, and Mrs. BIGGERT):

H.R. 1221. A bill to suspend the current compensation packages for the senior executives of Fannie Mae and Freddie Mac and establish compensation for such positions in accordance with rates of pay for senior employees in the Executive Branch of the Federal Government, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEUGEBAUER (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING):

H.R. 1222. A bill to increase the guarantee fees charged by Fannie Mae and Freddie Mac with respect to mortgage-backed securities guaranteed by such enterprises; to the Committee on Financial Services.

By Mr. GARRETT (for himself, Mr. BACHUS, Mr. HENSARLING, and Mr. PEARCE):

H.R. 1223. A bill to amend the Securities Exchange Act of 1934 to ensure mortgages held or securitized by Fannie Mae and Freddie Mac and asset-backed securities issued by such enterprises are treated similarly as other mortgages and asset-backed securities for purposes of the credit risk retention requirements under such Act; to the Committee on Financial Services.

By Mr. HENSARLING (for himself, Mr. BACHUS, Mr. GARRETT, and Mr. PEARCE):

H.R. 1224. A bill to increase the rate of the required annual reductions of the retained portfolios of Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. PEARCE (for himself, Mr. GARRETT, Mr. BACHUS, and Mr. HENSARLING):

H.R. 1225. A bill to prohibit Fannie Mae and Freddie Mac from issuing any new debt without approval in advance by the Secretary of the Treasury; to the Committee on Financial Services.

By Mr. ROYCE (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING):

H.R. 1226. A bill to repeal the affordable housing goals for Fannie Mae and Freddie Mac; to the Committee on Financial Services.

By Mr. SCHWEIKERT (for himself, Mr. BACHUS, Mr. GARRETT, Mr. PEARCE, and Mr. HENSARLING):

H.R. 1227. A bill to prohibit Fannie Mae and Freddie Mac from offering any new products during the term of any conservatorship or receivership of such enterprises; to the Committee on Financial Services.

By Mr. LANDRY:

H.R. 1228. A bill to provide for payments to certain natural resource trustees to assist in restoring natural resources damaged as a result of the Deepwater Horizon oil spill, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. BROUN of Georgia, Mr. TIPTON, Mr. GOHMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. NUNES, Mr. BOUSTANY, Mr. GRIMM, Mr. SCALISE, Mr. ROSS of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. OLSON, Mrs. CAPITO, Mr. WESTMORELAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HELLER, Mrs. HARTZLER, and Mr. POSEY):

H.R. 1229. A bill to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. BROUN of Georgia, Mr. TIPTON, Mr. GOHMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. NUNES, Mr. BOUSTANY, Mr. GRIMM, Mr. SCALISE, Mr. ROSS of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. OLSON, Mrs. CAPITO, Mr. WESTMORELAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HELLER, and Mrs. HARTZLER):

H.R. 1230. A bill to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes; to the Committee on Natural Resources.

By Mr. HASTINGS of Washington (for himself, Mr. LAMBORN, Mr. FLEMING, Mr. LANDRY, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. DUNCAN of South Carolina, Mr. WITTMAN, Mr. BROUN of Georgia, Mr. TIPTON, Mr. GOHMERT, Mr. DENHAM, Mr. DUNCAN of Tennessee, Mr. FLEISCHMANN, Mr. NUNES, Mr. BOUSTANY, Mr. GRIMM, Mr. SCALISE, Mr. ROSS of Florida, Mr. GRAVES of Missouri, Mrs. MYRICK, Mrs. LUMMIS, Mr. POMPEO, Mr. OLSON, Mrs. CAPITO, Mr. WESTMORELAND, Mr. LONG, Mr. SIMPSON, Ms. JENKINS, Mr. KELLY, Mr. RIGELL, Mr. HELLER, Mrs. HARTZLER, Mr. RIBBLE, Mr. GINGREY of Georgia, and Mr. POSEY):

H.R. 1231. A bill to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes; to the Committee on Natural Resources.

By Mr. CAMP:

H.R. 1232. A bill to amend the Internal Revenue Code of 1986 to eliminate certain tax benefits relating to abortion; to the Committee on Ways and Means.

By Mr. BOSWELL (for himself, Mr. BUTTERFIELD, Mr. LOEBSACK, Mr. KING of Iowa, Mr. LATHAM, and Mr. BRALEY of Iowa):

H.R. 1233. A bill to amend the Consolidated Farm and Rural Development Act to suspend a limitation on the period for which certain borrowers are eligible for guaranteed assistance; to the Committee on Agriculture.

By Mr. KILDEE:

H.R. 1234. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Natural Resources.

By Mr. CARTER:

H.R. 1235. A bill to provide a Federal regulatory moratorium, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself, Mr. NEAL, Mr. PAULSEN, Mr. BLUMENAUER, Mr. HUNTER, and Mr. DEFAZIO):

H.R. 1236. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers; to the Committee on Ways and Means.

By Mr. HERGER:

H.R. 1237. A bill to provide for a land exchange with the Trinity Public Utilities District of Trinity County, California, involving the transfer of land to the Bureau of Land Management and the Six Rivers National Forest in exchange for National Forest System land in the Shasta-Trinity National Forest, and for other purposes; to the Committee on Natural Resources.

By Ms. KAPTUR (for herself, Mr. LATOURETTE, and Mr. TURNER):

H.R. 1238. A bill to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure; to the Committee on Financial Services.

By Ms. KAPTUR (for herself, Mr. MANZULLO, and Mr. JONES):

H.R. 1239. A bill to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK (for himself and Mr. PLATTS):

H.R. 1240. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Education and the Workforce.

By Mr. LUJÁN (for himself and Mr. HEINRICH):

H.R. 1241. A bill to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. MARKEY:

H.R. 1242. A bill to ensure that nuclear power plants can withstand and adequately respond to earthquakes, tsunamis, strong storms, or other events that threaten a major impact; to the Committee on Energy and Commerce.

By Mr. NADLER:

H.R. 1243. A bill to authorize States or political subdivisions thereof to regulate fuel economy and emissions standards for taxicabs; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself, Mr. KIND, Mr. BOUSTANY, Mr. BLUMENAUER, Mr. PAULSEN, and Mr. PASCRELL):

H.R. 1244. A bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY (for himself and Mr. HASTINGS of Florida):

H.R. 1245. A bill to recognize the memorial at the Navy UDT-SEAL Museum in Fort Pierce, Florida, as the official national memorial of Navy SEALS and their predecessors; to the Committee on Armed Services.

By Mr. WEST:

H.R. 1246. A bill to reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction; to the Committee on Armed Services.

By Mr. WEST:

H.R. 1247. A bill to reduce the amounts otherwise authorized to be appropriated to the Department of Defense for studies, analysis, and evaluations; to the Committee on Armed Services.

By Mr. WEST:

H.R. 1248. A bill to amend title 5, United States Code, to provide that civilian employees of the Department of Defense performing unsatisfactory work shall not be eligible for annual nationwide adjustments to pay schedules; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of California:

H. Res. 185. A resolution supporting the goals and ideals of National Tsunami Awareness Week; to the Committee on Science, Space, and Technology.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BILIRAKIS:

H.R. 1211.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States, which grants Congress the power to provide for the common Defense of the United States, and Article I, Section 8, Clause 18 of the Constitution of the United States, which provides Congress the power to make ''all Laws which shall be necessary and proper'' for carrying out the constitutional powers vested in the Government of the United States.

By Mr. AMASH:

H.R. 1212.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution states that Congress shall have the power ''To declare War,'' ''To raise and support Armies,'' ''To provide and maintain a Navy,'' and ''To make Rules for the Government and Regulation of the land and naval Forces.'' Although the Constitution's Article II, Section 2 designates the President as ''Commander in Chief,'' that title does not empower the President to order congressionally unauthorized force when the United States has not been attacked or is not in imminent danger of attack. This bill reclaims Congress's core constitutional prerogative to control when offensive military force is used.

By Mr. UPTON:

H.R. 1213.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BURGESS:

H.R. 1214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. LATTA:

H.R. 1215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GUTHRIE:

H.R. 1216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. PITTS:

H.R. 1217.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. SHUSTER:

H.R. 1218.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution.

By Mr. HALL:

H.R. 1219.

Congress has the power to enact this legislation pursuant to the following:

The reference to the Commerce Clause is applicable to this bill: '' This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.''

By Mr. YOUNG of Alaska:

H.R. 1220.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. BACHUS:

H.R. 1221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3: (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mr. NEUGEBAUER:

H.R. 1222.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 18: ''The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. GARRETT:

H.R. 1223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mr. HENSARLING:

H.R. 1224.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clauses 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States''), 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mr. PEARCE:

H.R. 1225.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States''), 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mr. ROYCE:

H.R. 1226.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mr. SCHWEIKERT:

H.R. 1227.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 (''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States''), 3 (''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''), and 18 (''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof'').

By Mr. LANDRY:

H.R. 1228.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. HASTINGS of Washington:

H.R. 1229.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the U.S. Constitution.

By Mr. HASTINGS of Washington:

H.R. 1230.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution.

By Mr. HASTINGS of Washington:

H.R. 1231.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3 of the U.S. Constitution.

By Mr. CAMP:

H.R. 1232.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BOSWELL:

H.R. 1233.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the U.S. Constitution, Section 8, Clause 18.

By Mr. KILDEE:

H.R. 1234.

Congress has the power to enact this legislation pursuant to the following:

The Indian Commerce Clause: Clause 3 of Section 8 of Article I and the Necessary and Proper Clause: Clause 18 of Section 8 of Article I of the Constitution.

By Mr. CARTER:

H.R. 1235.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GERLACH:

H.R. 1236.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HERGER:

H.R. 1237.

Congress has the power to enact this legislation pursuant to the following:
Article IV, Section 3, Clause 2.
By Ms. KAPTUR:
H.R. 1238.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Ms. KAPTUR:
H.R. 1239.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 1, and Article I, Section 8.
By Mr. LOEBSACK:
H.R. 1240.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the U.S. Constitution.
By Mr. LUJÁN:
H.R. 1241.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.
By Mr. MARKEY:
H.R. 1242.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3.
By Mr. NADLER:
H.R. 1243.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 (Commerce Clause), and Clause 18 (Necessary and Proper Clause).
By Mr. REICHERT:
H.R. 1244.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).
By Mr. ROONEY:
H.R. 1245.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution: Clauses 13 and 14, which grants Congress the power to provide and maintain a Navy and to make rules for the government and regulation of the land and naval forces, Clause 1, which grants Congress the power to provide for the general welfare of the United States, and Clause 18, which grants Congress the power to make all laws necessary and proper for carrying out the foregoing powers.
By Mr. WEST:
H.R. 1246.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.
By Mr. WEST:
H.R. 1247.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.
By Mr. WEST:
H.R. 1248.
Congress has the power to enact this legislation pursuant to the following:
The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Ms. BUERKLE, Mr. ROSKAM, Mr. MCCOTTER, Mr. THOMPSON of Pennsylvania, Mr. MCCAUL, Mr. KELLY, Mr. CHAFFETZ, Mr. BARTLETT, Mrs. BACHMANN, Ms. GRANGER, Mr. LONG, Mr. MACK, Mr. HANNA, Mr. PETRI, Ms. JENKINS, Mr. HENSARLING, Mrs. HARTZLER, and Mr. SAM JOHNSON of Texas.
H.R. 11: Mr. HOLT and Mr. CONYERS.
H.R. 23: Mr. SHERMAN.
H.R. 25: Mr. RIGELL.
H.R. 27: Ms. SUTTON.
H.R. 31: Mr. BACHUS, Mr. GARRETT, Mr. HENSARLING, Mrs. CAPITO, Mr. NEUGEBAUER, Mr. MCHENRY, Mr. DOLD, Mr. HURT, Mr. FITZPATRICK, Mr. SCHOCK, Mr. GOWDY, Mr. GRIMM, Mr. STIVERS, Mr. LUCAS, Mr. MANZULLO, Mr. WALSH of Illinois, Mr. KINZINGER of Illinois, and Mr. ISSA.
H.R. 58: Mr. ROGERS of Alabama, Mr. BILIRAKIS, and Mr. CARTER.
H.R. 59: Mrs. HARTZLER, Mr. FARENTHOLD, and Mr. STUTZMAN.
H.R. 85: Mr. ELLISON.
H.R. 100: Mr. MCKINLEY and Ms. JENKINS.
H.R. 104: Mr. DUFFY, Mr. FARENTHOLD, Mr. JACKSON of Illinois, Ms. SPEIER, Ms. SLAUGHTER, Ms. DELAURO, Mr. JONES, Mr. KINZINGER of Illinois, Mr. KEATING, Mr. RIGELL, and Ms. HIRONO.
H.R. 120: Mrs. BLACK.
H.R. 140: Mr. WILSON of South Carolina.
H.R. 178: Mr. COFFMAN of Colorado, Mr. HECK, Mr. RUNYAN, Mr. RYAN of Ohio, and Mr. KING of New York.
H.R. 181: Mr. SMITH of New Jersey.
H.R. 186: Mr. PEARCE.
H.R. 192: Mr. MARKEY.
H.R. 198: Mr. MCGOVERN and Mr. CARSON of Indiana.
H.R. 258: Mr. RIGELL.
H.R. 303: Mr. HUNTER.
H.R. 308: Mr. RUSH, Mr. DOGGETT, and Mr. KUCINICH.
H.R. 321: Mrs. MCCARTHY of New York.
H.R. 361: Mr. BACA, Mr. DUFFY, and Mr. BUCHANAN.
H.R. 365: Mrs. CAPITO.
H.R. 371: Mr. BUCHANAN and Mr. SIMPSON.
H.R. 396: Mr. HALL.
H.R. 416: Mrs. MCCARTHY of New York.
H.R. 439: Mr. ELLISON.
H.R. 440: Mr. GRIMM, Mr. LYNCH, and Mr. KELLY.
H.R. 450: Mr. SAM JOHNSON of Texas.
H.R. 452: Mr. ROGERS of Michigan.
H.R. 458: Mrs. CAPPS, Mr. BERMAN, Ms. SUTTON, and Mr. FRANK of Massachusetts.
H.R. 459: Mr. YOUNG of Indiana, Mr. POLLS, Mr. MCINTYRE, Mr. HECK, Ms. HERRERA BEUTLER, Ms. FOXX, Mr. STEARNS, Mr. GOWDY, Mrs. LUMMIS, and Mrs. BIGGERT.
H.R. 466: Mr. HASTINGS of Florida.
H.R. 478: Mr. FORBES.
H.R. 482: Mrs. BLACK.
H.R. 535: Mr. RUSH and Mr. BISHOP of New York.
H.R. 572: Mr. WAXMAN.
H.R. 575: Mr. KISSELL.
H.R. 576: Ms. BERKLEY and Mr. ELLISON.
H.R. 584: Mr. LIPINSKI.
H.R. 589: Mr. WEINER, Mr. KUCINICH, Ms. WILSON of Florida, and Mr. WU.
H.R. 595: Mr. HANNA.
H.R. 607: Mr. MICHAUD and Mr. LATHAM.
H.R. 610: Mr. CRENSHAW and Mr. RAHALL.
H.R. 615: Mr. SCALISE and Mr. ROGERS of Alabama.
H.R. 616: Mr. KUCINICH.
H.R. 652: Mr. FILNER.
H.R. 674: Mr. KING of Iowa, Mrs. LUMMIS, Mr. LONG, and Mr. DAVIS of Kentucky.
H.R. 679: Mr. LANGEVIN.
H.R. 681: Mr. RIBBLE and Mr. GOODLATTE.
H.R. 694: Mrs. LOWEY.
H.R. 709: Mr. CONYERS, Mr. PASCRELL, and Mr. QUIGLEY.
H.R. 721: Mr. YODER.
H.R. 729: Mr. BERMAN.
H.R. 735: Mr. PAULSEN and Ms. BUERKLE.
H.R. 743: Mr. TURNER and Mr. RUNYAN.
H.R. 749: Mr. HELLER.
H.R. 750: Mr. TIPTON.
H.R. 795: Mrs. MCMORRIS RODGERS.
H.R. 798: Mr. PLATTS.
H.R. 800: Mr. KINGSTON, Mr. LANDRY, Mr. BILBRAY, and Mr. MCKINLEY.
H.R. 808: Mr. ELLISON and Mr. STARK.
H.R. 812: Mr. COURTNEY.
H.R. 821: Mrs. ADAMS and Mrs. BLACKBURN.
H.R. 822: Mr. POE of Texas, Mr. ADERHOLT, Mr. PLATTS, Mr. FORBES, Mr. SCHOCK, Mr. HUNTER, Mr. WALZ of Minnesota, Mr. SULLIVAN, Mr. LUETKEMEYER, Mr. DUNCAN of South Carolina, and Mr. SCALISE.
H.R. 827: Mr. MEEHAN, Mrs. MYRICK, Mr. MURPHY of Pennsylvania, Mrs. DAVIS of California, and Mr. BILBRAY.
H.R. 849: Mr. WOLF.
H.R. 855: Ms. DEGETTE.
H.R. 870: Mr. FILNER.
H.R. 872: Mr. SCALISE, Mr. HURT, Mr. BONNER, Mr. BOUSTANY, Mr. CLEAVER, Mr. FORBES, Ms. GRANGER, Mr. CARTER, Mr. MCCLINTOCK, Mr. ROKITA, Mr. BARROW, Mr. KLINE, Mr. ROGERS of Alabama, Mr. BARLETTA, Mr. BERG, Mr. REED, Mr. CAMP, Mr. WILSON of South Carolina, Mr. POSEY, Mr. CRAVAACK, Mr. HASTINGS of Washington, Mr. COLE, Mr. PENCE, Ms. FOXX, Mr. FORTENBERRY, Mr. MULVANEY, Mr. NUNNELEE, Mr. GOWDY, Mr. PALAZZO, Mr. DOLD, Mr. DENT, and Mr. MCHENRY.
H.R. 873: Mr. DOGGETT and Ms. SCHAKOWSKY.
H.R. 875: Mrs. BACHMANN.
H.R. 876: Ms. SLAUGHTER.
H.R. 885: Mr. FORTENBERRY, Ms. BERKLEY, Mr. HINCHEY, and Mr. PRICE of North Carolina.
H.R. 889: Ms. SCHWARTZ and Ms. MATSUI.
H.R. 893: Mr. ELLISON and Mr. WITTMAN.
H.R. 894: Mr. CUMMINGS, Mr. KILDEE, Mr. STARK, and Mrs. CAPPS.
H.R. 903: Mr. DENHAM.
H.R. 904: Mr. JONES, Mr. WILSON of South Carolina, Mr. ROSS of Arkansas, Mr. KINGSTON, Mr. CALVERT, and Mr. ROGERS of Michigan.

H.R. 905: Mr. WALDEN, Mrs. MYRICK, Ms. SEWELL, and Ms. BERKLEY.

H.R. 910: Mr. POE of Texas, Mr. BRADY of Texas, Mr. TURNER, Ms. JENKINS, Mr. SIMPSON, Mr. KELLY, Mr. FARENTHOLD, Mr. TIPTON, Mr. CALVERT, Mr. FLEISCHMANN, and Mr. GRAVES of Missouri.

H.R. 912: Mr. CRENSHAW, Mr. WITTMAN, Mr. ELLISON, and Mr. JACKSON of Illinois.

H.R. 925: Ms. NORTON.

H.R. 938: Mr. NEAL, Mr. LAMBORN, Mr. KISSELL, and Mr. RUNYAN.

H.R. 941: Mr. LUJÁN, Mr. LOEBSACK, Mr. LATHAM, Mr. BOSWELL, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MICHAUD.

H.R. 943: Mr. TOWNS and Mrs. NAPOLITANO.

H.R. 948: Mr. BLUMENAUER, Mr. LARSON of Connecticut, Mr. KISSELL, and Mr. MORAN.

H.R. 969: Mr. BENISHEK.

H.R. 973: Mr. RIGELL.

H.R. 984: Mrs. ADAMS, Mr. JONES, Mr. ROKITA, Mr. SESSIONS, Mr. GRIMM, Mr. WESTMORELAND, and Mr. MACK.

H.R. 987: Mr. BILBRAY.

H.R. 1004: Mr. REICHERT.

H.R. 1006: Mr. FRANKS of Arizona, Mr. HERGER, and Ms. BERKLEY.

H.R. 1013: Mr. LYNCH.

H.R. 1033: Mr. MCCOTTER.

H.R. 1040: Mr. JONES and Mr. FORBES.

H.R. 1047: Mr. LANKFORD, Mr. POMPEO, and Mr. TIPTON.

H.R. 1049: Mr. FARENTHOLD and Mrs. LUMMIS.

H.R. 1055: Mr. JOHNSON of Georgia.

H.R. 1058: Mr. GUTHRIE, Mrs. MILLER of Michigan, and Mr. MCKINLEY.

H.R. 1066: Mr. LANGEVIN, Mr. LUJÁN, Mr. PALLONE, Mr. VAN HOLLEN, Mr. COURTNEY, Mr. PASCRELL, Mr. MORAN, Mrs. MALONEY, Mr. ROSS of Arkansas, Mr. HEINRICH, Mr. BOREN, Ms. SPEIER, Ms. HIRONO, Mr. ROTHMAN of New Jersey, Mr. HOLDEN, Mr. BARLETTA, Ms. MOORE, Mr. HASTINGS of Florida, Mr. JONES, Mr. CONYERS, Mr. CLEAVER, Ms. SUTTON, Mr. GRIJALVA, Ms. RICHARDSON, Mr. SIRES, Mr. LEVIN, Mr. MCGOVERN, Ms. MATSUI, Mr. CROWLEY, Mr. RAHALL, Ms. BORDALLO, Mr. DAVID SCOTT of Georgia, and Mr. SMITH of Washington.

H.R. 1070: Ms. ESHOO and Mrs. BACHMANN.

H.R. 1075: Mr. CHAFFETZ, Mrs. MCMORRIS RODGERS, Mr. FLAKE, and Ms. HERRERA BEUTLER.

H.R. 1081: Mr. BUTTERFIELD, Mr. HASTINGS of Florida, Mr. DAVID SCOTT of Georgia, Mr. FILNER, Mr. MCINTYRE, Mr. PAUL, Mr. RUPPERSBERGER, Mr. FLORES, Mr. HOLDEN, and Mr. COFFMAN of Colorado.

H.R. 1112: Mr. FLORES.

H.R. 1113: Mr. HONDA, Mr. BACA, Mr. CLEAVER, Mr. AL GREEN of Texas, Mrs. CHRISTENSEN, Mr. HINCHEY, Mr. STARK, Ms. MOORE, Mr. PAYNE, Ms. FUDGE, Mr. FATTAH, Mr. CUMMINGS, Mrs. MALONEY, and Ms. WOOLSEY.

H.R. 1121: Mr. WILSON of South Carolina.

H.R. 1131: Mr. HASTINGS of Florida.

H.R. 1132: Ms. MOORE, Mr. JACKSON of Illinois, Mr. STARK, Ms. WOOLSEY, and Ms. NORTON.

H.R. 1153: Mr. KING of New York.

H.R. 1161: Mr. HASTINGS of Florida, Mr. GOODLATTE, Mr. BARROW, Ms. SUTTON, Mr. SHERMAN, Mr. QUIGLEY, Mr. FLORES, Mr. POE of Texas, Mr. ROONEY, Mr. WEST, Mr. ANDREWS, and Mr. DAVID SCOTT of Georgia.

H.R. 1173: Mr. GRIFFIN of Arkansas, Mr. MCCLINTOCK, and Mr. DUNCAN of South Carolina.

H.R. 1175: Mr. SMITH of Washington, Mr. BARTLETT, and Mr. MARINO.

H.R. 1184: Mr. GRAVES of Missouri, Mr. BURTON of Indiana, and Mr. GINGREY of Georgia.

H.R. 1185: Mr. GINGREY of Georgia.

H.R. 1186: Mr. SESSIONS and Mr. PAUL.

H.R. 1187: Mr. CONNOLLY of Virginia.

H.R. 1206: Mrs. BLACKBURN, Mr. GRIFFIN of Arkansas, Mr. RUPPERSBERGER, Mr. YODER, Mr. SESSIONS, Mr. MCCAUL, Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. MULVANEY, Mr. KISSELL, and Mr. PRICE of Georgia.

H.J. Res. 13: Mrs. MYRICK, Mr. POSEY, Mr. ROGERS of Michigan, Mr. RUNYAN, Mr. AUSTRIA, and Mr. JORDAN.

H.J. Res. 47: Ms. TSONGAS, Mr. MORAN, and Ms. EDWARDS.

H.J. Res. 49: Mr. CHAFFETZ and Mr. STARK.

H. Con. Res. 7: Mr. PETERSON and Mr. HASTINGS of Florida.

H. Con. Res. 31: Mr. KUCINICH.

H. Res. 23: Mr. SESSIONS.

H. Res. 25: Mr. CONNOLLY of Virginia, Mr. LEWIS of Georgia, Mr. COFFMAN of Colorado, Mr. SCOTT of South Carolina, Mr. HONDA, and Mr. SMITH of New Jersey.

H. Res. 47: Mr. BERMAN, Mr. VAN HOLLEN, and Mr. SCHIFF.

H. Res. 60: Mr. WESTMORELAND, Mr. COBLE, and Mr. MCGOVERN.

H. Res. 81: Mrs. MALONEY.

H. Res. 82: Mr. BENISHEK, Mr. GUINTA, Mr. ROSS of Florida, Mr. LAMBORN, Mr. NEUGEBAUER, and Mr. JONES.

H. Res. 85: Mr. VAN HOLLEN.

H. Res. 87: Mr. AL GREEN of Texas.

H. Res. 111: Mr. CAPUANO, Mr. ROGERS of Michigan, Mr. ANDREWS, Mr. SIRES, Mr. PASCRELL, Mr. YARMUTH, Mr. GENE GREEN of Texas, Mr. LOBIONDO, and Mr. WALZ of Minnesota.

H. Res. 134: Mr. JOHNSON of Illinois, Mr. GRIMM, Ms. SPEIER, and Mr. SENSENBRENNER.

H. Res. 137: Mr. BACA, Mrs. EMERSON, Mr. BOSWELL, Mr. KISSELL, Mr. HOLDEN, Mr. BLUMENAUER, Mr. LATHAM, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Mr. JACKSON of Illinois, Mr. COSTA, Mr. STARK, Mr. GARAMENDI, Mr. PETERSON, Mr. TIERNEY, Mr. INSLEE, Mr. MCGOVERN, Mr. WU, Mr. SCHRADER, Mr. ISRAEL, Mr. CRITZ, and Mr. MICHAUD.

H. Res. 139: Mr. KIND, Ms. SCHWARTZ, Mr. COHEN, Mr. SCHOCK, Ms. JACKSON LEE of Texas, Mr. WEINER, Mr. JOHNSON of Georgia, Mr. LEWIS of Georgia, Mr. RUSH, Mr. SENSENBRENNER, Ms. WILSON of Florida, Mr. AUSTRIA, and Mr. JOHNSON of Ohio.

H. Res. 140: Mr. CALVERT and Mr. RIGELL.

H. Res. 163: Ms. TSONGAS.

H. Res. 172: Mr. HIGGINS, Mr. CONYERS, Mr. BISHOP of New York, and Mr. STARK.

H. Res. 173: Mr. ROSS of Florida.

H. Res. 177: Mr. HINCHEY, Mr. DAVIS of Illinois, and Mr. HONDA.

H. Res. 179: Mr. CROWLEY and Mrs. MCCARTHY of New York.

H. Res. 182: Mrs. LOWEY, Ms. CLARKE of New York, and Mr. GRIMM.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Delegate ELEANOR HOLMES NORTON, or a designee, to H.R. 471, the Scholarships for Opportunity and Results Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

Vol. 157 WASHINGTON, TUESDAY, MARCH 29, 2011 No. 43

# Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

## PRAYER

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

Let us pray.

Almighty God, who has made and preserved us as a nation, make our lawmakers people of high vision and steadfast fidelity to Your wisdom. Use them to lift the banner of righteousness which exalts a nation. As they work together, deepen their understanding of one another's perspectives so that they will treat their colleagues as they would want their colleagues to treat them. Purge them from all that blemishes, corrupts, and defiles our common life. Heal our land, Lord, and use our Senators as agents of Your healing.

We pray in Your merciful Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

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

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, March 29, 2011.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
*President pro tempore.*

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

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

## SCHEDULE

Mr. REID. Madam President, following any leader remarks, there will be a period of morning business for an hour, with Senators permitted to speak for up to 10 minutes each, the majority controlling the first half and the Republicans controlling the final half.

Following morning business, the Senate will resume consideration of S. 493, the small business jobs bill. The Senate will recess from 12:30 until 2:15 to allow for weekly caucus meetings. Rollcall votes in relation to amendments to the small business jobs bill are possible today. Senators will be notified when votes are scheduled.

We have 10 amendments now pending. I spoke yesterday afternoon to the Republican leader, and I think we are in good shape now to hopefully resolve the 1099 matter this afternoon. We are looking forward to having a consent agreement we can vote on. I think we are at a point where, in the morning, we can vote on the McConnell amendment dealing with EPA and a couple other amendments relating to EPA to get rid of that issue one way or the other.

There are other matters with the bill we would like to set up votes on, and if people are willing to allow us to do that, we could do some of those this afternoon. But we are making progress on this very important bill. With all the amendments being offered, we sometimes lose sight of the fact that this bill, which has been led by Senators LANDRIEU and SNOWE, is an extremely important bill for creating jobs with small businesses. It is an innovation bill, and the programs this bill covers have done some tremendously important things for the country.

With the CR, I spoke with the White House this morning, and there are conversations going on with the White House and the Republican leadership in the House, and I think this matter, with a little bit of good fortune, could move down the road in the next day or two to get us to a point where we could have something done so there doesn't have to be a government shutdown. I certainly hope that is the case.

## RECOGNITION OF THE MINORITY LEADER

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

## ENERGY TAX

Mr. MCCONNELL. Madam President, as lawmakers return to Washington this week, we did so against the backdrop of many world crises. From recovery efforts in Japan, to battles everywhere from Afghanistan to Libya, to an unfolding economic crisis in Europe, the scope and intensity of world events in recent months has been nothing short of breathtaking.

Yet in the middle of all this, it is important we not lose sight of the struggles and concerns of so many around us here at home. At a time when roughly 1 in 4 American homeowners owes more money on their mortgage than their home is worth, at a time when nearly 1 in 10 working Americans is looking for a job, at a time when the Federal debt has reached heights none of us could have even imagined just a few years

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



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ago, now is not the time to lose focus on the paramount issue on the minds of Americans every day, and that is the very real crisis we face when it comes to jobs.

Americans look around them and they see neighbors and friends struggling to find work. Yet all they seem to get from the White House are policies that handcuff small businesses with burdensome new regulations and redtape and that create even more uncertainty about the future, including the administration's inexplicable and inexcusable inaction on trade deals that would level the playing field with our competitors overseas.

They are tired of it. Americans are tired of the White House paying lipservice to their struggles while quietly promoting effort after effort, either through legislation or some backdoor regulation, that makes it harder, not easier, for businesses to create new jobs. But the administration outdid itself last week, when the President told a Brazilian President the United States hopes to be a major customer in the market for oil that Brazilian businesses plan to extract from new oil finds off the Brazilian coast.

We can't make this stuff up. Here we have the administration looking for just about any excuse it can find to lock up our own energy resources here at home, even as it is applauding another country's efforts to grow its own economy and create jobs by tapping into its energy sources.

For 2 years, the administration has canceled dozens—dozens—of oil and gas leases all across America. It has raised permit fees. It has shut down deepwater drilling in the gulf. It would not even allow a conversation about exploring for oil in a remote 2,000-acre piece of land in northern Alaska that experts think represents one of our best opportunities for a major oil find. It continues to press for new regulations through the Environmental Protection Agency that would raise energy costs for every business in America and lead to untold lost jobs for more American workers.

In other words, in the midst of average gas prices approaching $4 a gallon and a chronic jobs crisis, the White House plans to make the climate for job growth worse. That is why Republicans, led in the Senate by Senator INHOFE, have proposed legislation to prevent the new energy tax from ever taking effect without congressional approval. The Wall Street Journal has called the amendment we are proposing ''one of the best proposals for growth and job creation to make it onto the Senate docket in years.''

Our amendment would assure small businesses across the country that they will not be hit with yet another costly new job-stifling burden by Democrats in Washington. It will give voters the assurance that a regulation of this kind, which would have a dramatic impact on so many, could not be approved without their elected representatives standing and actually voting for it. At a time of rising energy prices, it would prevent Democrats in Washington from adding even more pressure to energy prices than they already have out of fealty to special interests that would rather we buy our energy from overseas than find and use the bountiful resources we already have right here at home.

I wish to thank Senator INHOFE, once again, for leading us on this issue. His bill, upon which my amendment is based, has 43 cosponsors. He deserves the credit. He has been a fierce and tireless advocate not only for American energy but also against new EPA regulations that would sidestep the legislative process. I thank him for his work, along with the great work Senators MURKOWSKI and BARRASSO have done, in educating the American people about these issues.

At a time when Americans are looking for answers on the economy, this amendment is as good as it gets from Washington. By voting for it, we would be saying no to more regulations and redtape and we would be saying yes to American job creators and to the jobs they want to create. I urge my colleagues in both parties to support it.

## 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, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## BUDGET NEGOTIATIONS

Mr. SCHUMER. Madam President, I rise to speak on the current state of partisan budget negotiations.

For weeks now, the offices of the Senate majority leader, the House Speaker, and the White House have been engaged in serious talks seeking a long-term budget agreement. It has been a long hard process. There have been a lot of fits and starts in the negotiations. But it is no exaggeration to say that as of last week talks were on a smooth path toward a compromise. The Speaker's office was negotiating in good faith. The parties significantly narrowed the $51 billion gap on how much spending should be cut. House Republican leaders had agreed to come down from H.R. 1 and meet us halfway. We could begin to see light at the end of the tunnel.

But suddenly, at the end of last week, House Republicans did a strange thing: They pulled back from the talks. They changed their minds about what level of spending cuts they could accept. We were on the verge of a potential breakthrough, and they suddenly moved the goalposts. We felt a little bit like we were left at the altar. Not only did they abandon the talks, they started denying that they were ever close to a deal in the first place. Majority Leader CANTOR issued a statement Friday saying that reports that progress was being made were ''far-fetched.'' It was as if they decided that even the appearance of a looming compromise was a political liability. It was surreal.

It is no surprise what happened. The headline of today's story in the National Journal says it all:

> With Revolt Brewing, GOP Backs Off Deal.

Let me repeat that because that is really what is going on here and the news of the day in the last few days:

> With Revolt Brewing, GOP Backs Off Deal.

The story reads:

> Concerned about a revolt by the conservative, tea party-wing of the party, GOP leaders have pulled back from a tentative deal to cut roughly $30 billion in cuts from current spending levels. The influence that tea-party conservatives now exercise over the process put the chances of a compromise seriously in doubt.

The story continues:

> The GOP pulled back from that agreement last week after House Majority Leader Eric Cantor, R-Va., and Majority Whip Kevin McCarthy, R-Calif., warned House Speaker John Boehner, R-Ohio, that the deal would trigger a revolt from tea-party conservatives.

In other words, as soon as House Republican leaders took one step toward compromise, the tea party rebelled, so they took two steps back.

The National Journal story describes an offer that was put on the table by the White House that would have met House Republicans halfway. The offer falls squarely in the ballpark of Congressman RYAN's original budget proposal with roughly $70 billion in spending cuts compared to the President's budget request. This is a significant move in the Republicans' direction. These are more cuts than many on our side might support, but it shows how seriously the White House is about wanting a compromise to avert a shutdown. If they are planning to reject such an offer, it is clear they won't take ''yes'' for an answer and are seeking a shutdown. The Republican leadership in the House, with the tea party breathing down their back, won't take

''yes'' for an answer and won't support the original proposal made by Budget Chairman RYAN of roughly $70 billion in spending cuts. We know Congressman RYAN is hardly a liberal or a moderate. It shows how far to the right the Republican leadership is being forced to move by the tea party.

This level of spending cuts was good enough for House Republicans earlier this year when HAL ROGERS released his original proposal. But the tea party hollered, and House Republicans were forced to double their proposed spending cuts to an extreme level of $61 billion. When that happened, HAL ROGERS said the House was moving beyond what was reasonable and into territory where they could never get a deal. TOM LATHAM of Iowa agreed that in forcing H.R. 1 to go from $30 billion to $60 billion in cuts, the tea party was forcing Republicans to go beyond what was ''enactable.'' These are conservative Republicans saying that the present House proposal is not enactable, cannot pass. Just as the tea party forced mainstream Republicans into extreme territory before, they are doing so again. Anyone who looks at this objectively sees that is what is happening.

The Speaker has said all along that he wants to avoid a shutdown at all costs. I believe him. He is a good man. The problem is, a large percentage of those in his party don't feel the same way. They think ''compromise'' is a dirty word. They think taking any steps to avert a shutdown would mean being the first to blink. So Speaker BOEHNER is caught between a shutdown and a hard place. He has caught a tiger by the tail in the form of the tea party. There is even a tea party rally planned for later this week to pressure the Speaker not to budge off H.R. 1.

To try to mask the divisions on their own side, Republicans have resorted to lashing out in a knee-jerk way at Democrats. Their latest trick is trying to accuse Democrats of not having our own plan. That is a diversion. It rings hollow. The only proposals that have been made that would actually avoid a government shutdown are numerous compromises that Democrats have offered Republicans.

I would like to remind my House friends, as they all know, the Senate needs 60 votes to pass a bill. We can't pass anything without Republican agreement. Yet our Senate Republican colleagues are nowhere to be found. Since the Senate rejected the Republican job-killing budget proposal that would cost Americans 700,000 jobs a month ago, Republicans have not moved an inch off their plan.

Speaker BOEHNER knows, when it comes to averting a government shutdown on April 8, it is the tea party, not the Democrats, that is causing the trouble. At this point, the only hurdle left to a bipartisan deal, the only obstacle in the way is the tea party. But for the tea party, we could have an agreement that reduces spending by a historic amount. We could have a deal that keeps the government open.

A tea party rebellion may hurt House Republican leadership politically, but a shutdown will hurt Americans, all Americans, much more. It is time for House Republican leaders to rip off the bandaid. Mr. Speaker, it is time to forget the tea party and take the deal. There are only 10 days left before the current CR expires. There is no new stopgap being prepared by House Republicans. It seems the only viable proposal is the one the Speaker walked away from. So the Speaker faces a choice: Return to the deal he was prepared to accept before the tea party rebelled last week or risk a shutdown on April 8. I think we know what the right answer is. It is clear. The Speaker has a choice: Appease the tea party and shut down the government or take the right and principled stand and move the government forward by coming to a reasonable compromise between both parties that cuts the budget significantly.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

## REPEAL OF 1099

Mr. JOHANNS. Madam President, it feels a bit like deja vu standing here today discussing the ongoing saga of the 1099 repeal. Two weeks ago, I offered amendment No. 161 to the small business bill.

If we read all the press releases and the public statements, it appears that absolutely nobody could possibly oppose repeal of the 1099 requirement in section 9006 of the health care bill. Yet once again the other side is attempting to delay or derail the 1099 repeal by offering a second-degree amendment. I might have been open to a second-degree amendment when we started this process many long months ago. But now we are approaching the 1-year anniversary since we began fighting to repeal this unnecessary mandate. It had no place in the health care bill in the first place.

I can't help but question why on Earth we are still swinging and missing at this one. Is it a lack of support in my caucus? The answer to that is no. Support amongst Republicans is absolutely unanimous. Lack of Republican support certainly has not held this up.

I ask myself if there is a lack of bipartisan support that is holding up the effort. The answer to that is also no. My colleague, the junior Senator from West Virginia, has cosponsored the last several versions of this repeal legislation in the Senate. Together, Senator MANCHIN and I have secured dozens of Democrats who strongly support the repeal, and 76 Democrats voted for identical 1099 repeal in the House of Representatives. Bipartisan support is enormously, if not unusually, strong.

Might our problem be a lack of support from the White House? The answer to that is also no. The President has publicly called for repeal of this 1099 mandate on several occasions in press conferences. He even referenced it in his State of the Union Address.

Is it possible there is still confusion about how our small businesses feel about the mandate? That is not the case. The chorus of job creators opposing this mandate is almost deafening: the chamber of commerce, the National Federation of Independent Business, the American Farm Bureau Federation. I could go on and on listing organizations arguing for its repeal.

Has it been a controversial pay-for that has slowed down progress? Interestingly enough, an almost identical budgetary offset passed this Chamber unanimously only 4 months ago. Requiring someone to repay what was given to them erroneously is, plain and simple, good government.

Even Secretary of Health and Human Services Sebelius noted that repayment of improper subsidies is ''fair for recipients and all taxpayers.'' So arguments about the pay-for simply are hollow excuses to justify inaction.

Our job creators are seeing it for what it really is. It is more nonsense. It astounds me that we can seemingly pass benchmark after benchmark without going over the finish line. How can we make so much important progress only to be stymied again and again by some silent opposition?

My friends across the aisle have often complained about the slow pace of the Senate. They have blamed the other side of the aisle for preventing progress. Well, my side of the aisle has been ready for a long time to repeal this job-killing mandate. I want you to know we stand ready to vote.

Considering the high unemployment rates plaguing our country, it seems absolutely incomprehensible that we would waste even another day without addressing this mandate in the health care bill. Our job creators have watched dueling amendments and proposals and counterproposals. Well, that has gone on for 1 year.

I first circulated a Dear Colleague letter asking for cosponsors of this 1099 repeal in June of last year. When we introduced it in July, with 25 cosponsors, well, small businesses cheered. It gave them hope common sense would prevail in Congress and that partisanship is sometimes set aside to simply do the right thing.

But now they see there is yet again a delay tactic in the form of a second-degree amendment to the 1099 repeal. They have been frustrated time and time again—when it failed to advance in September and November and appeared stalled well into the new year.

Today, we have a simple choice: We can pass my amendment with strong bipartisan support and demonstrate we have the 60 votes necessary for the House version or we can pass the second-degree amendment and push this repeal off into limbo into Never Never Land yet again. We can actually fix the problem in a bipartisan way or we can continue to kick this can down the road.

If we pass the second-degree amendment, quite simply, what we have voted yes to do is delay the repeal of the 1099 amendment and eventually we are going to flirt with disaster on this and it will not get done.

We need to focus all our energy on helping our job creators grow and create more jobs, not force them into worrying about hiring more accountants. Pardon my boldness but there is no reason to delay. An identical version of my amendment passed the House with large bipartisan support: 314 to 112. I urge my colleagues, with all I have, to oppose the second-degree amendment my friend from New Jersey is proposing.

Let's be clear. This latest distraction from 1099 repeal is just that—it is a distraction. We all know it is not truly about a study to look at health care costs. If we want to do a study, put the amendment on some other piece of legislation. This is about derailing and delaying the 1099 repeal because if the second-degree amendment passes, it says: Instead of sending this to the President to become law, we need to go back to the drawing board.

While the proponents of the second-degree amendment will claim it is innocuous, make no mistake, it is designed to obliterate this amendment because of a budgetary offset. Again, I remind us, a similar offset was passed unanimously recently by the Senate. Just like a Politico article from yesterday noted: ''Senate Democrats are working on an amendment that could kill the [Republicans' pay-for in the future].''

If the second degree passes, then we are essentially adding nearly $25 billion to our debt over the next 10 years. While some may preach the virtues of pay-as-you-go rules, when it comes right down to it, they will undermine virtually any fiscally responsible pay-for.

So here we are again crossing the same bridge we have crossed so many times before. In fact, the Senate refused this idea when we rejected the Baucus amendment that repealed 1099 but was not paid for. That amendment fell 23 votes short of passage because it fiscally did not make sense.

So why are we still here aimlessly walking around in circles when we ought to be marching straight ahead? Why are we proposing to send this bipartisan legislation back to the House? Because that is what will have to happen, when it ought to go directly to the President's desk for signature.

Our vote today can send a message that we have all the votes necessary to get this done and get it on the President's desk and everybody can celebrate: our job creators, Democrats, Republicans, Independents.

The logic of the second-degree amendment is absolutely baffling. Here we are in the ninth inning and somehow our pay-for has become magically unacceptable, even after a similar pay-for was approved unanimously by the Senate before. Where were all the objections? Where was the demand for further study when we unanimously approved a similar offset for the doc fix legislation?

Let me be very clear: A vote in favor of the second degree is a vote against our business and job creators. My amendment has been waiting for a vote for 14 days now, and the repeal has been pending for nearly 1 year. Isn't enough enough?

The time for delay and further study must be over. Let's pass my amendment today by an overwhelming vote of the Senate. Let's reject the second degree. Let's get this piece of legislation to the President for his signature and we can all celebrate. Small businesses, our job creators, deserve no less.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

## GOVERNMENT SPENDING

Mr. SESSIONS. Madam President, government funding is set to expire next week on April 8. We are in the midst of the 2011 fiscal year that ends September 30, and the Congress has only appropriated money through April 8. If Congress does not act by that time, the government would shut down.

Congress needs to act, but Congress needs to listen to the American people and listen to the financial experts whom we have dealt with and reduce spending and reduce the surging deficit we face this year, last predicted to be $1.4 trillion. Nothing has ever been seen like it before, and it has to be addressed. There is no way around it.

So we have this deadline hanging over our heads, and the reason is, my colleagues in the Democratic leadership in the Senate will not agree to the kind of substantial but realistic spending reductions the House of Representatives has sent to us. The House has sent us a budget plan that I think will work. But what we hear is, the sky will fall if we trim the $61 billion from a $3.7 trillion budget—$3,700 billion that we spend—if we reduce that spending by $61 billion, somehow this will cause the country to sink into oblivion.

The American people know better than that. That is not realistic. Of course, we can cut those kinds of numbers out of this huge budget we have, and the American people will be better off for it.

As ranking member on the Budget Committee, I have looked at the numbers, and that $61 billion reduces the baseline of Federal spending by $61 billion this year, but over 10 years—because it is a baseline reduction—it would save $860 billion. This is the kind of small but significant step that does make a difference.

People say: It does not make any difference. Why don't we just increase spending? Why do we cut spending at all? Of course, we have to reduce spending. The American people know the borrowed money and overspending of the past 2 years have failed to produce what it promised. Instead, all that has been achieved through this massive surge in Federal spending, through the stimulus package and other programs, is a crushing debt burden that weakens our economy and is a drag on our economy, as expert witnesses have told us. It threatens our economic future. Alan Simpson, former Republican Senator, and Erskine Bowles, formerly the Chief of Staff to President Clinton, were appointed by President Obama to cochair the debt commission. The fiscal commission reported to us, and jointly they submitted a written statement that said if the United States fails to act, it faces ''the most predictable economic crisis in its history.'' This is a real warning. They said such a crisis could arrive in as soon as 1 or 2 years.

People have been saying: Oh, we are on the wrong track. If we do not get off it, in 3 or 4 or 5 years, we are going to have a crisis. More and more people are warning us that crisis is sooner. Mr. Bowles said: In 1 year, give or take a little bit, we will have a crisis. Mr. Simpson said: I think within 1 year.

The American people rightly expect their elected leaders to confront this threat with seriousness and candor. But the President has never once looked the American people in the eyes and told them the truth about the financial crisis we face. Has he ever discussed those kinds of words with the American people, that we face an actual crisis? We could have a debt problem that hits us very quickly, just like the one in 2008 that put us in a deep recession. We are in a fragile recovery now, and we need to keep that recovery going. The last thing we need to do is have another recession, or some sort of other financial collapse that puts more people out of work and weakens an already struggling economy. It is not necessary this occur.

The President and his Budget Director have, instead of being truthful with us, falsely boasted to the American people that under their budget we will ''live within our means'' and ''not add more to the debt'' and that ''we're not going to spend any more money than we're taking in.'' He submitted his 10-year budget to the Congress, and that is what he says his budget will do. But not one of those statements is true—not one.

When the budget was announced, Mr. Bowles, whom the President appointed to head the debt commission, said it is nowhere close to what we need to be doing to get our house in order. In fact, the Congressional Budget Office finds this: that our annual deficits never once fall below $748 billion. I was saying $600 billion before based on the President's estimates of his budget. Now the Congressional Budget Office has done an independent analysis of the President's budget, and they say the lowest single annual deficit, in 10 years, would be $748 billion.

Is it going down, you ask? Is this budget going to put us living within our means and live on what we take in? In the outyears, the deficits out 7, 8, 9, 10 years of the President's budget, they are going up. In the 10th year, the budget deficit is $1.2 trillion—a $1,200 billion deficit that year.

You might ask: What do those numbers mean? We spend, this year, about $3.7 trillion through September 30. We take in $2.2 trillion. This is why we are on an unsustainable path and we have to get off of it. It is not a partisan matter; it is a matter of facing reality. We still have Members of the Senate in denial. We have the majority leader down here complaining that he might not get money for his cowboy poetry festival in Nevada. Give me a break. This country is headed on the path of great danger and we need to turn around.

Imagine the fate a CEO would face if, in the process of asking for shareholders to buy company stock, he declared, ''We are not adding to the debt,'' while his accountants were telling him the company's debt was on a path to double, as our debt is. The President even nominated a deputy director for OMB, Heather Higginbottom, who has no budget experience and who attempted to defend these claims before the Budget Committee last week. I don't know, maybe they couldn't find anybody with experience who would take the job. The best I can tell, she has never had a single business course or an economics course, never managed any kind of organization on budget, ever. She majored, I think, in political science and campaigned for President Obama and Senator JOHN KERRY.

We need some seriousness here. We in Congress are not stepping up to the plate, frankly. We are not taking the kind of decisive action needed to curb our rising debt. And the majority leader, my good friend, Senator REID—which is a tough job, I have to tell my colleagues; it is a tough job—but now he is saying the problem is there is a division within the Republican Party. You see, we have these extremists over here, the new Republicans who got elected the last election promising to do something about spending and they are out of touch. They are extremists. There are some good Republicans over here. They have been here a long time, and we know how to get along and cut deals and we are going to take care of this thing. You just have to keep these people under control.

I might remind the leader that every single Republican either voted for the $61 billion in cuts or called for more cuts. There is no division in the Republican Party about the need to have reasonable and significant reductions in the expenditures. There is essentially unanimous Republican agreement that we ought to cut $61 billion or more from this year's discretionary budget. By contrast, the majority leader lost nearly one-fifth of his caucus on his proposal, which was basically to do nothing—reduce spending by $4 billion. Ten Members or more defected. They knew that wasn't enough, even under pressure from the President and from the majority leader. So it is clear where the momentum lies.

I wish to repeat again, though: This is not and cannot be seen as a partisan squabble. The Chairman of the Federal Reserve talked to us a few weeks ago, and he submitted a written statement to the Budget Committee. This is what Mr. Bernanke said. He talked about the Congressional Budget Office debt projections. I have made some reference to those and how dangerous they show our path to be.

This is what Chairman Bernanke said:

> The CBO projections, by design, ignore the adverse effects that such high debt and deficits would likely have on our economy. But if government debt and deficits were actually to grow at the pace envisioned in this scenario, the economic and financial effects would be severe. Diminishing confidence on the part of investors that deficits will be brought under control would likely lead to sharply rising interest rates on government debt and potentially to broader financial turmoil. Moreover, high rates of government borrowing would both drain funds away from private capital formation and increase our foreign indebtedness, with adverse long-run effects on U.S. output, incomes, and standard of living.

He goes on to say:

> It is widely understood that the federal Government is on an unsustainable fiscal path. Yet, as a nation, we have done little to address this critical threat to our economy. Doing nothing will not be an option indefinitely; the longer we wait to act, the greater the risks and the more wrenching the inevitable changes to the budget will be. By contrast, the prompt adoption of a credible program to reduce future deficits would not only enhance the economic growth and stability in the long run, but could also yield substantial near-term benefits in terms of lower long-term interest rates and increased consumer and business confidence.

This is the head of the Federal Reserve, the man supposedly most knowledgeable about the economy of the United States of America. We are not making this up.

We have a proposal from our Democratic majority in the Senate to do nothing, basically—to do zero, nada—despite this kind of warning.

We are living in a fantasy world if we don't think we can cut $61 billion from this budget. My friend John McMillan, just elected the director of Agriculture and Industries in Alabama, is facing a critical crisis in his department. I saw the headline in the paper. He has 200 employees. He is going to have to lay off 60 of them. Cities and counties are doing this kind of thing all over the country. Do we think the State of Alabama will cease to exist if that happens? It is sad that they have that kind of challenge before them. We don't have to do that much right now, but if we took those kinds of steps—something significant—we could make a bigger difference than a lot of people realize in the debt we are facing.

Governor Cuomo in New York and Governor Christie in New Jersey and Governor Brown in California and others all over the country are making real, significant alterations in the level of spending, while we worry about protecting the cowboy poetry festival in Nevada.

Remember this—people have forgotten this. Since President Obama took office, Congress has increased discretionary spending on our non-defense Federal programs by 24 percent. We didn't have the money for that. We never should have increased spending that much. It was a big error. But we know what they said: Don't worry, we are making investments in the future. But you have to have money to make investments. If you don't have money, how can you make investments? All of this increase was borrowed. We are in huge debt and when we increase spending, we have to borrow the money to increase spending. Every penny is borrowed. We did an $800 billion stimulus package. Every penny was borrowed. We pay $30 billion-plus a year interest on that borrowed money for as long as I am alive and longer, no doubt. There is no plan to pay off that debt. I know people are talking and they are working things out and they said they are going to try to reach a compromise so we don't have to shut down the government, and I certainly hope that is true. But I do not believe we need any tax-and-spend compromise. I will not support that. I don't think the American people will support it, either. They know we spend too much. They know we have ramped up spending $800 billion with the stimulus package, that nondefense discretionary spending has gone up 24 percent in 2 years, and they know we can reduce Federal spending without this country sinking into the ocean. That is what they expect us to do. That is what Governors and mayors are doing, county commissioners are doing, all over my State and all over America.

We have to recognize that Washington is spending too much—not taxing too little. How can we ask Americans to pay more in taxes when Washington is not even willing to cut $61 billion?

I have a proposition for my colleagues who wish to raise taxes before we consider asking the American people to pay another cent in taxes: Why don't we first drain every cent of waste from the Federal bureaucracy? We will never truly dig ourselves out of this crisis and put this Nation on a real path to prosperity unless we bring our spending under control. America's strength is measured not by the size of our government but by the scope of our freedoms and the vigor and vitality of the American people and their willingness to invest and work hard for the future. That is what makes us strong. Endless spending, taxing, and borrowing is a certain path to decline, and we are on that path today, and we must get out of it.

We know the threat. We know what we need to do. The economy is trying

to rebound. So let's take some good steps today. Let's pass this $61 billion reduction in spending this fiscal year. It will amount to about $860 billion over 10 years. It will be a very significant first step. That is what is before us today—not the other issues. We have to decide what we are going to do about funding the government between now and September 30. That is the rest of this fiscal year. Let's take a firm step on that. Let's begin to look at what we are going to do for next year's budget and what we are going to do about our surging entitlement programs that are on an unsustainable course. We can do all of those things and leave our country healthy and vigorous and prosperous for the future. I truly believe that is the kind of thing we need to be doing now.

I am baffled that we don't know why the President is not leading more. He is not talking directly to the American people about why this is important. Is it just a political squabble to be ignored, with the President going to Rio and talking about Libya? Or is it true, as Mr. Bernanke says, we are on an unsustainable path? Or is it true that Mr. Erskine Bowles, the President's own director of the fiscal commission, says that we are facing the most predictable economic crisis in this country's history, and he said it could happen within 2 years? Are we making this up?

The American people get it. They say, What is going on in Washington? You have to get your house in order. That is what this past election was about. People understand we need some action and some leadership, but we are not getting it. I truly believe if we could get together and if we could get a bipartisan effort to look at this $61 billion—we could disagree on how to reduce that spending; maybe the Republicans have this idea and the Democrats have this idea—let's work all of that out. But let's reach an agreement that actually reduces spending by enough to make a difference. Then the world would say, Wow, now the Congress is beginning to take some steps. That was a nice, good, strong first step. Now if they will stay on that path, maybe the United States is going to get on the road to prosperity again and stay out of this dangerous debt crisis area we are in today and get on the right path to prosperity. This country is ready to grow. It is ready to rebound. It just needs a clear signal from Washington, in my opinion.

America's leaders, those of us in this Congress, have no higher duty, no greater moral responsibility, than to take all appropriate steps to protect the good people we serve from the clear and present danger we face.

It is time to get busy about it, Madam President. I believe if we act strongly and with clarity the American people will not only support it but they will be happy with it, and it will make a positive difference for our country.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, I ask unanimous consent to speak as in morning business.

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

## REPEAL OF 1099

Mr. MENENDEZ. Mr. President, later, as we move to the bill on small business, I will be offering, I hope, a second-degree amendment to the amendment offered by Senator JOHANNS, and I speak today on behalf of middle-class families and on behalf of small businesses.

I wish to start by saying that I fully support—as I have already done in a series of votes—repealing the 1099 reporting requirement, but I strongly believe we have to do so in a manner that does not—does not—increase the burden on our small businesses and employees. The amendment of Senator JOHANNS certainly helps only small businesses through the repeal of the 1099 provision, but—and this is less well-known—I believe it actually hurts small business employees. It is a double-edged sword. The Johanns amendment risks driving up health insurance costs and cutting health insurance coverage for small businesses.

As you know, the affordable care act provides tax credits to families who earn under $74,000 per year to help them purchase health insurance. Those tax credits are set at the start of the year. At tax time, when families actually report their annual income, the tax credits are reconciled with their annual household income to ensure they receive the correct amount of assistance. But because income and other family circumstances can change during the course of a year, individuals might end up getting excess tax credits even though the amount of the payment was correct at the time.

For example, a family with an unemployed worker who secures a job at a small business midway through the year—and, hopefully, can do so, as we continue to work on this economy to have it grow—has rightfully received a tax credit while unemployed but could face a stiff tax hike to repay the amount of the subsidy because the family's annual income ends up higher for the second half of the year. This family received the correct amount and did nothing wrong. Let me say that again. These individuals did nothing wrong. While unemployed, these individuals needed those tax credits to be able to get health insurance. That is why we passed this reform, to help those very same middle-class working families in need.

Now, under current law, we provide a reasonable repayment requirement if the tax credit an individual receives exceeds the amount they should have received because of unexpected changes in income or family status. We don't give them a pass, but we don't expect all families with an annual income of $70,000 to have $10,000 in savings to pay the surprise tax bill they will get in April, either. So we set caps on what they would have to pay back depending on what they earn. The Johanns amendment makes harmful changes to these repayments for middle-class families. Under the Johanns amendment, some families could have to pay back as much as $12,000 in some cases, and that is too high a price. We shouldn't ask small business employees to take that much of a hit. They are the ones who are going to the exchanges to purchase coverage. They are the ones working for the mom-and-pop shop that doesn't offer coverage.

My amendment isn't about these families alone, however, as difficult a situation as they may be in. This amendment is about what the Johanns offset could do to health care costs and coverage for small businesses and for those who make their living from small businesses. This risky offset could drive up premiums and force more individuals to refuse coverage. We are not talking about paying back tax credits; we are talking about driving up the costs on families and small businesses, many who have never even taken a tax credit to begin with.

My amendment would simply direct the Secretary of Health and Human Services to decide the offset in the Johanns amendment and determine its effect on small business. What is so wrong about that—determining its effect on small business? We are trying to help small businesses by eliminating the 1099 provision. Let's make sure we continue to help them and not put extra costs on them. Specifically, we want to determine whether there is an increase in health insurance costs or a decrease in health coverage for small businesses. If the study finds either, then current safe harbor provisions would remain in effect—the same safe harbors we supported in the SGR bill, or the doc fix, in December.

Passing 1099 would not be affected. That would move forward. So the claim that somehow, ultimately, 1099 wouldn't be eliminated is false. The 1099 would not be affected. That would move forward. We would eliminate that responsibility from small businesses. So you can be both for my amendment and the Johanns amendment because it would still repeal 1099.

Let me make it clear. We all want 1099 repealed, and I have voted in a series of ways to do exactly that. My amendment does not in any way affect or delay the repeal of 1099. The only potential change my amendment makes would be to the risky offset in the underlying amendment and only if this study finds that it actually hurts small businesses.

My colleagues on the other side of the aisle have come to the floor arguing that a study would simply delay repeal of 1099; that further studying this risky offset would prolong the 1099 issue; that if we just passed the amendment without protecting small businesses, this bill can go right to the President. Well, we have actually passed 1099 repeal already and shown we have the votes necessary to make this become law. It is not going to the President to become law in this bill because this bill hasn't even cleared the House.

At the same time, I have heard no mention of what this offset could do to small businesses and their health care costs—not one word. I did hear that further studying the impacts it may have on small businesses would only delay repeal of 1099. A simple read of my amendment would be enough to know that is incorrect. My amendment directs a study to be done after—after—repeal of 1099 is signed into law. Let me make it clear. Nothing in my amendment slows down repeal of 1099.

My colleagues on the other side of the aisle are also trying to frame this debate as either you are for or against small businesses. But they are helping and harming them at the same time with the Johanns amendment. With this second-degree amendment, we can have a conversation about helping small businesses and ensuring that small business employees will not get hurt at the end of the day.

Now, we haven't had the Joint Tax Committee determine a revenue score as yet, but it is important to point out that this amendment does not spend—does not spend—an additional dime. It simply protects small businesses from higher health care costs and coverage cuts.

If there is any revenue score associated with it, that would only be due to the study finding that this offset drives up health care costs or drives down health coverage for small businesses. Would we not want to know that?

We are all here supposedly arguing to try to enhance the opportunity for small businesses to have less burdens, to be able to grow, to be able to prosper, to be able to create jobs. Well, we certainly would want to know—we certainly would want to know whether this offset drives up health care costs associated with small businesses or drives down the health care coverage for small businesses.

Why is anyone afraid of that? Why is anyone fearful of that? So to those who may consider opposing my amendment, think of this: On the one hand, if you do not believe this offset will hurt small businesses, there is no harm in voting for it because you believe the study will not show premium increases or coverage cuts. So the offset would remain in place. If you believe my amendment would have a revenue score, then you are assuming the offset hurts small businesses. It is one way or the other, not a gray area.

The idea of protecting small businesses in this manner has precedent. I have a history working across the aisle to support small businesses, including cosponsoring a Republican amendment to the Wall Street reform bill which requires regulators to ensure new rules do not harm small businesses. We thought it was a good idea then to protect small businesses in the event new rules might unfairly impact them. I strongly believe we should come together now to protect small businesses if this risky offset drives up health care costs on small businesses or forces cuts in their coverage.

I would just simply ask, who in the world, especially during these fragile economic times, would want to do anything that could raise costs on small businesses? Let's protect them and the 1099 repeal by supporting my second-degree amendment.

Now, I listened to my colleague from Nebraska with whom I have worked on some bipartisan efforts on housing for the disabled. We get along very well. I respect him, and actually I supported 1099 repeal as one of the 20 Democrats who voted for his amendment in November and other issues such as housing for the disabled. So it is with some regret that we find ourselves in a different view.

There have been questions raised about the sincerity of our opposition to the manner in which the offset is included in the Senator's amendment. The Senator from Nebraska says an almost identical offset was passed unanimously by the Senate just 4 months ago. I think our definitions of ''almost identical'' are very different.

Yes, it is true we made changes in the payback tax to pay for the doc fix in December, but that provision was very different from the one we are debating today. The one today, unlike before, removes protections we included in December in the doc fix to protect families from unlimited tax liability which could be as high as $12,000. I mean, you are talking about taxing these families, through no fault of their own. What family of three making $74,000 annually, gross, can afford an unexpected $12,000 tax bill in April? I cannot think of many. But that is exactly what could happen under the Senator's amendment.

That was not the case—not the case—in the provision that was enacted at the end of last year in the doc fix. We provided a phaseout that would have avoided this clip and thus tax shock on middle-class families.

The Senator from Nebraska also said my second-degree amendment was just a delay tactic. That simply is not true. I and 80 of my colleagues have already passed 1099 repeal in the Senate this year. So to question our support for 1099 repeal would be misleading.

My understanding is that the Johanns proposal is an amendment to the small business bill we are debating, which has not passed the House. So this amendment we are debating today would not go directly to the President for his signature. It still needs to go through the whole process of the House. We are not delaying anything in that regard.

Finally, the only way there would be any revenue shortfall—I say to those who would make the assertion that our amendment creates a revenue shortfall, well, then, what you have to be saying, if you make that statement, is you believe the savings from the Johanns offset comes from increasing premiums and reducing coverage on those who earn it through making our Nation's small businesses run. That is not a proposition I think they want to assert.

So I will come back to the floor later to offer this second-degree amendment. And because it works to both repeal 1099 and ensure there is not a tax on our small businesses and small business employees or a diminution of health care coverage, I am sure we will get the support of our colleagues.

I yield the floor.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## SBIR/STTR REAUTHORIZATION ACT OF 2011

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 493, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 493) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Pending:

McConnell amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change.

Vitter amendment No. 178, to require the Federal Government to sell off unused Federal real property.

Inhofe (for Johanns) amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments.

Cornyn amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending.

Paul amendment No. 199, to cut $200,000,000,000 in spending in fiscal year 2011.

Sanders amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act.

Hutchison amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Coburn amendment No. 184, to provide a list of programs administered by every Federal department and agency.

Pryor amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns.

Landrieu amendment No. 244 (to amendment No. 183), to change the enactment date.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, could I ask the Chair—I know we are discussing the bill. But do we have a time constraint? I understand that at 12 o'clock there may be some additional commentary.

The PRESIDING OFFICER. There is no formal time constraints at this time.

Ms. LANDRIEU. Let me try to recap for just a moment because it is my understanding there may be some colleagues coming down to the Senate floor around 12 o'clock to pay tribute to an extraordinary woman and extraordinary American, Geraldine Ferraro, whom we lost this week. I most certainly want to be respectful to the Members who are coming to the floor to pay tribute to our former colleague and an extraordinary leader. But let me remind colleagues we are still trying to get to this bill, an important bill for the country, an important bill to help put this recession in our rearview mirror, an important bill that gives us yet one more very carefully crafted tool to help create jobs on Main Street, in rural areas, in suburban areas, and in urban areas all across this country; that is, the 8-year reauthorization of the Small Business Innovation and Research Program and Small Business Technology Transfer Program.

This program is approximately 20 years old, first passed by Senator Warren Rudman, when a report found its way to Congress that said, alarmingly, agencies of the Federal Government, whether it was the Department of Defense or NASA or NIH, were not accessing the power and the technology of the small business community; that when they went out to do research they were just looking at research offered by either just universities and we are very proud of the work that our universities do, but they were looking at large businesses. What did GE have to offer? What did IBM have to offer?

It occurred to many Members of Congress at that time that there was a tremendous amount of brain power and agility and quickness and cutting-edge, innovative technologies resting in the minds and hearts and dreams of entrepreneurs and small businesses in America the taxpayers were not benefiting from.

As you can imagine, people might think of all this technology coming out of New York or California. They might skip over a place such as Montana where the Presiding Officer is from or Louisiana where this Senator is from. So there were some very wise Members who said: Let's create a program that will direct at least a portion of the research and development funding of these large agencies so small businesses can compete.

Now, these are grants not given out by formula or on a first-come/first-served basis. These grants and contracts are given out based on merit, about what looks promising, about potential, and about what the taxpayers need in terms of dealing with problems.

One thing that comes immediately to mind is the terrible tragedy unfolding in Japan as we speak with the potential meltdown, the process of a nuclear reactor melting down. Some of the technology being deployed to that situation, which is technology developed in the field of robotics, was developed, a portion of it, through this SBIR Program. So that makes very relevant the debate that we are having on the floor today.

When people go home and now are turning on their televisions or listening to their radios or over the Internet following those unfolding dramatic developments in Japan, they know that one of the companies that has been deployed and some of the material from the United States actually was developed through this program. So that is just one of a thousand examples that Senator SNOWE and I have provided in terms of testimony before the Small Business Committee to the CONGRESSIONAL RECORD, and in our numerous speeches on the floor to talk about the importance of this program.

I would like, as the manager of this bill—I am not sure it is going to be possible, but I would most certainly like to have this bill voted on and passed by the end of this week. I am not sure the leadership has decided that is something that is possible. But I would like to send a strong bill over to the House—hopefully, a bill that does not have amendments on it that would warrant a Presidential threat of a veto—and get this bill passed through the House and then passed on to the President so he can sign it and send a very positive signal for his agenda and all of our agendas for innovation—having America be the best educated, the best competitors in the world in terms of the economy, and giving our small businesses yet another tool.

We have worked on reducing the abuses in the credit card industry. We have worked on capital access through a new lending program. We have reduced fees, reduced taxes to the tune of $12 billion to our small businesses throughout the country in the last Congress. We want to continue to work on lowering taxes where we can, eliminating regulations and supporting programs like this that work.

Let's eliminate or modify those programs that are not working, and let's step up our support and reauthorize the programs that are. The assessments done and the reviews of this program by the independent researchers have been very positive across the board and outstanding.

Senator SNOWE and I have taken into consideration those many reports in the drafting of this bill and made some changes to the program so that as it moves forward for the 8 years it will even be better.

One of my key goals and objectives is to make sure States such as Louisiana or Mississippi or Montana or Wyoming, States that have not previously been awarded many of these grants, know we have stepped up some technical assistance and help so we can find the best technology in this country to apply to some of our most pressing problems, regardless of whether they are in the big cities and big places such as New York, Los Angeles, CA. But we need our entrepreneurs around the country to benefit by a program that they have access to as well.

So I am pleased that we can get back on the small business innovation and research bill and small business technology transfer bill. Senator SNOWE and I will be coming to the floor periodically during the day to continue to move this bill along.

I see my colleague, the Senator from Maryland, who is scheduled to speak in just a few minutes. So at this time I will yield the floor. Again, I hope, and I thank our colleagues for their cooperative nature that they have been working in in terms of trying to get our bill passed that will be so important to so many people in all of our States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

## REMEMBERING GERALDINE FERRARO

Ms. MIKULSKI. Mr. President, I ask unanimous consent that the following Senators be permitted to speak for 5 minutes each on the subject of Geraldine Ferraro: Senators BOXER, HUTCHISON, STABENOW, SHAHEEN, SNOWE.

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

Ms. MIKULSKI. We come to the floor with a heavy heart and great sadness. Geraldine Ferraro, a former Member of the House of Representatives, a Congresswoman from New York who was the first woman to be nominated by a major party for Vice President, has lost her gallant and persistent fight against cancer and has passed away.

I thank the leadership for offering the resolution noting the many contributions she made to America and to express condolences to her family.

For we women, before 1960, Gerry was a force of nature, a powerhouse. She changed American politics. She changed the way women thought of themselves and what we believed we could accomplish.

On July 11, 1984, when Walter Mondale called Gerry Ferraro and asked her to be his Vice Presidential running mate, an amazing thing happened. They took down the ''men only'' sign on the White House. For Gerry and all American women, there was no turning back, only going forward.

America knows Gerry as a political phenomenon. I knew her as a dear friend and colleague. We served in the House together in the late 1970s. She left in 1984 to run for Vice President, and I left in 1986 to run for the Senate. We were among the early-bird women in the House of Representatives. And as early birds, we were not afraid to ruffle some feathers. We had some good times and passed some good legislation. It must be historically noted that when Gerry came to the House in 1979, only 16 women were there. In 1984, when she left, we had moved to 23. But in 2011, on the day of her death, 74 women now serve in the House, 50 Democrats, 24 Republicans, and 26 of those women are women of color.

In the Congress, Gerry was a fighter. She was a fighter for New York. She fought for transit, for tunnels. She loved earmarks, earmarks that would help move her community forward. She also fought for the little guy and gal. She was known for her attention to constituent services—the senior getting a Social Security check, the vet who needed his disability benefits, the kid from a blue-collar neighborhood like herself who wanted to go to college. And she fought for women. She fought for our status and she gave us a new stature.

When the campaign was over, she continued for all of her life to be a source of inspiration and empowerment for women. In those early days of the second wave of the American women's movement, the movement defined women on what we did not have, what we did not have access to. What was it we didn't have? Equal pay for equal work. It is hard to believe we were not included in research protocols at NIH. And when it came to having access to credit, we could not get a loan or a mortgage in our own name in many circumstances. We needed a husband, a father, or a brother to sign for it. But when Gerry was chosen for Vice President, she showed us what we could be, what modern women in America had become. Women felt if we could go for the White House, we could go for anything. Gerry inspired.

On the night of July 19, 1984, in San Francisco at the Mosconi Center, Gerry gave her acceptance speech. She became the first woman to be nominated for Vice President for a major party. What a night. I was there—the thrill, the excitement in the room, the turbo energy that was there: 10,000 people jammed the Mosconi Center. Guy delegates gave their tickets away to alternates, to their daughters, to people who worked and helped out. They wanted to be there. People brought their children. They carried them. They put them on their shoulders to see what was about to occur.

When Gerry Ferraro walked on that stage, she electrified all of us. The convention gave her a 10-minute standing and resounding ovation. We couldn't sit down because we knew a barrier had been broken. And for the rest, as she history, there would be more on the way.

The campaign was hard fought. She traveled over 55,000 miles, visited 85 cities, campaigned her heart out. But it was not meant to be. The ticket lost to Reagan-Bush. But though she lost the election, she did not lose her way. Gerry never gave up and never gave in. Her storied career continued: a teacher at Harvard, a U.N. Ambassador on human rights, always teaching, always inspiring, always empowering thousands of women here and around the world.

Then in 1998, she was diagnosed with blood cancer. Once again, she was determined not to give up and not to give in. She began the greatest campaign of her life. She began the campaign for her own life. She fought her cancer. She not only fought her cancer, she also fought for cancer victims. She forged a relationship with Senator KAY BAILEY HUTCHISON as well as my friendship. Senator KAY BAILEY HUTCHISON will tell the story herself. Her brother Allan Bailey suffered from the same disease as Gerry. They met through an advocacy group on multiple myeloma. Allan Bailey and Gerry Ferraro joined hands and joined together and KAY BAILEY HUTCHISON and I did, and we introduced the Gerry Ferraro Research Investment and Education Act. I wanted it to be Ferraro-Bailey, but Allan graciously said, Gerry is a marquis name. She will attract a lot of attention, and we can get more money for research and more interest in this dreaded disease.

That legislation passed. It showed sometimes when we come together out of common adversity, we find common cause and we get things done. That bill passed, and it is changing lives.

Gerry did various clinical trials. Often we talked. This is what she said to me during the last few weeks. She said: I am glad I could be in those clinical trials. In many ways they helped me live. But we also knew the research would provide lessons so that others could live. Once again, her mantra was: Never give up, never give in. She had toughness, persistence, tenacity, and unfailing optimism in the face of adversity.

I believe it came from her own compelling and often riveting story. It was that personal story that brought us together. We were both from European ethnic backgrounds: She Italian, my proud Polish heritage. We grew up in neighborhoods that were urban villages. Her father owned a small neighborhood dime store. My father owned a grocery store, and they were very much involved with their customers and community. We had strong mothers who wanted to make sure we had good educations. When Gerry's dad died, Gerry's mother took a job in the garment industry. She sewed little beads on wedding dresses to make sure her brother and Gerry had an education. Gerry did have that education. She went to Marymount. She became a scholarship girl because she was so smart and had so much talent. She felt it was the nuns who played such a big part in her life. They coached her to be smart, and they coached her to be a great debater. They taught her about her faith. For her, her faith was about the beatitudes, especially the one that said: Hunger and thirst after justice.

The other day when Gerry and I were talking, she reminded me that not only did she go to Marymount, but so did Lady Gaga. She said: I am just sorry I can't live to go to more alumni associations.

Then there was John, her beloved husband, a love story for the ages. I was there at the church over a year ago when they renewed their vows for their 50th anniversary. Their vows were not just for a day or for a year or a decade. They believed their vows were for an eternity. Gerry loved her husband, and she loved her children Donna, John, and Laura. She was so proud of them—one a doctor, one an accomplished businessman, another a TV producer and also worked on Wall Street. And the grandchildren, there were always the pictures and the stories of their many storied accomplishments.

Gerry Ferraro loved her family. She loved her extended family. That went to her friends and her community. She loved America. Because she believed, as she said to me: Only in America, Barbara, could somebody who started out in a regular neighborhood, whose father passed away, leaving a mother who taught her grit and determination, go on to run for the Vice Presidency of the United States, to be an Ambassador for human rights, and to make a difference in the lives of her family and her community.

Gerry, we will miss you, but your legacy will live forever.

Mr. President, I now turn to the Senator from California, BARBARA BOXER, and then to Senator HUTCHISON.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I am so proud to be here with my colleagues Senator MIKULSKI and KAY BAILEY HUTCHISON because of a woman who brought us all together despite any differences we might have, Geraldine Ferraro. I rise to pay tribute to Gerry.

I thank Senator MIKULSKI. Her remarks touched on every single point that needs to be made about our friend. Gerry was a trailblazer. We all remember the first female Vice Presidential nominee of a major party, the first in U.S. history. She cracked open that glass ceiling for women seeking higher office. It was a long time ago.

I just looked at an Associated Press photo of when Gerry arrived in San Francisco to prepare for her speech at the convention. I was there waiting for her to arrive—a much younger version of myself, I might say. I don't remember what I said or did, but this picture tells a story. We know the old saying: A picture says a thousand words. This one says a million words. I have never

seen anyone as excited as I appear to be and was in this picture. Arms open wide, body language, just incredulous that we had reached this milestone, all the while knowing what a tough, tough time it would be for Gerry, as it is for many women, whether they run for the Senate or for Governor or for Vice President. It is a tough road still, especially all these many years ago, more than 20 years.

Gerry was given a very hard time by the press. Gerry was given a very hard time by her opponent. She proved without question that women can stand up to the grilling. Women can stand up to the pressure. Women can go toe to toe with anybody. I often say women are equal. We are not better or worse. We are equal. Gerry proved it. When her campaign took a tough turn and a lot of others would have tried to contain the problem, she stood there in front of the press and said: Here I am. You ask me anything you want, and I will stay here hour after hour. They knew she meant it. She would have stayed there for days because that was Gerry. She was open-hearted. She was straight from the shoulder. She always said what was on her mind, and she did it in a way that was also very appealing because you knew this was a woman who was willing to look you in the eye and not give you any song and dance. It was what it was. And for that she will be missed as a friend, as a colleague.

It is difficult today to imagine what it was like then. Now we see our women figures here in the Senate and in the President's Cabinet and in the Republican and Democratic Parties making a run for President and Vice President. It is hard to imagine today that women were not actively engaged in the highest of offices. Frankly, that is Geraldine Ferraro's abiding legacy because, as Senator MIKULSKI so eloquently stated, she did not win that race—it was a tough race; it was a very tough race—but she proved a woman could do this.

When Gerry spoke about change, she felt in her heart the history-making moment. I remember her in a white suit, as if it were yesterday. In those years, TV people always said: Don't wear white. Gerry wore white.

Ms. MIKULSKI. She was beautiful.

Mrs. BOXER. She was magnificent. And that smile and her togetherness—at that moment in history, when not only was the whole country watching, the whole world was watching—it was an electric moment. I want to read what she said that night. She said:

> By choosing a woman to run for our nation's second highest office, you sent a powerful signal to all Americans. There are no doors we cannot unlock. We will place no limits on [our] achievements.
>
> If we can do this, we can do anything.

And those words resonated not just with people who were interested in politics but with women who were in the corporate world; women who were going to law school—just a few in those years, now so many more; women who just dreamed of going into health care, not as a nurse, although some chose that—and some men do as well—but as physicians. This was something I truly believe changed.

Mr. President, I ask unanimous consent for 5 additional minutes, and then turn it over to Senator HUTCHISON.

The PRESIDING OFFICER. Without objection, it is so ordered. It is going to run us way past the recess time.

Mrs. BOXER. Well, Mr. President, there was only one Gerry Ferraro, so I would go 5 minutes and turn it over to Senator HUTCHISON for as long as she would want.

After graduation from college, Gerry got a job as a second grade teacher at a public school in Queens. She applied to Fordham Law School. That is the law school my husband went to. She was accepted into the night program, despite a warning—listen to this—from an admissions officer that she might be taking a man's place. She got into law school. She was one of 2 women in a class of 179. Imagine, they said to her: You will be taking a man's place in law school. She persevered—one of just 2 women out of 179 students graduating in 1960.

Yes, she raised her family. She adored her family. There was not a second that went by without her saying to one of us, anywhere in earshot: I have to tell you about Laura, I have to tell you about John, I have to tell you about what my kids are doing.

Did my colleague want to ask a question?

Mr. DURBIN. I ask if the Senator from California will yield for a brief statement.

Mrs. BOXER. As long as it will not interrupt my statement.

Mr. DURBIN. I will have a longer statement for the RECORD because I know Senator HUTCHISON is waiting, but I want to make one or two comments about Geraldine Ferraro.

Mrs. BOXER. Yes.

Mr. DURBIN. First, my image of Geraldine Ferraro is this young Congresswoman from California, with her arms outstretched, as you raced toward one another in an iconic photograph of the two of you after she won the Vice Presidential nomination. I will remember you and her in that context forever. Second, it was my honor to serve with her in the House and to count her as a friend. Third, in this long, long battle she had, this medical battle, she never failed to remind all of us that she was indeed one of the fortunate ones who had the resources to be able to fight the battle, where many people did not.

I am going to miss Geraldine Ferraro. She was a great American.

Mrs. BOXER. I am very glad the Senator made that statement, and I appreciate it very much.

When Gerry worked as an assistant district attorney, she formed a Special Victims Bureau. She investigated rape, child and women abuse, and abuse against the elderly at a time when no one was talking about it.

She was elected to Congress. Senator MIKULSKI has gone into that, the work on the Economic Equity Act. I was proud to work with both Senator MIKULSKI and Gerry Ferraro on that and Senator SNOWE and others.

I remember Senator MIKULSKI, OLYMPIA SNOWE, Gerry Ferraro, and myself—we worked to open the House gym to women. It was a battle. We had to resort to singing and everything else. We finally got into the House gym. We said, yes, women need to work out too. That is the way it was then. We only had 24 women in the House and Senate. Now we have 88 of us.

I will skip over her time as a broadcaster and all the things she did that Senator MIKULSKI talked about—her work in women's rights—but I wish to conclude with her brave spirit as she faced multiple myeloma, the bone cancer that ultimately took her life. I wish to do it in this context.

I have a good friend now, whose name is Robin, and her mother is battling the same kind of cancer Gerry was battling. As we know, Gerry was given 4 or 5 years and went on, thank God, for much longer.

This woman lives far away from her daughter Robin. When Gerry passed, she called her daughter and said: I need to see you. Will you come out and stay with me, as I battle this cancer?

Robin said: Well, what is it, mom? You are doing great.

She said: We just lost Gerry, and she was the one who kept my heart and soul together and my spirits up, and I knew she was there battling. Now that I have lost her, I don't know, I feel a hole, I am empty.

That is just the most eloquent thing I could say about Gerry. This woman never met Geraldine Ferraro in person, but Gerry had that way about her that she could reach you as if she was touching you. It is a tremendous loss, first and foremost for the family, whom she adored beyond words, and, secondly, for all the rest of us who just need someone like that out there standing up and being brave and telling it like it is and never giving up.

Mr. President, I am so honored I could be here with my colleagues, and I am proud to yield to Senator HUTCHISON for as much time as she needs.

Ms. MIKULSKI. Mr. President, I say to Senator HUTCHISON, the time is allocated as 5 minutes, but I know you want to speak and were a very dear friend. Please proceed.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. I thank Senator MIKULSKI and Senator BOXER.

Mr. President, I do want to talk about this remarkable woman because I think, as has been mentioned before, her loss is being felt throughout America for many different reasons. She was a trailblazer, and she was one of the great female role models of her generation.

I wrote a book in 2004 called ''American Heroines: The Spirited Women

Who Shaped Our Country.'' It was to profile the women who were the earliest trailblazers in different fields—education, sports, politics, journalism. Then I interviewed contemporary women who were still breaking barriers in those fields.

In the public service chapter, I profiled Margaret Chase Smith because she was the longest serving woman elected to the Senate in her own right at the time and she was a true trailblazer. I then interviewed Sandra Day O'Connor, our first woman Supreme Court Justice, and Geraldine Ferraro, our first woman nominee for Vice President of a major party.

I asked Gerry Ferraro in my interview with her: What was your most important trait for success?

And she said:

> I think the ability to work hard and, if something doesn't work, to learn from the mistake and move on. That's what's happened with my own life. It goes to the personal side from watching my mother, who moved on after becoming a widow with two kids to support. She was thirty-nine years old. . . . Then I watched her move on and do whatever was necessary to get the job of educating her children done. I'm exactly the same way. I'll do whatever is necessary to get the job done, whatever it is. And then if I do something that doesn't work, then I go to the next goal.

I asked her what was her biggest obstacle. She almost laughed. She said:

> I'm sixty-eight. The obstacles in my life have changed with time. An obstacle when I was a kid was being in a boarding school away from my mother because my father had died. I had no choice. It wasn't like the boarding schools or the prep schools of today. I was in a semicloistered convent. It was lonely, and I had to work hard. I wanted to go to college, but we didn't have the money for college, so I knew I had to get top marks in order to get scholarships. That was my obstacle then.
>
> Money was always an obstacle when I was a kid. I taught when I went to law school at night, because I couldn't afford to go during the day. When I applied [for law school], they would say things like, ''Gerry, are you serious, because you're taking a man's place,'' you know. . . .
>
> And then [after getting out of law school]—

As was mentioned earlier, she was one of only two women in her class—

> I was faced with the challenge of trying to find a job. I interviewed at five law firms. I was in the top ten percent of my class.

But she did not get a job offer. Well, I related to that because I graduated from law school, after her, in 1967, and law firms in Texas did not hire women then either. So I know how she felt as she went through obstacles and obstacles and obstacles. But she said: In the end, ''each thing was an obstacle that I had to get by'' at the time. But she didn't have too many obstacles because she just picked herself up and kept right on going. She truly was an inspiration and a trailblazer for women of our time.

Throughout her life as a public school teacher, as an assistant district attorney, as a Congresswoman, and as a candidate for Vice President, Gerry Ferraro fought for the causes that were important to her. When she learned she had multiple myeloma, a somewhat rare blood disease that is incurable, she drew upon that same fighting spirit. As she waged the battle with her own disease, Gerry stepped into the spotlight because she knew if she talked about it, with her high profile, she could bring help to others.

Her testimony before Congress was instrumental in the passage of a bill that Senator MIKULSKI, who is on the floor leading this effort today, and I cosponsored together in 2001 and 2002. Our legislation gave the research community the tools they need to discover what triggers these deadly blood diseases, to devise better treatments, and to work toward a cure. In our bill, BARBARA and I decided to name the Geraldine Ferraro Blood Cancer Education Program for Gerry Ferraro to raise awareness and spread the lifesaving information about myeloma, leukemia, and other forms of blood cancer. Gerry Ferraro was on the floor of the House when her bill—our bill—passed the House of Representatives on April 30, 2002. Her daughter was in the gallery with my staffer, and there was so much joy in her eyes and her demeanor.

But then Gerry Ferraro went about the business of fashioning the education program. She consulted with the doctors at Harvard, at Dana-Farber, with Dr. Ken Anderson, her doctor. She consulted with him because she wanted an interactive Web site because she knew that doctors all over the country were searching for information on the treatment of this disease because they were so unaware at the time of what you could do to help patients.

Well, this is personal to me because my brother Allan also has multiple myeloma, and I got involved in this because I watched him bravely fight like Gerry Ferraro was doing. And my brother is a great patient. He is tough like Gerry. He is fighting like Gerry. And he is doing really well. But we knew how hard it was because we watched Allan fight this disease and take many of the same drugs and have the same doctor consultations as Gerry. So Gerry and Allan knew each other and traded information, and the patients with these diseases do that. They reach out, they help each other because they know it is the person with the experience who knows how you feel when you just don't feel as though you can get up in the morning. People such as Kathy Giusti, who was also a good friend of Gerry Ferraro's, and Ken Anderson, they traded information, and it helped all of them to know they had that kind of support.

So she was an inspiration. Her dignity and grace in fighting multiple myeloma will be one of the trademarks in her life, along with the other great trailblazing she has done.

Just last month, the women of the Senate pulled together to return the encouragement. We knew Gerry was having a hard time, and we took a picture of the women of the Senate, we all signed it around the edges and we sent it to her, saying: Thanks for being our champion. Thanks for all you do for the women of our country.

Gerry was not just a champion for women running for public office, she was a champion for women to succeed in every field, in every sector. She took the first powerful swing at the glass ceiling. She will not be here to see the woman President who is sworn into office, who will finish the breaking of that glass ceiling. But we will all be standing on the shoulders of Gerry Ferraro, and certainly that first woman President will as well, because she took those first steps, such as so many of the early trailblazers in all the different sectors. The first ones don't see their success, but what they do by showing the dignity and the courage and the tenacity and the grace does prepare the way for the next generation or the next woman to move to the next level, and that is what Gerry Ferraro has done for all the women of our country.

I will always remember her friendship. I appreciate her leadership. We will all miss her on a personal level, but we will always remember in the bigger picture what she did for this country.

Thank you, Mr. President. I thank Senator MIKULSKI. I yield the floor.

Ms. MIKULSKI. Mr. President, I yield the floor to Senator SNOWE.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I rise today to join with my good friends and esteemed colleagues, Senator BARBARA MIKULSKI of Maryland and Senator BARBARA BOXER of California, as we honor a compatriot of ours from the House of Representatives, an electoral trailblazer, and political torchbearer—the incomparable and courageous, Geraldine Ferraro, who passed away last Saturday after a brave and resilient 12-year battle with cancer.

As this august body will hear many times over, Geraldine was a pioneering champion and a dynamic force for women and women's rights, a stalwart legislator and colleague of all three of ours in the U.S. House of Representatives, and always a dear friend through more than three decades. As America's first female Vice-Presidential nominee for a major party, Geraldine has forever secured a legendary position along the timeline of American political history, as Walter Mondale selected her as his running mate in the 1984 Presidential election.

(Ms. MIKULSKI assumed the Chair.)

While America was learning about Geraldine on the national stage, BARBARA MIKULSKI, BARBARA BOXER, and I knew her as a legislative, sister-in-arms, if you will, as all of us served together in the U.S. House of Representatives. Geraldine and I were members of the same House freshman class that began service in January 1979 that brought the total number of women in the 96th Congress in the House to 16.

And all four of us fought for myriad causes, most especially those affecting America's women. Looking back, I take enormous pride, as I know both Senators MIKULSKI and BOXER do, that we spoke as women first, not as Republicans or Democrats, that women's issues transcended partisan lines for us. The fact was, we just couldn't afford to draw partisan lines with women underrepresented in Congress. And that idea is what drove our agenda at the bipartisan Congressional Caucus for Women's Issues, which I cochaired for over 10 years in the House of Representatives and where Geraldine Ferarro was also at the vanguard in amplifying issues for literally generations of women.

Our adherence to working together—and to the ideal of principle over politics—became our foundation. We determined if we didn't act, who would? And we started to make a difference for women, and not a moment too soon. Indeed, there was indeed a time in America when our laws specifically worked against women, when economic equality pertained only to economic equality among men—not women, when our laws didn't reflect the changing, dual responsibilities of women who were increasingly working as well as caring for a family.

Well, we weren't going to accept the status quo any longer, and certainly Geraldine was not one to ever countenance the notion of ''that's just the way it is.'' To the contrary. We confronted these disparities for women head on and introduced a package of laws that opened the doors of economic opportunity for the women of America by revising laws and giving women the tools required to succeed. That package was the multifaceted Economic Equity Act. Among a litany of provisions, we called for a study of the government's pay practices, sought to ensure equal credit for women in business ventures, and battled with Geraldine Ferraro who led the effort to end pension award discrimination against women who were discovering upon their husband's death that, unbeknownst to them, they had been left with absolutely no pension benefits.

And in a group of women legislators that was not, shall we say, comprised of shrinking violets, no one gave greater voice to these issues, no one demonstrated more passion in their advocacy, and no one pressed for remedies to right these wrongs with more verve or skill than Geraldine Ferraro. She was a bulwark against injustice and a cherished champion for fairness in an America where women were increasing their roles in American life and their presence in the U.S. workplace and economy.

On a personal note, I can't help but think that part of our mutual bond was that we came from similar backgrounds. Our families immigrated to this great land—hers from Italy and mine from Greece. Our heritages spoke to the very best of our Nation's mosaic and the American dream where anything is possible and the only limits you have are those you place on yourself. Indeed, the New York Times mentions how Geraldine's mother crocheted beads on wedding dresses to send her to the best schools. My Aunt Mary worked the 11 p.m. to 7 a.m. night shift at a textile mill in Lewiston, ME, to earn money to ensure my cousins and I received a good education. Although Geraldine and I didn't agree on everything, we shared an unequivocal determination to make a lasting difference on issues for women and working families—an unerring focus that surmounted politics and party labels.

Not surprisingly, more than 30 years later, Geraldine's legacy lives on through the 74 women serving the other body today, as well as the 17 women currently serving in the Senate. How fitting it is that on the Monday after she passed away, my 16 Senate women colleagues and I submitted a resolution advocating for women's rights in North Africa and the Middle East. We have the moral high ground in that clarion call in no small part because of Geraldine's historic leadership and legacy.

In closing, I can't help but recall the great Lady Astor, who was the first woman to ever serve in the British House of Parliament. In fact, on the day she took her seat in that distinguished body, a Member of Parliament turned to her and said, ''Welcome to the most exclusive men's club in Europe.'' Demonstrating the kind of moxie and sense of obligation that were hallmarks of America's Geraldine Ferraro, Lady Astor responded ''it won't be exclusive for long.'' she said. ''When I came in, I left the door wide open!''

Geraldine Ferraro espoused and exemplified what Lady Astor so memorably articulated—that it is not enough to break old barriers and chart a new course, you have to ensure that others are able to traverse it as well. Geraldine spent a lifetime making certain that the path she helped pave was available and accessible to every woman with the courage and will to travel it. And so, today, it is a privilege for me to extol this remarkable woman whose indelible imprint upon the political and public policy arenas will be felt for generations to come.

At this most difficult of times, our thoughts and prayers remain with her husband of 50 years, John—as well as their children, Donna, John Jr., and Laura and Geraldine's grandchildren. May they be comforted by the knowledge that so many share in their profound sense of loss, as well as the memory of a trailblazing woman who, above all else, was an adoring and beloved mother and grandmother who leaves an indelible mark upon her family, as well as an entire Nation.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I know we are about to recess, but I wish to take a minute or two to add my voice to all the women in the Senate who have been here today and thank the Presiding Officer for her leadership for encouraging us to honor Geraldine Ferraro.

I remember being on the floor of the 1984 Democratic Convention when she gave her acceptance speech for the Vice President of the United States, and it was electric listening to her. It epitomized for me, and I am sure every woman there, the fact that women could do anything.

Geraldine Ferraro worked tirelessly on behalf of human rights and women's rights around the globe. She dedicated her public service to the ideals of respect and equality and she lived a career that called on all women to challenge the glass ceilings of the world. I think it is particularly important because just because one woman breaks the glass ceiling doesn't mean opportunities are open to every woman, and she understood that and continued to encourage all the ceilings across the world to be broken for women.

Gerry's life was a powerful example for all of us who are honoring her today and for our daughters and granddaughters. We thank her for leading the way. She will be missed.

Thank you. I yield the floor.

Mrs. FEINSTEIN. Madam President, I rise today to reflect on the life and legacy of Geraldine Ferraro who lost her heroic battle with cancer on Saturday.

Geraldine Ferraro was first elected to public office in 1978 to represent Queens in the U.S. House of Representatives.

As a member of the Public Works and Transportation Committee, she pushed to improve mass transit around La Guardia Airport.

Later, she would cosponsor the Economic Equity Act, which was intended to accomplish many of the aims of the never-ratified equal rights amendment.

In 1984, former Vice President and a distinguished Member of this body, Walter Mondale, chose Gerry to join him as his Vice Presidential running mate, the first woman to be placed on a national ticket.

I was privileged to serve as the mayor of San Francisco in 1984 where the Democratic Party held its convention that election year.

Twenty-seven years later, as I look back on that time, I realize what an important and historical moment her selection was to American politics.

I recall the emotion and enthusiasm of people—men and women—at the Moscone Center in San Francisco when Gerry took the podium.

Sixty-four years after women won the right to vote, Geraldine Ferraro represented a new beginning for our politics. It was an amazing feeling.

While the election didn't go the Democrats' way that year, Gerry's selection was a victory for a generation

of young women who saw that anything is possible and no position in government has a ''men only'' sign on the door.

As the first Vice Presidential nominee of a major party, she not only put a crack in the glass ceiling that year, she demonstrated the dedication and the competence of women in the political arena.

I didn't know her well, but I do know her experiences well.

I know how tough it was as a woman running for political office—only to find out everyone else was discussing the style of your outfit.

I know how tough it was to be one of the first elected officials to speak using phrases like, ''As a mother,'' or ''If I were pregnant . . .''

I know how tough it was as a woman debating men in political debates and then when it was over, debating a dozen reporters.

I know how tough it was as a woman who fought and won for change to live to see other women make a dozen other cracks in that glass ceiling.

But the same ideals Geraldine Ferraro fought for during her public life are the same ideals we fight for today.

It would be another 24 years after that night in San Francisco before another woman from a major party was nominated for Vice President.

And even though Hillary Rodham Clinton came close to being nominated in 2008 as the Democratic Presidential candidate, a woman has yet to occupy the Oval Office.

There are only 16 other women besides myself serving in the U.S. Senate. In the 435 Member House, just 71 are women. And just six States have women Governors.

Despite these statistics today, Geraldine Ferraro's career and example gave women across the country hope and heart.

At the time when Gerry Ferraro and I were in office, people had reservations about women in office. So the press pushed you further and further—just to see how smart you were or how you would react.

When I was mayor, I had to do more homework than my counterparts; I had to be prepared for every possible question—more questions and detail than my counterparts.

There was a judgment that women were not effective. But that judgment of effectiveness has changed.

It took some time, but women in office have shown we are capable of offering legislation, working to pass it, and being just as effective as our male counterparts.

Geraldine Ferraro gave it her all. She gave women everywhere an example of determination. She continued that drive when she supported other women in national office.

And she will continue to give us all hope and heart for decades to come in her place in history.

Ms. CANTWELL. Madam President, I rise today to honor the life, achievements, and legacy of Geraldine Anne Ferraro, who paved the way for aspiring women leaders and politicians across the Nation and the world to reach the highest positions of power.

Geraldine dedicated her life to defending women's and children's rights and helping the less fortunate, whether in public service, as an attorney, as a Congresswoman, or as Ambassador to the United Nations Commission on Human Rights. Her career was a turning point for women in politics, and an inspiration for women everywhere.

In the early 1950s, when women were not expected to attend college, Geraldine was already breaking through the ''glass ceiling.'' The daughter of Italian immigrants, she worked her way through college and in 1956 became the first woman in her family to receive a college degree. In 1960, she graduated with honors from law school, where she was one of only 2 women in her graduating class of 179 students. She became a strong advocate for abused women and for the poor while serving as assistant district attorney for Queens County, NY, where she headed a new bureau that prosecuted sex crimes, child abuse, and domestic violence.

Her passion to change America for the better took her all the way to the U.S. Congress, where she fought for equal pay, pensions, and retirement plans for women. She was also a leader on environmental issues. In 1984, she led passage of a Superfund renewal bill and called for improvements in the handling of environmental site cleanups.

Geraldine will be remembered not only as a pioneer for women's and children's rights but for human rights around the world. As the U.S. Ambassador to the United Nations Commission on Human Rights, Geraldine supported the Commission's decision to condemn anti-Semitism as a human rights violation. And in 1995, she led the U.S. delegation in the historic Fourth World Conference on Women in Beijing.

But what Geraldine will forever be remembered for is that she made possible what was previously unthinkable, that a woman could be a candidate for Vice President of the United States. When former Vice President and Presidential candidate Walter Mondale selected Geraldine Ferraro to be his running mate in 1984, she became the only Italian American to be a major-party national nominee as well as the first woman.

In 1984, Geraldine fought a tough race, venturing into unchartered territory and blazing a trail. Even though Geraldine lost that race, she went where no woman had ever been before, teaching us that ''when women run, women win.''

A tireless champion for women in the political arena, Geraldine helped women politicians gain a stronger voice and run for public office. It is because of Geraldine that women today, including myself, can go even farther than before. Generations of female politicians will forever stand on her shoulders.

Mr. DURBIN. Madam President, an incredible woman died this week after a long and hard-fought battle with cancer.

Geraldine Ferraro led a trailblazing life, constantly achieving and proving the naysayers wrong.

She was one of two women in her graduating class from Fordham law school, taking night classes after teaching all day.

She was an attorney in a male-dominated New York District Attorney's Office.

She was the first woman elected to the U.S. House of Representatives from New York's 9th District in Queens—a district that most people assumed would not elect her, not because she was a woman but because she was a Democrat.

If she had done nothing more, Gerry Ferraro would have earned her place in history.

But then, on July 11, 1984, just 64 years after American women won the right to vote, Geraldine Ferraro agreed to be Walter Mondale's running mate in his race for the White House—the first time in history that a woman had ever run on the Presidential ticket of a major political party.

''I didn't pause for a minute'' she later wrote.

It's hard for many people today, particularly young people, to understand what a revolutionary act it was for Geraldine Ferraro to agree to break that barrier. Less than 20 years earlier, want ads in American newspapers were still segregated into ''men's jobs'' and ''women's jobs''—and believe me, Vice President of the United States was not listed under ''women's work.''

As a result of Gerry Ferraro's courage, the doors of opportunity swung open for millions of women—not just in politics, but in every profession.

She said often that ''[c]ampaigns, even if you lose them, do serve a purpose . . . [the] days of discrimination are numbered.'' She was right.

For the last 12 years of her life, Gerry Ferraro fought a terrible blood cancer called myeloma. Once again, she was a pioneer, using a new drug which enabled her to live well beyond her physicians' initial estimate.

Each injection cost over $1,000 and she went to twice weekly treatments. She was always aware that she was fortunate to be able to afford those life-extending treatments. Even when times were the worst, Gerry Ferraro was an eloquent and energetic advocate for more funding for cancer research, and for help for the 50,000 Americans who are living with cancer and can't afford the treatments for their illness.

Gerry's mother taught her the first lessons about being a strong and independent woman.

When Geraldine was just 8 years old, her father died. She saw her widowed,

immigrant mother work long hours as a seamstress so that she could afford to send her children to good schools. She was living proof for Gerry that, with hard work, you can make a good life for your children in America. She never forgot what her mother did for her and kept her maiden name after she married as a sign of respect.

Gerry Ferraro was a true egalitarian. When she learned that because she was married she was paid less than male attorneys, she quit and ran for Congress. She fought for the equal rights amendment and cosponsored the Economic Equity Act to end pension inequality.

President Clinton appointed her to the United Nations Commission on Human Rights, and later the U.S. Ambassador to the United Nations Commission on Human Rights.

I had the opportunity to serve with Gerry in the House of Representatives in a very difficult time, and I am honored to have called her my friend. I offer my deepest condolences to her husband John, her children Donna, Laura and John Jr., and her eight grandchildren. Geraldine's passing is a deep loss for so many people, but her hard work and accomplishments will continue to live.

Mr. REID. Madam President, America's favorite people are pioneers. We are a nation that celebrates those who first touched the moon, discovered the technologies that changed the world, and fought for what is right before everyone else.

We believe in the brave and admire those who believe in their own dreams—those who pursue them fearlessly, who leave a trail for the rest of us to follow and a legacy to emulate.

This week, America honors a woman we will always remember for breaking one of the highest glass ceilings in history. For two centuries, in election after election, Americans went into voting booths and saw lots of Williams and Johns and Jameses on the ballot. Then, in 1984, they saw the name Geraldine.

As the first woman on a major Presidential ticket, Geraldine Ferraro continued America's proud pioneer tradition. It wasn't the first time she led the way. Congresswoman Ferraro worked her way through law school at a time when few women did so. When the people of Queens, NY, elected her to the House of Representatives she was 1 of only 16 women Members. There was only one at the time serving in the Senate. Today there are 76 women serving in the House—one of whom was the first woman Speaker of the House—and 17 in the Senate.

I served in the House of Representatives with Congresswoman Ferraro and am deeply saddened by her death. She was an inspiration to my daughter and nine granddaughters, and to all of us who believe in our Nation's eternal pursuit of equality. On behalf of the people of Nevada—a State settled, built, and strengthen by pioneers—I honor the memory of my friend, Geraldine Ferraro.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:42 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

Mr. UDALL of New Mexico. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. NELSON of Florida. 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. NELSON of Florida. Mr. President, I ask unanimous consent to speak as in morning business.

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

## FINANCIAL TROUBLES

Mr. NELSON of Florida. Mr. President, I wish to talk about our Nation's financial troubles. Over the years, I have supported a balanced budget amendment, spending caps, and spending cuts. Recently, we had a proposal to fund the government for the remainder of the fiscal year, and I voted against it because I felt we needed to do more than the amendment proposed.

The fact is, we need to do much more. I agree Congress should cut expenses. But taking whacks at only 12 percent of the budget—that part of the budget that is the so-called discretionary spending portion outside of Defense, that is not part of the mandatory spending, such as all the entitlement programs, and that is only 12 percent of the budget and includes funding for education and roads and bridges and medical research and NASA and environmental research—even if we whacked all that, it is still not going to solve the problem.

Cutting this domestic discretionary spending alone is barely a bandaid, let alone a real cure.

What we need is a comprehensive long-term package. For example, when American families fall on hard times, they just do not cut back on eating out or going to the movies. The American family is forced to make wholesale lifestyle sacrifices. Or take, for instance, when a company, a corporation, faces the threat of bankruptcy. They do not only cut salaries or stop buying office supplies, they go in and restructure entire delivery schemes and future investments.

In the same way, we just cannot focus on slicing what is the conversation that is going on down in the House of Representatives right now, slicing one small part of the budget, which is discretionary spending, because that is not going to reduce the annual deficit and get at the national debt. We have to do more.

Even if we cut huge swaths of discretionary spending, including the programs that help those who need it the most, our expenses for all the other programs in government, mandatory programs, are still growing exponentially. So everything has to be on the table.

Now, how in the world are we going to do this in the next few days? By the time the clock runs out on April 8, where we are faced with funding the government for the remaining 6 months of this fiscal year, how are we going to do it? What would it look like if our debt keeps growing?

Well, the Federal Government is going to have to start writing huge checks to our creditors. Who is a creditor? China is a creditor, and we are having to write for them huge checks on interest payments alone. We will not have anything left to pay for things that we promised to our people, and no one else will want to lend us any more money.

The money people have spent their lives paying in to Social Security may not come back to them unless we can solve this budgetary crisis. Bonds that have been bought and held for decades will go down in value if we cannot meet our debt obligations. Of course, if we do not get to the point that we can pay our debts, then the stock market could even have a worse crash than we had last time.

So if we do not address this pending debt crisis now, our children and grandchildren could be sorely affected by the financial condition of this country in the future.

Every economist we have listened to lately has said that we need to provide certainty to our creditors and to the markets. In other words, they need to know that we will get our debt under control before interest payments skyrocket and overwhelm our obligations. No one knows how long we have before our creditors get nervous and start to make it harder for the United States to borrow money. But they all agree we have to put into place a long-term plan instead of waiting to act until the crisis is upon us. The crisis is coming. It is coming on April 8. That is the first crisis.

Assuming that we can get through this and get the government funded for the remaining 6 months of the fiscal year—until the end of September—the next crisis that is coming is the debt ceiling—probably in early June—that has to be raised in order for the government to pay its obligations.

And then we are going to have to have a plan for next year's budget, the fiscal year that starts October 1, in order to get the votes to increase the debt ceiling. So between now and June, first in a couple of weeks, and then in a couple of months, we are going to have to devise a comprehensive plan.

I am going to support cuts across the board. I am going to support cuts in discretionary spending. But I also want

to see cuts in what we call tax expenditures, which are equivalent to spending, but are nothing more than outrageous tax breaks to big corporations that make billions of dollars in profits each year. For example, some of the royalty payments that are not being paid by oil companies for their privilege of extracting oil from Federal lands, particularly those lands in the bottom of the Gulf of Mexico. There are corporations that ship massive amounts of jobs overseas, and they get tax breaks for it.

There is also money made by U.S. citizens that is being held offshore in foreign accounts, which is not reported to the United States, and tax is not being paid on that income. So there is plenty of opportunity to tighten up.

Another place that we can tighten up is to implement the changes that we made in the health care bill that cut the fraud that plagues programs like Medicare and Medicaid. It is costing us billions and billions of dollars.

So there are tireless efforts that are being made by a lot of Senators right now trying to work together to draft a comprehensive plan. I came to the Senate to fight for my State and for our country, and if we continue to allow a debt crisis to happen when, in fact, we had the opportunity to avoid it, it is going to be far more reckless than casting a vote that is going to be disliked by some. I am ready to stand and have that fight. Yet we should not have to. We should, as the Good Book says, ''Come, let us reason together.'' Then we can find a comprehensive solution to this budgetary crisis.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be recognized as in morning business.

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

## LIBYA

Mr. MCCAIN. I would like to take time today to address the ongoing situation in Libya. Last night, the President made a strong defense of our military action in Libya. I welcome his remarks, and I appreciate that he explained why this intervention was both right and necessary, especially in light of the unprecedented democratic awakening that is now sweeping the broader Middle East.

There has been much criticism of the President's handling of the situation in Libya—some legitimate, some not. But the fact is, because we did act, the United States and our coalition partners averted a strategic and humanitarian disaster in Libya.

Even as we seek adjustments to U.S. policy where appropriate to ensure that we accomplish the U.S. goal as stated by the President of forcing Qadhafi to leave power, I believe the President's decision to intervene in Libya deserves strong bipartisan support in Congress and among all Americans.

It is worth remembering, especially for the critics of this intervention, exactly what we would be facing in Libya now had we not taken action. Just over 1 week ago, Qadhafi was bearing down on Benghazi, a city of 700,000 people, and the main seat of the Libyan opposition, as well as the provisional government that has now emerged.

Qadhafi pledged in his words: No mercy for these people. He pledged to go house to house, to crush everyone opposed to him. Had we not taken action in Libya, Benghazi would now be remembered in the same breath as Srebrenica, a scene of mass slaughter and a source of international shame.

Libyan refugees would now be streaming into Egypt and Tunisia destabilizing those critical countries during their already daunting political transitions. If we had allowed Qadhafi to slaughter Arabs and Muslims in Benghazi who were pleading for the U.S. military to rescue them, America's moral standing in the broader Middle East would have been devastated. Al-Qaida and other violent extremists would have exploited the resulting chaos and hopelessness. The forces of counterrevolution in the region would have gotten the message that the world would tolerate the violent oppression of peaceful demonstrations for universal rights. This would have been a dramatic setback for the Arab spring which represents the most consequential geopolitical opportunity in centuries.

That is why Libya matters and why we were right to intervene. Yes, there are many other places in the world where evil resides, where monsters brutalize civilians. The United States cannot and should not intervene in all of these places. But we were right to do so in Libya because of the unique position this country now occupies at a moment of historic change in the Middle East and North Africa. This does not mean we should take the same actions toward other countries in the region as we have toward Libya.

Each of these countries is different. Their challenges and situations are different. When governments, both friend and foe, use force and oppression to crush peaceful demands for universal rights, we need to be clear in our condemnation, and we need to support the aspirations of all people who seek greater freedom, justice, and economic opportunity.

But let's be clear. Qadhafi's brutal and vicious slaughter of fellow Arabs and Muslims has set Libya completely apart from other countries in the region, and it warranted the decisive military response we and our international partners have taken. While some believe the President should have sought a congressional authorization for the use of force, or even a formal declaration of war prior to taking military action in Libya, I think his actions were in keeping both with the constitutional powers of the President and with past practices, be it President Reagan's action in Grenada or President Clinton's action in the Balkans.

Had Congress taken even a few days to debate the use of force prior to acting in Libya, there would have been nothing left to save in Benghazi. That is why our Founders gave the President the power as Commander in Chief to respond swiftly and energetically to crises. What we need now is not a debate about the past; that can come later. Many of us who wanted a no-fly zone at the time still are convinced that this could have been over by now. But the fact is, it is in the past.

What we need is a forward-looking strategy to accomplish the U.S. goal—as articulated by the President—of forcing Qadhafi to leave power. We have prevented the worst outcome in Libya, but we have not yet secured our goal. As some of us predicted, U.S. and coalition airpower has decisively and quickly reversed the momentum of Qadhafi's forces, but now we need to refine U.S. strategy to achieve success as quickly as possible.

As every military strategist knows, the purpose of employing military force is to achieve policy goals. Our goal in Libya is that Qadhafi must go, and it is the right goal. But let's be honest with ourselves: We are indeed talking about regime change, whether the President wants to call it that or not. While I agree with the President that we should not send U.S. ground troops to Libya to remove Qadhafi from power, that is exactly what Libyan opposition forces are fighting to do. They are now on the outskirts of Qadhafi's hometown of Surt, and they appear to have no intention of stopping there.

Thus far, U.S. and coalition airpower has cleared a path for the opposition to advance. U.N. Security Council Resolution 1973 authorizes the use of ''all necessary measures'' to protect civilians in Libya. As long as Qadhafi remains in power, he will pose an increasing danger to the world, and civilians in Libya will not be safe.

Ultimately, we need to be straight with the American people and with ourselves. We are not neutral in the conflict in Libya. We want the opposition to succeed, and we want Qadhafi to leave power. These are just causes. And we must therefore provide the necessary and appropriate assistance to aid the opposition in their fight. That certainly means continuing to use air power to degrade Qadhafi's military forces in the field, and I am encouraged by the fact that we are now bringing in AC–130 and A–10 attack aircraft to provide more close-in air support.

This is the Libyan people's fight, but we need to continue to help make it a fairer fight, until Qadhafi is forced to leave power. I was very encouraged today to hear our ambassador to the United Nations suggest that the United States may provide arms to the opposition. We should also provide them, if requested and as appropriate, with resources, command and control technology, communications equipment, battlefield intelligence, and training. We need to take every responsible measure to help the Libyan opposition change the balance of power on the ground.

Yes, it has been documented that many eastern Libyans went to fight in Iraq, Many met their end there too. But Libyans are not rising up against Qadhafi now under the banner of al-Qaida. To the contrary, they have largely pledged their support to the Transitional National Council, which is based in Benghazi, and representative of tribes and communities across Libya. The leaders of this council are not unknown to us. They have met with senior administration officials, including the Secretary of State, as well as other world leaders. Their supporters are brave lawyers, students, and human rights advocates who just want to choose their own future free from Qadhafi. They have declared their vision for Libya as, quote, ''a constitutional democratic civil state based on the rule of law, respect for human rights and the guarantee of equal rights and opportunities for all its citizens.'' If these moderate, democratic forces do not succeed in Libya, we know exactly who would fill the void: the radicals and the ideologues. We have seen this movie before.

We cannot make the assumption that time is on our side. It is not. Perhaps Qadhafi's regime will crack tomorrow. I hope it will. But hope is not a strategy. If our strategy does not succeed in forcing Qadhafi to leave power sooner rather than later, we run the risk of a prolonged and bloody stalemate. That is not in America's interest or in the interest of the Libyan people. The risks are still too high of repeating a similar outcome from the first gulf war—where we had crushing sanctions and a no-fly zone in place, but still Saddam Hussein managed to hold onto power, threaten the world, and brutalize his own people for another 12 years. And only then, it took an armed invasion to remove him from power. That is not a definition of success in Libya. And it certainly is not a limited mission. It is a recipe for a costly and indefinite stalemate. We must avert that outcome.

Our mission in Libya is going well, but we have not yet accomplished our goal. I am extremely thankful and grateful for our many friends and allies, especially our Arab partners, who are contributing to this mission. However, none of this is a substitute for sustained U.S. leadership. If our goal in Libya is worth fighting for, and I believe it is, then the United States must remain strongly engaged to force Qadhafi to leave power. Nothing less is desirable or sustainable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I ask unanimous consent to speak as in morning business.

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

## SBIR/STTR REAUTHORIZATION ACT OF 2011—Continued

Mr. WEBB. Mr. President, I was originally going to call up a pending amendment, No. 215, the Rockefeller amendment. I am informed that amendment is at present the subject of some negotiation and a consent package. I do wish to speak briefly today in support of the amendment filed by Senator ROCKEFELLER and on his behalf, since he is away from the Senate today attending the funeral of a close friend.

Like Senator MCCONNELL, I have expressed deep reservations about the consequences of unilateral regulation of greenhouse gases by the EPA. In my view, this will result in long and expensive regulatory processes that could lead to overly stringent and very costly controls on carbon dioxide and other greenhouse gas emissions. This regulatory framework is so broad and potentially far-reaching that it could eventually touch nearly every facet of this Nation's economy, putting unnecessary burdens on industry and driving many businesses overseas through policies that have been implemented purely at the discretion of the executive branch and absent a clearly stated intent of the Congress.

Our farms, factories, transportation systems, and power-generating capacity all would be subject to these new regulations. This unprecedented, sweeping authority over our economy at the hands of the EPA is at the heart of the concern expressed by Senator MCCONNELL, and ultimately, whichever way one ends up voting on his amendment, that common concern defines this debate.

It is not a new concern for me. When this administration declared in November of 2009 that the President would sign a politically binding agreement at the United Nations framework on climate change in Copenhagen, I strongly and publicly objected. I sent a letter to the President stating:

> Only specific legislation agreed upon in the Congress or a treaty ratified by the Senate could actually create such a commitment on behalf of our country.

I have also expressed on several occasions my belief that this administration appears to be erecting new regulatory barriers to the safe and legal mining of coal resources in Virginia and other States. My consistent message to the EPA is that good intentions do not in and of themselves equal clear and unambiguous guidance from Congress. We can see this in the approach the EPA has taken or attempted to take on the regulation of coal ash, on regulating industrial and commercial boilers, on approving new levels of ethanol into gasoline, and, most importantly, its overreach to regulate greenhouse gases from stationary sources. I have repeatedly raised these issues with the administration and my colleagues in the Senate.

In examining this issue, I have also reviewed carefully the Supreme Court's holding in Massachusetts v. EPA.

My opposition to the EPA's present regulatory scheme with respect to carbon dioxide or stationary sources stems in part from my reading of this case. I am not convinced the Clean Air Act was ever intended to regulate or to classify as a dangerous pollutant something as basic and ubiquitous as carbon dioxide. I say that as one of the few Members of this body who are engineers.

To quote one of the most influential Supreme Court Justices from the last century, Justice Cardozo:

> The legislation which has found expression in this code is not canalized within the banks that keep it from overflowing.

The case Justice Cardozo was commenting on dealt with a different issue but the constitutional precept still applies. Congress should never abdicate or transfer to others the essential legislative functions given to it and it alone by the Constitution.

The sweeping actions the EPA proposes to undertake clearly overflow the appropriate regulatory banks established by Congress, with the potential to affect every aspect of the American economy. Such action represents a significant overreach by the executive branch.

Notwithstanding these serious concerns with what I view as EPA's potentially unchecked regulation in a number of areas important to the economy, I do have concerns about the McConnell amendment for a number of reasons.

First, the McConnell resolution would jeopardize the progress this administration has made in forging a consensus on motor vehicle fuel economy and emission standards. The Obama administration has brokered an agreement to establish one national program for fuel economy and greenhouse gas standards. This agreement means that our beleaguered automotive industry will not face a patchwork quilt of varying State and Federal emission standards. Significantly, this agreement is directly in line with the holding in Massachusetts v. EPA which dealt with motor vehicle emissions. In fact, it dealt with new car motor vehicle emissions.

Both in the Clean Air Act and in subsequent legislation enacted by the Congress, there has been a far greater consensus on regulation of motor vehicle emissions than on stationary sources with respect to greenhouse gas emissions. It has been estimated that these new rules, which are to apply to vehicles of model years 2012 to 2016, would

save 1.8 billion barrels of oil and millions of dollars in consumer savings. That agreement, however, and the regulations that would effectuate it rest upon enforcement of the Clean Air Act, which would essentially be overturned by the McConnell amendment.

We have before us a different but equally effective mechanism to ensure that Congress and not unelected Federal officials can formulate our policies on climate change and on energy legislation. The Rockefeller amendment, which I have cosponsored, would suspend EPA's regulation of greenhouse gases from stationary sources for 2 years. This approach would give Congress the time it needs to address legitimate concerns with climate change and yet would not disrupt or reverse the progress made on motor vehicle fuel and emission standards.

The majority leader had previously assured me and Senator ROCKEFELLER of his commitment to bring the Rockefeller amendment to the floor. I very much appreciate his stated intention to do so. I hope we will have the opportunity to vote on this measure within the next day or so.

Finally, let me say that I share the hope of many Members of this body from both sides of the aisle that we can enact some form of energy legislation this year. I have consistently outlined key elements I would like to see in an energy package. I have introduced legislation, along with Senator ALEXANDER, to encourage different forms of energy legislation that would in and of themselves help produce a cleaner environment and more energy independence. We should all be exploring those types of mechanisms that will, at the same time, incentivize factory owners, manufacturers, and consumers to become more energy efficient and to fund research and development for technologies that will enable the safe and clean use of our country's vast fossil fuels and other resources.

The second thing I would say—just as a comment—since I was shown a letter earlier today from the Chamber of Commerce strongly suggesting the only viable alternative in this debate is the McConnell amendment, I ask unanimous consent to have printed in the RECORD a letter that was sent last September by the Chamber of Commerce and more than a dozen other business entities, associations in support of the Rockefeller amendment.

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

SEPTEMBER 14, 2010.

Hon. DANIEL INOUYE,
*Chairman, Senate Appropriations Committee, U.S. Capitol, Washington, DC.*

Hon. THAD COCHRAN,
*Vice Chairman, Senate Appropriations Committee, U.S. Capitol, Washington, DC.*

DEAR CHAIRMAN INOUYE AND VICE CHAIRMAN COCHRAN: Unless Congress acts this Fall new Environmental Protection Agency (EPA) rules regulating greenhouse gas (GHG) emissions under the Clean Air Act will go into effect on January 2, 2011. The rules impose a significant burden across the U.S. economy, including the sectors that will create jobs and lead us in our economic recovery. It is Congress' prerogative to enact a national climate policy, not the EPA's. Fortunately, there are opportunities for Congress to exercise its prerogative prior to the end of the legislative session.

We urge your strong support for measures to temporarily restrict EPA's authority to implement the GHG rules affecting stationary sources, and to give Congress the time necessary to consider the appropriate regulatory approach for those sources.

According to EPA, as many as six million of America's industrial facilities, power plants, hospitals, agricultural and commercial establishments eventually will be subject to these rules, at a considerable cost and burden on jobs, state resources and the ability to move forward on a national climate policy. State implementing agencies have no guidance on issuing the required permits, the measures needed to comply are not known, and both state implementing agencies and covered commercial facilities will be left in a bind. There is the very real prospect that investments by businesses across the entire economy—the investments that will drive economic recovery and job creation—will be delayed, curtailed or, even worse, cancelled.

The appropriations process can ensure that the potentially damaging impacts of EPA's rules are postponed for a two or three year period pending Congressional action. Indeed, the approach would allow any restrictions on funding in a manner that still allows EPA's rules on motor vehicles to continue in effect unchanged. More importantly, the appropriations process provides Congress an important oversight and management tool that will inform the further development of a national climate policy. Other approaches, such as a codification of EPA's ''tailoring'' rule to ease the potential burden on smaller businesses have been suggested. Unfortunately, the vast majority of American businesses affected by the GHG rules will not be protected by a simple codification of EPA's rules.

Representatives Nick Rahall and Rick Boucher and Senator Jay Rockefeller have introduced legislation (the Stationary Source Regulations Delay Act, H.R. 4753 and S. 3072, respectively) to place a two year moratorium on the EPA's actions to regulate GHGs from stationary sources.

Senator Rockefeller has received a commitment from Majority Leader Harry Reid to hold a vote on his bill in September. We support the concept of a two-year postponement and urge your strong support as an appropriate legislative measure is developed and considered. Simply, a two-year moratorium will prevent the negative economic impacts anticipated from the EPA GHG rule.

In short, American businesses, investment, and jobs need your active support. We urge you to support efforts to postpone EPA regulation of GHG emissions from all stationary sources through targeted amendments to relevant appropriations measures or legislation based on the Rahall/Boucher or Rockefeller bills.

Sincerely,

American Chemistry Council, American Farm Bureau Federation, American Forest & Paper Association, American Frozen Food Institute, American Petroleum Institute, American Iron and Steel Institute, Ball Clay Producers Association, CropLife America, International Diatomite Producers Association, Industrial Minerals Association—North America, Missouri Forest Products Association, National Association of Chemical Distributors, National Association of Manufacturers, National Association of Oilseed Processors, National Association of Wholesaler-Distributors, National Industrial Sand Association, National Lime Association, National Mining Association, National Petrochemical & Refiners Association, Society of Chemical Manufacturers and Affiliates, The Aluminum Association, The Fertilizer Institute, Treated Wood Council, U.S. Chamber of Commerce.

Mr. WEBB. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 183

Mr. INHOFE. Mr. President, first of all, let me say to my good friend from Virginia, I agree with everything he said up to the last 3 minutes, because we have something that needs to be talked about. I would only make reference to the letter that has been entered into the RECORD that, yes, did make that statement, that if the choice is to do nothing at all or to have the Rockefeller amendment, it is better to delay something bad for 2 years. But that is not the choice.

The choice is—and he has referred to it as the McConnell amendment; that happens to be the bill I introduced and is now offered as an amendment to the Small Business Act—and it is one that will actually resolve the problem.

I think it is necessary to set the record straight as to what the two alternatives are. I call them covers. This is kind of a term that is used inside these Halls when someone is wanting to vote against something that people at home want and they give them something else to vote for so we can offer cover—something that normally is meaningless—such as these two cover votes.

The cap-and-trade agenda—I think we all understand—is destroying jobs in America and certainly decreasing our domestic energy supply. As a consequence, the consumers are going to pay more for their gas, for their electric bills, in a tax on affordable energy. But it can be stopped. It can be stopped by the passage of the Energy Tax Prevention Act of 2011 or, as we are looking at it now, that same bill being encompassed as an amendment called amendment No. 183 to the Small Business Act.

Let me go back, if I could, kind of in history to make sure people understand where we are today and how we got here. Many years ago, back in the 1990s, they came forward—and this was during the Clinton-Gore administration—with the Kyoto treaty. They went to Kyoto, Japan, and said: We want to join with all the other countries and we want to reduce emissions from $CO_2$. This was a treaty you would sign on to and most of the European countries did and many others did.

I might add now, many years later, none of them that signed on to it were able to accomplish any kind of reduction, meaningful reduction in emissions. But nonetheless, we had that.

I can remember standing at this podium and saying back then that we are not going to ratify any agreement that

is made at Kyoto that does not affect the developing countries the same as the developed countries. In other words, if it is not going to cover China, Mexico, and different countries in Africa, then we do not want to be the only ones this affects because it is going to be a very punitive situation. Secondly, we were not going to ratify any kind of a treaty that was an economic hardship on our country. We successfully stopped it.

Then, in 2003, they started introducing legislation that would do by legislation what the Kyoto treaty would have done, but it would only affect the United States of America. At that time, Republicans were the majority. I was the chairman of the committee that is called the Environment and Public Works Committee. We had the jurisdiction over this issue. So I almost unilaterally was able to stop this legislation from taking place. We had the same legislation that came up again in 2005, 2007, 2008, and 2009, and it has been before us for votes now in the Senate seven different times. Each time we defeated it. I might add, we defeated it by a larger margin each time we defeated it.

It is kind of interesting because I have had so many people say to me: INHOFE, what if you are wrong? What if $CO_2$ is damaging to the environment? What if it causes some of these problems people say it does? Well, I have to say, the science has been mixed. The science has been cooked in many cases. The United Nations came up with the IPCC, which was the science that was used to base all these new programs on, and it has been pretty much scandalized in the climategate situation. But, nonetheless, that is something we do not need to talk about. The point is, we were able to stop any legislation.

Why did we want to stop legislation that puts restrictions on $CO_2$? Well, one reason is—and it came up very clearly, and I always give my appreciation to Lisa Jackson. Lisa Jackson is the Obama-appointed Administrator of the Environmental Protection Agency. I asked her the question some time ago in a public hearing, live on TV. I asked: If we were to pass any of these pieces of legislation—at that time I think it was the Waxman-Markey bill—would this have any meaningful reduction in terms of $CO_2$ emissions in the world? The answer was, no, it would not because this would only apply to the United States of America. If we do it here, we will take all the financial hardship of doing it; however, as we lose our manufacturing base, they will go to other countries where there are less emission requirements. China is a good example. China's doors are open now to try to say: Come, we are cranking out three to four coal-fired generating plants in China every week. So, manufacturers, come here. We have the energy you need. So they were then able to do it.

When the Obama administration came in, with a strong majority in both the House and the Senate, they said: All right, we will tell you what. Since you are not going to pass cap and trade, then we will do it through regulations.

What would cap and trade do to America? Granted, by everyone's admission, it would not reduce emissions at all worldwide. So what would it cost? Well, the cost was put together back during the Kyoto treaty by the Wharton School at that time. Since then, MIT, CRA, many others have come in. The range is always between $300 and $400 billion a year.

I am not as smart as a lot of guys around here, so when I hear about billions and trillions, I say: How does that affect people in my State of Oklahoma? So I have the math that I do. I say to the Presiding Officer, I take the total number of people and families in my State of Oklahoma who file a tax return, and then when they come up with something that is going to cost our Nation $300 to $400 billion, I do the math. What that would amount to for my average family in Oklahoma who files a tax return is $3,100 a year, and they do not get anything for it.

Anyway, the President came in with the new majority, and he said: Well, if you are not going to pass this, we are going to go ahead and do it by regulation. We will have the Environmental Protection Agency do it by regulation.

To do that, they had to have what is called an endangerment finding; that is, a finding that $CO_2$ is an endangerment to health. The courts never said we have to regulate $CO_2$. They said: If you want to, you can. That was the choice of this administration and of the Environmental Protection Agency.

So I asked the question again at one of the hearings—this is of the same Administrator Jackson; this was a year ago December—I said: I have a feeling you are going to come up with an endangerment finding so you have justification for regulating $CO_2$ the same as if we were passing legislation to do it. Her response was kind of a smile. I said: To have an endangerment finding, you have to base that on science. What science are you going to base it on? She said: Well, primarily, the IPCC. That is the Intergovernmental Panel on Climate Change. That is the United Nations. They are the ones that started all this fun stuff.

With that, it was not more than 2 weeks later that the scandal broke with the recovery of some of the e-mails that were sent out by the IPCC that they had, in fact, cooked the science. Nonetheless, there are lawsuits that are pending right now and all that to try to stop the EPA from regulating $CO_2$.

They are doing other regulatory things right now. They are trying to do regional haze regulation. They are trying to do regulation on ozone, changing the standards, trying to do what they call boiler MACT, utility MACT, other regulations. But, nonetheless, this one we are talking about today is the regulation of greenhouse gases.

This is what is happening right now. To keep them from doing it, I introduced a piece of legislation called the Energy Tax Prevention Act of 2011. My good friend over in the House of Representatives, FRED UPTON, has been a friend of mine for many years. He is the chairman of the appropriate committee over there; the same as I am the ranking member of the appropriate committee here. So we introduced together the Upton-Inhofe legislation or, if you are over on this side, I call it the Inhofe-Upton legislation. That would take away the jurisdiction of the Environmental Protection Agency to regulate greenhouse gases. If we take away the jurisdiction, they cannot do it. That is the ultimate solution. That is the moment of truth, as we are going to read in tomorrow morning's Wall Street Journal. So they are taking that up. They will pass it over there. But on a partisan basis over here, they will try to kill it.

So what we have done is, Leader MITCH MCCONNELL and I have offered an amendment that encompasses my bill, the Energy Tax Prevention Act I just referred to, as an amendment on the Small Business Act. That is scheduled for a vote tomorrow morning. I hope it does happen.

The reason I am talking today—I have already covered this several times, and I am sure people are tired of hearing it—but they have cover votes that are coming up, and we know this is going to happen. But why is it this administration wants to do something that is going to drive the energy costs of America upward?

This administration has said over and over again they do not want gas, they do not want oil, they do not want coal. And we cannot run this machine called America without oil, gas, and coal.

There is a motivation here; that is, it has come from this administration that they want to replace fossil fuels—oil, gas, and coal—with what they call green energy. Someday that might happen. It will be long after I am gone, I am sure. But they might have the technology to run this country on what they call renewable energy. Right now, we are going to use as much as we can. We are for wind power, we are for Sun power, solar power, all the other options. But, nonetheless, we still have to have fossil fuels to run the country.

Steven Chu, Secretary of Energy for the Obama administration, said:

> Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

That is $8 a gallon. This is the administration saying we want to increase the price of gasoline to be equal to what it is in Western Europe. So this is something that has been a policy of this administration for a long time. In fact, President Obama himself said that under the cap-and-trade plan—this is what they are trying to do

now—''electricity prices would necessarily skyrocket.''

The President had it right. The point of cap-and-trade regulation is to make us pay more for energy bills, and the Obama administration and EPA are here to make that happen. In a recent editorial, the Wall Street Journal calls the Energy Tax Prevention Act, my bill, ''one of the best proposals for growth and job creation to make it onto the Senate docket in years.''

Why is that? It is because the EPA's regulations will raise energy prices and strangle economic growth. As the National Association of Manufacturers stated:

> At a time when our economy is attempting to recover from the most severe recession since the 1930s, [EPA] regulations . . . will establish disincentives for the long-term investments necessary to grow jobs and expedite economic recovery.

That is the National Association of Manufacturers. The families, the workers, and the consumers are all going to feel the pain.

In a study that Charles River Associates International did, they estimate that EPA's cap-and-trade regulations could increase wholesale electricity costs by 35 to 45 percent. What we are talking about is—everyone understands—if they are able to do these regulations, the EPA doing what the legislature refused to do; that is, regulate the emissions of fossil fuels, it will increase electricity prices about 40 percent.

What do we get in return? I think we have already mentioned we do not get anything for this because it would drive our jobs elsewhere, and it would only affect the United States of America.

The claims that the Energy Tax Prevention Act—that is the amendment we will be voting on tomorrow—would undermine health protections or fuel economy standards are disingenuous on their face. The amendment does not touch EPA's authority to regulate criteria or hazardous air pollutants. What is more, both emissions of $CO_2$ and real pollution have been in steady decline. Yet instances of asthma have been on the increase. So as the emissions decline, the instances have actually increased. Carbon dioxide emissions do not cause asthma, either directly or indirectly, and they do not harm public health.

The Energy Tax Prevention Act is not about asthma and public health, but it is about protecting jobs.

By the way, there is a very well respected scientist by the name of Richard Lindzen from MIT, and he wrote a letter to me which I received a couple of days ago—well, it was actually a little bit longer than that.

> As to the impact of increasing $CO_2$ on general welfare, there is widespread agreement that modest warming should improve welfare for the U.S. Under the circumstances, we are in the bizarre situation of declaring something to be a pollutant when the evidence suggests that it is beneficial.

In other words—I hesitate saying this. I am the first one to admit I am not a scientist, but certainly Professor Lindzen is. He says, Here we are talking about reducing something that is not a problem certainly to health.

Then the other thing having to do with the Highway—this was mentioned by the Senator from Virginia a few moments ago—that somehow this is going to impair our standards of lowering gas consumption. The amendment doesn't prohibit the National Highway Traffic Safety Administration from setting fuel economy standards. It stops the EPA from regulating carbon dioxide from tailpipes after 2016. So the regulation would have no effect on that whatsoever. That is not done by the EPA; that is done by the National Highway Safety Administration, called NHTSA.

The vote comes down to a simple choice: Are you for jobs and affordable energy or President Obama's strategy of energy taxes and bureaucratic regulations? Of course, when you look at the things that are coming along—I mentioned when I started talking that there is something called ''cover,'' that if there is something out there that the people at home are clamoring for, that they want—in this case they want this amendment that will stop the EPA from regulating greenhouse gases—then if they can vote for something else that does nothing, they can say, Well, I voted for this. It is called cover.

The Rockefeller vote would be nothing, except kicking the can down the road for 2 years, and in the meantime the regulation goes on.

Under the Baucus amendment, this is something that is called the tailoring rule. It is a little more complicated because when you talk about the emissions that we are concerned with that the EPA would be regulating, they would be on any emissions that would affect all the farmers, the schoolhouses, and everybody else. Well, the Baucus amendment would exempt some of these smaller ones. However, if you listen to the Farm Bureau, which has been very helpful in this all along—I think I have their quotes here. Yes. Listen to this, the American Farm Bureau, a recent quote, just this year:

> Farmers and ranchers would still incur the higher costs of compliance passed down from utilities, refiners and fertilizer manufacturers that are directly regulated as of January 2, 2011.

So if the Baucus amendment passes, it is going to still be regulated—the refiners, the manufacturers—and that is going to be passed down and it is going to increase the cost of power and energy and that is why the Farm Bureau is so emphatic. In fact, I just left the Farm Bureau a couple of minutes ago before I came here, talking about this very subject.

The manufacturers feel the same way. The Industrial Energy Consumers of America wrote the Baucus approach:

> does not solve the underlying problem that regulating [greenhouse gases] under the Clean Air Act is very costly for manufacturing, will impact global competitiveness and encourage capital investment outside the United States.

Why would that be? Because if China ends up with all the jobs, then they are the ones who would be getting the investment.

The only way to stop the higher costs of compliance, which the Farm Bureau fears, is to pass the Energy Tax Prevention Act which is now Senate amendment No. 183.

The contrast couldn't be starker. I was told that tomorrow morning we may see the moment of truth going on—and I think it is going to be in the Wall Street Journal—that people are going to realize there is only one way to stop this massive tax and regulation increase that will come. It won't be by the Rockefeller amendment and it won't be by the Baucus amendment. It will be by the Inhofe-McConnell amendment that hopefully will be voted on tomorrow and that will take out from the jurisdiction of the EPA the ability to regulate greenhouse gases. That is what we are hoping will happen, and I think when people realize it, they are not going to be fooled by some of these what I refer to as cover votes.

With that, I yield the floor and 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. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Missouri is recognized.

Mr. BLUNT. Mr. President, I wish to talk a little bit about the McConnell amendment that I think we will vote on on the floor of the Senate this week. This is the amendment that really clarifies whether Congress ever intended to give the Environmental Protection Agency the authority to regulate greenhouse gases. They have a finding that gives them that authority, but the people who were involved in passing that law initially say that wasn't the intention of the law; that if it is the intention of the law, the Congress should step up and clarify that.

I think this amendment clearly expresses the view of the American people that the Congress should do its job, not leave it to the regulators to do the job. Senator MCCONNELL has brought that amendment to the floor. It is an amendment that Senator INHOFE has worked on regarding this topic for a long time. Senator BARRASSO has also worked on this topic.

I am convinced that as the ballots are cast and the votes are made this week on this bill and on this amendment, Senators from both parties are going to say: No, that is not the job of the EPA. It is not what the Congress intended EPA to do.

This is a great example of the Congress trying to step up and make the point that the regulators should not be

able to do by regulation what the legislators are unwilling to do by legislation.

This issue was discussed last year—the cap-and-trade law that passed the House in the last Congress. People around America looked at it and said that higher prices were not the way to get more efficient energy policies. The way to get more efficient energy policies is to look for ways to produce more American energy, to have a marketplace that has more choices than the ones we have now. As people looked at this issue, they said: Let's find more American energy of all kinds, and let's be conservationists and encourage that we use that energy as efficiently as possible, and let's also be out there researching and investing in the future so that we know what we want our energy picture to look like a generation from now—not that we blindly rush in and think high prices will solve our energy problems.

We all know that the President of the United States, before the election in 2008, in talking to the editorial board of the San Francisco Chronicle, made the comment that under his energy policies, energy prices would necessarily skyrocket. The President has looked at this economy closely—I hope—over the last 2 years of his Presidency, and clearly every signal from the administration now is that they have concerns about $4-a-gallon gasoline, even though there are people in that advisory group who at one time said gas prices should be as high as the gas prices in Europe and that is the way to solve our use of gasoline. We don't live in Europe. We live in a country that is large, expansive, and requires travel and commerce. So high gas prices are not the answer to our transportation problems, and higher utility bills are not the answer to our energy problems.

In fact, as people looked at the potential of cap and trade on utility bills, they looked at how much of our utilities come from coal. Of course, cap and trade—and the EPA regulations that would try to impose cap and trade by regulation—cap and trade is particularly focused on coal-based utilities. From the middle of Pennsylvania to the western edge of Wyoming, 50 percent of the electricity in the country comes from coal. Mr. President, in your State and my State, a significant majority of the electricity comes from coal. In Missouri, it is 82 percent of the electricity that comes from coal.

In our State, the utility providers got together—the rural electric cooperatives, the municipal utilities, the privately owned and publicly owned—and funded a study with which nobody ever found fault. Nobody has challenged the study. In that study, in our State the average utility bill would go up about 80 percent in the first 10 years under cap and trade. It would come close to doubling in the first 12 years. For many utility customers, it would double. If the average bill is going to go up 80 percent, for many customers out there, their bill would double in 10 years, and for the average customer, it would double in about a dozen years. Who benefits from that?

At a hearing the other day with the EPA Administrator, I talked about a visit I had last fall with someone who explained to me that he was an hourly employee at a company—by that point, with the discussion of cap and trade, almost all Missourians knew our utility bills would double in about 10 years—and he said: If my utility bill doubles, that is a bad thing. If my retired mother's bill doubles, that is worse. If the utility bill at work doubles and my job goes away, then the other bills don't matter that much because I can't pay mine and help my mom pay hers.

That individual has a Ph.D. in common sense, if not economics. That is what happens if we allow these bills to go up. Because of that discussion, I stand here today absolutely confident that, in the foreseeable future, Congress will not impose that penalty on our economy. If the Congress won't impose that penalty on our economy, we should not let regulators impose that penalty on our economy.

What the McConnell amendment does—again, with the hard work of Senators INHOFE, BARRASSO, and others—is simply redefine the authority or maybe reemphasize the definition Congress thought it was giving the Environmental Protection Agency, and it says: You can't regulate these greenhouse gases under the Clean Air Act. It doesn't stop the Clean Air Act's provisions to protect clean air in every way that was anticipated until the recent determination that somehow EPA had the authority to also regulate greenhouse gases, but it does refocus the EPA on the intention of the Clean Air Act, not their expansion of the Clean Air Act.

By the way, the EPA has no ability to expand the Clean Air Act. That is the job of the Congress of the United States. Fine, if we want to have that debate. In fact, we had that debate last year. The House passed a bill that would have done what the EPA's new sense of their own mission would do, and I think the American people spoke pretty loudly about that. Because of that, the last Congress didn't pass that bill. The House of Representatives passed a bill, but the Senate didn't pass that bill. This Congress isn't going to pass that bill either, and I would predict that the next Congress won't pass that bill.

Why won't they pass the bill? Why won't we pass a bill in this Congress? Why won't the next Congress pass a bill? They know it has a devastating impact on our economy; and if the Congress doesn't want there to be a devastating impact on our economy, we also shouldn't want the Environmental Protection Agency to do something that would have a devastating impact on our economy.

In fact, when we look at the economies around the world, the economies that have the greatest problems with air and water are the economies that failed; the economies where, at some point, those countries decide, ultimately, they are going to do whatever it takes to get back to where they can have jobs that allow families to live.

The EPA is bound, and should be bound, by what the Congress initially intended with the Clean Air Act, not what the EPA thinks today is their job—and particularly if it is not a job that everybody in this building knows the legislators will not do. If the legislators won't do it, the legislators shouldn't let the regulators do it, and this simply clarifies that.

I urge my colleagues this week to vote for this amendment, to make it clear to the Environmental Protection Agency that they have plenty of things to do and many things that we will support them as they do, but this isn't one of them. This hurts our economy. It is not their mission. It was not the intention of the Clean Air Act. This amendment allows that to be reinforced once again by the Congress, the group that is supposed to pass the laws. Laws aren't supposed to be passed by regulators. I suppose they are intentionally determined to be implemented by regulators but not created by regulators or created by the administration. That is our job.

This bill reemphasizes our job. Again, it doesn't let the regulatory group do a job that increases the utility bill, that doubles the electric bill in Missouri, and raises the electric bill for the vast preponderance of Americans, for people retired, on a fixed income. Clearly, jobs will go away if those electric bills are raised, and they will not go to other places in the United States in most cases; they will go to other countries that care a whole lot less about what comes out of the smoke stack than we do.

So if the EPA is allowed to do with greenhouse gases what it says it wants to do, we will lose the jobs and the problem will get greater because these jobs will go to countries that care a whole lot less about emissions than we do.

Let's let the legislators do their job. I encourage my colleagues to vote for this amendment this week as they think about how we approach this important issue—about our economy, about our jobs, about our families and our future.

I yield the floor, Mr. President, and 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. MORAN. 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. MORAN. Mr. President, rightfully so, the focus in this Congress is

very much about the economy and job creation, and it is appropriate that we have before the Senate a piece of legislation dealing with small business. We know small business and entrepreneurship is a path to job creation.

We are spending a lot of time in this Senate, in the House, and in Washington, DC, discussing the economy, and one of the things that is front and center today is the need for us to be much more responsible in our spending habits. In my view, the Federal Government is financially broke. Rightfully so, we ought to pass a continuing resolution that reduces spending for the remaining 6 months of this fiscal year. We ought to quickly move to a budget and to an appropriations process that allows for the give-and-take, the consideration of those things that we can afford to spend money on, the things that are appropriately the role of the Federal Government, and find those places in which we can again significantly reduce spending. That is an important aspect of whether we are going to get our economy back on track and jobs created.

I think often we write off what happens in Washington, DC. The American people see us as just Republicans and Democrats having one more battle about spending and deficits. These are things I have heard, topics I have heard discussed my entire life coming out of Washington, DC. The reality is, this is an important issue at an important time in our country's history. In the absence of an appropriate resolution of this spending issue, in my view, the standard of living Americans enjoy today will be reduced, inflation will return, the value of the dollar will be diminished, and the standard of living we have become accustomed to as Americans, as I say, will be diminished. But worse than that, the opportunity for our children and grandchildren to pursue the American dream will be less than what we want it to be, certainly less than what I experienced as an American growing up in this country.

Yes, it is no fun for us, as elected officials, to talk about what needs to be cut, spending that needs to be reduced. I certainly stand willing to work with my colleagues and with the President and others to see we accomplish that goal of reducing spending, and the consequences of that being a better budget picture and a reduced deficit. But there is a positive aspect of what we can do to reduce our budget deficit that goes beyond just cutting spending; that is, to create jobs, to create economic expansion.

The optimism this country needs can be restored by decisions we make in the Congress. Those decisions revolve around a business or an entrepreneur, a small business man or woman's decision that it is time to expand their plant, it is time to invest and put in more equipment, that it is time to hire an additional employee.

In my view, one of the reasons that is not happening is the tax environment that has been created, the uncertainty that we have with what our Tax Code is going to be, the lack of access to credit, the uncertainty our bankers and other financial lenders face in determining whether they can make a loan to a creditworthy customer, and especially the one I want to talk about briefly today, which is the regulatory environment in which the business community finds itself.

This effort by the Environmental Protection Agency to regulate greenhouse gases, in my view, is very negative toward job creation in two ways: One, it increases the cost of being in business, and that occurs at a time in which we don't expect other countries to abide by the same regimen that we may create—that our Environmental Protection Agency may create—around the world, that we would not expect other countries to abide by those same rules and regulations the EPA is putting in place.

That means, once again, American workers, American business is at a competitive disadvantage in comparison to those who make decisions about where plants are located, and we lose access to world markets because someone else can sell something cheaper than we can because of rising costs of production.

So even if there is an effort that excludes agriculture or small business from this legislation, the cost of production goes up, because in addition to the direct effect of having those regulations apply to your business, there is the indirect increase in cost related to fuel and energy costs—electricity and gas.

Clearly, to me, if you care about job creation, you would make certain that the Environmental Protection Agency does not head down the path that it is going, because of the increased cost of being in business and the consequence that has for American business to be able to compete in a global economy.

The second aspect of that is, and I think it is one of the real drags on today's recovery from the recession, is the uncertainty. No business person feels comfortable today in making a decision to expand or to put more people to work, to hire an additional employee, to invest in plant or equipment, because they do not know what the next set of regulations is going to do to their bottom line.

So with the uncertainty of this issue, we have had the drag upon our economy with the thought that Congress might pass the legislation labeled cap and trade. It became clear when the Senate adjourned at the end of 2010 that that was not going to happen. But then the uncertainty became, but what is the Environmental Protection Agency going to do?

As I visit plants, facilities across Kansas and talk to family owners of small businesses, manufacturers, the most common question I get from a business owner is, what next is government going to do that may put me out of business? It is unfortunate. It seems as though government is no longer even neutral in regard to the success of a business in the United States but has become an adversary.

I urge my colleagues to support the McConnell amendment. I think it is a clear statement that the Environmental Protection Agency cannot do what it intends to do. It eliminates the uncertainty that a business person faces, and it reduces the cost of being in business in a way that says, we are going to grow the economy and put people to work.

We are going to have a lot of conversation on the Senate floor, we are going to have discussions with the administration, with our colleagues in the House of Representatives, about what spending we are going to cut. And those are difficult conversations. But I come back to the point that we as Americans have the opportunity to be optimistic. What we need to do for us to have a bright future, what we can do to have a positive conversation with the American people about what good things are yet to come, revolves around the fact that we will get rid of onerous regulations that serve no valid purpose in improving our environment and create great uncertainty and ever increasing costs for being in business.

We can have this conversation in a vacuum. But the reality is, our economy does not operate in a vacuum. Our business folks in Kansas and across the country have to compete in a global economy. This legislation that Senator MCCONNELL and Senator INHOFE have offered eliminates that uncertainty, reduces the cost of being in business, and allows us to have optimism about the future of the American economy and, most importantly, optimism for the people who sit around their dining room table wanting to make certain they either can keep a job or find a job.

I see the McConnell amendment as that moment of optimism. The message we send to the American worker, to those who are employed and to those who are unemployed, that this Senate understands that unless we get rid of the impediments toward growing an economy, we have little optimism about the future of job creation.

The McConnell amendment sends that message. It does it in a way that makes a lot of sense for the American economy and for the American worker.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

## MORNING BUSINESS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the

Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

## REMEMBERING REID S. JONES

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to one of the Commonwealth's finest, the late Mr. Reid S. Jones. A native of Pulaski County, KY, Reid was a prime example of a man who was a true American hero and who valued his faith, his family, and his community.

A rich tradition of business success and pride in hard work and achievement always seemed prevalent throughout the history of Reid's family, so it came as no surprise when Reid began to exhibit early signs of entrepreneurial instincts. As a young boy, members of his hometown witnessed Reid leading a small goat down a road from the country store operated by his parents to a local family farm as he tried to make a sale. It was this ambition and drive that made Reid S. Jones a leader, a war hero, and a guiding force for all who knew him.

Reid, who passed away on April 15, 2005, joined the U.S. Army in 1944 at a crucial point during World War II. Eighteen years old, Reid felt a strong desire to serve and protect his country as well as to defend the rights and freedoms of others. He courageously fought in the Battle of the Bulge, one of the deadliest battle for American forces of the war. Reid's leadership got him promoted to the rank of staff sergeant, and he remained in Germany for a short time after the war to help begin the reconstruction process.

After returning home from the war to his new bride Elva Sears, Reid received a bachelor's degree from Union College in Barbourville, KY. He decided to further his dedication for educational excellence and became a history teacher, principal, and basketball coach for the Pulaski County and Somerset City school systems. His firm yet compassionate character made Reid well-respected by his peers and fondly remembered by his former students. Later in the 1960s he became a district sales manager for the Fram Corporation, an automotive product brand best known for their oil filters. His eye for detail and strong ambition to get things done earned him frequent recognition for exceeding sales quotas and helped him play an instrumental role in placing Fram products in Wal-Marts across the southeastern United States.

Reid's ''jack of all trades'' ability eventually led him to open his own automotive businesses, as well as become a 32nd-degree Mason, a member of the Oleika Shriners Temple, and the board of directors of the First United Methodist Church.

In addition to serving his community through business and educational work, Reid deeply cherished the relationships he had with his friends and family. He has often been remembered through the strong friendships he formed with members of the Somerset community, as he met daily with friends at his automotive businesses for coffee and southern storytelling. His dedication to public service and education, led his wife, along with his daughter, Dr. Sonya Jones, to establish The Jones Educational Foundation, to provide scholarships and assistance for people of south-central Kentucky and beyond who seek greater education and who show effort and ability.

There is no doubt that because of Reid's character, his dedication to family and friends, and his contributions to higher education and the business community, that his town, the Commonwealth, and the country have been forever changed for the better.

The Commonwealth Journal recently published an article about Mr. Reid S. Jones and a contribution that his daughter made to the Jones Educational Foundation on behalf of his dear friend, the late James Eastham. I ask unanimous consent that the full article be printed in the RECORD.

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

[From the Commonwealth Journal, Jan. 30, 2011]

FOUNDATION LAUNCHES REID S. JONES MEMORIAL FUND WITH CONTRIBUTION HONORING JAMES 'ONION' EASTHAM

The Jones Educational Foundation Inc., a 501(c)3 not-for-profit corporation based in Somerset, has launched the Reid S. Jones Memorial Fund with a $1,000 contribution made by Dr. Sonya Jones honoring the late James Arthur ''Onion'' Eastham.

According to Dr. Jones, president and CEO of The Jones Foundation, the donation is intended to pay tribute to the friendship between James ''Onion'' Eastham, a man who was regarded highly in the Somerset community, and her father.

Further, the fund is meant to honor veterans from all the wars in which the United States has fought. The initial donation honors veterans who served in the European and Pacific theaters of World War II.

''I had been thinking about the Foundation setting up a fund for veterans in Dad's name ever since I made a donation in his memory to help restore the Soldiers and Sailors Memorial building at Union College,'' Dr. Jones said.

Reid Jones graduated from Union in 1989. He went on to do graduate work in education at Eastern Kentucky University.

''When Mr. Eastham passed away in late December, I knew it was time,'' Dr. Jones added. ''Dad thought so much of his friend that I felt he would want me to do something special to honor Onion's memory.''

Reid Sievers Jones (April 24, 1926 to April 15, 2005) entered the U.S. Army at a crucial point in the history of World War II. He was stationed in Germany, and he fought in the Battle of the Bulge. He was a survivor in what has been called ''one of the bloodiest battles'' of World War II.

Conducted in the dense mountainous region of Belgium, the Battle of the Bulge was Adolf Hitler's last major offensive against the Allies. The battle ran from Dec. 16, 1944, until Jan. 25, 1945.

When he enlisted in the Army as a private, Reid Jones was 18 years of age. He married Elva Sears on Dec. 30, 1944, shortly before shipping out to the European front. He was promoted to the rank of staff sergeant and remained in Germany for a short time after the war to help begin the process of reconstruction.

James ''Onion'' Eastham (Sept. 22, 1923, to Dec. 28, 2010) served in the Asiatic-Pacific theater where he was awarded two bronze stars for duty at and during the Luzon and Southern Philippine campaigns. He also received the Philippine Liberation Ribbon with a bronze star for duty involving combat with the enemy.

Reid Jones and Onion Eastham were ''two of a kind,'' said Jimmy Eastham, son of the former Somerset City Council member who served as staff sergeant and crew chief aboard a B–25 bomber in the United States Marine Corp.

Jones and Eastham both were salesmen after the war. Jones worked for many years for Fram Corp. and Eastham for the Morton Salt Co. The two men liked to get together and engage in the high art of Southern storytelling. Both formed strong friendships with other men in the Somerset community.

''Dad and Onion Eastham were part of a group of men who convened initially at Dad's car lot out on East Mt. Vernon Street, then at Dad's automotive parts store on Ogden Street in the building now owned by Dr. Byron Owens,'' Dr. Jones said.

''After Dad retired from Fram, he devoted most of his time to the automotive business and our family's business and our family's rental properties,'' Dr. Jones continued.

''When Dad closed one automotive parts store housed in the same building with Mother's antiques and collectibles, he and his buddies met for coffee at the Sugar Shack over on the strip,'' she said.

Meeting for coffee was part of their ''daily routine,'' said Jimmy Eastham.

From time to time, the group also included Bobby Claunch, Howard Eastham, Ledger Howard, Penny Starnes, Don Stone, Jim Williams and Bob Williams in addition to Reid Jones and Onion Eastham.

Like his father, Jimmy Eastham served as a member of Somerset City Council. He and the Eastham family have given their enthusiastic endorsement to the Reid S. Memorial Fund with Dr. Jones' cornerstone contribution in memory of James ''Onion'' Eastham.

''It is a good idea to establish the fund even if it weren't done in the name of my father,'' Eastham said.

Both Reid Jones and James Eastham were ''very patriotic,'' according to Virginia Eastham, mother of Jimmy, Lisa (Bandy) and Wayne Eastham.

When Reid Jones returned from the war, he worked first as a teacher and principal in the Pulaski County and Somerset City school systems. He is remembered, particularly by former students at Shopville High School as a firm teacher who was not afraid to exercise discipline when he thought it was needed.

Later, in the 1960s, he joined Fram Corp., based in Providence, R.I., as a district sales manager. Frequently, he was recognized for exceeding sales quotas. He was instrumental in placing Fram products in Wal-Marts across the southeastern United States.

Reid Jones was a 32nd degree Mason and a member of Oleika Shriners Temple in Lexington. He served on the board of directors of First United Methodist Church.

In addition to being an influential member of Somerset City Council, James ''Onion'' Eastham was a member of the Somerset Masonic Lodge #111 and a long-standing member of the Kiwanis Club. He was also a member of First Baptist Church where he taught Sunday school and served as chair of a building committee for the church's new sanctuary.

As a member of Somerset City Council from 1964 to 1982, Eastham played an active role in helping to establish Somerset Community College and finding a location for what is now Lake Cumberland Regional Hospital. He considered running for mayor, but his job as a regional salesman for Morton Salt Co. created time constraints that caused him not to seek office.

According to Clarence Love, city clerk during the years Eastham served on council, ''he was very conscientious.'' In Love's opinion, Eastham was an ''excellent councilman.''

Jimmy Eastham said he thought his father most likely would be remembered most for ''standing for what he believed in.''

The Reid S. Jones Memorial Fund was established, first and foremost, to help veterans with educational issues.

''A veteran might return from Afghanistan ready to go to law school and need some assistance,'' Dr. Jones said. ''Or, a veteran might return and want to become a law enforcement officer or a mechanic.''

As interest on the fund grows, money will be awarded to veterans who demonstrate great potential for success in professional and vocational arenas.

Primarily, the Reid S. Jones Memorial Fund intends to honor ''the warrior spirit,'' Dr. Jones said, ''the spirit of courage and bravery'' that has helped keep the United States free.

The Reid S. Jones Memorial Fund is now open for tax-deductible contributions. Interested parties may e-mail Dr. Jones at: drjones@jonesfoundation.net or phone her at 606–875–2967.

## BELLARMINE UNIVERSITY KNIGHTS

Mr. McCONNELL. Mr. President, I rise today to recognize the impressive accomplishments of a remarkable men's basketball team in the Commonwealth, the Bellarmine University Knights.

On March 26, the Knights made school history by winning the 2011 National Collegiate Athletic Association Division II basketball championship. By defeating the Brigham Young University-Hawaii Seasiders 71 to 68, Bellarmine brought home its first national championship title in any sport. Senior guard Justin Benedetti described the atmosphere in the MassMutual Center in Springfield, MA, where the championship game was held to be like a home game for the Knights, as many fans traveled to fill the crowd of nearly 3,000.

The morning following their championship win, hundreds of fans, alumni, and students cheered as the team returned to campus and filed off the bus holding high their national trophy. I applaud not only the team's athletic achievement, but also the teamwork and sportsmanship on display as they represented my hometown, Louisville, and our Commonwealth in front of the country's basketball fans.

A state that honors basketball will honor the 2011 Bellarmine Knights team as among the best for seasons to come. Fans will remember a team of unselfish players whose only goal was to win. And they will remember head coach Scott Davenport, who taught his players to play basketball the way it was meant to be played.

Coach Davenport built this team around talented local players—the entire roster hails from Kentucky, Indiana, and Ohio. A Louisville native, he led his Knights to a 33–2 overall record this year on their way to the Division II championship. He can now add this collegiate championship to the one he earned coaching the Ballard High School Bruins of Louisville, KY, to the State championship in 1988. It is no wonder he was recently named the 2011 Schelde North America/Division II Bulletin Coach of the Year. I would like to extend my sincere congratulations to Scott Davenport upon receiving this distinguished honor.

Family members, friends, and the Louisville community are justifiably proud of this team's achievement and the recognition they have earned. This season was a special one for Bellarmine University that we will remember for a long time to come.

I ask my colleagues to join me in congratulating the Bellarmine University Knights men's basketball team upon earning their first national title. I wish them continued success both on and off the court.

## HEALTH CARE RALLY

Mr. SANDERS. Mr. President, on Saturday, March 26 several hundred medical students from across the country came to our State Capital in Montpelier, VT, to rally in support of Vermont going forward with a Medicare for All Single Payer health care system.

These young people were absolutely clear in understanding that for them to be the great physicians and nurses that they want to be, our health care system must change. They believe, as I do, that health care is a right and not a privilege and that a single payer program is the most cost-effective way of achieving that goal. I am very pleased to submit for the RECORD the statement of principle signed by these medical school students.

I ask unanimous consent it be printed in the RECORD.

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

As medical students from around the country converge this weekend on the steps of the State House to support Vermont's movement toward a single-payer health system, we want to contribute additional perspectives on our state's discussion of Health Care Reform.

As the Vermont legislature considers Health Care Reform, we, a group of UVM medical students who are invested in the future of Vermont, believe that current and future health care legislation should work toward the following goals:

1. Ensure that every Vermonter has health care coverage through a sustainable system that maintains a desirable environment in which to practice medicine.

2. Replace the current fee for service system that both limits access to physicians and compromises the quality of care given to patients.

3. Empower Vermont to retain and attract high quality physicians to ensure adequate health care for future Vermonters.

Our proposals to help meet these goals are:

1. Initiate a program that reduces the tuition of out-or-state students to in-state levels in exchange for commitment to practice in Vermont after training is complete.

2. Improve funding for the existing loan repayment program through Vermont AHEC to encourage primary care providers to practice in under-served areas of the state.

3. Address the current inequity in the ''provider tax'' such that out of state providers treating Vermont patients contribute fairly to the Vermont Medicaid program.

4. Simplify the administrative burden upon the provider by developing a system that has a single payer with best-practice guidelines as opposed to the current fee-for-service system.

By addressing these issues in upcoming legislation, we are of the opinion that the quality of health care in Vermont will improve. A sustainable system that addresses many of the national problems with medicine will encourage a strong physician population throughout the state, as well as secure Vermont's future as the healthiest state in America.

As medical students who will inherit the reform currently being debated in Montpelier, we are committed to help shape a sustainable universal health care system. It is our great hope that these changes will be enacted to enable us to provide the best care possible to our future patients.

Larry Bodden, Calvin Kagan, Bud Vana, Ben Ware, John Malcolm, JJ Galli, Vanessa Patten, Nick Koch, Uz Robison, Pete Cooch, Rich Tan, Bianca Yoo, Prabu Selvam, Dave Reisman, Adam Ackrman, Nazia Kabani, Stas Lazarev, Sara Staples, Therese Ray, Kelly Cunningham, Hannah Foote, Laura Sturgill, Megan Malgeri, Kati Anderson, Serena Chang, Caitlan Baran, Leah Carr, Mariah Stump, Daniel Edberg, Franki Boulos, Chelsea Harris, Vinnie Kan, Mairin Jerome, Jimmy Corbett-Detig, Dan Liebowitz, Laura Caldwell, Damian Ray, Mei Lee Frankish.

The University of Vermont does not endorse this organization or their position in connection with this or any other political campaign, policy position or election.

Ms. SNOWE. Mr. President, I wish to discuss an amendment entitled ''the Greater Accountability in the Treasury Small Business Lending Fund Act of 2011.''

As ranking member of the Senate Small Business Committee, it is my responsibility to ensure that small businesses have access to affordable credit. In this regard, I have worked on a bipartisan basis with Senator LANDRIEU, chair of the Small Business Committee, to include provisions in the American Recovery and Reinvestment Act that enhanced the SBA's 7(a) and 504 loan programs. Those measures resulted in a 90-percent national increase in SBA lending at a crucial time in our Nation's lending crisis. I also authored provisions, recently enacted into law, to increase the SBA's maximum loan limits for its microloan, 7(a), and 504 loans, to make the SBA more relevant to the needs of today's borrowers. Additionally, I have been supportive of efforts to increase the arbitrarily imposed cap on member business lending at credit unions—at no cost to taxpayers—so that credit unions can play

a greater role in helping to address the problems that small businesses continue to face in accessing credit.

But, unfortunately, I was unable to vote in favor of the Small Business Jobs Act of 2010, even though it included many of my priorities, due to my significant concerns with the Treasury Small Business Lending Fund—SBLF or lending fund—provisions included into that bill. I opposed the inclusion of the lending fund for several reasons. While I will not reiterate all of those here, I will discuss a few of them briefly.

First, the lending fund is essentially an extension of the Troubled Assets Relief Program, TARP, which was terminated by the Dodd-Frank Wall Street Reform and Consumer Protection Act. This fact was confirmed by the bipartisan Congressional Oversight Panel for TARP in its May Oversight Report.

Second, it is possible that instead of promoting quality loans, the lending fund could encourage unnecessarily risky behavior by banks. Under the current law, the Treasury Department lends funds to banks at a 5-percent interest rate, which can be reduced to as low as 1 percent if the institutions in turn increase their small business lending. If the banks fail to increase their small business lending, the interest rate they pay could rise to a more punitive 7 percent. This could lead to an untenable situation where banks would make risky loans to avoid paying higher interest rates—a behavior known as ''moral hazard.''

Third, I still believe that the lending fund could put taxpayer resources at risk. The score for the Small Business Lending Fund is convoluted. The Congressional Budget Office, CBO, score for the lending fund listed it as raising $1.1 billion over 10 years, based on a cash-based estimate. However, the very same CBO score highlighted that if CBO were permitted to base its score on a fair-value estimate, which accounts for market risk, the score would be a $6.2 billion loss. In fact, the CBO score stated:

> Estimates prepared on a ''fair-value'' basis include the cost of the risk that the government has assumed; as a result, they provide a more comprehensive measure of the cost of the financial commitments than estimates done on a FCRA [Federal Credit Reform Act of 1990 (FCRA)] basis or on a cash basis. CBO estimates that the cost of the SBLF on such a fair-value basis (that is, reflecting market risk) would be $6.2 billion.

While I favor outright repeal of the Small Business Lending Fund, I know that will be very difficult—and likely impossible, given that the majority party in the Senate and the President strongly supported its enactment. And so I am focusing my efforts on making as many improvements to the fund as possible, a responsibility that all of us in Congress, Republicans and Democrats alike, should be able to coalesce around.

We undoubtedly have a shared responsibility to ensure that taxpayer's dollars, in this case $30 billion for the Small Business Lending Fund, are used in a transparent, prudent, and responsible manner. If we foster an environment in which banks are free to make risky loans to avoid higher interest rates, if we permit banks to accept loans without any formal guarantee of repayment, we fail our responsibility to our constituents and do a disservice to our Nation's 30 million small businesses.

The following is a description of some of the amendment's provisions. One section would require that banks that receive Small Business Lending Fund distributions, must—within 10 years—repay the money they receive. While the current law directs that within 10 years of receiving the funds, the banks should repay them to the Treasury Department, it also gives discretion to the Treasury Secretary to extend—even indefinitely—the period of time that banks have, to repay the government. Again, this is a commonsense provision to ensure that taxpayer's dollars do not go to waste.

Another provision would establish a sunset of 15 years for the Small Business Lending Fund. Under the current law, no such end date exists. The Lending Fund must not be authorized to continue in perpetuity.

The amendment would also prohibit, moving forward, banks that have received TARP distributions from also obtaining small business lending funds. Under the current law, banks that have received money through the TARP program remain eligible to receive small business lending funds as well, unless they default on TARP repayment. My provision is not inferring that banks who received TARP funds are bad actors, or that they are being penalized for participating in the program. Rather, it is a simple recognition that the Federal government should be limiting the frequency with which it subsidizes private banks with taxpayer funds at favorable interest rates. This crucial amendment will prohibit banks from ''double dipping'' into taxpayer funds.

Another provision would provide that the Small Business Lending Fund cease operations if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of any eligible institutions. It is essential that the lending fund is not a bailout and if there are strong indications that this fund has serious systemic difficulties, it must be halted until the problems within the program are corrected.

Another provision would provide that only healthy banks participate in the Small Business Lending Fund. This amendment prevents banks who apply for the SBLF from counting expected SBLF funds as tier 1 capital in order to artificially strengthen their capital position in order to receive government funds. This provision ensures that banks would have to stand on their own two feet, rather than being able to count the anticipated future receipts of taxpayer funds, when determining if the banks are healthy enough to be provided those funds in the first place.

My amendment would also help ensure that regulators have more meaningful controls over the Small Business Lending Fund. For there to be meaningful controls over the SBLF, it is essential that all bank regulators, whether State or Federal, have a real voice in the lending fund's ability to lend to regulated banks. This amendment gives State bank regulators the ability to determine whether or not a bank which they regulate should receive capital investment through the SBLF program. The current lending fund only gives State bank regulators an advisory role over whether or not a bank they regulate will receive SBLF funds. As this fund is targeted towards community banks, most of the banks applying for this program will be regulated at the State level. If we are really going to include State regulators and make this an inclusive regulator process, it is essential that State regulators have the power to affect a bank's application.

And my amendment would also establish an appropriate benchmark for assessing changes in small business lending by recipients of capital investments under the Small Business Lending Fund. As it is currently written, the SBLF uses 2008 as a benchmark year to determine how much banks will have to increase their lending to small firms. My concern is that 2008 was a true low mark for small business lending. This benchmark shortchanges small businesses. Using 2007, or some other measure, as a benchmark may increase the number of loans, banks participating in the SBLF program would have to make to small firms.

This legislation is not a silver bullet, and I recognize that we should continue to vet these issues further. But it does attempt to deal with many of the significant problems that I have with the lending fund. Regrettably, these are precisely the types of issues that could have been resolved, had the lending fund received hearings and been properly vetted in the Senate—as one would expect of any legislative proposal of this magnitude.

I ask unanimous consent that a copy of the section by section of the bill be printed in the RECORD.

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

THE GREATER ACCOUNTABILITY IN THE TREASURY SMALL BUSINESS LENDING FUND ACT (''ACT'')

*This Act revises the Department of Treasury (''Treasury'') Small Business Lending Fund (''Lending Fund'') program established in H.R. 5297, the Small Business Jobs Act of 2010 (''Jobs Act'').

**SEC. 1. SHORT TITLE.**

This legislation shall be referred to as ''the Greater Accountability in the Lending Fund Act of 2011.''

**SEC. 2. REPAYMENT REQUIREMENT.**

This section requires that financial institutions that receive Lending Fund distributions must—within 10 years—repay the

money that they receive. Under current law, the Secretary of Treasury (''Secretary'') has the authority to postpone, indefinitely, repayment.

**SEC. 3. SUNSET ON THE LENDING FUND.**

Under existing law, the Lending Fund is authorized to exist forever. This section requires that the Lending Fund sunset within 15 years of the date that the Lending Fund was enacted.

**SEC. 4. TRIGGER TO PROTECT AND PRESERVE TAXPAYER DOLLARS.**

This section prohibits the Secretary from making any new purchases (i.e. prohibits the Secretary from providing additional money, through the Lending Fund) if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of the number of eligible financial institutions that have obtained a capital investment under the Lending Fund program.

**SEC. 5. DISALLOWING FUTURE LENDING FUND PURCHASES OF FINANCIAL INSTITUTIONS THAT PARTICIPATED IN THE TROUBLED ASSET RELIEF PROGRAM (''TARP'').**

This section prohibits—as of the date of this Act being enacted—the Secretary from making additional purchases, through the Lending Fund, of a financial institution (i.e. providing money to a bank) that participated in the TARP program. This section would end the double-dipping practice of financial institutions that have previously received taxpayer funds, at low (subsidized) interest rates, through TARP, doing so again, through the Lending Fund.

**SEC. 6. ALLOWING ONLY ''HEALTHY'' FINANCIAL INSTITUTIONS TO PARTICIPATE IN THE LENDING FUND.**

Under current law, when determining whether a bank is financially sound, for the purpose of receiving Lending Fund dollars, the Secretary can take into consideration what the bank's strength would be after receiving the funds. This section changes the law to require that the Secretary determine whether a bank is financially stable, without being able to include future Lending Fund distributions into the equation. Therefore, a bank must be stable on its own, (without regard to future Lending Fund dollars), in order to be approved to participate in the program.

**SEC. 7. ENSURING THAT REGULATORS HAVE MORE MEANINGFUL CONTROLS OVER THE LENDING FUND.**

This section requires that the Secretary must obtain prudential regulators' approval—rather than consultation—before an individual applicant financial institution can receive distributions through the Lending Fund program.

**SEC. 8. BENCHMARK ADJUSTMENT.**

This section changes the benchmark by which a financial institution's small business lending has increased from the current level (the 4 full quarters immediately preceding the date of the Jobs Act being enacted) to a new benchmark of calendar year 2007. This section addresses concerns that the Lending Fund may reward banks that would have increased their lending even in the absence of government support, as the Fund's incentive structure is calculated in reference to lending levels, which were low by historical standards.

## NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM IMPROVEMENT ACT

Mr. COBURN. Mr. President, the intent of the National Instant Criminal Background Check System, NICS, Improvement Act of 2007 is to increase compliance with existing law in order to prevent guns from getting into the hands of those with mental health concerns who might cause harm to others.

Unfortunately, the initial draft of this legislation would have expanded the existing classes of people forbidden by statute from possessing or purchasing a weapon to include people who simply had trouble managing their finances or other personal affairs. This expansion of existing law would have legitimized overly broad regulations that included people who have never been found to be a danger to themselves or to others.

This is problematic because these overly broad regulations have allowed for the criminalization of veterans who needed help managing the benefits they received for serving our country. These veterans lost their constitutional right to bear arms without committing a crime, without going before a court of law, and without being found to be a possible danger to themselves or anyone else. Furthermore, they lost their rights without their knowledge, and without a way to restore them.

For this reason I did not consent to H.R. 2640 until these concerns were adequately addressed.

Nobody wants firearms in the hands of individuals who are a danger to themselves or to others, but this desire for safety must be adequately balanced with a respect for our Constitution and the right to bear arms. While I favor keeping guns out of the hands of criminals and those who are a danger to themselves or to others, I was concerned that this bill would unnecessarily and unfairly hurt our veterans and other law-abiding Americans.

The initial version of this bill codified overly broad regulations for what it means to be ''adjudicated as a mental defective'' to include individuals who are in no danger to themselves or to others, but cannot manage their own finances or other personal affairs. These regulations were determined independent of congressional intent and are overly inclusive.

As a result of this definition, Americans who have never committed a crime and are of no danger to themselves or to others have been unfairly included in NICS. Once added to this list, it has been nearly impossible for an individual to remove their name from this list, meaning they are prohibited from owning a firearm for the rest of their life.

Among those unfairly added are up to 140,000 veterans who receive benefits for their service to our country, because they cannot manage their own affairs. This bill would have made this overly inclusive definition law.

Fortunately, Senator SCHUMER and I were able to work together to erase all mention of this definition in the bill. The term ''adjudicated as a mental defective'' is not defined in law. By not codifying these overly inclusive regulations, Congress and the Bureau of Alcohol, Tobacco, and Firearms Enforcement have a another chance to develop regulations for what ''adjudicated as a mental defective'' means to more accurately protect the second amendment rights of law-abiding citizens.

Additionally, we made several other changes to improve this bill. The bill now ensures: Veterans are notified when they are added to this list to ensure they do not knowingly violate Federal law and also lets them know when they enter into a determination process that could lead to them being added to this list; those who believe they have been unfairly added to NICS have their applications for removal from this list processed; those who previously were adjudicated as a mental defective but no longer pose a threat to society are cleared from this list; a State program exists that allows those wrongfully included on this list to appeal their inclusion; and that compensation is available for those who prove they were wrongfully included on NICS in court.

These changes strike a much healthier balance between ensuring the second amendment rights of our veterans and other law-abiding citizens and removing guns from those who are a threat to our society.

It is also important for Americans to realize that this bill, if enacted earlier, would not have prevented the tragic Virginia Tech shootings. This bill does not change Federal law regarding who should be added to NICS. States still have to decide to what extent they will report those adjudicated as a mental defective to the national list.

Under existing law, the Virginia Tech gunman already was considered a mentally dangerous person and should not have been allowed to purchase a weapon. At the time of the shootings, he was prohibited from purchasing any guns because two different judges found him to be a danger to himself or others. Additionally, the gunman should have been barred from buying a gun because he had been involuntarily committed for mental treatment.

He should have been reported to NICS because of a law passed last decade that required States to report people like him to the Federal system so that they would be prohibited from purchasing weapons. Unfortunately, because of a communications breakdown among Virginia authorities, this did not occur.

Since the Virginia Tech tragedy, several States have begun submitting these records to NICS and added hundreds of thousands of persons to the database without any additional Federal law being passed. According to the Washington Post, nearly 220,000 names have been added to this FBI list of people prohibited from buying guns because of mental health problems—a more than double increase in only 7 months.

While the intent of this legislation is good, Congress owes it to all Americans to pass legislation that is necessary and does not have unintended

consequences that compromise the rights of law abiding citizens.

I am thankful for the opportunity for my concerns to be addressed and believe this bill is much improved.

## ADDITIONAL STATEMENTS

### REMEMBERING DR. ALFRED KAHN

• Mr. KOHL. Mr. President, as chairman of the Senate's Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights, I pay tribute to a giant of antitrust law and economics, the economist and legal scholar Alfred E. Kahn, who passed away on December 27, 2010, at the age of 93.

A scholar at the forefront of public utility deregulation, Dr. Kahn was perhaps best known as the ''father of airline deregulation.'' His work in the Carter administration in the 1970s to deregulate the airline industry led the way for dramatic reductions in airline fares, saving consumers billions, when he spearheaded passage of the U.S. Airline Deregulation Act of 1978 as chair of the now-defunct Civil Aeronautics Board. While a highlight of his career, this was just one of many of Dr. Kahn's achievements—throughout his life he was an outstanding advocate for consumers, against monopoly and unnecessary government interference in the private market, and for the creative and vigorous enforcement of antitrust law.

Born on October 17, 1917, in Paterson, NJ, the son of Russian immigrants, Alfred Edward Kahn graduated from New York University, first in his class, at the age of 18 and received a Ph.D. from Yale University. In the early 1940s, Dr. Kahn worked at the Brookings Institution, in the Antitrust Division of the Department of Justice, and for the War Production Board as an economist.

During World War II, Dr. Kahn served as an Army economist for the Commission on Palestine Surveys. Soon after the war, he spent 2 years as a professor at Ripon College in Wisconsin, before beginning his esteemed career at Cornell University, which, other than the time he spent in public service, would last until his death.

Before stepping onto the national political scene, Dr. Kahn served as head of the New York State Public Service Commission, the State's regulator for electricity, gas, water, and telephones. From there, seeking to use deregulation as a means to stimulate economic growth, President Carter tapped Dr. Kahn to serve as chairman of the now-defunct Civil Aeronautics Board in 1977. The CAB was entrusted with economic regulation of the airlines—including the routes carriers could fly and the fares they could charge.

At the time of his appointment, Dr. Kahn professed to know little about the airline business, referring to airplanes as ''marginal costs with wings.'' However, he was a quick study, and the industry was ripe for change. Substantial investments had recently been made in wide-body aircraft, and industry players wanted access to new routes and new passengers. Though slight in physical stature and viewed purely as an academic and not someone who could wield much influence, Dr. Kahn was able to take on the industry and persuade the establishment that excessive government regulation had long-harbored inefficiency and was facilitating artificially inflated fares.

Through various avenues, including the press, CAB proceedings, and testimony in Congress, Dr. Kahn was the intellectual leader and primary advocate of deregulating the airline industry, highlighting that many planes were flying half full at fares many could not afford. Less than 2 years after assuming his post at the CAB, Congress passed and President Carter signed into law the Airline Deregulation Act. This landmark legislation was the first complete dismantling of a Federal regulatory scheme since the 1930s. In all, Dr. Kahn testified before U.S. House and Senate committees more than 70 times in his career. He testified before our Antitrust Subcommittee several times, always eloquently and honestly, with impressive candor and penetrating insight.

In later years, Dr. Kahn steadfastly defended his work on airline deregulation by pointing out that more Americans were flying with greater choice at lower rates than ever before. In a 1998 essay in the New York Times, Dr. Kahn admitted that even though the ''resulting competitive regime has been far from perfect, it has saved travelers more than $10 billion a year.'' For Dr. Kahn, the deregulation of the airline industry had one powerful effect: empowering the consumer through competition. This was perhaps the signal achievement of his outstanding career. Throughout his life, he stood for consumers against entrenched monopolies, for innovation against the established economic order, and for unleashing the dynamism and creativity of an unfettered free market and excessive and heavyhanded regulation.

Not only a brilliant economist and legal scholar, Dr. Kahn will be remembered for his sharp wit and humor. Dr. Kahn famously created a buzz with his initiative to eliminate government ''bureaucratese'' when the Washington Post published a copy of his memo calling for his staff to use ''plain English'' and ''quasi-conversational, humane prose'' in their writing. Following his time in Washington, Dr. Kahn returned to chair the economics department at Cornell, where he would author more than 130 academic papers and 8 books.

Upon his passing, I want to express my gratitude to Dr. Alfred Kahn for his contributions to the antitrust and regulatory economics fields and for his service to the American people and offer my deepest condolences to his wife and family.•

### 100TH ANNIVERSARY OF PLUM LAKE, WISCONSIN

• Mr. KOHL. Mr. President, Senator JOHNSON and I congratulate the residents of the town of Plum Lake in Vilas County, WI, as they celebrate the 100th anniversary of their town's founding. Plum Lake comprises the communities of Sayner and Star Lake, both of which have long traditions as vacation destinations because of the friendly people and the magnificence of the lakes and forests, as well as the abundance of fish and game. Folks looking to escape the day to day grind can retire to this beautiful area year round to hunt, fish, water and snow ski, and hike along nature trails. Visitors are often surprised to discover that the town's slogan, ''Birthplace of the snowmobile,'' reflects its invention there by Carl Eliason in 1924.

The town of Plum Lake was officially formed by an ordinance passed by the Vilas County Board on January 5, 1911. The ordinance went into effect April 1, 1911, creating the new town from territory detached from the town of Arbor Vitae. The first town meeting was held in Sayner on April 14, 1911.

In the 19th century, Plum Lake was the center of a vibrant lumber industry, which eventually gave way to tourism. Two years before the founding of the town, in the summer of 1909, Herb Warner and others began construction on one of Wisconsin's oldest golf courses, the Plum Lake Golf Club, which opened in 1912. Plum Lake also boasts one of Wisconsin's oldest summer camps, Camp Highlands, which began when Harry O. Gilette, a University of Chicago Laboratory School headmaster, brought 10 boys to a remote point on Plum Lake for a summer in the wilderness in 1904.

Today, Plum Lake maintains both its majestic views and its place as a prime vacation destination. We are very proud to represent this community and we congratulate the town of Plum Lake on this historic milestone. We join with all Wisconsinites in expressing our pride in the treasures of our State.•

## MESSAGE FROM THE HOUSE

At 4:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1079. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON of South Dakota, from the Committee on Banking, Housing, and Urban Affairs:

Special Report entitled ''Report on the Activities of the Committee on Banking, Housing, and Urban Affairs during the 111th Congress'' (Rept. No. 112–7).

## 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 Ms. COLLINS (for herself and Ms. CANTWELL):

S. 659. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program; to the Committee on Finance.

By Mr. KYL (for himself, Mr. MCCONNELL, Mr. BARRASSO, Mr. COBURN, Mr. CRAPO, and Mr. ROBERTS):

S. 660. A bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny or delay coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG:

S. 661. A bill to amend the Federal Water Pollution Control Act to ensure the safe and proper use of dispersants in the event of an oil spill or release of hazardous substances, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 662. A bill to provide for payments to certain natural resource trustees to assist in restoring natural resources damaged as a result of the Deepwater Horizon oil spill, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN:

S. 663. A bill for the relief of Al-Housseynou Ba; to the Committee on the Judiciary.

By Ms. LANDRIEU (for herself and Mr. CRAPO):

S. 664. A bill to amend the Internal Revenue Code of 1986 to clarify the capital gain or loss treatment of the sale or exchange of mitigation credits earned by restoring wetlands, and for other purposes; to the Committee on Finance.

By Mr. BROWN of Ohio (for himself and Ms. SNOWE):

S. 665. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS (for himself, Mr. JOHNSON of South Dakota, Mr. CONRAD, and Mr. TESTER):

S. 666. A bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 667. A bill to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr. HATCH, Mr. ROBERTS, Mr. KYL, Mr. THUNE, Mr. BARRASSO, Mr. ISAKSON, Mr. WICKER, Mr. BURR, Mr. COBURN, and Mr. INHOFE):

S. 668. A bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board; to the Committee on Finance.

By Mr. ISAKSON:

S. 669. A bill to amend the Longshore and Harbor Workers' Compensation Act to improve the compensation system, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 670. A bill to authorize States and their political subdivisions to regulate fuel economy and emissions standards for taxicabs; to the Committee on Commerce, Science, and Transportation.

By Mr. SESSIONS (for himself, Mr. BLUMENTHAL, Mr. HATCH, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. CORNYN, Mr. KYL, Mr. GRAHAM, Mr. LEE, Ms. COLLINS, Mr. THUNE, Mr. COBURN, Mr. BURR, and Mr. CHAMBLISS):

S. 671. A bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders; to the Committee on the Judiciary.

By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. MORAN, Mr. WYDEN, Mr. ROBERTS, Mrs. GILLIBRAND, Mr. WICKER, Mr. BOOZMAN, Mr. THUNE, and Ms. SNOWE)):

S. 672. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 673. A bill to require the conveyance of the decommissioned Coast Guard Cutter STORIS; to the Committee on Commerce, Science, and Transportation.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VITTER:

S. Res. 111. A resolution expressing the sense of the Senate that Congress should reject any proposal for the creation of a system of global taxation and regulation; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. Res. 112. A resolution congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (''THON'') on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; to the Committee on the Judiciary.

By Mr. LUGAR (for himself and Mrs. SHAHEEN):

S. Res. 113. A resolution commemorating the 2011 International Year of Forests; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. AYOTTE, Mrs. BOXER, Ms. CANTWELL, Ms. COLLINS, Mrs. FEINSTEIN, Mrs. HAGAN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. SHAHEEN, Ms. SNOWE, Ms. STABENOW, Mr. REID, Mr. MCCONNELL, Mr. BARRASSO, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BROWN of Ohio, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CONRAD, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mr. MANCHIN, Mr. MENENDEZ, Mr. MERKLEY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. REED, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. TESTER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. CHAMBLISS):

S. Res. 114. A resolution honoring Congresswoman Geraldine A. Ferraro, the first woman selected by a major political party as its candidate for Vice President of the United States, and extending the condolences of the Senate on her death; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 17

At the request of Mr. HATCH, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 17, a bill to repeal the job-killing tax on medical devices to ensure continued access to life-saving medical devices for patients and maintain the standing of United States as the world leader in medical device innovation.

S. 33

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 33, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 146

At the request of Mr. BAUCUS, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 216

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 216, a bill to increase criminal penalties for certain knowing and international violations relating to food that is misbranded or adulterated.

S. 242

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 242, a bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau.

S. 248

At the request of Mr. WYDEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 248, a bill to allow an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act.

S. 282

At the request of Mr. BEGICH, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 282, a bill to rescind unused earmarks.

S. 398

At the request of Mr. BINGAMAN, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

S. 409

At the request of Mr. SCHUMER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 409, a bill to ban the sale of certain synthetic drugs.

S. 424

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 424, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 453

At the request of Mr. BROWN of Ohio, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 453, a bill to improve the safety of motorcoaches, and for other purposes.

S. 520

At the request of Mr. COBURN, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 520, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 534

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 540

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 540, a bill to prevent harassment at institutions of higher education, and for other purposes.

S. 570

At the request of Mr. TESTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 575

At the request of Mr. TESTER, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Missouri (Mr. BLUNT) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 575, a bill to study the market and appropriate regulatory structure for electronic debit card transactions, and for other purposes.

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 593

At the request of Mr. SCHUMER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 593, a bill to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations.

S. 595

At the request of Mrs. MURRAY, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. REED) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 633

At the request of Ms. SNOWE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 633, a bill to prevent fraud in small business contracting, and for other purposes.

AMENDMENT NO. 183

At the request of Mr. MCCONNELL, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 183 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 197

At the request of Mrs. HUTCHISON, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of amendment No. 197 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 241

At the request of Mr. RISCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 241 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Ms. CANTWELL):

S. 659. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to join with my colleague from Washington in introducing legislation, the Home Health Care Access Protection Act of 2011, to prevent future unfair administrative cuts in Medicare home health payment rates.

Home health has become an increasingly important part of our health care system. The kinds of highly skilled and often technically complex services that our Nation's home health agencies provide have helped to keep families together and enabled millions of our most frail and vulnerable older and disabled persons to avoid hospitals and nursing homes and stay just where they want to be—in the comfort and security of their own homes. Moreover, by helping these individuals to avoid more costly institutional care, they are saving Medicare billions of dollars each year.

That is why I find it so ironic—and troubling—that the Medicare home health benefit continually comes under attack.

The health care reform bill signed into law by the President last year includes $40 billion in cuts to home care over 10 years. Moreover, these cuts are a ''double-whammy'' because they come on top of $25 billion in additional cuts to home health imposed by the Centers for Medicare and Medicaid Services through regulation in the last several years.

These cuts are particularly disproportionate for a program that costs Medicare less than $20 billion a year. This simply is not right, and it certainly is not in the best interest of our nation's seniors who rely on home care to keep them out of hospitals, nursing homes, and other institutions.

The payment rate cuts implemented and proposed by CMS are based on the assertion that home health agencies have intentionally ''gamed the system'' by claiming that their patients have conditions of higher clinical severity than they actually have in order to receive higher Medicare payments. This unfounded allegation of ''case mix creep'' is based on what CMS contends to be an increase in the average clinical assessment ''score'' of home health patients over the last few years.

In fact, there are very real clinical and policy explanations for why the average clinical severity of home care patients' health conditions may have increased over the years. For example, the incentives built into the hospital diagnosis-related group—or DRG—reimbursement system have led to the faster discharge of sicker patients. Advances in technology and changes in medical practice have also enabled home health agencies to treat more complicated medical conditions that previously could only be treated in hospitals, nursing homes, or inpatient rehabilitation facilities.

Moreover, this unfair payment rate cut is being assessed across the board, even for home health agencies that showed a decrease in their clinical assessment scores. If an individual home

health agency is truly gaming the system, CMS should target that one agency, not penalize everyone.

The research method, data and findings that CMS has used to justify the administrative cuts also raise serious concerns about the validity of the payment rate cuts. For example, while changes in the need for therapy services significantly affect the case mix ''score,'' the CMS research methodology disregards those changes in evaluating whether the patient population has changed. Moreover, the method by which CMS evaluates changes in case mix coding is not transparent, does not allow for true public participation, and is not performed in a manner that ensures accountability to Medicare patients and providers in terms of its validity and accuracy of outcomes.

The legislation we are introducing today will establish a reliable and transparent process for determining whether payment rate cuts are needed to account for improper changes in ''case mix scoring'' that are not related to changes in the nature of the patients served in home health care or the nature of the care they received. This process will still enable the Secretary of Health and Human Services to enact rate adjustments provided there is reliable evidence that higher case mix scores are resulting from factors other than changes in patient conditions. The legislation will also prevent the implementation of future Medicare payment rate cuts in home health until the Secretary is able to justify the payment cuts through the improved process set forth in the bill.

Home health care has consistently proven to be a compassionate and cost-effective alternative to institutional care. Additional deep cuts will be completely counterproductive to our efforts to control overall health care costs. The Home Health Care Access Protection Act of 2011 will help to ensure that our seniors and disabled Americans continue to have access to the quality home health services they deserve, and I encourage all of my colleagues to sign on as cosponsors.

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By Mr. KYL (for himself, Mr. MCCONNELL, Mr. BARRASSO, Mr. COBURN, Mr. CRAPO, and Mr. ROBERTS):

S. 660. A bill to protect all patients by prohibiting the use of data obtained from comparative effectiveness research to deny or delay coverage of items or services under Federal health care programs and to ensure that comparative effectiveness research accounts for advancements in personalized medicine and differences in patient treatment response; to the Committee on Health, Education, Labor, and Pensions.

Mr. KYL. 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. 660

*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 ''Preserving Access to Targeted, Individualized, and Effective New Treatments and Services (PATIENTS) Act of 2011'' or the ''PATIENTS Act of 2011''.

**SEC. 2. PROHIBITION ON CERTAIN USES OF DATA OBTAINED FROM COMPARATIVE EFFECTIVENESS RESEARCH; ACCOUNTING FOR PERSONALIZED MEDICINE AND DIFFERENCES IN PATIENT TREATMENT RESPONSE.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services—

(1) shall not use data obtained from the conduct of comparative effectiveness research, including such research that is conducted or supported using funds appropriated under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) or authorized or appropriated under the Patient Protection and Affordable Care Act (Public Law 111–148), to deny or delay coverage of an item or service under a Federal health care program (as defined in section 1128B(f) of the Social Security Act (42 U.S.C. 1320a–7b(f))); and

(2) shall ensure that comparative effectiveness research conducted or supported by the Federal Government accounts for factors contributing to differences in the treatment response and treatment preferences of patients, including patient-reported outcomes, genomics and personalized medicine, the unique needs of health disparity populations, and indirect patient benefits.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as affecting the authority of the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act or the Public Health Service Act.

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By Mr. BROWN of Ohio (for himself and Ms. SNOWE):

S. 665. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. SNOWE. Mr. President, I rise today in support of the Selecting Employment Clusters to Organize Regional Success, SECTORS, Act, which Senator SHERROD BROWN and I are introducing. This legislation would amend the Workforce Investment Act of 1998 to establish an industry or sector partnership grant program administered by the Department of Labor.

The SECTORS Act provides grants to industry clusters—interrelated group of businesses, service providers, and associated institutions—in order to establish and expand sector partnerships. By providing financial assistance to these partnerships, this legislation would create customized workforce training solutions for specific industries at a regional level. A sector approach is beneficial because it can focus on the dual goals of promoting the long-term competitiveness of industries and advancing employment opportunities for workers, thereby encouraging economic growth. Existing sector partnerships have long been recognized as key strategic elements within some of the most successful economic development initiatives throughout the country. Unfortunately, current federal policy does not provide sufficient support for these critical ventures.

As Co-Chair of the bipartisan Senate Task Force on Manufacturing, one of my key goals is to ensure that manufacturers have access to a capable workforce. Unfortunately, manufacturers across the country have raised significant concerns about whether the next generation of workers is being trained to meet the needs of an increasingly high-tech workplace.

In fact, in my home State of Maine, the manufacturing sector has shed an alarming 26,200 jobs in the past ten years, or 1/3 of the State's manufacturing employment. And since the beginning of 1990, our state has lost 43,000 jobs. It is therefore critical that we as a Nation provide unemployed manufacturing workers the training needed to excel as our manufacturing sector becomes increasingly technical. This legislation provides a crucial link between establishing worker training programs and fostering new employment opportunities for those who have been affected by the manufacturing industry's decline. By promoting this innovative partnership, we will take a crucial step toward rejuvenating our economy.

Throughout the country, sector partnerships are being used to promote the long-term competitiveness of industries and to advance employment opportunities. For example, the State of Maine has created the North Star Alliance Initiative. The Alliance has brought together Maine's boat builders, the University of Maine's Advanced Engineered Wood Composites Centers, Maine's marine and composite trade association, economic development groups, and investment organizations for the purpose of advancing workforce training.

Our Nation's capacity to innovate is a key reason why our economy, despite difficult times, remains the envy of the world. Ideas by innovative Americans across the spectrums of professions and industries have paid enormous dividends, improving the lives of millions throughout the world. We must continue to encourage all avenues for advancing our nation's economic well-being if America is to compete at the vanguard of innovation. The SECTORS Act will help align America's workforce with the needs of our Nation's employers to promote a robust and growing economy.

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By Mr. BAUCUS (for himself, Mr. JOHNSON of South Dakota, Mr. CONRAD, and Mr. TESTER):

S. 666. A bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BAUCUS. 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. 666

*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 ''Veterans Traumatic Brain Injury Care Improvement Act of 2011''.

**SEC. 2. REPORT ON ESTABLISHMENT OF A POLYTRAUMA REHABILITATION CENTER OR POLYTRAUMA NETWORK SITE OF THE DEPARTMENT OF VETERANS AFFAIRS IN THE NORTHERN ROCKIES OR DAKOTAS.**

(a) FINDINGS.—Congress makes the following findings:

(1) The States of the northern Rockies and the Dakotas are among those States in the United States with the highest per capita rates of veterans with injuries from military service in Iraq and Afghanistan.

(2) Traumatic brain injury (TBI) has become known as one of the ''signature wounds'' of military service in Iraq and Afghanistan due to its high occurrence among veterans of such service.

(3) A recent RAND Corporation study estimates that as many as 20 percent of the veterans of military service in Iraq and Afghanistan have a traumatic brain injury as a result of such service, and many of these veterans require ongoing care for mild, moderate, or severe traumatic brain injury.

(4) The Department of Veterans Affairs recommends that all veterans experiencing a polytraumatic injury be referred to a Polytrauma Rehabilitation Center or a Polytrauma Network Site.

(5) The Department of Veterans Affairs Polytrauma System of Care includes 4 Polytrauma Rehabilitation Centers and 22 Polytrauma Network Sites, none of which are located in North Dakota, South Dakota, Idaho, Montana, eastern Washington, or Wyoming, an area that encompasses approximately 740,000 square miles.

(6) The vastness of this area imposes significant hardships on veterans residing in this area who require care within the Department of Veterans Affairs Polytrauma System of Care and wish to live close to home while receiving care within such system of care.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the feasibility and advisability of establishing a Polytrauma Rehabilitation Center or Polytrauma Network Site for the Department of Veterans Affairs in the northern Rockies or the Dakotas. One of the locations evaluated as a potential location for the Polytrauma Rehabilitation Center or Polytrauma Network Site, as the case may be, shall be the Fort Harrison Department of Veterans Affairs hospital in Lewis and Clark County, Montana.

(2) REQUIREMENTS.—The report required by this subsection shall include the following:

(A) An assessment of the adequacy of existing Department of Veterans Affairs facilities in the northern Rockies and the Dakotas to address matters that are otherwise addressed by Polytrauma Rehabilitation Centers and Polytrauma Network Sites.

(B) A comparative assessment of the effectiveness of rehabilitation programs for individuals with traumatic brain injuries in urban areas with the effectiveness of such programs for individuals with traumatic brain injuries in rural and frontier communities.

(C) An assessment whether the low cost of living in the northern Rockies and the Dakotas could reduce the financial stress faced by veterans receiving care for traumatic brain injury and their families and thereby improve the effectiveness of such care.

(D) An assessment whether therapies that can prevent or remediate the development of secondary neurologic conditions related to traumatic brain injury can be interrupted by stress caused by living in an urban area.

(3) CONSULTATION.—The Secretary shall consult with appropriate State and local government agencies in the northern Rockies and the Dakotas in preparing the report required by this subsection.

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By Mr. SESSIONS (for himself, Mr. BLUMENTHAL, Mr. HATCH, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. CORNYN, Mr. KYL, Mr. GRAHAM, Mr. LEE, Ms. COLLINS, Mr. THUNE, Mr. COBURN, Mr. BURR, and Mr. CHAMBLISS):

S. 671. A bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders; to the Committee on the Judiciary.

Mr. SESSIONS. Mr. President, I seek recognition today to introduce and speak in favor of the Finding Fugitive Sex Offenders Act of 2011, which would give administrative subpoena authority to the Director of the U.S. Marshals Service for the investigation of sex offenders who have failed to register as required by the Sex Offender Registration and Notification Act. The language of the bill is the product of bipartisan negotiations during the last Congress, which was included in a broader child crimes bill last year that passed both the Senate Judiciary Committee and the Senate, but did not become law.

To understand the need for this bill, it is important to understand the history of recent child crimes legislation in Congress. When the Adam Walsh Act, which I cosponsored, was enacted in July 2006 to create a more uniform and enforceable sex offender registry system, over 150,000 convicted sex offenders were believed to be unregistered and missing from the various state sex offender registries. A key component of the Walsh Act, one requested by John Walsh himself, was to give the U.S. Marshals Service primary enforcement authority to locate and arrest unregistered sex offenders who had crossed state lines or had earlier been convicted under federal law. The Walsh Act, however, did not provide the Marshals Service with administrative subpoena authority to perform these investigations, which can span jurisdictions and move quickly. The Finding Fugitive Sex Offenders Act will fix this gap in the law and grant the Marshals Service this long-needed authority.

It is very surprising that this authority does not already exist in light of the hundreds of administrative subpoena authorities that are in place for various federal agencies, including the EPA, the DEA, the FBI, the CFTC, and even the Appalachian Regional Commission. In March 2006, the Congressional Research Service reported that ''[t]here are now over 300 instances where federal agencies have been granted administrative subpoena power in one form or another.'' In reality, that number is even higher. According to the Department of Justice's 2002 Report to Congress on the Use of Administrative Subpoena Authorities by Executive Branch Agencies and Entities, the Office of Legal Policy ''identified approximately 335 existing administrative subpoena authorities held by various executive branch entities under current law.'' Most of these authorities are for civil enforcement or regulatory compliance—matters far less critical and time-sensitive than locating a fugitive sex offender who has intentionally evaded registering his location or place of employment to avoid detection by law enforcement.

There is no reason why the Marshals Service should not have this type of authority. In these fast-moving investigations across state lines, law enforcement simply cannot afford delays, especially on weekends and holidays when U.S. Attorney's Offices are closed and grand jury subpoenas are unavailable. Assistant Attorney General Rachel Brand explained the delays and limitations of traditional grand jury subpoenas in fast-moving investigations when she testified before the Senate Judiciary Committee on another administrative subpoena proposal in June 2004:

> Although grand jury subpoenas are a sufficient tool in many investigations, there are circumstances in which an administrative subpoena would save precious minutes or hours. . . . For example, the ability to use an administrative subpoena will eliminate delays caused by factors such as the unavailability of an Assistant United States Attorney to immediately issue a grand jury subpoena, especially in rural areas; the time it takes to contact an Assistant United States Attorney in the context of a time-sensitive investigation; the lack of a grand jury sitting at the moment the documents are needed (under federal law, the 'return date' for a grand jury subpoena must be on a day the grand jury is sitting); or the absence of an empaneled grand jury in the judicial district where the investigation is taking place, a rare circumstance that would prevent a grand jury subpoena from being issued at all.

The reality is that sex offenders often fail to register precisely so they can evade detection and move to a new place where they won't face scrutiny. During the hearings and floor debates on the Adam Walsh Act, the Senate heard of the heart-breaking tragedies caused when sex offenders knowingly evaded registration so they could disappear from detection. Senators from Washington and Idaho went to the floor to describe the registry failures and disappearance of Joseph Duncan, who shortly after his release from custody in 2005, absconded from Minnesota

and traveled across the country to Idaho, where he kidnapped Dylan and Shasta Groene from their home in the middle of the night. In the course of the kidnapping, he murdered the children's mother, brother, and the mother's boyfriend by beating them to death with a framing hammer. He then took the children to remote campgrounds across the state line into Montana, where he brutally abused them and later killed Dylan. As one Senator explained during the debate: ''Joseph Duncan was essentially lost by three States. He moved from State to State to avoid capture. No one knew where he was nor even how to look for him.''

A similar tragic story involved the convicted sex offender who killed Florida 9-year-old Jessica Lunsford. John Couey had failed to tell authorities that he was living in a trailer just feet from Jessica's home. In 2005, he kidnapped Jessica from her bedroom and took her to his home where he raped and killed her. Ernie Allen, the President of the National Center for Missing and Exploited Children, cited Couey in his congressional testimony in support of the Walsh Act, explaining that he ''was not where he was supposed to be and [his] presence was unknown to the police or Jessica's family even though he lived 150 yards down the street from her and had worked construction at her elementary school.''

As the Lunsford and Groene cases demonstrate, some sex offenders evade the registry requirements because they want to offend again. In these cases, time is law enforcement's enemy. According to the Department of Justice's guide for families with missing children, ''the actions of parents and of law enforcement in the first 48 hours are critical to the safe recovery of a missing child.'' The Lunsford case illustrates how vital it is for law enforcement to quickly locate sex offenders during a missing child investigation. John Couey reportedly told law enforcement that he kept young Jessica alive for three days before he smothered her inside a plastic trash bag. In a case like Jessica's, this type of authority literally could mean the difference between life and death.

This legislation has broad support. When I drafted this language last Congress, I shared it with the Marshals Service and lawyers who work in the field of protecting children from exploitation. These professionals were not only supportive, but also very clear about the need for this subpoena authority.

I strongly support this legislation and am thankful to the broad bipartisan group, including Senators BLUMENTHAL, HATCH, KLOBUCHAR, GRASSLEY, WHITEHOUSE, CORNYN, KYL, GRAHAM, LEE, COLLINS, THUNE, COBURN, BURR and CHAMBLISS, who have agreed to cosponsor this legislation. I hope the full Senate will take up and pass this legislation soon.

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. 671

*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 ''Finding Fugitive Sex Offenders Act of 2011''.

**SEC. 2. SUBPOENA AUTHORITY FOR THE UNITED STATES MARSHALS SERVICE.**

Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) issue administrative subpoenas in accordance with section 3486 of title 18 solely for the purpose of investigating unregistered sex offenders (as that term is defined in section 3486 of title 18).''.

**SEC. 3. CONFORMING AMENDMENT TO ADMINISTRATIVE SUBPOENA STATUTE.**

(a) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by striking ''or'' at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

''(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or''; and

(2) by striking subparagraph (D) and inserting the following:

''(D) As used in this paragraph—

''(i) the term 'Federal offense involving the sexual exploitation or abuse of children' means an offense under section 1201, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423, in which the victim is an individual who has not attained the age of 18 years; and

''(ii) the term 'sex offender' means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(1) in paragraph (6)(A), by striking ''United State'' and inserting ''United States'';

(2) in paragraph (9), by striking ''or (1)(A)(ii)'' and inserting ''or (1)(A)(iii)''; and

(3) in paragraph (10), by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''.

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By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. CRAPO, Mr. MORAN, Mr. WYDEN, Mr. ROBERTS, Mrs. GILLIBRAND, Mr. WICKER, Mr. BOOZMAN, Mr. THUNE, and Ms. SNOWE)):

S. 672. A bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit; to the Committee on Finance.

Mr. ROCKEFELLER. Mr. President, today I am introducing legislation to extend the Section 45G short line freight railroad tax credit.

Section 45G creates an incentive for short lines to invest in track rehabilitation by providing a tax credit of 50 cents for every dollar spent on track improvements. If this credit is allowed to expire at the end of the year, private-sector investments in infrastructure in our communities will fall by hundreds of millions of dollars.

''Short line'' railroads are small freight rail companies responsible for bringing goods to communities that are not directly served by large railroads. Supporting small railroads allows the communities surrounding them to attract and maintain businesses and create jobs. The evidence of the success of this credit can be found in communities across America.

This credit has a real impact for the people of my state. West Virginia is the second biggest producer of railroad ties in the country. Since the credit first was enacted, approximately 750,000 railroad ties have been purchased above what would have otherwise been purchased with no incentive. Those railroad ties translate directly into jobs. This credit does not create just West Virginia jobs, it benefits manufacturers of ties, spikes, and rail all across America.

Over 12,000 rail customers across America depend on short lines. This credit creates a strong incentive for short lines to invest private sector dollars on private-sector freight railroad track rehabilitation and improvements. Shippers rely on the high quality service these railroads provide to get their goods to market. Unfortunately, this credit is scheduled to expire at the end of 2011.

This bill would extend the 45G credit through 2017 and provide the important long-term planning certainty necessary to maximize private-sector transportation infrastructure investment. 54 Members of this body sponsored legislation that extended this credit last Congress and I hope there will be similar support again this year.

I thank the Chair and ask my colleagues to join me in supporting this important legislation that will benefit small businesses throughout the country.

## SUBMITTED RESOLUTIONS

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### SENATE RESOLUTION 111—EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD REJECT ANY PROPOSAL FOR THE CREATION OF A SYSTEM OF GLOBAL TAXATION AND REGULATION

Mr. VITTER submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 111

Whereas many proposals are pending in Congress—

(1) to increase taxes;

(2) to regulate businesses; and

(3) to continue runaway Government spending;

Whereas taxpayer funding has already financed major, on-going bailouts of the financial sector;

Whereas the proposed cap-and-trade system would result in trillions of dollars in new taxes and job-killing regulations;

Whereas a number of nongovernmental organizations are proposing that a cap and trade regulatory system be adopted on a global scale;

Whereas the ''outcome document'' produced by the September 20-22, 2010, United Nations Summit on the Millennium Development Goals (MDGs) commits the nations of the world, including the United States, to supporting ''innovative financing mechanisms'' to supplement foreign aid spending;

Whereas the term ''innovative financing mechanisms'' is a United Nations euphemism for global taxes;

Whereas the ''Leading Group on Innovative Financing for Development,'' a group of 63 countries, seeks to promote the implementation of ''innovative financing mechanisms'';

Whereas a ''Task Force on International Financial Transactions for Development'' is working within the Leading Group and with the United Nations to propose and implement global tax schemes;

Whereas ''innovative financing mechanisms'' are going to be on the agenda for the G8 and G20 summits in France in 2011;

Whereas new international taxation and regulatory proposals would be an affront to the sovereignty of the United States;

Whereas the best manner by which to overcome the economic downturn in the United States includes taking measures that would—

(1) lower tax rates;

(2) reduce Government spending; and

(3) impose fewer onerous and unnecessary regulations on job creation; and

Whereas the worst manner by which to overcome the economic downturn in the United States includes taking measures that would—

(1) increase tax rates; and

(2) expand government intervention, including intervention on a global scale: Now, therefore, be it

*Resolved,* That it is the sense of the Senate that Congress should reject any proposal for the creation of—

(1) ''innovative financing mechanisms'' or global taxes;

(2) an international system of government bailouts for the financial sector;

(3) a global cap-and-trade system or other climate regulations that would—

(A) punish businesses in the United States; and

(B) limit the competitiveness of the United States; and

(4) a global tax system that would violate the sovereignty of the United States.

## SENATE RESOLUTION 112—CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON (''THON'') ON ITS CONTINUED SUCCESS IN SUPPORT OF THE FOUR DIAMONDS FUND AT PENN STATE HERSHEY CHILDREN'S HOSPITAL

Mr. CASEY (for himself and Mr. TOOMEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 112

Whereas the Pennsylvania State IFC/Panhellenic Dance Marathon (referred to in this preamble as ''THON'') is the largest student-run philanthropy in the world, with 700 dancers, more than 300 supporting organizations, and more than 15,000 volunteers involved in the annual event;

Whereas student volunteers at the Pennsylvania State University annually collect money and dance for 46 hours straight at the Bryce Jordan Center for THON, bringing energy and excitement to campus for a mission to conquer cancer and awareness about the disease to thousands of individuals;

Whereas all THON activities support the mission of the Four Diamonds Fund at Penn State Hershey Children's Hospital, which provides financial and emotional support to pediatric cancer patients and their families and funds cancer research;

Whereas each year, THON is the single largest donor to the Four Diamonds Fund at Penn State Hershey Children's Hospital, having raised more than $69,000,000 since 1977, when the 2 organizations first became affiliated;

Whereas in 2011, THON set a new fundraising record of $9,563,016.09, besting the previous record of $7,838,054.36, which was set in 2010;

Whereas THON has helped more than 2,000 families through the Four Diamonds Fund, is currently helping to build a new Pediatric Cancer Pavilion at Penn State Hershey Children's Hospital, and has helped support pediatric cancer research that has caused some pediatric cancer survival rates to increase to nearly 90 percent; and

Whereas THON has inspired similar events and organizations across the United States, including at high schools and institutions of higher education, and continues to encourage students across the United States to volunteer and stay involved in great charitable causes in their community: Now, therefore, be it

*Resolved,* That the Senate—

(1) congratulates the Pennsylvania State University IFC/Panhellenic Dance Marathon (''THON'') on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; and

(2) commends the Pennsylvania State University students, volunteers, and supporting organizations for their hard work putting together another record-breaking THON.

## SENATE RESOLUTION 113—COMMEMORATING THE 2011 INTERNATIONAL YEAR OF FORESTS

Mr. LUGAR (for himself and Mrs. SHAHEEN) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 113

Whereas United Nations Resolution 61/193, adopted by the General Assembly on December 20, 2006, designates the year 2011 as the International Year of Forests;

Whereas the forests of the United States are essential to the health, environment, social fabric, and economy of the United States, as well as to the individual well-being of the people of the United States;

Whereas the forests of the United States are owned, managed, and conserved by a mosaic of family, business, and public entities, with the largest segment of forests owned by 11,000,000 Americans;

Whereas privately-owned forests supply 92 percent of the trees harvested for the wood products that the people of the United States use every day;

Whereas the forest products industry—

(1) accounts for approximately 5 percent of the total United States manufacturing Gross Domestic Product (GDP);

(2) is among the top 10 manufacturing sector employers in 48 States; and

(3) employs nearly 900,000 Americans;

Whereas wood products are 1 of the most environmentally friendly building materials, resulting in a maximum reduction in energy use of 17 percent and a more than 250 percent reduction in air and water pollution, when compared to alternative materials;

Whereas forests supply more than 50 percent of the current renewable energy consumed in the United States;

Whereas as of 2011, the forests and forest products of the United States sequester and store 12 percent of annual United States carbon emissions and, with the proper incentives, can increase the percentage of annual carbon emissions that are sequestered and stored;

Whereas 53 percent of the fresh water supply of the lower 48 States originates in forests and ¼ of the supply originates in private forests;

Whereas 60 percent of at-risk plants and animals rely on private forests, and more than 90 percent of at-risk species rely on all forests for habitat;

Whereas the 14,000,000 Americans who hunt and the 44,000,000 Americans who fish depend on private forests for most of the habitat for fish and wildlife;

Whereas the United States leads the world in sustainable forest practices;

Whereas even while forested acreage as a whole is increasing, permanent loss of forests in ecologically and economically important areas is expected to increase, with 57,000,000 acres of private forests facing significant development pressures in the next 2 decades;

Whereas more than 58,000,000 acres of United States forests are at risk due to insects and disease, especially invasive forest pests, which threaten the health and vitality of forests;

Whereas more than 400,000,000 acres of private forests are at risk due to wildfires, especially in areas where forested boundaries and communities meet; and

Whereas more than 170,000,000 acres of privately owned forests will change hands in the next 2 decades, with a potential loss of the public benefits derived from those forests: Now, therefore, be it

*Resolved,* That the Senate, in commemoration of the 2011 International Year of Forests—

(1) recognizes the multiple contributions that forests of the United States make to the traditions, health, and way-of-life of the United States;

(2) recognizes the growing threats faced by forests of the United States; and

(3) expresses support and appreciation for—

(A) the 11,000,000 people of the United States who own the majority of the private forests of the United States; and

(B) the thousands of forestry professionals who work every day in the forests of the United States who work to conserve the publicly and privately owned forests of the United States.

## SENATE RESOLUTION 114—HONORING CONGRESSWOMAN GERALDINE A. FERRARO, THE FIRST WOMAN SELECTED BY A MAJOR POLITICAL PARTY AS ITS CANDIDATE FOR VICE PRESIDENT OF THE UNITED STATES, AND EXTENDING THE CONDOLENCES OF THE SENATE ON HER DEATH

Mrs. GILLIBRAND (for herself, Mrs. HUTCHISON, Ms. MIKULSKI, Ms. AYOTTE, Mrs. BOXER, Ms. CANTWELL, Ms. COLLINS, Mrs. FEINSTEIN, Mrs. HAGAN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. SHAHEEN, Ms. SNOWE, Ms. STABENOW, Mr. REID of Nevada, Mr.

MCCONNELL, Mr. BARRASSO, Ms. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mr. BROWN of Ohio, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CONRAD, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mr. MANCHIN, Mr. MENENDEZ, Mr. MERKLEY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. REED of Rhode Island, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. TESTER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 114

Whereas Congresswoman Geraldine A. Ferraro served the people of the Ninth Congressional District of New York for 6 years;

Whereas Congresswoman Ferraro worked her way through law school at Fordham University, at a time when very few women did so;

Whereas Congresswoman Ferraro then joined the Queens County District Attorney's Office, where she supervised the prosecution of a variety of violent crimes, including child and domestic abuse;

Whereas in 1978, New York's Ninth Congressional District in Queens elected Congresswoman Ferraro to the U.S. House of Representatives, where she was one of only 16 women members of the House;

Whereas when she was nominated as the running mate of Vice President Walter F. Mondale in the 1984 presidential race, Congresswoman Ferraro became the first woman ever chosen to run on the national ticket of either of the 2 major political parties of the United States;

Whereas Congresswoman Ferraro's candidacy continues the progress begun by women who achieved political firsts before her and helped to tear down barriers to the full and equal participation of women in national politics;

Whereas in January 1993, President Clinton appointed Ms. Ferraro a United States Ambassador to the United Nations Commission on Human Rights, a role from which she championed the rights of women around the world; and

Whereas Geraldine Ferraro's 1984 bid for Vice President helped our daughters join our sons in believing they could achieve anything they set their minds to: Now, therefore, be it

*Resolved*, That—

(1) the Senate recognizes that Geraldine A. Ferraro's vice-presidential candidacy forever enriched the American political landscape and forged a new path for women of the United States;

(2) the Senate pays tribute to Congresswoman Geraldine A. Ferraro's work to improve the lives of women and families not only in the Ninth Congressional District of New York, whom she represented so well, but also the lives of women and families all across the United States;

(3) the Senate requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the family of Congresswoman Geraldine A. Ferraro; and

(4) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of Congresswoman Geraldine A. Ferraro.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 258. Ms. LANDRIEU (for herself, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 259. Ms. KLOBUCHAR (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 260. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 261. Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 262. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 263. Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 161 proposed by Mr. JOHANNS (for himself and Mr. MANCHIN) to the bill S. 493, supra; which was ordered to lie on the table.

SA 264. Ms. KLOBUCHAR (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 265. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 266. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 267. Mr. TESTER (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 258.** Ms. LANDRIEU (for herself, Mr. VITTER, Mr. COCHRAN, and Mr. SHELBY) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 504. EXTENSION OF THE PLACED IN SERVICE DATE FOR LOW-INCOME HOUSING CREDIT RULES FOR BUILDINGS IN GO ZONES.**

Section 1400N(c)(5) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2012'' and inserting ''January 1, 2013''.

**SA 259.** Ms. KLOBUCHAR (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

**SEC. 504. EXEMPTION OF OFF-HIGHWAY VEHICLES FROM BAN ON LEAD IN CHILDREN'S PRODUCTS.**

(a) EXEMPTION.—Section 101(b) of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 1278a(b)) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

''(5) EXCEPTION FOR OFF-HIGHWAY VEHICLES.—

''(A) IN GENERAL.—Subsection (a) shall not apply to an off-highway vehicle.

''(B) OFF-HIGHWAY VEHICLE DEFINED.—For purposes of this section, the term 'off-highway vehicle'—

''(i) means any motorized vehicle—

''(I) that is manufactured primarily for use off of public streets, roads, and highways;

''(II) designed to travel on 2 or 4 wheels; and

''(III) having either—

''(aa) a seat designed to be straddled by the operator and handlebars for steering control; or

''(bb) a nonstraddle seat, steering wheel, seat belts, and roll-over protective structure; and

''(ii) includes a snowmobile.''.

(b) ADDITIONAL AMENDMENT.—Such section is further amended in paragraph (1)(A) by striking ''any''.

**SA 260.** Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 504. MANUFACTURING OPPORTUNITIES FOR SBIR AND STTR PROGRAMS.**

The Administration shall establish a portal within the centralized SBIR website that—

(1) announces manufacturing opportunities when available; and

(2) publishes any Administration rules and guidance relating to such opportunities.

**SA 261.** Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, line 13, after ''agency'' insert '', including in the manufacturing sector and, to the extent practicable, the effects of patent rights granted to inventions arising out of SBIR on job creation and savings in the manufacturing sector''.

**SA 262.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. _____. MARKET RESEARCH TO IDENTIFY QUALIFIED RECIPIENTS OF AWARDS UNDER THE SBIR OR STTR PROGRAM.**

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following:

''(s) SBIR AND STTR AWARDEES.—

''(1) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'covered contract' means a contract to perform research, development, or production that has an expected annual value that is more than $150,000 and not more than $25,000,000;

''(B) the term 'recipient of an award under an SBIR program or STTR program' includes

a team of small business concerns that received an award under an SBIR program or STTR program; and

''(C) the terms 'SBIR program' and 'STTR program' have the meanings given those terms under section 9.

''(2) MARKET RESEARCH.—Before a contracting officer for a Federal agency issues a request for proposals relating to a covered contract, the contracting officer shall perform market research to determine whether a recipient of an award under the SBIR program or STTR program is qualified to perform the covered contract using technology developed using the award.

''(3) FULL AND FAIR CONSIDERATION.—If a contracting officer for a Federal agency identifies a recipient described in paragraph (2) after performing market research under paragraph (2), the contracting officer shall ensure that the recipient is given full and fair consideration in the award of the covered contract.''.

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**SA 263.** Mr. MENENDEZ (for himself, Mr. KERRY, and Mr. ROCKEFELLER) submitted an amendment intended to be proposed to amendment SA 161 proposed by Mr. JOHANNS (for himself and Mr. MANCHIN) to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, before line 1, insert the following:

(b) STUDY OF THE EFFECTS ON SMALL BUSINESSES OF INCREASES IN THE AMOUNTS OF HEALTH CARE CREDIT OVERPAYMENTS REQUIRED TO BE RECAPTURED.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall conduct a study to determine if the amendments made by this section—

(A) will result in an increase in health insurance premiums within the Exchanges created by the Patient Protection and Affordable Care Act for employees or owners of small businesses; or

(B) will result in an increase in the number of individuals who do not have health insurance coverage, a disproportionate share of which are employees and owners of small businesses.

(2) EFFECT OF INCREASES.—If the Secretary determines under paragraph (1) that there will be an increase described in subparagraph (A) or (B), or both, then the amendments made by this section shall not apply to taxable years ending after the date of such determination and the Internal Revenue Code of 1986 shall be applied and administered to such taxable years as if such amendments had never been enacted.

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**SA 264.** Ms. KLOBUCHAR (for herself and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

**SEC. 504. EXEMPTION OF OFF-HIGHWAY VEHICLES FROM BAN ON LEAD IN CHILDREN'S PRODUCTS.**

Section 101(b) of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 1278a(b)) is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

''(5) EXCEPTION FOR OFF-HIGHWAY VEHICLES.—

''(A) IN GENERAL.—Subsection (a) shall not apply to an off-highway vehicle.

''(B) OFF-HIGHWAY VEHICLE DEFINED.—For purposes of this section, the term 'off-highway vehicle'—

''(i) means any motorized vehicle—

''(I) that is manufactured primarily for use off of public streets, roads, and highways;

''(II) designed to travel on 2 or 4 wheels; and

''(III) having either—

''(aa) a seat designed to be straddled by the operator and handlebars for steering control; or

''(bb) a nonstraddle seat, steering wheel, seat belts, and roll-over protective structure; and

''(ii) includes a snowmobile.''.

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**SA 265.** Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

**SEC. 504. SUSPENSION OF STATIONARY SOURCE GREENHOUSE GAS REGULATIONS.**

(a) DEFINED TERM.—In this section, the term ''greenhouse gas'' means—

(1) water vapor;

(2) carbon dioxide;

(3) methane;

(4) nitrous oxide;

(5) sulfur hexafluoride;

(6) hydrofluorocarbons;

(7) perfluorocarbons; and

(8) any other substance subject to, or proposed to be subject to, any regulation, action, or consideration under the Clean Air Act (42 U.S.C. 7401 et seq.) to address climate change.

(b) IN GENERAL.—Except as provided in subsection (d), and notwithstanding any provision of the Clean Air Act (42 U.S.C. 7401 et seq.), any requirement, restriction, or limitation under such Act relating to a greenhouse gas that is designed to address climate change, including any permitting requirement or requirement under section 111 of such Act (42 U.S.C. 7411), shall not be legally effective during the 2-year period beginning on the date of the enactment of this Act.

(c) TREATMENT.—Notwithstanding any other provision of law, any action by the Administrator of the Environmental Protection Agency before the end of the 2-year period described in subsection (b) that attempts to classify a greenhouse gas as a pollutant subject to regulation under the Clean Air Act (42 U.S.C. 7401 et seq.), except for purposes other than addressing climate change, for any source other than a new motor vehicle or a new motor vehicle engine (as described in section 202(a) of such Act (42 U.S.C. 7521(a)) shall not be legally effective during such period.

(d) EXCEPTIONS.—Subsections (b) and (c) shall not apply to—

(1) the implementation and enforcement of the rule entitled ''Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards'' (75 Fed. Reg. 25324 (May 7, 2010) and without further revision); or

(2) the finalization, implementation, enforcement, and revision of the proposed rule entitled ''Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles'' published at 75 Fed. Reg. 74152 (November 30, 2010).

**SEC. 505. GREENHOUSE GAS EMISSION STANDARDS.**

(a) PRESERVING ONE NATIONAL STANDARD FOR AUTOMOBILES.—Section 209(b) of the Clean Air Act (42 U.S.C. 7543) is amended by adding at the end the following:

''(4) With respect to standards for emissions of greenhouse gases (as defined in section 330) for model year 2017 or any subsequent model year for new motor vehicles and new motor vehicle engines—

''(A) the Administrator may not waive application of subsection (a); and

''(B) no waiver granted prior to the date of enactment of this paragraph may be considered to waive the application of subsection (a).''.

(b) AGRICULTURAL SOURCES.—In calculating the emissions or potential emissions of a source or facility, emissions of greenhouse gases that are subject to regulation under title III of the Clean Air Act (42 U.S.C. 7601 et seq.) solely on the basis of the effect of the gases on global climate change shall be excluded if the emissions are from—

(1) direct or indirect changes in land use;

(2) the growing of commodities, biomass, fruits, vegetables, or other crops;

(3) the raising of stock, dairy, poultry, or fur-bearing animals; or

(4) farms, forests, plantations, ranches, nurseries, ranges, orchards, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities.

**SEC. 506. ENERGY SECURITY.**

(a) SHORT TITLE.—This section may be cited as the ''Security in Energy and Manufacturing Act of 2011'' or the ''SEAM Act of 2011''.

(b) EXTENSION OF THE ADVANCED ENERGY PROJECT CREDIT.—

(1) IN GENERAL.—Subsection (d) of section 48C of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(6) ADDITIONAL 2011 ALLOCATIONS.—

''(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Secretary, in consultation with the Secretary of Energy, shall establish a program to consider and award certifications for qualified investments eligible for credits under this section to qualifying advanced energy project sponsors with respect to applications received on or after the date of the enactment of this paragraph.

''(B) LIMITATION.—The total amount of credits that may be allocated under the program described in subparagraph (A) shall not exceed the 2011 allocation amount reduced by so much of the 2011 allocation amount as is taken into account as an increase in the limitation described in paragraph (1)(B).

''(C) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2), (3), (4), and (5) shall apply for purposes of the program described in subparagraph (A), except that—

''(i) CERTIFICATION.—Applicants shall have 2 years from the date that the Secretary establishes such program to submit applications.

''(ii) SELECTION CRITERIA.—For purposes of paragraph (3)(B)(i), the term 'domestic job creation (both direct and indirect)' means the creation of direct jobs in the United States producing the property manufactured at the manufacturing facility described under subsection (c)(1)(A)(i), and the creation of indirect jobs in the manufacturing supply chain for such property in the United States.

''(iii) REVIEW AND REDISTRIBUTION.—The Secretary shall conduct a separate review and redistribution under paragraph (5) with respect to such program not later than 4 years after the date of the enactment of this paragraph.

''(D) 2011 ALLOCATION AMOUNT.—For purposes of this subsection, the term '2011 allocation amount' means $5,000,000,000.

''(E) DIRECT PAYMENTS.—In lieu of any qualifying advanced energy project credit which would otherwise be determined under this section with respect to an allocation to a taxpayer under this paragraph, the Secretary shall, upon the election of the taxpayer, make a grant to the taxpayer in the amount of such credit as so determined. Rules similar to the rules of section 50 shall apply with respect to any grant made under this subparagraph.''.

(2) PORTION OF 2011 ALLOCATION ALLOCATED TOWARD PENDING APPLICATIONS UNDER ORIGINAL PROGRAM.—Subparagraph (B) of section 48C(d)(1) of such Code is amended by inserting ''(increased by so much of the 2011 allocation amount (not in excess of $1,500,000,000) as the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of paragraph (6))'' after ''$2,300,000,000''.

(3) CONFORMING AMENDMENT.—Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ''48C(d)(6)(E),'' after ''36C,''.

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**SA 266.** Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE ____—SMALL BUSINESS LENDING FUND**

**SEC. ____01. SHORT TITLE.**

This title may be cited as the ''Greater Accountability in the Lending Fund Act of 2011''.

**SEC. ____02. REPAYMENT DEADLINE UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.**

(a) IN GENERAL.—Section 4103(d)(5)(H) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''; or'' and inserting a period;

(B) by striking subclause (II); and

(C) by striking ''will—'' and all that follows through ''be repaid'' and inserting ''will be repaid'';

(2) by striking clause (ii); and

(3) by striking ''that—'' and all that follows through ''includes,'' and inserting ''that includes,''.

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—

(1) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 4103(a)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) (in this subsection referred to as the ''Program'') on or after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, an investment made by the Secretary of the Treasury under the Program before the date of enactment of this Act shall remain in full force and effect under the terms and conditions under the investment.

**SEC. ____03. SMALL BUSINESS LENDING FUND SUNSET.**

Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in subsection (b), by inserting ''and shall be limited by the termination date in subsection (c)'' before the period at the end; and

(2) by adding at the end the following:

''(c) TERMINATION OF PROGRAM.—

''(1) INVESTMENTS.—On and after the date that is 15 years after the date of enactment of this Act, the Federal Government may not own any preferred stock or other financial instrument purchased under this subtitle or otherwise maintain any capital investment in an eligible institution made under this subtitle.

''(2) AUTHORITIES.—Except as provided in subsection (a), all the authorities provided under this subtitle shall terminate 15 years after the date of enactment of this Act.''.

**SEC. ____04. SMALL BUSINESS LENDING FUND TRIGGER.**

Section 4109 of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note), as amended by section ____03, is amended by adding at the end the following:

''(d) FDIC RECEIVERSHIP.—The Secretary may not make any purchases, including commitments to purchase, under this subtitle if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of the number of eligible institutions that receive a capital investment under the Program.''.

**SEC. ____05. SMALL BUSINESS LENDING FUND LIMITATION.**

(a) IN GENERAL.—Section 4103(d) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) by striking '', less the amount of any CDCI investment and any CPP investment'' each place it appears;

(2) by striking paragraph (7);

(3) by redesignating paragraphs (8), (9), and (10) as paragraphs (7), (8), and (9), respectively; and

(4) by adding at the end the following:

''(10) PROHIBITION ON TARP PARTICIPANTS PARTICIPATING IN THE PROGRAM.—An institution in which the Secretary made a investment under the CPP, the CDCI, or any other program established by the Secretary under the Troubled Asset Relief Program established under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.) shall not be eligible to participate in the Program.''.

(b) EFFECTIVE DATE; APPLICABILITY; SAVINGS CLAUSE.—

(1) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(A) take effect on the date of enactment of this Act; and

(B) apply to any investment made by the Secretary of the Treasury under the Small Business Lending Fund Program established under section 4103(a)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) (in this subsection referred to as the ''Program'') on or after the date of enactment of this Act.

(2) SAVINGS CLAUSE.—Notwithstanding the amendments made by this section, an investment made by the Secretary of the Treasury under the Program before the date of enactment of this Act shall remain in full force and effect under the terms and conditions under the investment.

**SEC. ____06. PRIVATE INVESTMENTS UNDER THE SMALL BUSINESS LENDING FUND PROGRAM.**

Section 4103(d)(3) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in the paragraph heading, by striking ''MATCHED''; and

(2) in subparagraph (B)(i), by striking ''both under the Program and''.

**SEC. ____07. APPROVAL OF REGULATORS.**

(a) IN GENERAL.—Section 4103(d)(2) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) in the paragraph heading, by striking ''CONSULTATION WITH'' and inserting ''APPROVAL OF'';

(2) in the matter preceding subparagraph (A), by striking ''the Secretary shall'' and inserting ''the Secretary may not make a purchase under this subtitle unless'';

(3) in subparagraph (A)—

(A) by striking ''consult with''; and

(B) by striking ''to determine whether the eligible institution may receive'' and inserting ''determines that, based on the financial condition of the eligible institution, the eligible institution should receive'';

(4) in subparagraph (B)—

(A) by striking ''consider any views received from''; and

(B) by striking ''regarding the financial condition of the eligible institution'' and inserting ''determines that, based on the financial condition of the eligible institution, the eligible institution should receive such capital investment''; and

(5) in subparagraph (C)—

(A) by striking ''consult with''; and

(B) by inserting ''determines that, based on the financial condition of the eligible institution, the eligible institution should receive such capital investment'' before the period at the end.

(b) CONFORMING AMENDMENTS.—Section 4103(d)(3)(A) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended—

(1) by striking ''to be consulted under paragraph (2) would not otherwise recommend'' and inserting ''required to make a determination under paragraph (2) does not approve'';

(2) by striking ''to be so consulted''; and

(3) by striking ''to be consulted would recommend'' and insert ''would approve''.

**SEC. ____08. BENCHMARK FOR SMALL BUSINESS LENDING.**

Section 4103(d)(5)(A)(ii) of the Small Business Jobs Act of 2010 (12 U.S.C. 4741 note) is amended by striking ''for the 4 full quarters immediately preceding the date of enactment of this Act'' and inserting ''during calendar year 2007''.

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**SA 267.** Mr. TESTER (for himself and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**TITLE VI—DEBIT INTERCHANGE FEE STUDY**

**SEC. 601. SHORT TITLE.**

This title may be cited as the ''Debit Interchange Fee Study Act of 2011''.

**SEC. 602. FINDINGS.**

Congress finds that—

(1) in response to the proposed debit interchange rule of the Board of Governors of the Federal Reserve System mandated by section 1075 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Chairman of Board, the Comptroller of the Currency, the Chairperson of the Federal Deposit Insurance Corporation, and the Chairman of the National Credit Union Administration Board have publicly raised concerns about the impact of the proposed rule;

(2) while testifying before the Committee on Banking, Housing, and Urban Affairs of the Senate on February 17, 2011, the Chairman of the Board stated in response to questions about the small bank exemption to the interchange rule, ''. . .there is some risk that the exemption will not be effective and that the interchange fees available through smaller institutions will be reduced to the same extent we would see for larger banks'';

(3) the Acting Comptroller of the Currency, in comments to the Board, cited safety and soundness concerns and stated, ''. . .we believe the proposal takes an unnecessarily

narrow approach to recovery of costs that would be allowable under the law and that are recognized and indisputably part of conducting a debit card business. This has long-term safety and soundness consequences – for banks of all sizes. . .'';

(4) the chairperson of the Federal Deposit Insurance Corporation stated in comments to the Board regarding the proposed rule their concern that the small bank exemption would not work, stating, ''. . .we are concerned that these institutions may not actually receive the benefit of the interchange fee limit exemption explicitly provided by Congress, resulting in a loss of income for community banks and ultimately higher banking costs for their customers'';

(5) the chairman of the National Credit Union Administration Board, in comments to the Board, cited concern with making sure there are ''meaningful exemptions for smaller card issuers''; and

(6) all of the comments and concerns raised by the banking and credit union regulatory agencies cast serious questions about the practical implementation of section 1075 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, and further study and consideration are needed.

**SEC. 603. RULEMAKING AND EFFECTIVE DATES.**

(a) EXTENSION FOR RULEMAKING TIMELINES AND REVISED EFFECTIVE DATE.—Section 920 of the Electronic Fund Transfer Act (15 U.S.C. 1693o-2) is amended—

(1) in subsection (a)(3)(A), by striking ''9 months after the date of enactment of the Consumer Financial Protection Act of 2010'' and inserting ''24 months after the date of enactment of the Debit Interchange Fee Study Act of 2011'';

(2) in subsection (a)(5)(B)(i), by striking ''9 months after the date of enactment of the Consumer Financial Protection Act of 2010'' and inserting ''24 months after the date of enactment of the Debit Interchange Fee Study Act of 2011'';

(3) in subsection (a)(8)(C), by striking ''9-month period beginning on the date of the enactment of the Consumer Financial Protection Act of 2010'' and inserting ''24-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011'';

(4) in subsection (a)(9), by striking ''12-month period beginning on the date of the enactment of the Consumer Financial Protection Act of 2010'' and inserting ''30-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011'';

(5) in subsection (b)(1)(A), by striking ''1-year period beginning on the date of the enactment of the Consumer Financial Protection Act of 2010'' and inserting ''24-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011''; and

(6) in subsection (b)(1)(B), by striking ''1-year period beginning on the date of the enactment of the Consumer Financial Protection Act of 2010'' and inserting ''24-month period beginning on the date of enactment of the Debit Interchange Fee Study Act of 2011''.

(b) EARLIER RULEMAKING VOIDED; NEW RULEMAKING REQUIRED.—Any regulation proposed or prescribed by the Board pursuant to section 920 of the Electronic Fund Transfer Act (as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act) prior to the date that is 6 months after the date of completion of the study required under section 604 shall be withdrawn by the Board and shall have no legal effect.

**SEC. 604. STUDY.**

(a) STUDY REQUIRED.—Not later than 12 months after the date of enactment of this Act, the study agencies shall jointly submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives regarding the impact of regulating debit interchange transaction fees and related issues under section 920 of the Electronic Fund Transfer Act.

(b) SUBJECTS FOR REVIEW.—In conducting the study required by this section, the study agencies shall examine the state of the debit interchange payment system, including the impact of section 920 of the Electronic Fund Transfer Act on consumers, entities that accept debit cards as payment, all financial institutions that issue debit cards, including small issuers, and debit card networks, and shall specifically examine—

(1) the costs and benefits of electronic debit card transactions and alternative forms of payment, including cash, check, and automated clearing house (ACH) for consumers, merchants, issuers, and debit card networks, including—

(A) individual consumer protections, ease of acceptance, payment guarantee, and security provided through such forms of payments for consumers;

(B) costs and benefits associated with acceptance, handling, and processing of different forms of payments, including labor, security, verification, and collection where applicable;

(C) the extent to which payment form impacts incremental sales and ticket sizes for merchants;

(D) all direct and indirect costs associated with fraud prevention, detection, and mitigation, including data breach and identity theft, and the overall costs of fraud incurred by debit card issuers and merchants, and how those costs are distributed among those parties; and

(E) financial liability and payment guarantee for debit card transactions and associated risks and costs incurred by debit card issuers and merchants, and how those costs are distributed among those parties;

(2) the structure of the current debit interchange system, including—

(A) the extent to which the current structure offers merchants and issuers, particularly smaller merchants and issuers sufficient competitive opportunities to participate and negotiate in the debit interchange system;

(B) an examination of the benefits of allowing interchange fees to be determined in bilateral negotiations between merchants and issuers, including small issuers directly;

(C) mechanisms for allowing more price discovery and transparency on the part of the consumer; and

(D) the ability of new competitors to enter the payment systems market and an examination into whether structural barriers to entry exist; and

(3) the impact of the proposed rule reducing debit card interchange fees issued by the Board entitled, ''Debit Card Interchange Fees and Routing'' (75 Fed. Reg. 81,722 (Dec. 28, 2010)), if such proposed rule were adopted without change, including—

(A) the impact on consumers, including whether consumers would benefit from reduced interchanges fees through reduced retail prices;

(B) the impact on lower and moderate income consumers and on small businesses with respect to the cost and accessibility of payment accounts and services, the availability of credit, and what alternative forms of financing are available and the cost of such financing;

(C) the impact on consumer protection, including anti-fraud, customer identification efforts, and privacy protection;

(D) the impact of reduced debit card interchange fees on merchants, including a comparison of the impact on small merchants versus large merchants;

(E) the potential consequences to merchants if reduced debit interchange fees result in elimination of the payment guarantee or other reductions in debit card services to merchants or shift consumers to other forms of payments;

(F) the impact of significantly reduced debit card interchange fees on debit card issuers and the services and rates they provide, if fees do not adequately recoup costs and investments made by issuers and the potential impact on the safety and soundness of issuers;

(G) whether it is possible to exempt or treat differently a certain class of issuers within the debit interchange system, such as small issuers and the impact of market forces on such treatment;

(H) the extent to which a transition to a fee cap from an interchange fee that is proportional to the overall cost of a transaction could provide a reasonable rate of return for issuers and adequately cover fraud and related costs;

(I) the impact on other entities that utilize debit card transactions, including the debit card programs of Federal and State entities.

(J) the impact of shifting debit transaction routing from card issuers to merchants, including resulting changes to interchange fees and costs for card issuers; and

(K) the impact of mandating a specific number of enabled networks on merchants and debit card issuers, including the specific and unique impact on small issuers.

**SEC. 605. DEFINITIONS.**

For purposes of this title, the following definitions shall apply:

(1) BOARD.—The term ''Board'' means the Board of Governors of the Federal Reserve System.

(2) STUDY AGENCIES.—The term ''study agencies'' means the Board, the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration.

(3) SMALL ISSUERS.—The term ''small issuers'' means debit card issuers that are depository institutions, including community banks and credit unions, with assets of less than $10,000,000,000.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON ARMED SERVICES

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 29, 2011, at 9:30 a.m.

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

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Ms. LANDRIEU. 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 March 29, 2011, at 10 a.m., to conduct a hearing entitled, ''Public Proposals for the Future of the Housing Finance System''.

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

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Environment and Public

Works be authorized to meet during the session of the Senate on March 29, 2011, at 10 a.m. in Dirksen 406.

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

COMMITTEE ON FOREIGN RELATIONS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND HUMAN RIGHTS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Human Rights, be authorized to meet during the session of the Senate on March 29, 2011, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting the Civil Rights of American Muslims.''

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m., to conduct a hearing entitled, ''Tools to Present DOD Cost Overruns.''

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on March 29, 2011, at 10 a.m., to conduct a hearing entitled, ''Strengthening the Senior Executive Service: a Review of Challenges Facing the Government's Leadership Corps.''

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on March 29, 2011, at 2:30 p.m.

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

## AIRPORT AND AIRWAY EXTENSION ACT OF 2011

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1079, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1079) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The bill (H.R. 1079) was read the third time and passed.

## HONORING CONGRESSWOMAN GERALDINE A. FERRARO

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 114, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 114) honoring Congresswoman Geraldine A. Ferraro, the first woman selected by a major political party as its candidate for Vice President of the United States, and extending condolences of the Senate on her death.

There being no objection, the Senate proceeded to consider the resolution.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 114) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 114

Whereas Congresswoman Geraldine A. Ferraro served the people of the Ninth Congressional District of New York for 6 years;

Whereas Congresswoman Ferraro worked her way through law school at Fordham University, at a time when very few women did so;

Whereas Congresswoman Ferraro then joined the Queens County District Attorney's Office, where she supervised the prosecution of a variety of violent crimes, including child and domestic abuse;

Whereas in 1978, New York's Ninth Congressional District in Queens elected Congresswoman Ferraro to the U.S. House of Representatives, where she was one of only 16 women members of the House;

Whereas when she was nominated as the running mate of Vice President Walter F. Mondale in the 1984 presidential race, Congresswoman Ferraro became the first woman ever chosen to run on the national ticket of either of the 2 major political parties of the United States;

Whereas Congresswoman Ferraro's candidacy continues the progress begun by women who achieved political firsts before her and helped to tear down barriers to the full and equal participation of women in national politics;

Whereas in January 1993, President Clinton appointed Ms. Ferraro a United States Ambassador to the United Nations Commission on Human Rights, a role from which she championed the rights of women around the world; and

Whereas Geraldine Ferraro's 1984 bid for Vice President helped our daughters join our sons in believing they could achieve anything they set their minds to: Now, therefore, be it

*Resolved,* That—

(1) the Senate recognizes that Geraldine A. Ferraro's vice-presidential candidacy forever enriched the American political landscape and forged a new path for women of the United States;

(2) the Senate pays tribute to Congresswoman Geraldine A. Ferraro's work to improve the lives of women and families not only in the Ninth Congressional District of New York, whom she represented so well, but also the lives of women and families all across the United States;

(3) the Senate requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the family of Congresswoman Geraldine A. Ferraro; and

(4) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of Congresswoman Geraldine A. Ferraro.

## ORDERS FOR WEDNESDAY, MARCH 30, 2011

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, March 30; 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; that following any leader remarks, there be a period for the transaction of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided or controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate resume consideration of S. 493, the small business jobs bill.

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

PROGRAM

Mr. UDALL of Colorado. Mr. President, rollcall votes in relation to amendments to the small business jobs bill are expected during tomorrow's session. Senators will be notified when votes are scheduled.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. UDALL of Colorado. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 114 as a further mark of respect to the memory of Congresswoman Geraldine A. Ferraro.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, March 30, 2011, at 9:30 a.m.

# EXTENSIONS OF REMARKS

## HONORING THE DISABLED AMERICAN VETERANS CHAPTER 91

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, DeKalb County serves as home for many Veterans who have served honorably in the United States Military; and

Whereas, the Disabled American Veterans Chapter 91 of Decatur is an organization that continues to serve those who have represented our nation in times of peace and war; and

Whereas, our beloved county, continues to rely on the wisdom, leadership and service from the Disabled American Veterans to assist and build our community; and

Whereas, this unique organization has given of themselves tirelessly and unconditionally to preserve integrity and advocate strongly for our disabled veterans and their families; and

Whereas, the Disabled American Veterans Chapter 91 continues to serve our county by being the sword and shield of those who served our country in the United States military; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Disabled American Veterans Chapter 91 of Decatur, Georgia for their outstanding service to our District;

Now Therefore, I, Henry C. "Hank" Johnson, Jr. do hereby proclaim March 20, 2011 as Disabled American Veterans Chapter 91 Day in the 4th Congressional District.

Proclaimed, this 20th day of March, 2011.

## PROHIBITING FEDERAL FUNDING OF NATIONAL PUBLIC RADIO

SPEECH OF

### HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2011*

Ms. MOORE. Mr. Speaker, I rise today to speak out against efforts to cut federal funding for public broadcasting.

Republicans already tried to kill Big Bird in H.R. 1, but since the American People won't let Big Bird die, here we go again.

This time, NPR has been singled out as their target.

H.R. 1076 is a reckless bill that would defend NPR and prohibit public radio stations from using federal funds to acquire any radio programming from any source.

It would endanger 9,000 jobs at local public radio stations in communities across the country.

It would cripple stations like WOJB-FM, a community radio in Hayward, Wisconsin that uses CPB money for about 40% of its budget.

Without good quality national programs, local stations would lose their ability to attract the audience that they need to develop local used for local/regional news.

Why is Public Broadcasting a worthy national interest?

Demand for quality national and international news has never been higher, and the American people are best served when they are informed with current events.

At the same time, commercial news rooms are shrinking, reporting staff is downsizing, and even the size of newspapers are fractions of what they used to be.

Then you look at how the listening base for public radio has actually increased. You simply cannot argue that NPR is irrelevant when it draws in 34 million listeners a week.

It's still in the public interest to support the arts and education.

More than 2/3rds of voters oppose the elimination of public broadcasting, and the American people are smart enough to know how this bill is nothing but a piecemeal attack towards a larger agenda.

I would suggest to my Republican colleagues that we focus on creating jobs, and not on cutting quality news and education to millions of Americans.

## HONORING MR. ADAM BRATTON

### HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. HIGGINS. Mr. Speaker, I rise today to pay tribute to the three and a half years of service given from Mr. Adam Bratton, the outgoing Executive Director of the Robert H. Jackson Center. Under the direction of Mr. Bratton the Jackson Center has seen many innovations and improvements bringing the Jackson Center into the international community.

Through new social media innovations Mr. Bratton has ushered the Jackson Center into a new realm of possibilities. He has created an international constituency with hundreds of thousands of individuals.

Mr. Bratton is responsible for increasing the donor base tremendously. During his service the Jackson Center raised over $2 million and the number of donors has increased by 75%. Adding to his successes, the number of annual individual gifts has increased by more than 100% over the past three years.

The board of directors has also grown stronger and more involved in the Jackson Center. Many nationally known and respected individuals have been added to work together and make this establishment thrive.

We are truly blessed to have such strong individuals that work tirelessly to make our world a better place. Mr. Bratton is one of those people and that is why Mr. Speaker I rise in tribute to him today.

## DORIS AND MELVIN PORTH TRIBUTE

### HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. TIPTON. Mr. Speaker, it brings me great joy to stand and pay tribute to Doris and Melvin Porth of Westcliffe, Colorado. The Porths have shown endless loyalty and devotion to Custer Country, the state of Colorado, and the Republican Party.

Originally from Kansas, Mr. and Mrs. Porth quickly became true Coloradans upon arriving in the Centennial State. Both Mr. and Mrs. Porth have been staples in local and state politics for decades, and their service has not gone unnoticed. Doris Porth was the Custer Country Treasurer for 32 years, and had a long tenure as the Republican Party Treasurer in Custer County as well. For his part, Melvin Porth was the Republican Party Chairman for two decades, he worked tirelessly in the school district for 18 years, and he owned and operated an equipment rental business. Mr. and Mrs. Porth have also been active members of the Custer County Chamber of Commerce. The Porth's civic endeavors continue as leading contributors to their historical railroad district, which is a vibrant and important part of Westcliffe's frontier history. The community outreach of Mr. and Mrs. Porth continues due in part to their active faith life as leaders within their church.

Mr. Speaker, Doris and Melvin Porth represent the finest our state has to offer in terms of civic responsibility and patriotism. The Porths have given decades of their time to the community and their political party for the benefit of others. Mr. and Mrs. Porth are a shining example of selflessness, and it has been an honor to rise and pay tribute to these wonderful people.

## "JIM LANGEVIN SPEAKS OUT FOR FAIRNESS"

### HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. FRANK of Massachusetts. Mr. Speaker, our colleague, the gentleman from Rhode Island, Mr. LANGEVIN, recently wrote a cogent, heartfelt article published in the Providence Journal calling on his former colleagues in the Rhode Island Legislature to allow people of the same sex to marry. That is, Representative LANGEVIN urges that his State join those that allow individuals who love someone of the same sex to have that love treated with the respect—and legal equality—that it deserves.

As our colleague notes, he has for some time felt that civil unions were the appropriate forum in which people of the same sex could express their love for each other in a legally

recognized way, but as he "realized that their union would not be treated the same way under the law" as opposite-sex couples, he "began to see that civil unions fell short of the equality I believe that same-sex couples deserved."

JIM LANGEVIN has long been an articulate advocate for equality under the law for all citizens, and his urging "all Rhode Islanders to honor our State's founding principles of tolerance and freedom" is an example of his courageous commitment to that principle for all people.

Mr. Speaker, I ask that JIM LANGEVIN's compelling argument on behalf of the legalization of same-sex marriage be printed here.

[From the Providence Journal, Mar. 5, 2011]

JIM LANGEVIN: NOW IS THE TIME TO REDEFINE MARRIAGE IN R.I.

(By Jim Langevin)

Throughout my career in public service, I have strongly opposed discrimination based on sexual orientation at both the state and federal level, co-sponsoring the Employment Non-Discrimination Act and hate crimes legislation, and supporting efforts to repeal the military's "don't ask, don't tell" policy.

While those topics have been controversial, they never elicited the intensely passionate and emotional debate that occurred as our nation began struggling with the question of same-sex marriage. For many years, I supported civil unions as a reasonable way to achieve consensus on a divisive issue, providing rights and protections to same-sex couples while respecting the deeply held beliefs of those not comfortable with the idea of marriage rights.

Then, three years ago, I attended the commitment ceremony of a longtime staff member and his partner of nine years. Before their friends and family, they professed their love, commitment and respect for each other. Their sentiments were just as moving, heartfelt and sincere as any of the vows I had heard at other weddings, yet I realized that their union would not be treated the same under the law. That difference struck me as fundamentally unjust, and I began to challenge the wisdom of creating separate categories of rights for certain groups of citizens. I began to see that civil unions fell short of the equality I believed that same-sex couples deserved.

As the debate about same-sex marriage continues in Rhode Island and in Washington, I have taken time to reflect carefully on my own position. Based on my own experiences and my firm belief that all Americans should be treated equally under the law, I am now convinced that affording full marriage equality rights to same-sex couples is the only fair and responsible approach for both Rhode Island and the nation. If our nation expects to provide equal protection to all, then our civic institutions must reflect that noble goal.

As a U.S. representative, I take seriously my constitutional responsibility to protect the rights and liberties of our citizens. Marriage equality is consistent with that view because it safeguards basic civil rights and provides appropriate legal protections so that all loving and committed couples may care for each other. At the same time, our nation's fundamental freedom of religion dictates that religious institutions should be allowed to define marriage as they deem appropriate. The marriage-equality legislation before the General Assembly respects the important separation of church and state by not requiring religious institutions to change any of their practices or standards relating to marriage.

The members of the General Assembly now have a historic opportunity. As a former member of that body, I understand the challenges they face, but this is a time for leadership.

During my time as a state representative, I remember talking with my father about pending legislation to prevent discrimination based on sexual orientation, which was highly controversial at the time. While I greatly valued his thoughtful and balanced perspective, my father was certainly no social activist. He was just an ordinary man who had grown up through the civil-rights movement and always believed it was fundamentally unjust to treat people differently because of their race. When I told him I had decided to support the non-discrimination legislation, he expressed his pride in my decision because it showed that I viewed issues of fairness and justice as he did. And he was convinced that, in the same way racial discrimination became a shameful part of our history, one day our nation would look back in disbelief at a time when we denied our fellow citizens basic civil rights based on their sexual orientation. I now believe that day is within our reach.

As the General Assembly considers this important topic, I ask lawmakers and all Rhode Islanders to honor our state's founding principles of tolerance and freedom and to support marriage equality in our state. It's time to do the right thing.

## TED STRICKLAND TRIBUTE

### HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. TIPTON. Mr. Speaker, I rise today to recognize Ted Strickland, one of Colorado's most prominent statesmen. Mr. Strickland, originally of Austin, Texas, was a Colorado state Representative, Senator and Lieutenant Governor in a political career that lasted for well over two decades. His lengthy tenure in public office is a testament to his adoration for Colorado and desire to make it the wonderful state that it is today.

Though Mr. Strickland did not grow up in Colorado, it did not take long for him to make it his permanent home. After working for an oil well information firm following college in Oklahoma, he decided to run for a position in the state legislature. He was a popular candidate and rose quickly within the Republican Party. He held numerous leadership positions, including his service as Senate President for nine years.

While in office his priority was to strengthen the state economy by advancing conservative economic principles. He fought for lower taxes, a balanced budget, and less government spending.

His popularity as a state senator led to his nomination as Lieutenant Governor under John David Vanderhoof. As the state's 39th Lieutenant Governor, he was instrumental in the success of Governor Vanderhoof's administration.

Mr. Speaker, it is an honor to recognize Ted Strickland today. His impact can still be felt in Colorado and his devotion to the state is truly exemplary.

## IN TRIBUTE TO FALLEN POLICE OFFICER ANDREW S. DUNN

### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. KAPTUR. Mr. Speaker, I rise to pay tribute to the life of heroic Sandusky, Ohio police officer Andrew Dunn. This past Friday, March 25, Officer Dunn, age 30, Badge #2083, was laid to rest in his hometown. His beloved wife Julie and young children Caleb, 2, and infant Conner, his parents, friends and neighbors were joined by thousands of citizens of all ages, hundreds of police officers from near and far, and the Sandusky police force to honor his last call.

Citizens who gathered formed a vanguard for America as their hearts united in deep gratitude as well as deep mourning. No words would capture the solemnity of the occasion nor the weight of loss all who knew Officer Dunn carry.

Praised as a loving husband, father, son, and friend, officer Dunn represented the very finest of citizens in our nation. He laid down his life for us, said those who spoke at the service, negotiating the thin blue line of freedom.

His comrades offered tributes and prayed in one voice the Policeman's Prayer:

Lord I ask you for courage
Courage to face and conquer my own fears
Courage to take me where others will not go
I ask for strength
Strength of body to protect others
And strength of spirit to lead others
I ask for dedication
Dedication to my job to do it well
Dedication to my family to love them well
Dedication to my community to serve it well and keep it safe
Give me Lord, concern for others who trust me
And compassion for those who need me
And Lord through it all, Be beside me

In honored memory of Andrew S. Dunn, March 11, 1981—March 19, 2011. Rest in Peace, good and faithful public servant.

## HONORING SFC TAMMY AMARO FOR THIRTY YEARS OF DEDICATED SERVICE TO THE UNITED STATES ARMY

### HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. LIPINSKI. Mr. Speaker, I rise today to extend my most sincere congratulations and thanks to SFC Tammy Amaro, a constituent of mine, who retired on January 1, 2011 after thirty years of service in the United States Army. On behalf of the residents of Illinois' 3rd District, I am grateful to have the opportunity to thank her for devoting her career to the U.S. Army and the defense of our nation.

Recruited at the age of 17 by her future husband, then-PFC Frank Amaro, on December 10, 1980, she immediately demonstrated her potential and quickly advanced. Her two promotions during her first assignment in the Adjutant General's office demonstrated her outstanding leadership abilities. When she

reached boot camp in the summer of 1981, she served as Platoon Guide and was nominated and competed for Trainee of the Cycle, a highly competitive title.

During SFC Amaro's career, she has collected many honors for exceptional service. She received her first medal while serving at Fort Benjamin Harrison; this honor was followed by ten other awards. Her decorations, including the National Defense Service Ribbon and the Armed Forces Reserve Medal, show a rare level of dedication to our nation.

Shortly after returning from Advanced Individual Training at Fort Benjamin Harrison, SFC Amaro was promoted to the rank of Sergeant on November 1, 1982. She dedicated 13 years of service, eight active, in the 86th ARCOM before being promoted to Staff Sergeant and transferring to the 85th Training Division in Arlington Heights in 1993.

Not only has SFC Amaro been selfless in her service to this country, she simultaneously managed the competing demands of motherhood. In 1996, she transferred away from active duty to the Individual Ready Reserve so she could be home full time to care for her daughters Christina, Catherine, and Jacqueline. She then returned to the Army Reserves four years later to serve another ten years before retirement.

In that time, she served as the Senior Human Resource NCO for the 1st Brigade, 85th Division at Fort Sheridan, and as the Operations NCO for the Emergency Operations Center for the 416th Theater Engineer Command in Darien, Illinois. On December 10, 2010, exactly thirty years from her recruitment date, SFC Amaro completed her last day of service, marking twenty years of active duty and ten years in the reserves.

If SFC Amaro's military career were not enough of an achievement on its own, she has been a devoted mother of three, engaged in her community and children's schools, and remained an active parishioner at St. Leonard's church in Berwyn, Illinois.

Please join me in thanking SFC Amaro for a career of service to the United States and wishing her a long and happy retirement. She is truly an inspiration and a great American. I am proud to have SFC Amaro as a constituent and a fellow resident of the 3rd District.

## IN HONOR OF JOHN M. GILLIS OF QUINCY, MA

### HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. LYNCH. Mr. Speaker, I rise today in honor of John M. Gillis, in recognition of his outstanding contributions to his hometown of Quincy, Massachusetts, and to commend him for over fifty years of dedicated service to his community.

John was born on May 16, 1925, in Quincy, Massachusetts. He graduated from Quincy High School in 1942, where he served as captain of his football team. Subsequent to his graduation, John enlisted in the United States Marine Corp. He served with distinction in the South Pacific during World War II from 1943–1946. Upon completion of his service, John enrolled at Northeastern University, graduating in 1951. He served as captain of the 1950 Northeastern Football Team.

Upon graduation, John served as a Quincy firefighter, and then worked in the office of the state auditor. He was appointed Assistant Quincy City Clerk in 1957, and served until 1959. Additionally, John was the Chairman of the Registrar of Voters in 1959. He then served as Quincy City Clerk from 1959–1992. John was elected Norfolk County Commissioner in 1992, a position he holds to this day.

John is also an active member of his community. He served as Clerk of the Quincy City Council from 1959–1992; Chairman of the Licensing Board from 1963–1992, and currently serves as Trustee at the Norfolk Agricultural School, a position he has held since 1992. He is a member of the Quincy High School Athletic Hall of Fame, and is Grand Knight at the Ave Maria Knights of Columbus.

Known for his quick sense of humor and for his loyalty to his friends, John has had the good fortune to be married to his wife, Violet, for fifty-nine years. They are the proud parents of two children and three grandchildren.

Mr. Speaker, it is my distinct honor to take the floor of the House today to join with the family, friends, and contemporaries of John M. Gillis to thank him for his remarkable service to his hometown of Quincy, Massachusetts, and to the United States of America.

## HONORING POLTV, A NEW CHICAGO-BASED TELEVISION SERVICE FOR POLISH-AMERICANS

### HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. LIPINSKI. Mr. Speaker, I rise today in recognition of PolTV, a new television service that will broadcast live news, entertainment, and sports programming straight from Poland into the homes of Poles living in America and abroad. The service, provided by Chicago-based Intercom Ventures LLC, will help connect Polish emigrant communities throughout the world with their native Poland.

PolTV will be the first platform to feature programming from both major Polish networks, TVN and TVP. The service will initially broadcast 15 Polish channels, including TVN International, and will offer over 20 channels within the first 60 days of launch. TVN International provides news and entertainment designed for Poles living abroad and features popular Polish films, TV shows, and documentaries. As Intercom Ventures' third ethnic television product, PolTV follows ShiqpTV, which provides programming for Albanians living abroad, and BosnaTV, which provides the same service for Bosnian emigrants. PolTV's innovative platform offers high definition television, video on demand, and various internet applications.

Founders Drilon Qehaja and Tony Hoti are two American immigrants from Kosovo who embody the American entrepreneurial spirit. Following the Kosovo War, Qehaja started a Voice Over Internet Protocol (VOIP) long distance phone company that enabled subscribers to connect with family and friends, providing a much needed sense of normalcy in the war-torn nation. At age 20, Hoti became the youngest financial advisor at the firm AG Edwards in San Diego and, after graduating from Roosevelt College in Chicago, opened a day spa in Chicago's Gold Coast at age 26. The two teamed up to found Intercom Ventures in 2006.

I have faith that the smart, consumer-driven PolTV service will have a unifying effect for the Polish-American community. By providing daily news from news channels operating in Poland, PolTV will increase Polish-Americans' access to personally relevant international news, thereby helping them to cultivate strong cultural, familial and community relationships. As a Polish-American and Co-Chair of the Polish-American Caucus, I am very excited about the possibilities for PolTV in the future.

Please join me in honoring Intercom Ventures for creating PolTV, a responsible community-driven company for the Polish-American population. I am confident that it will successfully provide excellent services for immigrants for many years to come.

## HAMMOND SPORTS HALL OF FAME 2011 INDUCTION BANQUET

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. VISCLOSKY. Mr. Speaker, it is with great sincerity and admiration that I offer congratulations to several of Hammond's most noteworthy athletes, as well as to others who have contributed to the legacy of Hammond's athletic programs. On Tuesday, March 8, 2011, the Hammond Sports Hall of Fame honored eight new inductees at its annual Induction Banquet, which was held at the Hammond Civic Center in Hammond, Indiana. The Hammond Sports Hall of Fame was established in 1987 to recognize and honor individuals for their significant contributions to Hammond's distinguished sports legacy. These eight individuals are an admirable group, composed of former athletes, coaches, and elected officials who have excelled in their athletic pursuits or supported Hammond sports and athletics in an extraordinary manner.

At this year's induction ceremony, the Hammond Sports Hall of Fame recognized and honored the 2011 inductees. The individuals who have so deservingly earned this high honor are: Thomas McDermott, Sr., Marty Jakubowski, Frank Carroll, Tom Burns, Jeff Yelton, Carla Eskridge Rogers, David M. Wilhelm, and Bill Atkins.

Hammond is very fortunate to have produced such a rich tradition of excellence among its athletes, coaches, and supporters. In unique ways, the Class of 2011 inductees have made extraordinary contributions and have added to Hammond's rich sports heritage.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating these outstanding individuals. Along with the current members of the Hammond Sports Hall of Fame, these new inductees have made a significant contribution to the continued excellence of Hammond athletics, and I am very proud to represent them in Washington, DC.

## IN REMEMBRANCE OF RALPH WARREN GOEHRING

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Ralph Warren Goehring, a loving husband, father, grandfather and friend. Mr. Goehring's strong passion for education and dedication to hard-work benefited many in the community.

Mr. Goehring was raised in Pittsburgh, and graduated from Indiana University of Pennsylvania and Penn State University. He served as a Marine during World War II in the Pacific and was subsequently awarded several medals for his brave service.

Mr. Goehring moved to Lorain in 1952 and became a social studies teacher. He taught for 31 years at Lorain High School and Hawthorne Jr. High School in Lorain. He was best known for teaching a special course called "Problems of Democracy." Throughout his career, he also served as a leader for the Lorain Education Association.

As an educator and a strong proponent of labor rights, Mr. Goehring led the fight for collective bargaining rights before Ohio passed laws protecting those rights. When the school district fired all the strikers, Goehring reassured his colleagues that the district could not replace 900 workers. Sure enough, with Ralph Goering's strong leadership and perseverance for justice, the workers won their jobs back. As one friend recounted, Ralph "felt that collective bargaining made things better in Lorain for the students, teachers and district."

After retiring, Ralph worked with the Internal Revenue Service in Cleveland and he used the skills he learned there to help seniors with their taxes in Lorain. He also served as a retiree executive member of the North Eastern Ohio Education Association, where he worked as an editor for their newsletters.

Mr. Goehring is survived by his wife, three children, two grandsons, two step-granddaughters and five step-great-grandchildren.

Mr. Speaker and colleagues, please join me in remembering Ralph Warren Goehring, whose legacy of professionalism, service to the community and determination for justice will forever stand as an example of what it means to be a community leader.

## HONORING MR. F. WARREN HUGHES FOR HIS SERVICE TO YANCEY COUNTY

### HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. SHULER. Mr. Speaker, I rise today to honor Mr. F. Warren Hughes for his 27 years of service to Yancey County.

After graduating law school, Mr. Hughes began his professional career as an attorney before being appointed to fill the vacant position as Clerk of Superior Court for Yancey County in 1984. Through his 27 years of public service, he has successfully been elected each term and has only been challenged once.

Mr. Hughes's office is highly regarded and is considered one of the top clerk's offices in the State of North Carolina. For his work with the N.C. Courts Commission, the N.C. Judicial Council, and as President of the N.C. Clerks Association, his reputation is known throughout the State. He is also distinguished as one the few clerks in the State who is also an attorney.

His legacy in the Yancey County Community will not be forgotten. I am grateful to have dedicated and hard working people like Mr. Hughes as public servants in Western North Carolina.

I ask my colleagues to join me today in recognizing the exceptional career of Mr. F. Warren Hughes, Clerk of Superior Court for Yancey County.

## IN RECOGNITION OF THE COUNCIL ON AMERICAN-ISLAMIC RELATIONS NINTH ANNUAL CIVIL RIGHTS BANQUET

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Council on American-Islamic Relations (CAIR) Ohio Chapter on the occasion of their Ninth Annual Civil Rights Banquet entitled "Carrying the Legacy: Advancing with Confidence."

CAIR is a nationwide, nonprofit organization whose mission is to "enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims and build coalitions that promote justice and mutual understanding." For the past nine years, CAIR Ohio has played an instrumental role in helping to bridge the divides between Greater Cleveland's diverse communities. CAIR Ohio's Ninth Annual Banquet will provide a platform for vibrant discourse led by this year's distinguished speakers: Chip Pitts Esq., of Stanford Law School, Oxford University and the Bill of Rights Defense Committee and Kareem Irfan, Esq. President of the Council of Religious Leaders of Metropolitan Chicago. I commend these speakers for their efforts to promote civil liberties and social justice.

Mr. Speaker and colleagues, please join me in recognizing the Council on American-Islamic Relations Ohio Chapter for their eight years of outstanding achievement. May their efforts to promote dialogue and create a more inclusive world continue to endure.

## CONGRATULATIONS TO TRAVIS CREDIT UNION ON RECEIVING THE DESJARDINS YOUTH FINANCIAL EDUCATION AWARD

### HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to congratulate Travis Credit Union on receiving the Desjardins Youth Financial Education Award earlier this month here in Washington, DC.

The Desjardins Youth Financial Education Award is given out by the Credit Union National Association to recognize excellent work done by a credit union to advance youth financial literacy. Especially given the current state of the economy, it is critically important that our young people learn the necessary skills to make wise financial decisions.

I am proud to say that Travis Credit Union, which is based in Vacaville, California, in my congressional district, is a most deserving recipient of this award. Travis Credit Union has worked with a number of other groups in our community to establish the Money Matters Program, which provides financial literacy education, custodial bank accounts, and personal financial mentors for foster youth ages 15 to 17. After completion of the Money Matters classes, the youths open Travis Credit Union savings accounts with a modest balance. This important program is of great benefit to these young people as they work to become successful, independent adults.

The Money Matters Program is just one of Travis Credit Union's many efforts to provide financial education to our community and its young people. The credit union has done an excellent job of ensuring that members of our community receive the financial knowledge that they need to make smart decisions and to avoid some of the pitfalls that have caused so much hardship through the ongoing financial crisis.

I ask my colleagues to join me in congratulating Travis Credit Union for receiving the Desjardins Youth Financial Education Award, and I urge financial institutions across the country to look to Travis Credit Union as an example.

## IN HONOR OF THE HOTZ CAFÉ

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today to honor the Hotz Café, which after 92 years of service is closing their doors. The patrons and loyal customers of this fine establishment will remember the service and memories that the Hotz Café offered.

Hotz Café was founded on the corner of Starkweather Avenue and West 10th Street in 1919 by John Hotz Sr. John, a Russian immigrant, wished to open the café to serve as a place of comfort, relaxation and comradery for fellow immigrants and industrial workers. This establishment quickly became a favorite of all the area's workers and was also seen as a home away from home. When the Prohibition Era commenced, the Hotz Café continued as a speakeasy and became well known for its famous patrons, such as Ty Cobb, Babe Ruth, Elliot Ness and Franklin Delano Roosevelt. When the Great Depression struck, John Hotz saw an opportunity to assist those who were less fortunate and consistently gave out bread to those families who were downtrodden.

The dawn of the 50s ushered in a new era for the Hotz Café. John Sr.'s sons, Andrew and Mike took control of their father's business. Andrew strived to ensure that his father's legacy lived on. During this era, the café remained a favored place of leisure among the working class. In addition to their devotion to the café, the sons' family began to expand. Andrew's wife Betty opened up a beauty salon

in 1967 adjacent to the café and in 2003 Andrew's son John opened up a pizza parlor in the location that formerly held his mother's beauty salon.

Mr. Speaker and colleagues, please join me in honoring the legacy of Hotz Café. For over 90 years, this establishment provided the Tremont community with a welcoming and hospitable environment for the community's enjoyment.

## HONORING MS. BRIDGETTE DIXON THURMAN

### HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Ms. Bridgette Dixon Thurman has answered that call by giving of herself as an educator at Dunaire Elementary, and as a beloved daughter, mother and friend; and

Whereas, Ms. Thurman has been chosen as the 2011 Teacher of the Year, representing Dunaire Elementary school; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Ms. Thurman is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children, receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Bridgette Dixon Thurman for her leadership and service for our District and in recognition of this singular honor as 2011 Teacher of the Year at Dunaire Elementary School;

Now therefore, I, Henry C. "Hank" Johnson, Jr. do hereby proclaim March 23, 2011 as Ms. Bridgette Dixon Thurman Day in the 4th Congressional District.

Proclaimed, this 23rd day of March, 2011.

## IN HONOR OF THE PARMA PARK REFORMED CHURCH

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Parma Park Reformed Church, also known as the "Church in the Woods," which will be closing its doors following fifty years of ministry.

The congregation of Parma Park Reformed Church began in 1960. They met in a local grade school until the Church in the Woods was constructed in 1962. Since then, the congregation has been deeply involved in the community. The church offered Bible studies, Alcoholics Anonymous groups, and grief support groups. Community outreach projects included a meal program called "Pay it Forward" and a program in which the congregation's children sent gifts and correspondence to military units in Iraq and Afghanistan. The Church in the Woods has also been a popular location for private, intimate wedding ceremonies.

At the end of March, Parma Park Reform Church will host its final service. The congregation intends to continue its services through other nearby churches.

Mr. Speaker and colleagues, please join me in honoring Parma Park Reform Church. Its presence will be sorely missed; however, I have no doubt that its mission will live on. We need only look to the words written on every Sunday worship bulletin: "Our Service has ended; our Worship continues."

## WISHING OLIVER (OLLIE) SPERAW A HAPPY 90TH BIRTHDAY

### HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise today to recognize and honor an old friend, Oliver (Ollie) Speraw, who on March 26, 2011 turned 90 years of age. Ollie has lived a life full of notable accomplishments where he became a captain of industry and a humble public servant.

Ollie grew up in Long Beach after moving there at a young age with his family from Minnesota. As a young man Ollie worked in a number of different trades and contributed to the early war effort, riveting P–38s, before finally coming of age to enlist in the Army Air Corps and serve during WW2. After returning home he entered the Real Estate Business, starting Sparrow Reality, and became one of the original pioneers of Century 21 Real Estate. Throughout his life, Ollie has been actively involved in his home town of Long Beach and the surrounding region, participating in multiple organizations such as the Long Beach Jaycees, Oceanside Chamber of Commerce and the Oceanside Rotary. In 1954, he began his first position in civilian public service as a member of the Long Beach Water Board, and served there until 1969. Ollie was inspired by Ronald Reagan, California's Governor at the time, and his message of an efficient, cost-cutting government. He subsequently volunteered for one of the Governor's citizen committees. Out of this inspiration, Ollie became more active in politics, which led him to become a Board Member on the 31st Senate District Republican Central Committee, of which I was also a member at the time. Ollie moved on to win his first election in 1979, where he joined the California State Senate and served there until 1984. While in the Senate he gained a reputation as a protector of the taxpayer who sought to make government leaner, effective and more efficient. Californians who have a little red organ donor sticker on their Drivers Licenses can be reminded daily of just a small piece of his legislative legacy.

Ollie served his country with honor in World War II, helped pioneer one of the largest employers in the Real Estate industry and has honorably served the people of California as one of their elected officials. It has been my pleasure to know Ollie Speraw and more importantly, to call him my friend. Please join me in wishing him a happy 90th birthday.

## IN RECOGNITION OF JAMES J. GNEW

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of James J. Gnew, a praiseworthy individual who has devoted his life to upholding the law and defending the lives and wellbeing of the citizens of Cleveland.

James' service to others began early in his life. In 1966, James joined the Army to serve his country in Vietnam. After leaving the Army, he joined the Cleveland Police Department, extending his service to the community at large. He was noted for his superb talents as an officer of the law and in 1978 he was chosen to be a part of a high risk tactical division which would eventually become the Cleveland SWAT team.

His tenure as a valued member of the SWAT team is filled with numerous achievements. Throughout his career he conducted over 400 high risk operations. One such incident occurred on January 4th, 1984. James led his team in successfully defusing a hostage scenario at Cleveland's Hopkins International Airport. James handled the situation exceptionally well. In recognition of his acts of heroism, he received numerous awards including a Silver Star, 3 Medals of Heroism, a Medal of Valor and the Ohio Tactical Officers Association Lifetime Achievement award.

James is also a caring husband and father. He loves his wife Cheryl dearly, and his three children are always in James' thoughts.

Mr. Speaker and colleagues, please join me in honoring James J. Gnew, whose life and legacy will always be cherished by the Cleveland community. James has been a diligent and vital asset to the Cleveland community and he will always be honored and remembered by those he serves.

## CONGRATULATIONS TO MR. LANCE O. DIEHL

### HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge Mr. Lance O. Diehl of Millville being named the Columbia-Montour Council of the Boy Scouts of America's 2011 Distinguished Citizen.

Mr. Diehl is a longtime resident of Northeastern Pennsylvania. He graduated from Millville High School in 1984, and graduated Magna Cum Laude from Bloomsburg University in 1988. In 1990, he earned his Master's Degree in Business Administration from Lehigh University, and in 1993, he graduated from the Stonier Graduate School of Banking. In the past, Mr. Diehl has served on the

boards of the Bloomsburg Chapter of the American Red Cross, the United Way of Columbia County, and the Columbia-Montour Business & Educational Partnership. Currently, Mr. Diehl serves on the boards of the Millville Mutual Insurance Company, the Millville Community Alliance, and the Pennsylvania Bankers Association. He is vice chairman of the Columbia Alliance for Economic Growth, and the president and CEO of First Columbia Bank & Trust Co. and CCFNB Bancorp.

Mr. Diehl has always been dedicated to his community. In 1995, Mr. Diehl was the co-chair of the Little Fishing Creek Swimming Pool Renovations. In 1999, he was the co-chair of the Columbia County United Way Campaign. Mr. Diehl has always enjoyed coaching the youth of our community. He has held coaching positions with Millville Boys Varsity Basketball, Millville Boys & Girls Junior High Basketball, Millville Boys and Girls Elementary Basketball, Little League, and AYSO Soccer. Mr. Diehl is an active member of Millville United Methodist Church, serving on various committees and acting as a Sunday School teacher.

Mr. Speaker, Mr. Diehl has been an active and dedicated member of our community. He has taken a role as a humanitarian and mentor. His service has helped many of his neighbors and guided many of our youth. Mr. Speaker, I ask that my colleagues join me in congratulating Mr. Lance O. Diehl on being named the Columbia-Montour Council of the Boy Scouts of America's 2011 Distinguished Citizen.

## TOBACCO PRODUCTS SCIENTIFIC ADVISORY COMMITTEE

### HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. FOXX. Mr. Speaker, I rise again today to call attention to a significant conflict of interest within the Tobacco Products Scientific Advisory Committee (TPSAC)—a conflict that can and should cast doubt on its recent report to the Food and Drug Administration (FDA) regarding the effect of menthol cigarettes on the public health.

Last year, I submitted a statement for the Record referencing a Boston Globe article entitled "FDA Lax on Conflicts of Interest," and I'm saddened to see that this problem continues to this day at the FDA. Since the FDA announced the nine voting members of TPSAC, questions have surfaced regarding financial and ethical conflicts of interest among several of the members. Rather than investigate the alleged conflicts and eliminate the shadow of doubt looming over the committee, the FDA has stood idly by as these conflicts have festered and threatened to undermine the very purpose TPSAC was formed to serve.

Several members appointed to TPSAC have substantial financial interests at stake in the decisions rendered by the Committee. One member is an active consultant to drug companies that manufacture smoking cessation products. Another member stands to make money on a patented new smoking cessation drug. Both of these members have also testified against tobacco companies in several legal proceedings. The conflicts could not be clearer.

Now, we find that TPSAC has, as many of the original skeptics predicted, released a recommendation that, short of an outright ban, nevertheless notes that "removal of menthol cigarettes from the marketplace would benefit the public health." Rather than accept TPSAC's report as an unbiased call to action, we are faced with the same controversy that should have been corrected more than a year ago.

The people deserve a government free from the appearance of impropriety. They have entrusted the members of this Chamber, as well as officials appointed within the Administration, to enforce the law even-handedly and to engage in policy decisions unencumbered by conflicts of interest, personal biases, or unethical predispositions.

The only solution is for FDA to reject the recommendation of TPSAC and appoint new, unbiased members to the committee in order to carry out the purpose of the Family Smoking Prevention and Tobacco Control Act. The FDA owes the people a fair and untarnished recommendation on this important issue and I call on the FDA to take appropriate measures to remedy TPSAC's inane report and conclusions.

## CONGRATULATIONS TO GENERAL JAMES R. JOSEPH

### HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge Major General James R. Joseph and congratulate him on his recent promotion to Assistant Adjutant General—Army, Pennsylvania, National Guard, Joint Force Headquarters, Pennsylvania.

Mr. Joseph, or "Jimmy Joe," as I know him, enlisted as a soldier in 1971 to begin his military career. He graduated from basic training at Fort Dix, New Jersey, and obtained his advanced individual training as a military policeman at Fort Gordon, Georgia. General Joseph completed a tour of duty in Vietnam, where he was assigned to the 716th Military Police Battalion. He finished his active duty tour at Fort Polk, Louisiana, with the 258th Military Police Company.

But General Joseph did not stop serving our country. He joined the Pennsylvania Army National Guard in 1974 and was assigned to be a combat engineer with Company C, 876th Engineer Battalion. Currently, General Joseph serves as the primary advisor to the Adjutant General for all joint logistics matters, including commodity and material management, property and personnel movement, storage and distribution, and defense movement coordination, including the acquisition and sustainment of unique equipment used by National Guard units in homeland defense, civil support, and counterdrug operations. He has oversight of the Eastern Army Aviation Training Site, 166th Regional Training Institute, and the Medical Battalion Training Site.

Mr. Speaker, General Joseph has dedicated his life to serving our country. His family has made sacrifices as he committed himself to protecting our freedom and keeping our citizens safe. His courage and commitment is something to be greatly respected and honored. Mr. Speaker, I am proud to congratulate my friend, "Jimmy Joe," and I ask my colleagues to stand with me in honoring Major General James R. Joseph for his greatly deserved promotion to Assistant Adjutant General of the Pennsylvania Army National Guard.

## INTRODUCTION OF H.R. 804

### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. FILNER. Mr. Speaker, in September 2010, Operation Iraqi Freedom was renamed Operation New Dawn.

To this effect, I introduced, H.R. 804, legislation that would ensure that military service in Operation New Dawn continues to be considered service in a theater of operations, for purposes of eligibility for veterans' hospital and nursing home care and medical services through the Department of Veterans Affairs.

Our nation's brave men and women have fought together hand in hand in the war against terror, and many of them are experiencing multiple and extended deployments in support of Iraq and Afghanistan.

When they return home, we must make certain that veterans would not be denied access to certain programs because of the way the law is currently written.

I urge my colleagues to support this important legislation.

## OVERREACHING ACTIONS OF FEDERAL LAW ENFORCEMENT

### HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. JOHNSON of Illinois. Mr. Speaker, while being later to the effort than my good friend Congressman RON PAUL, many of you know that I have long expressed concerns about the sometimes overreaching actions of federal law enforcement, especially as they interact with American citizens.

Most law enforcement officials in this country are highly ethical with a strong desire to serve the effort to keep our country and our communities safe. Unfortunately, as in any profession, there are some people who do not uphold those standards.

Those concerns are a principal reason why the Bill of Rights was passed. Those concerns should also hold a primary place in our thinking as we vote on legislation.

This issue came closer to home for me as two constituents, one a U.S. citizen, were arrested by federal law enforcement officials this month, accused of violating a law that doesn't exist. My office attempted to get information about their arrest. We were denied information about which agency had arrested them, where they were being held, and the charges against them.

All of the charges against them were dropped just eight days later after a federal judge reviewed the evidence and determined that no crime had been committed. The cost to my constituents was in the tens of thousands of dollars. They are still being threatened with the forfeiture of property.

Now compare the plight of this American citizen with millions of people who have crossed into this country illegally. They proudly attend rallies and speak on television, openly proclaiming that they are in this country in defiance of our laws. Many do not pay taxes while many others are receiving monetary benefits from the government.

It is reprehensible that our federal law enforcement would falsely and recklessly arrest one of our own citizens who owns a small business, pays taxes, and employs other Americans, while allowing lawbreakers from other countries to openly flaunt their violation of our laws. American citizens are not being served when the priorities of the federal government are so twisted.

## INTRODUCTION OF H.R. 805

### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. FILNER. Mr. Speaker, there are not many of us who have not heard of the horrific battleground stories experienced by our young men and women who have served in Operation New Dawn and Operation Enduring Freedom. These stories reveal a gruesome and difficult war in which servicemembers often sustain long lasting emotional and physical injuries. Of these injuries, none is more deafening than the amputations undergone by servicemembers as a direct result of the widespread use of roadside bombs otherwise known as improvised explosive devices (IEDs).

This class of injury, which has spiked significantly since the onset of the Operation New Dawn, requires special consideration within the Department of Veterans Affairs. After returning home, these individuals must embark upon extensive rehabilitation and special treatment to receive a shot at living a normal life, and this is why I have introduced H.R. 805.

H.R. 805 instructs the VA to actively inform veterans and educate employees at each VA prosthetics and orthotics clinic of the Injured and Amputee Veterans' Bill of Rights. In addition, this bill requires the VA to monitor and resolve complaints from injured and amputee veterans alleging mistreatment.

I believe that this bill will do much to protect the rights of our injured and amputee veterans, as well as bolster the consistency of prosthetic and orthotic care throughout the VA health system.

I urge my colleagues to support this important legislation.

## PERSONAL EXPLANATION

### HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. ROKITA. Mr. Speaker, on rollcall 193, I was unavoidably detained. Had I been present, I would have voted "no."

## TAIWAN WOULD BE A CONSTRUCTIVE MEMBER OF THE UNFCCC

### HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. LORETTA SANCHEZ of California. Mr. Speaker, Taiwan is one of the most geologically sensitive regions of the world and they are keenly aware of their vulnerability to the various threats of accelerating global environmental change.

Taiwan recognizes that the climate system is a shared resource whose stability can be affected by industrial and other emissions of carbon dioxide and other greenhouse gases. For these reasons, Taiwan would be a constructive member of the global organizations of the United Nations (UN) through its Framework Convention on Climate Change (UNFCCC). As a member of UNFCCC, Taiwan will be able to contribute their skills and experiences to the world community such as gathering and sharing information on greenhouse gas emissions, national policies and best practices, providing financial and technological support to developing countries and preparing for adaptations to the impacts of climate change.

Since 2008, Taiwan's new administration has proactively engaged in many UN activities. In 2009, UN member states for the first time accepted Taiwan as an official observer for the World Health Assembly. The UN should further consider Taiwan's inclusion in the United Nations' environmental conventions and activities.

## END VETERAN HOMELESSNESS

### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. FILNER. Mr. Speaker, research tells us that veterans are over represented in the homeless population. VA is the largest single provider of homeless services reaching about 25 percent of that population.

VA operates a wide variety of homeless veterans programs designed to provide outreach, supportive services, health care as well as counseling and treatment for mental health and substance use disorders. They rely heavily on their partnerships with the community and faith based organizations to provide these services.

Many of VA's homeless population:

Have had a serious psychiatric problem defined as psychosis, mood disorder or PTSD.

Were dependent on alcohol and/or drugs.

Were dually diagnosed with serious psychiatric and substance abuse problems.

Have suffered from a serious medical problem.

The number of homeless women veterans is rising.

Prior to becoming homeless, a large number of veterans at risk have struggled with PTSD or have addictions acquired during, or worsened by, their military service. These conditions can interrupt their ability to keep a job, establish savings, and in some cases, maintain family harmony.

Veterans' family, social, and professional networks may have been broken due to extensive mobility while in service or lengthy periods away from their hometowns and their civilian jobs. These problems are directly traceable to their experience in military service or to their return to civilian society without having had appropriate transitional supports.

VA reports that approximately 1,500 homeless veterans are from Operation Enduring Freedom and Operation New Dawn. This is a growing population. It took roughly a decade for the lives of Vietnam veterans to unravel to the point that they started showing up among the homeless.

Concern has been expressed by many that such an early showing of more recent veterans in the homeless population does not bode well. It is also believed that the intense repeated deployments leave newer veterans particularly vulnerable.

We know the Department of Veterans Affairs has many programs to address currently homeless veterans, and they do a great job. However, the most important piece to ending homelessness among the Nation's veteran population is to prevent it in the first place.

It is unacceptable that even one of our veterans sleep on the streets or in shelters after risking their lives on behalf of this country.

My legislation, H.R. 806, will go a long way in strengthening our efforts to ultimately end homelessness.

This bill increases funding to successful programs for homeless veterans; requires each VA medical center that provides supporting housing services to provide housing counselors; requires housing counselors to conduct landlord research; strengthens permanent housing programs, and pays special interest to the needs of homeless women veterans and homeless veterans with children.

The time to act is now. We cannot afford to let history repeat itself.

I urge your support of this important legislation.

## TRIBUTE TO ELIZABETH TAYLOR

### HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. WAXMAN. Mr. Speaker, with the passing of Elizabeth Taylor last week, America, and the world, lost much more than a great movie actress, more than a celebrated legend and cherished celebrity, and more than a woman of enduring beauty and appeal.

We lost a champion fighter for the survival and dignity of those with HIV/AIDS.

Of many causes which Elizabeth Taylor embraced, such as her support for the State of Israel and the Jewish people, it was her great courage and selfless commitment that defined her work to support every effort to find a cure for HIV/AIDS, and to protect the rights of every person living with HIV/AIDS.

We forget how long and hard the struggle has been—precisely because of the heroic progress that has been made, medically and socially, in treating and living with HIV/AIDS. It's hard to remember, but in the early 1980s, people knew very little about AIDS. The nation went on a publicity roller-coaster, going from complacency to panic and back again.

She was among a handful of people in those early days of the epidemic who managed to get us to the right level of urgency. One, obviously, was Surgeon General C. Everett Koop. Another was Tony Fauci at NIH.

But many people got their most memorable information from an unexpected source—Elizabeth Taylor. Beginning with her concern for her friends who were sick, she became an ambassador for people living with AIDS, for their doctors, and for AIDS research. When the Reagan White House was refusing even to acknowledge that tens of thousands of Americans were sick and dying, she went public.

To those who would shun our fellow citizens with HIV/AIDS, Elizabeth Taylor literally embraced them—showing us how to respond to a terrible illness that exacted a relentless toll on millions.

And so it was Elizabeth Taylor who called us to account every day, as individuals and as a society, for the humanity of those with HIV/AIDS.

Working with Dr. Mathilde Krim, Elizabeth Taylor championed the American Foundation for AIDS Research, a group that advocated for AIDS research and found funding for research that no one else was financing—functions it serves to this day.

To her enduring credit, Ms. Taylor leveraged her unique celebrity to speak truth to power, going to the media, the Administration, and Congress to urge ongoing attention and funding to the epidemic.

She testified before the Subcommittee on Health and the Environment of the House Commerce Committee about the need for research, prevention, education and treatment and about the Congress' responsibilities to find funds for them. Her efforts helped seal public support for the 1990 Ryan White Comprehensive AIDS Resources Emergency (CARE) Act.

She was a movie star. But she used her star power to do something that scientists, doctors, and public health officials could not have accomplished on their own. She made the nation stop, look, listen, and understand what was at stake for those with HIV/AIDS and for us as a society.

In this way, Elizabeth Taylor helped motivate us to start doing needed work.

For that we owe her more than movie-star fame. She may be remembered most for her screen roles. But it was her living role as a healer for which we owe Elizabeth Taylor a debt of profound gratitude—for lives improved and lives saved, for advances in treatment and prevention, and for the hope of one day finding a cure for HIV/AIDS.

## SENATOR BARBARA MIKULSKI'S VISION

### HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. CUMMINGS. Mr. Speaker, I rise to applaud those who are leading America toward equality and equity for all people—and, especially, to commend Maryland's Senior Senator, BARBARA MIKULSKI.

As a father, my greatest hope is for the continued social progress that will allow my daughters to achieve the full measure of their dreams. That is why, during Women's History Month each year, I am thinking more about our future than about our past.

Recently, President Obama, also the father of two daughters, expressed the same perspective.

''While enormous progress has been made,'' he observed, ''there is still work to be done before women achieve true parity.''

His observation is backed up by ''kitchen table'' economics. When women are not treated fairly, their families suffer as a result.

One would think that the concept of equal pay for equal work is so American that it would already be a ''done deal'' in this country. Yet, we know that equal pay is not yet a reality.

Family hardships result from the harsh reality that women, on average, make just 77 cents for every dollar earned by men in comparable jobs (just 69 cents if you are an African American woman—and 59 cents if you are a Latina woman).

Last week, Senator MIKULSKI was afforded another opportunity to remind everyone of this still-to-be-achieved civil rights goal as we participated in an event honoring Lilly Ledbetter, the woman whose Supreme Court equal opportunity case led to the ''Lilly Ledbetter Fair Pay Act of 2009.''

As she was applauding Ms. Ledbetter for the courage and determination she had shown fighting for fair pay, I had the opportunity to reflect on BARBARA MIKULSKI's vision for America—and upon all that she has achieved in public life.

Maryland's senior Senator is a remarkable human being—and a person I am honored to call my friend.

When I first entered the Congress after a Special Election in 1996, BARBARA was there for me, helping us to get our office up and running as quickly as possible so no one in Maryland's 7th Congressional District would lack representation.

I have never forgotten that kindness. It was a practical demonstration of the same human compassion that BARBARA MIKULSKI has offered to tens of thousands of Marylanders over the years.

It is why she has become a national leader—and why her colleagues in the Senate have supported her work and leadership on two of its most prestigious committees: Appropriations and the Committee on Health, Education, Labor, and Pensions.

We all have an interest in women and their families receiving fair pay for the work that they perform. Maryland's Senior Senator was one of the essential leaders in our efforts to enact the Affordable Care Act, as well as the Lilly Ledbetter Fair Pay Act.

Yet, despite the national prominence that she has achieved, ''Senator BARB'' has never lost that candor, honesty and strength that are so typical of the Highlandtown of her youth.

In her family's grocery store, she learned the challenges faced by working families. Then, as a social worker, she perfected the skills that she needed to become an effective leader in our cause.

Today, I doubt whether there is a single person in our home State of Maryland who does not know what Senator MIKULSKI stands for. Her progressive values are solid and clear. We know that she is going to fight for all of us every single day.

Less well known, however, is BARBARA MIKULSKI's lifetime vision of bringing all of America's working families together in support of progressive change. It is a dream that ties together her roots in Highlandtown with my own South and West Baltimore heritage: ''Unfortunately, because of old prejudices and new fears,'' she observed back in 1970, ''anger is generated [within European ethnic communities] against other minority groups rather than those who have power. What is needed is an alliance of white and black, white collar, blue collar and no collar based upon mutual need, interdependence and respect—an alliance to develop the strategy for new kinds of community organization and political participation.''

All Americans are better off for our progress toward achieving BARBARA MIKULSKI's dream—and the movement toward a better America that her dream sustains.

## LIZBETH BLANCO-RAMOS

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lizbeth Blanco-Ramos for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lizbeth Blanco-Ramos is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lizbeth Blanco-Ramos is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lizbeth Blanco-Ramos for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

## PERSONAL EXPLANATION

### HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. FUDGE. Mr. Speaker, I was absent from the House Floor during rollcall votes on H. Con. Res. 28 and H.R. 1076. Had I been present, I would have voted against both of these bills.

## HONORING MR. JONATHAN SMALLS

### HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, a tenacious man from Frogmore, South Carolina utilizes his gifts, talents and wisdom everyday to insure that veterans and

their families are provided resources in the state of Georgia; and

Whereas, Mr. Jonathan Smalls is a renowned leader not only for his hometown of Frogmore, South Carolina, but as a husband, father and community leader in DeKalb County, Georgia; and

Whereas, Mr. Jonathan Smalls served our Country honorably for Twenty-eight (28) years in the U.S. Army as an Army Ranger, retiring as a Command Sergeant Major, he is a man of honor and a strong advocate of justice, education and family; and

Whereas, this model citizen has shared his time and talents for the betterment of his community and his nation through his tireless works, words of encouragement and inspiration that have and continues to be a beacon of light to those in need; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Jonathan Smalls for his outstanding leadership and service to the citizens in the state of Georgia, his community temperament is to be acknowledged and his commitment to the citizens throughout the state continues to touch the lives of citizens in our District;

*Now Therefore*, I, Henry C. ''Hank'' Johnson, Jr. do hereby proclaim March 20, 2011 as Jonathan Smalls Day in the 4th Congressional District.

Proclaimed, this 20th day of March, 2011.

## KAYLA KOVAL

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Koval for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayla Koval is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayla Koval is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayla Koval for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

## IN RECOGNITION OF THE BEVIN KALATHIL VARUGHESE MEMORIAL FOUNDATION

### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. ACKERMAN. Mr. Speaker, I rise today to seek Congressional recognition of the exceptional achievements and outstanding career of Susan Bender. Over the course of her almost 40-year professional career with Jewish Community Centers (JCC) in New York City and Long Island, Susan worked tirelessly to ensure that families and individuals living in New York City and Long Island had access to mental-health and social-service programs. She has not only been an innovative leader and unyielding advocate for individuals with disabilities, but also a dedicated leader in her community.

After graduating from Brooklyn College with a degree in speech pathology, Susan began working at JCCs with distinction. She started her career at the Staten Island Jewish Community Center as the Director of Early Childhood Development. In 1988, she moved to be the Executive Director at the Young Men's-Young Women's Hebrew Association in Westchester, New York. Then, in 1992, Susan became the Executive Director of the Sid Jacobson Jewish Community Center in East Hills, New York, in my congressional district.

Under Susan's enthusiastic direction, Sid Jacobson has flourished. The Center dramatically expanded its facility in East Hills and also added the Bernice Jacobson Day School and Camp in Old Westbury, New York. Susan developed the Center's noted innovative programs for autistic children, single parents, and the bereaved. She helped found a first-of-its-kind program for adults with early-onset Alzheimer's and their families.

Today, the Center has a staff of over 250, an annual budget of $12 million, and offers an extensive catalog of dynamic programs for people of all ages and abilities. The success of the Center is a direct testament to the strength of Susan's leadership and her dedication to providing community members with the best possible services.

In addition to her work at Sid Jacobson, Susan has applied her energy and vision in a variety of leadership roles in the national JCC movement. She served as a member of the Jewish Community Center Association's board of directors, was president of the Association of Jewish Center Professionals (AJCP) for the Eastern Region, and, in 2002, was named the national president of the AJCP.

Mr. Speaker, this year Susan Bender will retire having contributed immeasurably to her community. I am proud to recognize Susan and I ask my colleagues to join me in thanking her for her lifetime of tremendous work for others.

## KAYLEEN LAWTON

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayleen Lawton for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayleen Lawton is an 8th grader at North Arvada Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayleen Lawton is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayleen Lawton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

## RECOGNIZING THE RETIREMENT OF RUSSELL R. CHARD FROM THE HOLLYWOOD FIRE DEPARTMENT

### HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to recognize the retirement of Russell R. Chard from the Hollywood Fire Department.

Mr. Chard has more than 30 years of distinguished service working on behalf of Hollywood, Florida's fire fighters, paramedics and local safety community. For the last 20 years, Mr. Chard served as President of Local 1375, overseeing the welfare of its membership, fighting for the professional standards and ensuring the safe working conditions that are befitting of the service of these men and women.

Known as a coalition builder, President Chard served a critical role as liaison to all associated areas for the Local, as well as outside groups such as the AFL–CIO, Florida Professional Firefighters and Paramedics, International Association of Fire Fighters, and Maritime Trade Council. This commitment to the betterment of the community was second only to his dedication to his brothers and sisters in the Union. He was a powerful role model and mentor for many new recruits over 20 years, always emphasizing the unique bond that all fire fighters share.

In 1980, Mr. Chard was first appointed to the negotiation committee for Hollywood Professional Fire Fighters Local 1375, where he was quickly recognized for his grit and passion. He was quickly elected as a Trustee and has served Local 1375 ever since. His legacy of fierce advocacy, candor and friendship will not soon be forgotten or lost.

I am proud today to honor President Chard's distinguished career and leadership in the South Florida community and wish him and his family well on their future endeavors.

## LAWRENCE SALAZAR

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lawrence Salazar for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lawrence Salazar is a 9th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lawrence Salazar is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lawrence Salazar for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

## A TRIBUTE TO THE LIFE OF ROBERT ''BOB'' PRICE

### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. COSTA. Mr. Speaker, I rise today to honor the life of a man whose passion, devotion, and leadership exemplify the meaning of public service. Robert ''Bob'' Price passed away on Wednesday, February 9, 2011 after a valiant battle with idiopathic pulmonary fibrosis. He was 79. Bob was a well respected leader, mentor, and community advocate. He lived his life with a tenacious commitment to his family and to his community and is certainly most deserving of this honor.

Bob Price was born in 1932 in Abilene, Kansas. He came to Bakersfield, California in 1937, graduated from Bakersfield High School in 1949 and went on to proudly serve our great country in the United States Army. After his military service, Bob returned home to Bakersfield, California, where he began his 32-year career with the Bakersfield Police Department. Beginning as a motorcycle officer, he tenaciously worked his way through the ranks until he achieved the rank of Bakersfield Chief of Police, a position he would remain in for 15 years. Admired by his fellow officers, Bob Price always remembered what it was like to be an officer on the beat, and he himself often described his own management style as ''management by walking around''. Though he officially retired from public safety service, his yearning for public service remained and in 1992, Bob Price successfully ran for Mayor of Bakersfield where he completed two terms in that office.

In his spare time, Bob enjoyed the simple things in life such as playing handball, playing golf, or spending time with his family. In 2009, after noticing wall-to-wall crowding in the lobby of the Bakersfield Police Department, Bob used his enthusiastic attitude and started a program that recruited retired police officers, clerks, and technicians to help the system work more efficiently and effectively for the Bakersfield community. That program is still thriving today.

Bob Price was a man of great principle and integrity; serving as interim director of the Bakersfield Association of Retarded Citizens (BARC). He lived his life to encourage and elevate others, but he also held others accountable. His commitment to friends, family, and community will be remembered by all that knew him. It is with great pride that I honor him for all that he did on behalf of the City of Bakersfield and for California.

Mr. Speaker, I ask my colleagues to join me in honoring Bob Price, a man who lived a righteous life. His leadership and spirit leave a lasting imprint on all those who knew him.

## LYDIA AGEDE

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lydia Agede for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lydia Agede is a 12th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lydia Agede is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lydia Agede for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

## IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE NEW YORK COLLEGE OF PODIATRIC MEDICINE (NYCPM)

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. RANGEL. Mr. Speaker, I rise today in celebration of the 100th anniversary of the New York College of Podiatric Medicine, which was founded by Dr. Maurice J. Lewi in 1911 within my Congressional District. Chiropody was a craft that existed up to 1885, when men and women learned through training the skill to alleviate pain and discomfort for those afflicted with minor foot ailments. The New York State legislature awarded chiropodists the right to organize and to determine the fitness of individuals who were interested in practicing chiropody in 1905.

This historic legislation paved the path for the founding of the New York School of Chiropody. Dr. Maurice J. Lewi, who during that time was serving as Secretary to the New York State Board of Examiners, was an effective advocate and educator in the field of Chiropody, and became the school's first President.

Dr. Lewi created and organized the curriculum and drafted the legislation governing the practice of chiropody. He was most effective in advancing the specialized profession of podiatry through evidence-based science, research and strategic partnerships.

Since its founding, the New York College of Podiatric Medicine has been an active source of education, training and research in the field of podiatric medicine, and has emerged as a leader and facilitator in creating and establishing multi-dimensional programs in podiatric medicine. Its impact has been guided and nurtured by its current president, Louis L. Levine, and its board of trustees.

In recent years, NYCPM has expanded into the international educational arena with twice-yearly programs for podologists from Spain; a program at Foot Center of New York for podiatry students from Canada, and an affiliation with their school in Quebec.

NYCM also has an externship at the Sheba Medical Center at Tel Hashomer. The College also features prominent guest speakers from around the world. NYCPM has reached out to its surrounding community, offering foot screenings at numerous neighborhood health fairs, including the American Diabetes Association's annual Diabetes Expo and the Central Harlem Health Revival.

Therefore, Mr. Speaker, please join me in recognizing the New York College of Podiatric Medicine and its affiliate, The Foot Center of New York. I would also like to congratulate Louis L. Levine, President and Chief Executive Officer; Stanley Mandel, Chairman; the Board of Trustees; and the NYCPM staff as leaders in enhancing the level of acceptance, understanding, and knowledge regarding podiatric medical education and training, podiatric technology development and podiatric research throughout the world.

## KATHRYNN MERRILLS

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kathrynn Merrills for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kathrynn Merrills is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kathrynn Merrills is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kathrynn Merrills for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

## HAWKINS FAMILY REUNION DAY

### HON. HENRY C. ''HANK'' JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, over One hundred forty nine years ago, Ms. Hattie Hawkins in the state of South Carolina has blessed us with descendants that have helped to shape our nation; and

Whereas, the Hawkins Family has produced many well respected citizens and three of the matriarchs of the family Ms. Addie Rankin Hawkins, Ms. Virginia Hawkins Clarke and Ms. Florence Amanda Hawkins Wilson are pillars of strength for these families; and

Whereas, in our beloved Fourth Congressional District of Georgia, we are honored to

have many members of the Hawkins family, including Mr. Norm Fikes one of our most beloved citizens in our District who resides in Stone Mountain, Georgia; and

Whereas, family is one of the most honored and cherished institutions in the world, we take pride in knowing that families such as the Hawkins family have set aside this time to fellowship with each other, honor one another and to pass along history to each other by meeting at this year's family reunion in Atlanta, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Hawkins family in our District;

*Now therefore,* I, HENRY C. "HANK" JOHNSON, Jr. do hereby proclaim Saturday, July 12, 2008 as Hawkins Family Reunion Day in the 4th Congressional District.

Proclaimed, this 12th day of July, 2008.

## KAYLA TREJO

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Trejo for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayla Trejo is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayla Trejo is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayla Trejo for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

## HONORING HERB KANE

### HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. QUIGLEY. Mr. Speaker, I rise today to mourn the passing, but also honor the distinguished career of Herb Kawainui Kane. For more than 80 years, Mr. Kane exhibited a love for the arts and a passion for Hawaiian culture that has been an inspiration for his people.

After leaving the Navy, Herb attended school in Illinois, where he would go on to earn his Masters degree from the University of Chicago. Herb went on to become a successful graphic artist in Chicago, before moving to Hawaii. There he would continue his career as an artist, and go on to become both a noted historian and an author. He went through life exemplifying hard work and dedication in his craft and culture.

Throughout his career, Herb received praise and admiration for his works as an artist, historian, and author. Herb's paintings have graced such locations as the Hawaii State Foundation on Culture and the Arts and the National Park Service. In 2009, Herb helped design a commemorative stamp for the U.S. Postal Service, celebrating 50 years of Hawaii statehood. He has also been selected as a Living Treasure of Hawaii for his work as a historian and has received an award for excellence from The Hawaii Book Publishers Association for his writing.

Herb's crowning achievement was his recreation of Polynesian canoes that were used by his ancestors. These canoes have been used to travel from Hawaii to various islands including, Tahiti, New Zealand, Easter Island, Tonga, The Marquesas Islands, The Cook Islands, Micronesia and Japan; of which the voyage to Japan totaled over 110,000 miles of navigation without modern equipment.

Mr. Speaker, I ask my colleagues to join me in recognizing Herb Kane and his numerous accomplishments. His life and career has inspired many and will continue to influence generations to come.

## LANCE ORTIZ

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lance Ortiz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lance Ortiz is a 12th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lance Ortiz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lance Ortiz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

## HONORING MISSOURI STATE UNIVERSITY—WEST PLAINS MEN'S BASKETBALL TEAM

### HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mrs. EMERSON. Mr. Speaker, I am honored to congratulate the Missouri State University—West Plains Men's Basketball team for playing their best season in Grizzly athletic history. The Grizzlies won the Region 16 regular season competition with a perfect 10–0 record. The team then proceeded to win the NJCAA Postseason Tournament and the NJCAA District 4 Championship.

The Grizzlies played in the spotlight of the NJCAA as they ranked #1 in the National Poll for five consecutive weeks. Coach Yancey Walker demonstrated outstanding leadership while serving as the head basketball coach for the past three years. This year he was publicly recognized when he was selected as NJCAA Region 16 Coach of the Year and NJCAA District 4 Coach of the Year.

This outstanding season would not have been possible without the support of fans and campus leaders such as Chancellor Drew Bennett who works diligently to show his support of these student-athletes both on the court and in the classroom. The coaches and players of the MSU-WP team exemplify the highest virtues of the community: teamwork, loyalty, sportsmanship, and dedication.

Once again, congratulations Grizzlies, we are very proud of you. We look forward to cheering you on through another great season next year.

## LORENZO TOLENTINO

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lorenzo Tolentino for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lorenzo Tolentino is an 8th grader at Creighton Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lorenzo Tolentino is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lorenzo Tolentino for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

## HONORING MR. BILL SAMUELS, JR.

### HON. ED WHITFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. WHITFIELD. Mr. Speaker, I rise today to recognize Mr. Bill Samuels for his extraordinary career with Maker's Mark. Mr. Samuels is retiring from his position as President of Maker's Mark, the world's oldest operating bourbon distillery. As the seventh generation distiller in his family, bourbon was a part of Bill's life from the beginning, and just as his own father made Maker's Mark a unique product, Bill made the world famous brand his own through innovative marketing and large scale production with home-grown Kentucky flavor.

When he took over the helm of Maker's Mark 35 years ago, Bill used unmatched and unprecedented creativity to reinvent the way the world understood and appreciated bourbon. He paired a family recipe with a marketing campaign that brought out a little bit of Kentucky in people across the world. Bill left

no event, newsmaker, or story off his list of characteristic jokes, and his knack for simple one-liners lured patrons to Maker's Mark through thousands of unforgettable advertisements. The world responded to Bill's humor in a big way—by buying all the bourbon he could make and elevating Maker's Mark to a worldwide symbol of excellence.

Like the ads that graced pages across the world, Bill's instructions for production of his family's legacy were simple and clear—"don't screw it up." One of the few things Bill made no joke about during his tenure was that no amount of success could compromise the taste of each and every drop of bourbon.

Bill's world renowned success and innovative marketing techniques never lost sight of the home grown taste of Kentucky in each family-made bottle. The distillery in Kentucky remains the only spirits related National Historical Landmark in the world, and a tradition that Kentucky is proud to share. Under Bill's careful watch, no bottle of Maker's Mark traveled across the globe without bringing a piece of Kentucky pride with it.

During his 44 years long career with the family company, Mr. Samuels brought a piece of history and a piece of Kentucky to households, bars, and restaurants around the world. I congratulate my friend, Bill Samuels, on his extraordinary success throughout his time with Maker's Mark. Thank you, Bill, and best wishes for you in your next endeavors.

## EIGHT IN TEN APPREHENDED ILLEGAL IMMIGRANTS NOT PROSECUTED

### HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. SMITH of Texas. Mr. Speaker, according to recent figures calculated by my Texas colleague JOHN CULBERSON, an illegal immigrant apprehended by Border Patrol agents during the last fiscal year had an eight in ten chance of never being prosecuted.

Specifically, in Fiscal Year 2010, nearly 450,000 illegal immigrants were apprehended by the Border Patrol. Of this amount, only about 73,000 were prosecuted, roughly 16 percent. This means that 84 percent of illegal immigrants taken into custody were never prosecuted!

And while the Obama administration claims the border is more secure than ever, a recent Government Accountability Office report found that efforts by Border Patrol to stop illegal crossings were "poor." In fact, it is estimated that there are three successful illegal crossings for every one thwarted. That means more than a million illegal immigrants enter the U.S. each year.

The border is never going to be secure until we enforce all of our immigration laws and turn off the jobs magnet that encourages illegal immigration. Allowing millions to evade our laws is unfair and hurts American workers and taxpayers.

## RECOGNIZING MARCH AS NATIONAL KIDNEY MONTH

### HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. SMITH of Washington. Mr. Speaker, I rise today to recognize March as National Kidney Month. This is an ideal time to renew the commitment to take action to stop kidney disease.

National Kidney Month observes the significance of kidney health and allows us to educate each other on methods of prevention, treatments, and potential cures for kidney disease. More than 26 million Americans have chronic kidney disease. Minority patients and communities including Hispanic, African-American, and Native-American populations are at an increased risk at developing the disease. While the rate of those affected by kidney disease is increasing, many individuals with kidney ailments go undiagnosed. Most people forego visiting a doctor until symptoms are severe and damages to the kidneys are irreparable. Kidney disease can be fatal to those who do not identify the symptoms of kidney failure. Every year, thousands die prematurely of cardiovascular problems linked to kidney disease where death could have been prevented in many cases.

In addition to the health effects of kidney disease, kidney failure can also be costly. Currently, less than one percent of all Medicare beneficiaries have some form of renal disease, yet the disease consumes nearly seven percent of the annual Medicare budget.

Prevention is the best approach at dealing with kidney disease. The most common risk factors are high blood pressure and diabetes, which can be controlled by diet, exercise, taking prescribed medication, and regular visits to a health care professional. National Kidney Month serves as an important reminder for individuals, especially minorities as well as those with hypertension and diabetes, to get their kidneys checked regularly.

In my district, the non-profit Northwest Kidney Centers provides testing opportunities at community events and provides important education to the public about kidney health and renal disease prevention.

Kidney disease is common, harmful, but treatable, especially if caught in time. Let's continue to work to stop kidney disease, save Medicare dollars, and save lives while doing it.

## MALOREY BOPP

### HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Malorey Bopp for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Malorey Bopp is an 8th grader at Arvada K–8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Malorey Bopp is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Malorey Bopp for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

## HONORING FALLEN MIAMI-DADE OFFICERS ROGER CASTILLO AND AMANDA HAWORTH

### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to honor the sacrifices of Officer Roger Castillo and Officer Amanda Haworth of the Miami-Dade Police Department, who lost their lives in the line of duty.

My prayers and our community's gratitude go to the families and loved ones of these two brave Americans.

I submit this poem in remembrance of Officers Castillo and Haworth, penned by Albert Caswell of the Capitol Guide Service.

BLUE ANGELS

Blue.. ..
Blue Angels. . . .
Blue Angels, in flight. . . .
New Angels, up in Heaven. . ., have arrived on this very night. . . .
All there, for us in the darkest days of night!
Who for all of us, so wore that badge of honor. . . . oh so very bright!
Blue Angels, on earth. . . . and now up in Heaven all in flight!
As all of those wrongs they did so right!
Who to all of our lives, so brought their light!
Living day to day, night to night!
Right on that edge of death, as did they. . . . as they did so fight!
All out there on that thin blue line, but at the very height!
At the very height of courage and faith, To Serve and Protect!
As their most heroic Shield of Blue, for our lives did so bless!
All, with families. . . living so very close!
Quiet heroes, who knew. . . . that each moment upon this earth...
But together, was but a gift. . . . but which meant the very most!
As why they so cherished life, as they would toast!
As why with tear in eye, we stand here on this very night!
As we look back on them now, we must now so boast!
Such a gallant, woman and man!
Who for all of us, against the face of evil they so stood. . . . would so stand!
And away from danger they never ran, turning evil into good. . . . time and time again!
Moments, are all we have. . . here upon this earth!
Do we make a difference, all in our life's worth?
What have we left behind, when we are gone?
What will live on, as ever live so on?
Who have we shielded, who have we saved?
All in our most brief lives as so portrayed!
And tonight as you lay your head down to sleep. . . .
Across Miami, but comes a gentle rain to so keep. . . .

Are but our Lord's tears up in Heaven, coming from his heart now so very deep!
As it's for your selfless sacrifice Amanda and Roger, and your families he now so weeps!
And to those five sons, whose pain now so lies so very deep. . . .
They are with you, as you awake and as you sleep!
Watching over you and us to keep!
And remember, that it was your happiness that they would seek. . . .
So bless them, and bless their memory. . . . by living a great life to be!
And they will live on in your hearts, for all the world to see!
Until, that fine day up in Heaven. . . these Blue Angels and you, will all so meet!
Blue. . . .
Blue Angels, watch over me!

## CELEBRATING THE LIFE OF STANLEY J. ''BUD'' GRANT FOUNDER AND PRESIDENT FRIENDS OF THE CONGRESSIONAL GLAUCOMA CAUCUS FOUNDATION, INC.

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. RANGEL. Mr. Speaker, I rise today with great pride, admiration and sadness as we in the United States House of Representatives pay tribute to our dear friend and Buddy, Stanley J.''Bud'' Grant. We join with the many family members, friends and colleagues at Saint Mary's Roman Catholic Church in Manhasset, New York to celebrate the life of Stanley J. ''Bud'' Grant who passed away Saturday morning, March 26, 2011, after a short illness.

My wife Alma and I want to extend our most sincere and heartfelt sympathy to Richard, Suzanne, Robert, Thomas, Joanne, Steven and the entire Grant family as we honor the memory and the legacy of your dear beloved father, grandfather, great-grandfather and uncle and all the wonderful times you shared together as a family.

Stanley J., affectionately known as Bud, was born and raised in Brooklyn, New York and served our nation in the Pacific theater during World War II with valor in the United States Marine Corps. He graduated from St. Francis College and attended Fordham University and the New York University School of Public Administration. Bud lived in Douglaston for over 40 years with his late wife, Suzanne Gobel Stabnick, and raised six children who all attended local schools. Bud was very active in the community, particularly with the Saint Anastasia's Roman Catholic Church parish where he was long-standing member of the Holy Name Society and the Knights of Columbus.

The New York Congressional Delegation worked very closely with Bud in his efforts as a representative of the Medical Society of the State of New York and other important medical associations. Bud established a special interest in Health Care, Health Administration and Health Economics; and also served on the Board of Directors of Wagner College and New York Hospital Division of Queens.

As we entered into a new millennium in the year 2000, Bud Grant inspired me to lead a group of my Congressional colleagues, which included ED TOWNS, MIKE OXLEY, MARK FOLEY, and DONNA CHRISTENSEN to create and co-found the Congressional Glaucoma Caucus. This organization would be dedicated to helping all Americans prevent the scourge of glaucoma and other eye diseases. Through Bud's advocacy and enthusiasm, we were quickly joined by more than two dozen other Members of Congress.

After the Glaucoma Caucus was established, Bud formed the Friends of the Congressional Glaucoma Caucus Foundation, a federally funded, non-profit foundation which screens disadvantaged populations for glaucoma and other eye diseases across the United States. Under his leadership as President, the Foundation provided the first Mobile Eye Screening Unit.

Since that historic day, the Friends of the Congressional Glaucoma Caucus Foundation has performed over 300,000 total screenings; has made over 40,000 referrals; has identified over 50,000 other eye diseases; and has routinely followed up with over 200,000 patients. Through Bud's efforts, the foundation's Student Sight Saver Program had partnered with many of our elite universities, colleges and Ivy League schools throughout the nation. I am so proud of the foundation's work with our federally funded health clinics and the screenings that take place at our neighborhood health fairs.

Bud Grant was a true New Yorker who tirelessly fought to bring health care to the underserved and stem the tide of all eye diseases in every major way. We are a grateful nation for the life of my Buddy, Stanley J. ''Bud'' Grant.

## CONGRATULATING LIFE-SAVER SHAUN ANDERSON OF DIVERSITY IN AQUATICS

### HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. FATTAH. Mr. Speaker, I rise today to recognize and congratulate a young man of remarkable achievement. Shaun Anderson is co-founder and President of Diversity in Aquatics Inc., a visionary network that works to save lives through global efforts to reduce the incidence of drowning.

But that's not all. Shaun is a consultant to USA Swimming, a college faculty member, a former coach as well as a collegiate swimmer and track team member at his alma mater, Pennsylvania State University. He began swimming competitively at age four.

Citing these accomplishments and more, Penn State has named him one of 12 alumni under the age of 35 to receive the 2011 Penn State University Alumni Achievement Award. He will be honored on April 8.

Let me tell my colleagues a little more about this amazing young man. His brainchild, Diversity in Aquatics, boasts members across a worldwide spectrum including Olympians, coaches, elected officials and educators. The organization is literally a life saver. It helps spread the word about water safety through advocacy, educational programs, and action, holding regional water safety clinics, and connecting individuals and groups through their website.

I was pleased to provide a welcoming video for the Diversity in Aquatics Network, which has been active in support of swimming and water safety in Philadelphia's communities of color. The Network has spotlighted the work of Jim Ellis, who developed Philadelphia's first all-African American swimming team and was the subject of the biopic ''Pride.''

In 2009, USA Swimming named Shaun a diversity consultant, giving him responsibility for developing programs for under-served communities throughout the country. He has become a global spokesperson on the issue of diversity in swimming and aquatic safety. For example, he was interviewed and appeared in a Newsweek article in September 2010 about efforts to lower the rate of drowning among African American children.

Shaun Anderson devotes himself to a vital but often overlooked cause. It is a sad fact that worldwide, 388,000 people a year—an average of more than 1,000 a day—are known to perish by drowning, although this data may dramatically understate the problem. In our nation and overseas, a disproportionate number of drowning victims, and victims of nonfatal injuries from submersion, are children from communities of color and from low-income backgrounds. The reasons are many, but the ''cure'' is obvious: teach youngsters how to swim, use safety techniques and respect the perils of water.

I. pursuit of this goal, Shaun Anderson has assisted with clinics in Brazil, the British Virgin Islands, the Philippines and elsewhere. Most recently he helped the Bahamian Ministry of Education and International Olympic Committee in implementing a nationwide learn to swim program for the Bahamas.

Anderson also serves as a faculty member in the Department of Health, Physical Education and Exercise Science at Norfolk State University. At Penn State he was a varsity athlete in two sports: three years on the track team and a four-year member of the swim team. In addition to his degree in Kinesiology from Penn State, he holds an M.B.A. from California State University—Long Beach.

It is no wonder that Shaun Anderson has been widely recognized and honored for his ''diversity'' of achievements. He is a multitasking role model and advocate who carries a life-saving message and the imperative of diversity into regions and disciplines never before imagined. Across our nation, young people of all races and communities are healthier, better swimmers—and very much afloat in life—thanks to a talented, tireless young man named Shaun Anderson.

## HONORING THE SMOKY MOUNTAIN HIGH SCHOOL MUSTANGS MEN'S BASKETBALL TEAM ON THEIR OUTSTANDING SEASON

### HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. SHULER. Mr. Speaker, I rise today to honor the Smoky Mountain High School Mustangs 2010–2011 Men's Basketball Team.

Through their hard work and dedication, the Mustangs had an undefeated regular season. They held the longest single season winning streak in North Carolina for all 4 classifications in the 2010–2011 season. They went on to finish as the WNCAC Regular Season and Tournament Champions. The Mustangs finished

the year as the NCHSAA sectional runner-up with an impressive 26–1 record. These awards are especially notable considering North Carolina is considered a powerhouse for high school basketball.

Five players were recognized for their individual accomplishments by being named All-Conference. They include Will Carpenter, Micah Carter, Tanner Cogdill, Mark Thompson, and Jackson Simmons. Jackson Simmons also went on to be named the Conference Player of the Year for his extraordinary play during the season. The team's recognition did not stop with just the players. Head coach Jimmy Cleaveland was named Conference Coach of the Year.

As a former student athlete in Western North Carolina, I understand the commitment it takes to compete at such a high level. I ask my colleagues to join me today in recognizing the many accomplishments by the Smoky Mountain High School Mustangs 2010–2011 Men's Basketball Team.

## FLOWER MOUND HIGH SCHOOL CHOIR

### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. BURGESS. Mr. Speaker, I rise today to recognize the Flower Mound High School Choir. In 1999 the high school opened with the hope of becoming ''A World Class School Educating Tomorrow's Leaders.'' Since then, Newsweek Magazine named it one of the ''Top 1000 Best Public High Schools'' in the U.S., based on AP scores. Of the school's many accomplishments, none resonate quite like the Flower Mound High School Choir.

The Flower Mound High School Choir regularly enjoys success at University Interscholastic League competitions as well as private competitions. Over time they have earned a slew of ''Sweepstakes'' awards as well as ''Best of Class'' and ''Grand Champion'' awards from all over the country. Students have also had the honor of performing throughout Europe, both at the Vatican and the Salzburg Cathedral. And just last week they were here in Washington D.C. to perform at the WWII Memorial. In their song choice, they sought to honor our nation's veterans.

It is heartening to know that this burgeoning generation continues to hold our veterans in such high regard. I want to thank the Flower Mound High School Choir for coming to our nation's capitol to honor our veterans.

## HONORING ALEXANDER CHRISTIAN NASON

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alexander Christian Nason. Alexander is 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 376, and earning the most prestigious award of Eagle Scout.

Alexander has been very active with his troop, participating in many scout activities. Over the many years Alexander has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Alexander has earned the rank of Firebuilder in the Tribe of Mic-O-Say and the position of Senior Patrol Leader in his troop. Alexander has also contributed to his community through his Eagle Scout project. Alexander planned and supervised the construction of a storage closet for Liberty United Methodist Church in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Alexander Christian Nason for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## AFGHANISTAN WAR POWERS RESOLUTION

SPEECH OF

### HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2011*

Mr. FARR. Mr. Speaker, I rise today in strong support of swift U.S. troop withdrawal from Afghanistan. This decade-long war is costing our country tens of hundreds of lives and hundreds of billions of dollars. In 2010 alone, nearly 500 brave American men and women lost their lives, which is 63% more than the 2009 death toll. And as I speak, our government, which has vowed to reduce the deficit, has sent millions more overseas for a war with no foreseeable end. From 2008 to 2011, overall government spending has increased by 9%, while funding for the war in Afghanistan has increased by a startling 25%. As many of my colleagues demand $100 billion budget cuts, they need look no further than our reckless war spending. For the good of our troops and the health of our economy, this war must end.

And this viewpoint is shared across the nation. According to a recent Washington Post poll, nearly two-thirds of the American people support an immediate withdrawal from Afghanistan. Mr. Speaker, our job in this chamber is to represent our constituents, and they have spoken loud and clear. The American people are fed up with a war that has done little to improve our national security or bolster our international standing. Furthermore, after nearly ten years of fighting, it is crystal clear that the problem in Afghanistan cannot be solved by military means alone. Stabilization and reconstruction, governance, and peace-building activities can help to stabilize states, promote rule of law, and bring enduring peace at a sliver of the cost we pay for troops on the ground.

Make no mistake about it: I firmly support our men and women in uniform. For this reason, we must bring them home from a battlefront with no real hope of military victory. I thank my colleague, Mr. KUCINICH from Ohio, for re-introducing this Resolution. I was proud to cosponsor it in the last Congress, and I will firmly offer my support today in hopes that we can finally end this war.

## RECOGNIZING PENSACOLA STATE COLLEGE WOMEN'S BASKETBALL TEAM AS STATE CHAMPIONS

### HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the Pensacola State College Women's Basketball Team on their recent victory as Champions of the 40th Florida Community College Activities Association Women's Basketball Tournament.

In 2010, the Pensacola State College Lady Pirates suffered a difficult defeat in the final seconds of the state semifinal game; however, under the leadership of Coach Chanda Rigby, PSC's players were able to use this defeat as motivation for their 2011 season. The Lady Pirates entered into the season with high expectations and ranked 14th nationally in the preseason National Junior College Athletic Association Women's Basketball Poll.

After an impressive early season run, including a victory over the 5th ranked team in the Nation, the Lady Pirates soared to the ranks of 3rd in the Nation on November 17. The following week the Lady Pirates continued to rise in the rankings, moving all the way to the number 1 slot. The Lady Pirates did not let the pressure of being the top ranked team affect their performance, and they finished the regular season with a perfect record, 29–0, never relinquishing their place atop the polls.

Victories in their first two games of the Florida state championship set up a fourth meeting with nationally ranked Northwest Florida State College. The previous three meetings between these teams were highly competitive, with two of those three outcomes decided in overtime. The championship game was an equally competitive affair. Ultimately, however, the Lady Pirates' season-long goal was fulfilled, as they cut down the nets, improving to 32–0 and moving on to the National Junior College Athletic Association's national tournament, where they finished their season with a victory in the consolation game and the number 3 national ranking.

On behalf of the United States Congress, I congratulate the Pensacola State College Lady Pirates for their outstanding accomplishments. My wife Vicki joins me in offering our best wishes to the players, coaches, faculty and staff at Pensacola State College for their continued success.

## SOUTHWEST GUILFORD GIRLS WIN IT ALL

### HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. COBLE. Mr. Speaker, today I wish to recognize the girls' basketball team of Southwest Guilford High School, located in the Sixth District of North Carolina, for winning their first 4–A state championship since 1985. The Southwest Cowgirls defeated their opponent, Raleigh Millbrook, in convincing fashion by a nine point margin with the final score of 44–35.

Southwest Guilford scored the first seven points and never relinquished the lead

throughout the contest. "This is a very surreal moment," Southwest senior Shannon Buchanan told the (Greensboro) News & Record, "We've all worked since forever. This is what you dream of when you're a little kid, and now this is finally here."

The Southwest Guilford Cowgirls finished the season with a 30–2 record and an undefeated 12–0 record in their conference. The win marked their second consecutive season as Regular Season Conference Champions and Conference Tournament Champions. With 9 points and 14 rebounds, senior Shannon Buchanan earned 4–A All Conference, News & Record 2nd Team, and All District 2nd Team accolades. Junior Zena Lovette had 14 points and 7 rebounds and was named 4–A Piedmont Triad Player of the Year, State Regional Tournament Most Valuable Player, State Championship Most Outstanding Player, and to the News & Record 1st Team as well as the All-District 1st Team. Another junior, Jessica "JP" Pone had 13 points and 3 rebounds and was named the game's Kay Yow Most Valuable Player and was also named to the 4–A All Conference Team. Head Coach Jessica Bryan was named District Coach of the Year, the News & Record Coach of the Year, and to top it all, she was named as the Associated Press 2010–11 girls high school basketball coach for all of North Carolina.

The Cowgirls were led by seniors Shannon Buchanan and Brittany Connor, along with Jasmine Pinnix, Briana Burgins, Duncan Hackney, Kennedy Porter, Shanel Lawrence, Aja Mott, Zena Lovette, Jessica Pone, Jessica Bridges, Jenea Rogers and Ayana Rivers. Of course, they could not have achieved the state championship without outstanding coaching led by Head Coach Jessica Bryan and Assistant Coaches Samuel D. Warren I, Tashocka Belk and Nick Scarborough.

Also deserving mention are Quierra Lovette (Scorekeeper), Jasmine Rogers (Statistician), JaNiya Williams (Statistician), Alexis Couch (Water), and Shay Barr-Poole (Film).

Congratulations are also warranted for all of those who supported the girls' basketball program at Southwest Guilford High School including Principal Alan Parker, Assistant Principals Enid Barnum, Joseph Johnson and Michael Hettenbach as well as Athletic Director Brindon Christman.

Again, on behalf of the citizens of the Sixth District of North Carolina, we congratulate the Southwest Guilford High School girls' basketball team, along with the faculty, staff and students for their championship season.

## CONGRATULATING THE WINTER PARK HIGH SCHOOL WILDCATS BOYS BASKETBALL TEAM

### HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. WEBSTER. Mr. Speaker, I congratulate the 2010–2011 Wildcat boys Basketball team of Winter Park High School, the reigning state champions from Central Florida.

Long before the first whistle blew in the regular season, the Wildcats aspired to the highest standard with their mantra, "Make History." As the reigning 6A State Champions, the boys were determined to exceed all expectations and become the first team from Central Florida to win back-to-back state titles. Recognized by USA Today as one of the top four teams in the country, these scholar-athletes persevered through a daunting schedule of nationally ranked opponents, with courageously fought losses and inspiring victories, to gain their fourth birth in five years to the Florida state Final Four. Facing their cross town rival in the final game of the state championship for the second consecutive year, the Wildcats were victorious; ending the season with a 28–5 record.

I am happy to recognize the contribution of coaches and players to the Wildcats' historic season. Assistant coaches Eric Faber, David Jacobin, David Stock, and Tom Beard and their longtime head coach David Bailey, offered wisdom and careful instruction to develop the team's innate talent. The starting lineup, all seniors, all going onto college next year, includes Brett Comer, Alex Swanson, and Austin Keel. The Captains, James Ferrell, recipient of the Coaches Achievement award, and Austin Rivers, future Duke University athlete and ESPN #1 ranked player in the nation, also deserve recognition here today. I wish only the best for these young men, as they apply their dedication and work ethic towards even higher pursuits.

As the seniors graduate and move on from Winter Park High, they will pass the mantle of leadership along to the younger players whose consistent effort proved invaluable all season long. Brian Klusman, Perry Klusman, Michael Merlano, Billydee Williams, Josh Williams, Malcom Laws and Kyle Brown, will provide the direction and experience to guide the Wildcats team next year.

In conclusion, I wish the Wildcats success in the upcoming ESPN Rise National High School Invitational. I know that whatever the final score, these players have performed with excellence for a truly extraordinary season.

## A TRIBUTE TO NEBRASKA'S WOMEN AIRFORCE SERVICE PILOTS

### HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in honor of 19 women who were inducted into the Nebraska Aviation Hall of Fame on January 27, 2011. These women served as Women Airforce Service Pilots, or WASPs, during World War II.

From 1942–1944, more than 1,100 women left behind their homes and jobs for once-in-a-lifetime opportunity—to serve as civilian pilots for the U.S. Army Air Forces. As the first women to fly military aircraft during World War II, WASPs towed aerial gunnery targets, transported personnel and cargo, and ferried airplanes to training fields and embarkation points. At the height of the war, WASPs flew more than 60 million miles which freed male pilots for combat and played a critical role in our victory.

The Nebraskans who served as WASPs were: Dorothy L. Bancroft, Lincoln; Mary B. Beecham, Omaha; Lois V. Boien, Omaha; Lois A. Bristol, Bayard; Grace "Betty" E. Clements, Elmwood; Mary A. Jershin, Omaha; Eileen "Ikey" A. Kealy, Omaha; Marybelle J. Lyall, Hastings; Esther L. Mueller, Thayer; Roberta E. Mundt, Berea; Margaret "Peggy" L. Nispel, Lincoln; Millicent A. Peterson, Chappell; Alice L. Riss, Omaha; Evelyn G. Sharp, Ord; B. Kristin Swan, Minden; Helen A. Turner, Cairo; Isabel E. Tynon, Peru; Jane E. Waite, Scottsbluff; and Mary E. Williamson, Omaha.

I ask my colleagues to join me today in honoring the distinguished service of Nebraska's Women Airforce Service Pilots to our nation.

## PROHIBITING FEDERAL FUNDING OF NATIONAL PUBLIC RADIO

SPEECH OF

### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 17, 2011*

Mr. THOMPSON of California. Mr. Speaker, I rise in opposition to H.R. 1076.

Without so much as a single hearing, the legislation being debated today would dismantle a public radio system depended upon by 34 million Americans weekly, many of whom are from rural America.

In fact, in many rural areas of our country like the one I represent, public broadcasters are among the few journalists still around who actually deliver local news to residents.

One needs to look no further than last week's massive earthquake in Japan and the resulting tsunami that devastated communities on the west coast to understand how important public broadcasting is in these rural areas.

A small community in my district, Crescent City, California was hit the hardest. Eight foot waves of water destroyed the city's harbor, caused over $36 million dollars in damage, and took the life of an individual who was swept into the sea.

When the tsunami warnings were first issued, KHSU public radio, the most-listened-to station on the North Coast of California, broadcast essential information to the people of Crescent City and the surrounding areas.

KHSU was on the air with tsunami warnings by 6 a.m. local time—telling residents to evacuate the low coastal areas, announcing school closings, and letting people know where emergency shelters were located in both Humboldt and Del Norte counties.

KHSU kept up with this information until the warning was lifted later in the afternoon.

This critically important local coverage was coupled with breaking news from NPR about the earthquake in Japan, the tsunami warning for the entire west coast, and the science and analysis behind this event and how it can affect us—immediately and in the long run.

If H.R. 1076 is passed into law, KHSU would be prohibited from using CPB funds to acquire this necessary programming in the future, even though it was critically important during this local emergency.

There is no doubt that public radio's ability to effectively serve rural America will be permanently impaired if this legislation is signed into law.

Mr. Speaker, I urge my colleagues to protect this critically important resource and vote against H.R. 1076.

PERSONAL EXPLANATION

## HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. JORDAN. Mr. Speaker, I was absent from the House Floor during five rollcall votes taken on Thursday, March 17.

Had I been present, I would have voted ''aye'' on rollcalls 189, 190, and 192, and ''no'' on rollcalls 191 and 193.

HONORING THE SERVICE OF HIS EXCELLENCE LE CONG PHUNG, AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE SOCIALIST REPUBLIC OF VIETNAM TO THE UNITED STATES OF AMERICA

## HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to honor the distinguished service of my good friend, His Excellency Le Cong Phung, who in October 2007 was appointed by President Nguyen Minh Triet as Ambassador Extraordinary and Plenipotentiary of the Socialist Republic of Vietnam to the United States of America.

Prior to his appointment, the Honorable Le Cong Phung served as the First Deputy Foreign Minister, the second-highest ranking official in the Ministry of Foreign Affairs during which time he assisted the Deputy Prime Minister and Foreign Minister regarding Vietnam's foreign policy.

From 2001–2004, he served as Deputy Foreign Minister and as the Assistant Foreign Minister from 1999–2000. During his 39-year career, Ambassador Le Cong Phung served in foreign posts in England, China, and Indonesia. He was also Vietnam's Ambassador to Thailand.

While in Washington, Ambassador Phung became a key figure in strengthening the U.S.-Vietnam partnership. At the Ambassador's request, it was my privilege to join him, former President Bill Clinton, Senator JOHN KERRY, Senator JOHN MCCAIN and Assistant Secretary of State Kurt Campbell in offering keynote remarks on July 14, 2010 as Vietnam celebrated 15 years of diplomatic relations with the United States.

With the support of Ambassador Phung and in my capacity as the newly elected Chairman of the House Foreign Affairs Subcommittee on Asia, the Pacific and the Global Environment, I returned to Vietnam in 2007 for the first time in 40 years, having previously served at the height of the Tet Offensive in 1967. The visit changed me.

On May 15, 2008, in close cooperation with Ambassador Phung, I held a Subcommittee hearing entitled, ''Our Forgotten Responsibility? What Can We Do to Help Victims of Agent Orange?'' This was the first time in the history of the U.S. Congress that a hearing had been held on Agent Orange which included our Vietnamese counterparts as witnesses. Two more hearings followed on June 4, 2009 and July 15, 2010, paving the way for renewed commitment on the part of the U.S. to clean up the mess it left behind.

I am proud of Ambassador Phung and what we have accomplished together. Ambassador Phung has made an indelible mark on furthering U.S.-Vietnam relations and is to be commended for his exemplary service for and on behalf of the government of Vietnam. I am also appreciative of all he has done to promote religious freedom.

On a personal note, I will miss Ambassador Phung, and I extend to him, his wife, Nguyen Thi Nhan, and their two sons my highest regards and well wishes in all their future endeavors.

RECOGNIZING COACH NATALIE RANDOLPH

## HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. NORTON. Mr. Speaker, I rise to ask the House of Representatives to join me in recognizing Coach Natalie Randolph, the first female boys varsity head football coach at Calvin Coolidge Senior High School in Washington, DC, where she also teaches.

As we commemorate Women's History Month this year, I want to celebrate the coach for becoming the first permanent female boys varsity head football coach in the District of Columbia and the only current female boys varsity head football coach in the nation.

Natalie Randolph, a native Washingtonian, is not only a football coach, she also is a superb athlete. Coach Randolph made her mark with the DC Divas of the Independent Women's Football League. After playing five seasons there, she became an assistant boys varsity football coach at H.D. Woodson Senior High School in the District for two seasons.

In her youth, Natalie nurtured her athletic skills in track and field at Sidwell Friends School and later at the University of Virginia. Her love of football grew after her father first introduced her in high school to women football players.

Natalie began her professional career as an educator, after receiving a Bachelor of Arts degree in Environmental Science and a Master's degree in Education from the University of Virginia. She first taught at H.D. Woodson and currently teaches Environmental Science and Biology at Calvin Coolidge.

Calvin Coolidge's winning record of 6–4 in Coach Randolph's debut season vindicated the decision to make her head coach. At the same time, the new coach required mandatory study halls and SAT prep courses to improve the team's academic performance. Coach Randolph is committed to winning, both inside and outside the classroom.

Mr. Speaker, I ask the House of Representatives to join me in honoring Natalie Randolph for her accomplishments as a teacher who encourages strong academic achievement, as a world-class athlete, and as the first permanent female boys varsity head football coach in the District of Columbia. May we wish Coach Randolph and the Calvin Coolidge Senior High School Colts the best on the upcoming season, both on and off the field.

RECOGNIZING THE FIFTH ANNUAL CESAR CHAVEZ MARCH

## HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. KILDEE. Mr. Speaker, I rise today to recognize the 24th anniversary of the naming of Chavez Drive and the fifth annual Cesar Chavez March in my hometown of Flint, Michigan. A celebration and fundraiser for the United Farm Workers members was held on March 26th to coincide with what would have been the late Cesar Chavez's 84th birthday.

Born on a family farm, March 31, 1927, Cesar Chavez witnessed firsthand the suffering of migrant workers. When the family lost the farm during the Great Depression, Cesar toiled in the fields following crops across the Southwest. After serving in the U.S. Navy during World War II he returned to farm work and began his lifelong commitment to justice for migrant workers.

During the 1960s Cesar Chavez, in reaction to the conditions he witnessed in the fields, became a union activist. Adopting the techniques of industrial unions like the UAW, Cesar fought against agribusiness and unfair laws that forbade farm workers from organizing. A nationwide boycott of table grapes and a 25-day hunger strike brought the United Farm Workers international attention. His leadership and personal commitment forced agribusiness to sign the first union contract with the United Farm Workers. He labored to improve the health and safety of the workers. He fought successfully to end the use of harmful chemicals like DDT and benefited not only the workers but the consumers as well.

When Cesar Chavez died in 1993, over 40,000 people attended his funeral. In a show of respect for the man who had changed so many lives, our nation posthumously awarded him the Presidential Medal of Freedom.

Mr. Speaker, Flint Michigan was the first community in our nation to honor this great humanitarian by naming a street after Cesar Chavez. I ask the House of Representatives to join me in honoring the memory of Cesar Chavez and his legacy to the American people.

IN HONOR OF DONNA PAINTER

## HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. BARTON of Texas. Mr. Speaker, I rise today to honor Donna Painter for her dedication and contributions to nephrology nursing and kidney patients in Texas and across the country.

Donna is one of my constituents from Corsicana, Texas and she served as President of the American Nephrology Nurses' Association (ANNA) in 2010 and 2011.

Donna earned her Masters of Science in Health Care Administration from Texas Women's University in Dallas, Texas. She is a Registered Nurse and a Certified Nephrology Nurse.

Donna has worked for Fresenius Medical Care in various positions since 1983. Over the course of her career, she has served as a

staff nurse, a charge nurse, Home Training Coordinator, Director of Nursing, and Clinic Manager. She has also been Regional Quality Manager, and Director of Training and Organizational Development for Fresenius' West Business Unit. Currently, in addition to serving as President of ANNA, Donna is the Regional Vice President for Fresenius' East Texas Region.

Donna has been an active member of ANNA for more than 20 years—serving in a variety of leadership roles. As ANNA President, she has implemented a broad range of initiatives that will continue to improve care for patients whose lives depend on dialysis and other kidney replacement treatments. In particular, she has helped to ensure that ANNA will play a significant role in the nation-wide proliferation of quality improvements and policy in kidney care.

ANNA is one of the largest and most prestigious nursing associations in America. The organization is the recognized leader in nephrology nursing practice, education, research, and advocacy. ANNA's members are registered nurses and health care professionals that care for patients of all ages who are experiencing, or are at risk for, kidney disease.

Please join me in commending Donna Painter for her years of service to ANNA and the patients she cares for in Texas. Thank you, Mr. Speaker.

## GIRLS OF STEEL ROBOTICS TEAM

### HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. DOYLE. Mr. Speaker, I rise today to congratulate the Girls of Steel robotics team on winning the Rookie All-Star Award at the 2011 Pittsburgh Regional F.I.R.S.T. Robotics Competition held on March 12th and 13th.

Because of their hard work and impressive performance, the team has been invited to compete at the F.I.R.S.T. Championship in St. Louis in April. The championship is the final and largest competition of the robotics season and features teams from across the world.

F.I.R.S.T., which stands for "For Inspiration and Recognition of Science and Technology," is an organization dedicated to introducing our youth to the world of science and technology. This year alone, approximately 250,000 students are gaining practical, team-based engineering experiences by participating in F.I.R.S.T.

As a co-chair of the Congressional Robotics Caucus, I think competitions such as these are outstanding tools for getting students interested in careers in science, technology, engineering, and math. I believe our nation's future economic growth and prosperity depends upon getting young people interested and engaged in scientific pursuits, and I want to commend organizations like F.I.R.S.T. for the important work they do in that regard.

The Girls of Steel team is made up of 24 young women from high schools in and around the Pittsburgh area. In their first year of competition, and using a robot they designed and built in only six weeks, the girls went up against 39 other teams from across the United States and Canada. In this regional competition, teams were challenged to construct robots that could place tubes on elevated pegs. After finishing this first part of the task, the robots were required to deploy smaller robots capable of climbing to the top of a 10–foot pole. Upon reaching the top, the "minibots" would set off sensors to signal completion of the task. The Girls of Steel performed well in the qualification round, and their success continued throughout the seeding and elimination rounds of the competition.

In recognition of their hard work, intelligence, and teamwork, I want to mention each of these inspiring young ladies by name. They are Grace Handler, Calista Frederick-Jaskiewicz, Hallie Goldstein, Nila Ravi, Elizabeth Kysel, Rachel Lischy, Olivia Parks, Bryce Volk, Jaden Barney, Maya Chandrasekaran, Julia DiPietro, Campbell Konrad, Rachel Round, Jordyn Zechender, Naoka Gunawardena, Dakota Calvert, Jeannette Melanie Young, Tayler Wright, Kathryn Hendrickson, Pragna Mannam, Anna Maria Sicenica, Dahee Kim, Zhimi Ding, and Xinchao Li.

I also want to express my appreciation to the Carnegie Mellon University Field Robotics Center, which has mentored the Girls of Steel. As a result of their efforts, more young women are gaining real-world technological experiences which will certainly aid them in the future.

I wish the Girls of Steel the best of luck as they head to St. Louis to compete this April, and I hope for their continual success.

## STATEMENT OF PERSONAL EXPLANATION

### HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. RENACCI. Mr. Speaker, although present and on the House floor during the legislative day of March 16, 2011, my "no" vote for Rollcall vote No. 186 did not register. Had my vote correctly registered, the record would display a vote of "no."

## RECOGNIZING MR. LEE E. RHYANT UPON HIS RETIREMENT

### HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. GINGREY of Georgia. Mr. Speaker, today I rise to commemorate a decade of achievement by an important business leader in our community, Mr. Lee E. Rhyant.

Mr. Rhyant has spent over ten years serving as the Executive Vice President and General Manager of the Lockheed Martin Aeronautics Company facility in Marietta, Georgia. He successfully led a staff of 8,000 with his clear vision and his ability proved to be great as he built a strong association with the U.S. Air Force and industry leaders in Cobb County and throughout the metro Atlanta region.

He's been recognized for his leadership with numerous honors and awards. He was named one of Georgia's 100 Most Influential People, Executive of the Year by the National Management Association, Citizen of the Year by the Cobb Chamber of Commerce and the Marietta Daily Journal, and Man of Influence by the Atlanta Business League.

Mr. Rhyant has taken his success and used it to give back to his community and the 11th District of Georgia. He has served on numerous local and national boards, chaired many major philanthropic events, and has shared his knowledge and experience with youth leadership forums, local schools, and even universities.

Mr. Speaker, I ask my colleagues to join me in recognizing the accomplishments of this outstanding citizen and community leader, Mr. Lee Rhyant, and wish him the best of luck as he retires and starts a new chapter.

## CONGRATULATIONS TO THE NEWMAN CHAPEL UNITED METHODIST CHURCH

### HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. PAUL. Mr. Speaker, I am pleased to congratulate the parishioners of Newman Chapel United Methodist Church of Kendleton, Texas, on the opening of their new multipurpose worship center. The Center opened this past Sunday, March 27th.

Established in approximately 1872, Newman Chapel was the first Methodist Church organized in the Kendleton. Originally, parishioners met by the San Bernard River under the old oak trees. Services were held at the river until 1874 when the parishioners constructed a log cabin that severed as both as a place for worship and a school.

Newman Chapel may have come a long way from its roots in a gathering of believers by the San Bernard River, but what has never changed is the parishioners and staff's commitment to the mission of building a spirit-filled community church of believers. The new worship center will enhance the Church's ability to carry out this mission by providing a more spacious and comfortable location for worship and other traditional church activities. The new multipurpose center will also be used for new ministries and needed services to the all the people of Kendleton. Some of the new programs planed include a Sunday morning breakfast and bible study, a senior daycare center, after school tutorials and programs to provide nutritious food to Kendleton's low-income population.

In conclusion, I once again extend my congratulations to the parishioners and staff of Newman Chapel United Methodist Church on the opening of their new multi-purpose worship center. I am certain all of Newman Chapel's parishioners as well as the community of Kendelton will benefit from the worship center.

## IN RECOGNITION OF THE 10TH PASTORAL APPRECIATION OF BISHOP CLARENCE E. STEWART, JR.

### HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to a very special Alabamian today, Bishop Clarence E. Stewart, Jr.

Bishop Stewart has served as pastor of Ambassadors for Christ Ministries in Montgomery, Alabama, since 2002. Over the past decade, the church has grown tremendously and he's also created a successful television and radio ministry.

Bishop Stewart received his education in Montgomery County, Alabama and continued his studies at Alabama State University. He is the son of Clarence E. Stewart, Sr. and Annie Ruth Gilmore, and is father to three daughters, Jennifer, Shay, and Joia, and one son, Clarence III (Tre').

I am proud to honor the 10th Pastoral Appreciation of Bishop Clarence E. Stewart, Jr., and applaud him for his ministries in Montgomery.

## PERSONAL EXPLANATION

### HON. BILL JOHNSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. JOHNSON of Ohio. Mr. Speaker, on rollcall No. 186, I recall voting on the entire series in this voting session. I was standing with Rep. RENACCI (OH–16), and we both voted the entire series. We both used the same voting machine, and he was also flagged as a missed vote.

I would have voted ''no.''

## RECOGNIZING TEDDY OSBORN ON HIS ACCOMPLISHMENT OF EARNING 129 BOY SCOUTS OF AMERICA BADGES

### HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. STIVERS. Mr. Speaker, I rise today to recognize Teddy Osborn of Grove City, Ohio for making Boy Scouting history in Ohio. Teddy, a highly decorated Eagle Scout, is an active member of Ohio's largest Boy Scout troop, Troop 200, chartered out of Northwest Methodist Church in Columbus.

Today I would like to commend Teddy for earning the maximum number of Boy Scouts of America badges—all 129. While accumulating the mandated number of 21 merit badges can be tough; earning all 129 badges is not only going above and beyond, but is an outstanding accomplishment.

An 18-year-old senior at Columbus Bishop Ready High School, Teddy attained what less than one percent of all Boy Scouts annually achieve when he earned his 100th merit badge. In earning all 129 merit badges, Teddy is the first boy scout in Ohio's 100 years of scouting history to earn all available merit badges.

On behalf of the citizens of Ohio's 15th Congressional District, I congratulate Teddy Osborn on this historic scouting accomplishment.

## REMEMBERING ROBERT CHAUNCEY MYERS

### HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. MCCLINTOCK. Mr. Speaker, I rise today to honor the memory of Robert Myers of Roseville, California.

Robert was born in Ohio in 1937 and as a young child moved with his family to Los Angeles where he was raised. At age 17, Robert enlisted in the United States Air Force and after completing his training as an aircraft mechanic, deployed overseas to Europe. Robert's post was the front lines of the Cold War, where he was charged with guarding and maintaining strategic nuclear assets. Robert left the service in 1962 rising to the position of Crew Chief to USAF General Bernard Schriever, who oversaw the U.S. strategic missile program and over 40% of the Air Force budget. After leaving the armed forces, Robert continued a career of service to his community as a firefighter with the Torrance Fire Department in Torrance, California, a post he held to his retirement in 1993.

Following his long career of public service, Robert and his wife, Gwen, moved to Sun City in Roseville, California. It is doubtless that by the time Robert moved to Roseville he had already provided more service to this country than could reasonably be expected, both through his service in the United States Air Force and the Torrance Fire Department, but he wasn't finished yet. While living in Sun City, Robert became one of the founders of the Tea Party group there: leading book clubs, discussions and activities devoted to educating citizens and advocating for the founding principles of our country. Mr. Speaker, it is the patriotism of men like Robert that will ultimately lead to the salvation of our country from our current trials, and I believe that his contributions to this fight at home are every bit as valuable and important as the years he spent guarding nuclear weapons at the height of the Cold War.

Robert is survived by his wife, Gwen, his four children: Christine, Steven, Richard and Elizabeth; and his three grandchildren: Alice, Oscar and Sophia. The quality of Robert's dedicated life of service is only matched by the remarkable family he supported and raised as a loving husband, father and grandfather.

Mr. Speaker, patriots such as Robert Myers have ensured the safety and success of our union from its earliest days to the present time, and I have no doubt that his life has served to further that cause. It is with a grateful and humbled heart that I rise today to honor his memory and thank him for his many years of service.

## RECOGNIZING LINDSAY CZARNIAK

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Ms. NORTON. Mr. Speaker, I rise to ask the House of Representatives to join me in recognizing Lindsay Czarniak for her outstanding work in sports broadcasting as an anchor and reporter for NBC Washington. This month we are celebrating Women's History Month in the District of Columbia by honoring Lindsay Czarniak, whose excellence in a field dominated by men has made her a favorite on television here.

Lindsay, who was born in Pennsylvania and raised in Northern Virginia, is seen by her viewers as a quintessential Washingtonian because of her credibility and effectiveness in connecting with residents while reporting on our teams for NBC4 sports. After serving as co-host of the George Michael Sports Machine, Lindsay struck out on her own on NBC4 with her signature show, Lunch with Lindsay. She has interviewed many great sports figures, including Art Monk, Sugar Ray Leonard, and James Brown. Lindsay also has covered the 2008 Winter Olympics in Beijing, China, as well as NASCAR races as a pit reporter on TNT.

This year, our celebration of Women's History Month will honor not only Lindsay Czarniak, but also another female groundbreaker, Natalie Randolph, the only current female boys high school varsity head football coach in the nation. Lindsay also has generously agreed to participate in an assembly, where she will interview Natalie Randolph, a member of the D.C. Divas, a woman's professional football team, and a member of the Calvin Coolidge Senior High School football team concerning Coach Randolph's football and coaching career.

Lindsay Czarniak is an inspiration to young girls, to women, and to all Americans who support equal opportunity on the basis of ability and hard work. The excellence of her work in the male-dominated sports world makes all who are fortunate to see her on television understand that nothing is beyond a woman's capability, and that no field, sports or otherwise, is off limits to women.

Mr. Speaker, I ask the House of Representatives to join me in honoring Lindsay Czarniak, as a trailblazing example of excellence in her profession.

## BAHRAIN, IRAN AND THE GCC

### HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to speak about the threat posed by the Islamic Republic of Iran to Bahrain, a U.S. ally and a member of a group of U.S. allies, The Gulf Cooperation Council or the GCC.

Bahrain is a small country with a free economy and a government that is friendly to the United States. It plays host to the Fifth Fleet of the United States Navy, which patrols the waters of the Persian Gulf and protects world shipping there. Bahrain has been declared a

major non-NATO ally by the United States Government, and has established a Free Trade Agreement with us to facilitate better relations between our countries.

But today, Bahrain is under attack, in a proxy war between Iran on one side, and the entire GCC and their allies in the United States and Europe on the other. As the demonstrations sweep through the Middle East demanding democracy, Iran has seen its opportunity to fish in troubled waters by stirring up long-time resentments among Bahrain's majority Shi'a population.

Not that the Shi'a protests are without merit, or are completely foreign imports: to the contrary, they have real complaints that the Bahraini government will have to address, and has committed to address. But Iran, which has long been probing Bahraini defenses and stress-testing the social system, believes that its chance has finally come to achieve one of its cherished foreign policy goals: the weakening of the GCC by picking off one member state at a time.

Iran has long desired to export its so-called Islamic revolution, and to expand its influence in the rest of the Islamic world. The preamble to the Iranian Constitution states that their armed forces, ". . . will be responsible . . . for fulfilling the ideological mission of jihad in God's way; that is, extending the sovereignty of God's law throughout the world." Iraq and Bahrain, Lebanon, Afghanistan and parts of Pakistan, all have come in for special attention because of their substantial populations of Shi'ite Muslims. In fact, those who committed several terrorist acts during the 1980s in GCC countries proudly claimed allegiance to and sponsorship by Iran, leading Bahrain to break diplomatic relations with Iran in protest.

Iran has long used its military and intelligence assets to destabilize neighboring countries. And it aims to destabilize the entire GCC, and peel its member states away from the United States and the West, starting with Bahrain. A perfect example is what has been happening in Bahrain since last year—long before the current protests started. In the run-up to last year's elections, Bahrain disrupted a terrorist plot to instigate a violent overthrow of the government. Although some of those arrested may have been caught unfairly in a wide net, others were shown to be complicit in subversive and violent plots against the state.

Another example of Iranian pressure before the February outbreak of protests is the constant burning of tires and setting of fires, almost every night, at various points in Bahrain. The youth involved claimed that they only were trying to make a point, and to protest their political marginalization. But the government recognized that the fires targeted power lines and communications towers more often than not, and suspected that the real aim may have been not only to weaken infrastructure, but also to test response times of security and emergency personnel. This would be roughly equivalent to 'probing' attacks such as sending fake bombs through air cargo, to see whether and how security forces reacted.

These tactics are consistent with a continued pattern that we have seen from the Islamic Republic, in Lebanon for example, of using unwitting young people, inciting them to extremist sentiments and radical action, to inflame popular opinion. They convince youth to rebel, and get themselves arrested; then their families and friends rise up to defend them, and security forces fear them and overreact, and this instigates a pattern of resentment and fear on both sides that seems—and becomes—autonomous to the participants themselves.

This is how a terrorist threat ends up shutting down an entire society: the tactic is to provoke, provoke, and provoke the rulers of society, until they react harshly in fear or anger, and then to provoke the people to rise up when the rulers impose harsh measures. Iran already had been engaged in these activities in Bahrain for some time, when the people of Tunisia and Egypt rose up against corruption and repression. They had their networks already established, and had only to stoke the flames of resentment they had been slowly fanning over the previous years.

With the security forces already strained to the breaking point—in resources and in nerves—it was no great surprise that they snapped. The resulting violence and loss of life was execrable, and it is a mark of honor to the Crown Prince that he stepped in so quickly to take control and instantly to offer reconciliation to the protesters. International observers breathed a sigh of relief, and felt as if Bahrain had dodged a bullet, and was ready to begin cooling off.

In order to make it clear to the protesters that he was serious about negotiations, so that they would not dismiss the offer as window dressing, the Crown Prince specifically named every issue the protesters have named. For example, giving the parliament full authority—one of the first demands of the demonstrators—and ensuring that the government represents the will of the people. His plan addressed setting up new procedures for contracting that will be transparent and include outside audits, to reduce opportunities for corruption by increasing overall transparency.

He even brought up specific matters of law that may seem obscure, but that result in disparate impacts on the two major communities in Bahrain, the Sunni and the Shi'a. For example, the Crown Prince promised to work with the opposition to determine fair ways to draw the lines of voting districts because critics have charged that the current districts dilute Shi'a voting power.

The Crown Prince described all these measures as ways to achieve the overall goal, which is to reduce sectarian tension, and "bring an end to envy and division among [the] population." When these overtures were first offered, the protesters initially stopped demonstrating. Many of us believed that a crisis had been averted, and that reason and good judgment would prevail. But within a couple of days, the protests were renewed, and the opposition derided the offer as not serious, and refused to participate. The protests increased in their intensity, and swept into the financial district. According to BBC reporting, young Shi'a protesters began to set up illegal and intimidating checkpoints in key places around the country, "paralyzing business and choking off the economy."

The government acted to relieve the overstressed security forces by invoking the mutual self-defense provisions of the GCC charter. This treaty provided for the establishment of a multinational force called "Peninsula Shield," with headquarters in Saudi Arabia, which would be available to help any member state defend critical infrastructure against the threat of attack. 2,000 troops from Saudi Arabia and the U.A.E. arrived on the 14th of March and were immediately deployed to protect threatened infrastructure.

The foreign troops were not brought in to confront protesters, in spite of immediate claims to the contrary from opposition sources. In fact, with the Peninsula Shield troops guarding the infrastructure, the Bahraini troops can devote more time and resources to crowd control, and avoid committing violence sparked by fear or desperation.

In reaction to the arrival of the foreign troops, the Prime Minister of Iran, Mahmoud Ahmedinejad, issued a bizarre threat to his neighbor, warning the Bahrainis not to seek help from their allies. At the same time, the protests took an even uglier turn, with demonstrators no longer calling for democratic reform, but for the complete removal and even death of the entire al Khalifa family.

Mr. Speaker, I have to ask why the demonstrators returned to protesting again, even after all their demands were agreed to. What lies behind this stubborn refusal to accept their long-stated goals? Is there some other goal, some hidden agenda, behind the protests? Is there indeed an influence from abroad, from Iran, which is fueling these protests and fanning the flames? There is no doubt that the Shi'a population of Bahrain has legitimate grievances, and I am pleased that the government of Bahrain has agreed to address them. There is no doubt that many in the crowds of protesters are loyal, patriotic citizens of Bahrain who are sincere in their desire for reform. We should support those desires, and we should be pleased any time we see a nation that is asking for a greater voice for the public in running their political affairs. Democracy entails a great responsibility, and it should be pleasing to every American to see other peoples that are willing to accept that awesome responsibility.

But we cannot be pleased at the prospect of anarchy, or worse, of the violent overthrow of an allied, peaceful government by the worst kind of seditious infiltration from a foreign enemy. We cannot sit idly by while a country—whose founding document calls for spreading its revolution—uses its influence to undermine a peaceful neighbor and an entire alliance.

Iran wants to dominate Bahrain for many reasons. Among them are that Bahrain has a Shi'a majority population, and the Iranian regime has appointed itself the international guardian of Shi'a rights. Another cause for Iran's animus is, of course, the presence of the U.S. Fifth Fleet. Using its base in Bahrain, the U.S. Navy can not only patrol the waters of the Arabian Gulf and protect the international shipping lanes; it also is well-positioned to conduct surveillance missions, and even potentially to send missile strikes into Iranian territory with only seconds' warning, should that ever become necessary.

Furthermore, Iran's aim is not just to dominate Bahrain: it is to destroy the GCC alliance. Since its inception in 1981, the GCC has been a thorn in Iran's side. It has bound together previously fractured (and sometimes competing and even divided) countries into a strong partnership, with a united economic market and foreign policy. It has shown itself an ally of the United States, and an effective bulwark against the encroachment by Iran on the foreign relations and even military policy of its member states. If Iran succeeds in splitting

off even one member state from the GCC, the alliance will crumble and disappear as its member states are picked off one at a time.

Bahrain is also a great prize to be taken by a greedy despot. As the Bahrainis have worked very hard to diversify their economic base, they have discovered that creating an inviting legal and regulatory framework can attract an inordinate amount of foreign direct investment—disproportionate to their size, or the original size of their economy. They have succeeded in making their country a banking haven, especially for the increasing number of institutions and high net-worth individuals who want to invest without paying or receiving interest, or otherwise want to comply with Islamic rules of investing and finance. Anyone who controlled that sector would have power greater than the size of the country would seem to predict. Bahrain's Free Trade Agreement with the United States has doubled our bilateral trade volume since it was signed in 2006, again increasing the value of the national GDP.

Finally, Bahrain and its leaders have incurred the wrath of the leadership of the Islamic Republic by doing the unforgivable (and, in many circles, unthinkable). They have reached out to Iran's arch-enemy, the only country Iran hates more than it hates America: the nation of Israel. In an unprecedented opinion editorial article, published in the Washington Post July 16, 2009, Crown Prince Salman bin Hamid Al Khalifa called for direct communication with the people of Israel, and for a new approach that treats peace as a process, not an event.

Mr. Speaker, later that same year, the Bahraini Foreign Minister echoed the sentiments of the Crown Prince, in a formal address to the United Nations General Assembly. This served to emphasize that the proposal was an official government position, not a private initiative from a senior member of the royal family.

Iran, like other nations once characterized as 'rogue states', has a vested interest in extending and exacerbating the friction between Palestinians and Israelis, and in fact has called for the extermination of Jews worldwide. Ahmedinejad cannot countenance an outreach by his neighbor to a nation he hates so completely.

Why does Ahmedinejad hate Bahrain? It is easy to see. Bahrain is a member of the GCC. It is the host of the hated U.S. 5th fleet. It is rated the 10th most free economy in the world by the Heritage Foundation's Index of Economic Freedom. It is politically free, where women are educated at state expense, can dress as they please and are not bound by law to dependence on male relatives; where there are Christian, Jewish, and female Members of Parliament; and where the royal family has maintained peace and stability for over 300 years. In short, it is, and stands for, everything that Ahmedinejad has sworn to destroy.

Mr. Speaker, it is in the interest of the United States to see that Bahrain continues to be a haven of peace and prosperity in a troubled neighborhood. It is in our interest to support the integrity of the GCC, and to provide diplomatic and political support for GCC and Bahraini initiatives. It is in our interest to support a government that has provided freedom and opportunity for women; freedom for its citizens; tolerance for religious minorities; economic freedom, growth and prosperity; and a peaceful haven for the region. It is in our interest to support a government that has reached out to call for peace with Israel, to put an end to the vicious cycle of anger and despair that has characterized the Arab-Israeli relationship for far too many decades.

For all these reasons, it is important to the United States to help its Bahraini allies in their time of need, to withstand the threat and the increased pressure from Iran. We support the reform agenda laid out by the Crown Prince, and call on all parties to show calm and to meet together around the negotiating table. We call on the Bahraini government to demand restraint from its security forces, to avoid at all costs any repeat of the bloodshed we have seen. We call on the demonstrators to sit down and negotiate their differences, and find a way to achieve the progress that they deserve.

Mr. Speaker, this is a critical time for one of our most important allies. The U.S. Congress should do all in our power to show our support, to encourage peaceful negotiations that will preserve the stability of the country, the continuation of the ruling polity, and the achievement of the aspirations of all the people of Bahrain.

## HONORING THE 45TH ANNIVERSARY OF THE HUMBOLDT ARTS COUNCIL OF HUMBOLDT COUNTY, CALIFORNIA

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**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, March 29, 2011*

Mr. THOMPSON of California. Mr. Speaker, I rise today in recognition of the 45th anniversary of the Humboldt Arts Council in Humboldt County, California.

Since 1966, the members of the Humboldt Arts Council (HAC) have been dedicated to promoting Humboldt County's rich artistic heritage. Incorporated as a nonprofit corporation in 1971, HAC is the County's largest multidisciplinary arts organization. The HAC serves as a community leader to provide opportunities for artists of all ages, including the development of art education and partnerships, as well as ensuring accessibility of the arts through innovative and multicultural programs.

Beginning in 1996, the Humboldt Arts Council began a successful capital campaign for renovation of the Carnegie Library Building, a historic symbol of community pride and local culture, into a regional art museum and art center. On January 1, 2000, the community ushered in the new millennium by celebrating the grand opening of the Morris Graves Museum of Art. Embarking on its new ''Century of Service'' to the community, the Museum was enthusiastically welcomed and has since been the leading contemporary arts exhibition and performance facility in the area.

On the first Saturday of each month, thousands of visitors are welcomed to the Morris Graves Museum of Art and its seven galleries to celebrate local artists during Eureka's Arts Alive. This includes a Courtyard Sculpture Garden, classroom facilities, an Arts Resource Center, a Performance Rotunda, and more.

The Humboldt Arts Council will be celebrating its 45th year of advancing the arts in Humboldt County on April 6, 2011.

Mr. Speaker, it is appropriate at this time that we honor the Humboldt Arts Council on the occasion of its 45th anniversary of continuing the rich legacy of the arts on California's North Coast.

# *Daily Digest*

# Senate

## *Chamber Action*

***Routine Proceedings, pages S1907–S1944***

**Measures Introduced:** Fifteen bills and four resolutions were introduced, as follows: S. 659–673, and S. Res. 111–114. **Page S1933**

**Measures Reported:**

Special Report entitled "Report on the Activities of the Committee on Banking, Housing, and Urban Affairs during the 111th Congress". (S. Rept. No. 112–7) **Pages S1932–33**

**Measures Passed:**

***Airport and Airway Extension Act:*** Senate passed H.R. 1079, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program. **Page S1943**

***Honoring Geraldine A. Ferraro:*** Senate agreed to S. Res. 114, honoring Congresswoman Geraldine A. Ferraro, the first woman selected by a major political party as its candidate for Vice President of the United States, and extending the condolences of the Senate on her death. **Page S1943**

**Measures Considered:**

***SBIR/STTR Reauthorization Act—Agreement:*** Senate continued consideration of S. 493, to reauthorize and improve the SBIR and STTR programs, taking action on the following amendments proposed thereto: **Pages S1913–14, S1922–27**

Pending:

McConnell Amendment No. 183, to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change. **Pages S1913, S1923–27**

Vitter Amendment No. 178, to require the Federal Government to sell off unused Federal real property. **Page S1913**

Inhofe (for Johanns) Amendment No. 161, to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments. **Page S1913**

Cornyn Amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending. **Page S1913**

Paul Amendment No. 199, to cut $200,000,000,000 in spending in fiscal year 2011. **Page S1913**

Sanders Amendment No. 207, to establish a point of order against any efforts to reduce benefits paid to Social Security recipients, raise the retirement age, or create private retirement accounts under title II of the Social Security Act. **Page S1913**

Hutchison Amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits. **Page S1913**

Coburn Amendment No. 184, to provide a list of programs administered by every Federal department and agency. **Page S1913**

Pryor Amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns. **Page S1914**

Landrieu Amendment No. 244 (to Amendment No. 183), to change the enactment date. **Page S1914**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, March 30, 2011. **Page S1943**

**Messages from the House:** **Page S1932**

**Additional Cosponsors:** **Pages S1933–34**

**Statements on Introduced Bills/Resolutions:** **Pages S1934–39**

**Additional Statements:** **Page S1932**

**Amendments Submitted:** **Pages S1939–42**

**Authorities for Committees to Meet:** **Pages S1942–43**

**Adjournment:** Senate convened at 10 a.m. and adjourned, as a further mark of respect to the memory

of the late Geraldine A. Ferraro, in accordance with S. Res. 114, at 7:03 p.m., until 9:30 a.m. on Wednesday, March 30, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S1944.)

# *Committee Meetings*

*(Committees not listed did not meet)*

## DEFENSE AUTHORIZATION AND FUTURE YEARS DEFENSE PROGRAM

*Committee on Armed Services:* Committee concluded a hearing to examine U.S. European Command and U.S. Strategic Command in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, after receiving testimony from Admiral James G. Stavridis, USN, Commander, United States European Command, and Supreme Allied Commander, Europe, and General C. Robert Kehler, USAF, Commander, United States Strategic Command, both of the Department of Defense.

## DEPARTMENT OF DEFENSE EFFICIENCIES INITIATIVES

*Committee on Armed Services:* Subcommittee on Readiness and Management Support concluded a hearing to examine Department of Defense efficiencies initiatives, after receiving testimony from Robert F. Hale, Under Secretary of Defense, Comptroller, Joseph Westphal, Under Secretary of the Army, Robert O. Work, Under Secretary of the Navy, and Erin C. Conaton, Under Secretary of the Air Force, all of the Department of Defense.

## HOUSING FINANCE SYSTEM

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded a hearing to examine public proposals for the future of the housing finance system, after receiving testimony from Michael D. Berman, Mortgage Bankers Association, and Janneke Ratcliffe, Center for American Progress Action Fund, both of Washington, D.C.; Arnold Kling, George Mason University Mercatus Center, Alexandria, Virginia; and Mark Zandi, Moody's Analytics, Atlanta, Georgia.

## DISEASE CLUSTERS

*Committee on Environment and Public Works:* Committee concluded an oversight hearing to examine disease clusters and environmental health, including S. 76, to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children, after receiving testimony from Trevor Schaefer, Trevor's Trek Foundation, Boise, Idaho; Erin Brockovich, Brockovich Research and Consulting, Agora Hills, California; Richard B. Belzer, Regulatory Checkbook, Mt. Vernon, Virginia; and Gina M. Solomon, Natural Resources Defense Council, San Francisco.

## NOMINATION

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nomination of Suzan D. Johnson Cook, of New York, to be Ambassador at Large for International Religious Freedom, Department of State, after the nominee, who was introduced by Senator Gillibrand, testified and answered questions in her own behalf.

## STRENGTHENING THE SENIOR EXECUTIVE SERVICE

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine strengthening the Senior Executive Service, focusing on a review of challenges facing the government's Leadership Corps, after receiving testimony from Nancy H. Kichak, Associate Director, Employee Services, U.S. Office of Personnel Management; and Carol Bonosaro, Senior Executives Association (SEA), and Max Stier, Partnership for Public Service, both of Washington, D.C.

## DEPARTMENT OF DEFENSE COST OVERRUNS

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine tools to prevent Department of Defense cost overruns, focusing on trends in Nunn-McCurdy breaches and tools to manage weapon systems acquisition costs, after receiving testimony from Frank Kendall, Principal Deputy Under Secretary for Acquisition, Technology and Logistics, Richard P. Burke, Deputy Director, Cost Assessment, Office of the Secretary, Cost Assessment and Program Evaluation, and John J. Young Jr., former Under Secretary of Defense for Acquisition, Technology and Logistics, San Francisco, California, all of the Department of Defense; Michael J. Sullivan, Director, Acquisition and Sourcing Management, Government Accountability Office; and Moshe Schwartz, Specialist in Defense Acquisition, Congressional Research Service, Library of Congress.

## MUSLIM AMERICANS' CIVIL RIGHTS

*Committee on the Judiciary:* Subcommittee on the Constitution, Civil Rights and Human Rights concluded a hearing to examine protecting the civil rights of

American Muslims, after receiving testimony from Thomas E. Perez, Assistant Attorney General, Civil Rights Division, Department of Justice; Farhana Khera, Muslim Advocates, San Francisco, California; Archbishop Emeritus of Washington Theodore E. McCarrick, Washington, D.C., on behalf of the United States Conference of Catholic Bishops; and R. Alexander Acosta, Florida International University College of Law, Miami.

**INTELLIGENCE**

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

# House of Representatives

## *Chamber Action*

**Public Bills and Resolutions Introduced:** 38 public bills, H.R. 1211–1248; and 1 resolution, H. Res. 185 were introduced. **Pages H2036–39**

**Additional Cosponsors:** **Pages H2039–40**

**Reports Filed:** A report was filed on January 3, 2011:

Report on the Activities of the Committee on House Administration During the 111th Congress (H. Rept. 111–715).

Reports were filed today as follows:

H.R. 1079, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes (H. Rept. 112–41, Pt. 1);

H.R. 362, to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the "George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building" (H. Rept. 112–42);

H.R. 872, to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, with an amendment (H. Rept. 112–43, Pt. 1);

H.R. 872, to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes, with an amendment (H. Rept. 112–43, Pt. 2);

H.R. 1034, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund (H. Rept. 112–44, Pt. 1); and

H. Res. 186, providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes (H. Rept. 112–45). **Page H2036**

**Investigative Subcommittees of the Committee on Ethics:** Read a letter from Representative Pelosi, Minority Leader, in which she designated the following Members of the House of Representatives to be available for service on investigative subcommittees of the Committee on Ethics during the 112th Congress: Representatives Zoe Lofgren, Chandler, Sarbanes, Sewell, Tonko, Luján, Cicilline, Keating, Schiff, and Clarke (NY). **Page H1991**

**Suspension:** The House agreed to suspend the rules and pass the following measure:

***Airport and Airway Extension Act of 2011:*** H.R. 1079, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund and to amend title 49, United States Code, to extend the airport improvement program. **Pages H1992–94**

**HAMP Termination Act of 2011:** The House passed H.R. 839, to amend the Emergency Economic Stabilization Act of 2008 to terminate the authority of the Secretary of the Treasury to provide new assistance under the Home Affordable Modification Program, while preserving assistance to homeowners who were already extended an offer to participate in the Program, either on a trial or permanent basis, by a recorded vote of 252 ayes to 170 noes with 1 voting "present", Roll No. 198. **Pages H1994–H2022**

Rejected the Larsen (WA) motion to recommit the bill to the Committee on Financial Services with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 185 yeas to 238 nays with 1 voting "present", Roll No. 197. **Pages H2021–22**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee

on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H2003**

Agreed to:

Canseco amendment (No. 3 printed in part A of H. Rept. 112–34) that ensures that all taxpayer funds saved from elimination of the Home Affordable Modification Program (HAMP) are used to reduce the deficit; **Pages H2008–09**

Waters amendment (No. 5 printed in part A of H. Rept. 112–34) that requires the Secretary of the Treasury to send a letter to HAMP applicants that they will not be considered for a modification due to termination of the program and that they can contact their Member of Congress for assistance in negotiating with or acquiring a loan modification from their servicer; **Pages H2010–11**

Loretta Sanchez amendment (No. 9 printed in part A of H. Rept. 112–34) that adds Sense of Congress language to the end of the bill that banks are encouraged to work with homeowners to provide loan modifications for those qualifying and assist homeowners and prospective homeowners with foreclosure prevention programs and information on loan modifications; and **Pages H2016–17**

Hanna amendment (No. 1 printed in part A of H. Rept. 112–34) that includes findings detailing the Home Affordable Modification Program's (HAMP's) flaws and states that terminating HAMP would save taxpayers approximately $1.4 billion (by a recorded vote of 247 ayes to 170 noes, Roll No. 194). **Pages H2003–07, H2018**

Rejected:

Ellison amendment (No. 2 printed in part A of H. Rept. 112–34) that sought to include Congressional findings on various facts about the HAMP program, including cost and number of permanent modifications; **Pages H2007–08**

Miller (NC) amendment (No. 4 printed in part A of H. Rept. 112–34) that sought to direct the Secretary, upon termination of the Home Affordable Modification Program, to undertake a study of the use of the program by covered homeowners, and also of the effectiveness of the program in assisting these homeowners. Following completion of that study, the Secretary would be required to implement a new program to assist the same group of homeowners based on the study's findings; **Pages H2009–10**

Matsui amendment (No. 7 printed in part A of H. Rept. 112–34) that sought to require mortgage lenders and services participating in the HAMP program to continue to publicly report basic loan modification information; **Pages H2013–14**

Jackson Lee (TX) amendment (No. 6 printed in part A of H. Rept. 112–34) that sought to require a study and report submitted to Congress determining the successful aspects of HAMP, and legislative recommendations for a replacement loan modification program (by a recorded vote of 182 ayes to 239 noes, Roll No. 195); and **Pages H2011–13, H2018–19**

Maloney amendment (No. 8 printed in part A of H. Rept. 112–34) that sought to include a list of the number of trial and permanent modifications started under the HAMP program in each state as well as the number of seriously delinquent mortgages across the country that will not be able to be eligible for HAMP modifications because Congress is terminating the program (by a recorded vote of 173 ayes to 249 noes, Roll No. 196). **Pages H2014–16, H2019–20**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House in amending the bill, to include striking "paragraph (1)" on page 5, line 16, and inserting in lieu thereof "subparagraph (A)". **Page H2022**

H. Res. 170, the rule providing for consideration of the bill, was agreed to on Wednesday, March 16th.

**Recess:** The House recessed at 5 p.m. and reconvened at 6:30 p.m. **Page H2017**

**Committee Re-referral:** The House agreed that H.R. 1148 be re-referred primarily to the Committee on Financial Services and additionally to the Committees on Agriculture, House Administration, Judiciary, Ethics and Rules. **Page H2022**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1991.

**Quorum Calls—Votes:** One yea-and-nay vote and four recorded votes developed during the proceedings of today and appear on pages H2018, H2019, H2019–20, H2021–22 and H2022. There were no quorum calls.

**Adjournment:** The House met at 2 p.m. and adjourned at 9.46 p.m.

# *Committee Meetings*

## TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT

*Committee on Appropriations:* Subcommittee on Transportation and Housing and Urban Development and Related Agencies held a hearing on FY 2012 Oversight and Budget. Testimony was heard from Ray LaHood, Secretary of Transportation; and Chris Bertram, Assistant Secretary for Budget and Programs, Department of Transportation.

## TRANSPORTATION AND HOUSING AND URBAN DEVELOPMENT

*Committee on Appropriations:* Subcommittee on Transportation and Housing and Urban Development and Related Agencies held a hearing on HUD—Housing Counseling with Neighborhood Reinvestment Corporation FY 2012 Oversight and Budget. Testimony was heard from Vicki Bott, Deputy Assistant Secretary for Single Family Housing, HUD; and public witnesses.

## RAISING THE AGENCIES' GRADES

*Committee on the Judiciary:* Subcommittee on Courts, Commercial and Administrative Law held a hearing entitled "Raising the Agencies' Grades—Protecting the Economy, Assuring Regulatory Quality and Improving Assessments of Regulatory Need. Testimony was heard from public witnesses.

## SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

*Committee on Rules:* The Committee granted, by a record vote of 7 to 2, a structured rule providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. The rule waives all points of order against consideration of the bill. The rule provides that the amendment recommended by the Committee on Oversight and Government Reform now printed in the bill shall be considered as adopted. The rule provides that the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order the amendment printed in the report of the Committee on Rules accompanying the resolution, if offered by Delegate Norton of the District of Columbia or her designee, which shall be considered as read, and shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Rep. Gowdy; and Rep. Norton.

## SURFACE TRANSPORTATION PROGRAMS

*Committee on Transportation and Infrastructure:* Subommittee on Highways and Transit began a hearing entitled "Improving and Reforming the Nation's Surface Transportation Programs." Testimony was heard from public witnesses. The hearing will continue on March 30.

## ONGOING INTELLIGENCE ACTIVITIES

*House Permanent Select Committee on Intelligence:* Full Committee held a hearing on ongoing Intelligence Activities. This was a closed hearing.

# *Joint Meetings*

No joint committee meetings were held.

## COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 30, 2011

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Agriculture, Nutrition, and Forestry:* To hold hearings to examine fundamentals and farming, focusing on evaluating high gas prices and how new rules and innovative farming can help, 10:30 a.m., SR–328A.

*Committee on Appropriations:* Subcommittee on Energy and Water Development, to hold hearings to examine nuclear safety in light of the impact of natural disasters on Japanese nuclear facilities, 10 a.m., SD–138.

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Health and Human Services, 10 a.m., SD–124.

Subcommittee on Department of Defense, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the Air Force, 10:30 a.m., SD–192.

*Committee on Armed Services:* Subcommittee on Personnel, to hold hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization request for fiscal year 2012 and the Future Years Defense Program, 1 p.m., SR–222.

Subcommittee on Strategic Forces, to hold hearings to examine strategic forces programs of the National Nuclear Security Administration in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program, 2:30 p.m., SR–232A.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, to hold hearings to examine ensuring the safety of our nation's motorcoach passengers, 2:30 p.m., SR–253.

*Committee on Energy and Natural Resources:* Subcommittee on Public Lands and Forests, to hold hearings to examine the President's proposed budget request for fiscal year 2012 for the National Park Service, 2:30 p.m., SD–366.

*Committee on Environment and Public Works:* With the Subcommittee on Oversight, to hold joint hearings to examine the General Services Administration (GSA), focusing on opportunities to cut costs, improve energy performance, and eliminate waste, 10 a.m., SD–406.

*Committee on Finance:* To hold hearings to examine how complexity, uncertainty and other factors impact responses to tax incentives, 10 a.m., SD–215.

*Committee on Homeland Security and Governmental Affairs:* To hold hearings to examine ten years after 9/11, focusing on a report from the 9/11 Commission Chairman, 10 a.m., SD–342.

Full Committee, to hold hearings to examine securing the border, focusing on building on the progress made, 2:30 p.m., SD–342.

*Committee on the Judiciary:* To hold an oversight hearing to examine the Federal Bureau of Investigation, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States, Virginia A. Seitz, of the District of Columbia, to be an Assistant Attorney General, and Denise Ellen O'Donnell, of New York, to be Director of the Bureau of Justice Assistance, all of the Department of Justice, 2:30 p.m., SD–226.

*Committee on Veterans' Affairs:* To hold joint hearings to examine the legislative presentations from Paralyzed Veterans of America, Air Force Sergeants Association, Military Order of the Purple Heart, National Association of State Directors of Veterans Affairs, Wounded Warrior Project, Vietnam Veterans of America, The Retired Enlisted Association, American Ex-Prisoners of War, 10:30 a.m., SD–106.

## House

*Committee on Agriculture,* March 31, full Committee, hearing on Defining the Market: Entity and Product Classifications Under Title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, 2 p.m., 1300 Longworth.

*Committee on Appropriations,* March 30, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, hearing on FY 2012 Budget Request, 10 a.m., 2362–A Rayburn.

March 30, Subcommittee Commerce, Justice, Science, and Related Agencies, hearing on Office of Justice Programs, FY 2012 Budget Request, 10 a.m., H–309 Capitol.

March 30, Subcommittee on Defense, hearing on National Guard and Reserve Fiscal Year 2012 Budget Review, 10 a.m., H–140 Capitol.

March 30, Subcommittee on Energy and Water Development, and Related Agencies, hearing on Department of Energy—Energy Efficiency and Renewable Energy, Fossil Energy, Electricity Delivery and Energy Reliability, FY 2012 Budget, 10 a.m., 2362–B Rayburn.

March 30, Subcommittee on State, Foreign Operations and Related Agencies, hearing on Fiscal Year 2012 Budget Request for U.S. Agency for International Development (USAID), 10 a.m., 2359 Rayburn.

March 30, Subcommittee on Interior, Environment, and Related Agencies, hearing on Bureau Indian Affairs FY 2012 Budget Oversight, 1 p.m., B–308 Rayburn.

March 30, Subcommittee on Energy and Water Development, and Related Agencies, hearing on Department of Energy—Environmental Management, Legacy Management, FY 2012 Budget, 2 p.m., 2362–B Rayburn.

March 30, Subcommittee on Financial Services and General Government, hearing on FCC FY 2012 Budget, 1 p.m., 2359 Rayburn.

March 30, Subcommittee on Homeland Security, hearing on Department of Homeland Security—Science and Technology—Budget, 3:30 p.m., 2362–A Rayburn.

March 30, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing on FY 2012 Quality of Life in the Military, 2 p.m., H–140 Capitol.

March 30, Subcommittee on Transportation and Housing and Urban Development and Related Agencies, hearing on Federal Highway Administrator FY 2012 Oversight and Budget, 2 p.m., 2358 Rayburn.

*Committee on Armed Services,* March 30, full Committee, hearing on the fiscal year 2012 national defense authorization budget requests from the U.S. Southern Command, U.S. Northern Command, and U.S. European Command, 10 a.m., 2118 Rayburn.

*Committee on the Budget,* March 30, full Committee, hearing entitled ''Member's Day,'' 10 a.m., 210 Cannon.

*Committee on Energy and Commerce,* March 30, Subcommittee on Health, hearing entitled ''True Cost of PPACA: Effects on the Budget and Jobs,'' 10 a.m., 2123 Rayburn.

*Committee on Financial Services,* March 30, Subcommittee on Oversight and Investigations, hearing entitled ''The Costs of Implementing the Dodd-Frank Act: Budgetary and Economic,'' 2 p.m., 2128 Rayburn.

*Committee on Foreign Affairs,* March 30, Subcommittee on Oversight and Investigations, hearing entitled ''Is America's Foreign Broadcasting Consistent with Our Nation's Interest and our Commitment to Freedom?'' 2 p.m., 2172 Rayburn.

*Committee on Homeland Security,* March 30, full Committee, hearing entitled ''Public Safety Communications: Are the Needs of Our First Responders Being Met?'' 10 a.m., 311 Cannon.

*Committee on the Judiciary,* March 30, Subcommittee on Crime, Terrorism and Homeland Security, hearing entitled ''The Permanent Provisions of the PATRIOT Act'', 10 a.m., 2141 Rayburn.

March 30, Subcommittee on Intellectual Property, Competition and the Internet, hearing on ''America Invents'' legislation, 1:30 p.m., 2141 Rayburn.

*Committee on Natural Resources,* March 30, full Committee, hearing on Examining the Spending Priorities and the Missions of the Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE), and the President's FY Budget Proposal, 10 a.m., 1324 Longworth.

*Committee on Oversight and Government Reform,* March 30, Subcommittee on TARP, Financial Services, and Bailouts of Public and Private Programs, hearing entitled ''Has Dodd-Frank Ended Too Big to Fail?'' 9:30 a.m., 2154 Rayburn.

March 30, Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement, hearing on ''Unfunded Mandates and Regulatory Overreach Part II,'' 1:30 p.m., 2154 Rayburn.

*Committee on Rules,* March 30, full Committee, hearing on H.R. 658, FAA Reauthorization and Reform Act of 2011, 3 p.m., H–313 Capitol.

*Committee on Science, Space, and Technology,* March 30, Subcommittee on Space and Aeronautics, hearing on a Review of NASA's Exploration Program in Transition: Issues for Congress and Industry, 10 a.m., 2318 Rayburn.

*Committee on Small Business,* March 30, full Committee, hearing entitled ''Reducing Federal Agency Overreach: Modernizing the Regulatory Flexibility Act,'' 1 p.m., 2360 Rayburn.

*Committee on Transportation and Infrastructure,* March 30, Subcommittee on Highways and Transmit, continued a hearing entitled ''Improving and Reforming the Nation's Surface Transportation Programs,'' 10:30 a.m., 2167 Rayburn.

March 30, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing entitled ''Improving the Nation's Response to Catastrophic Disasters: How to Minimize Costs and Streamline our Emergency Management Programs,'' 10 a.m., 2253 Rayburn.

*Committee on Ways and Means,* March 30, full Committee, hearing on government policies and actions that are impediments to job creation, 10 a.m., 1100 Longworth.

March 30, Subcommittee on Trade, hearing on pending trade agreement with Panama, 1:30 p.m., 1100 Longworth.

# Final Résumé of Congressional Activity

## SECOND SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

### EXECUTIVE DATA ON LEGISLATIVE ACTIVITY

January 5 through December 31, 2010

| | *Senate* | *House* | *Total* |
|---|---|---|---|
| Days in session | 158 | 127 | .. |
| Time in session | 1,074 hrs., 40′ | 879 hrs., 20′ | .. |
| Congressional Record: | | | |
| Pages of proceedings | 11,075 | 8,993 | .. |
| Extensions of Remarks | .. | 2,259 | .. |
| Public bills enacted into law | 80 | 178 | 258 |
| Private bills enacted into law | 2 | .. | 2 |
| Bills in conference | .. | .. | .. |
| Measures passed, total | 569 | 922 | 1,491 |
| Senate bills | 106 | 80 | .. |
| House bills | 163 | 334 | .. |
| Senate joint resolutions | 4 | 4 | .. |
| House joint resolutions | 5 | 6 | .. |
| Senate concurrent resolutions | 14 | 7 | .. |
| House concurrent resolutions | 33 | 51 | .. |
| Simple resolutions | 244 | 440 | .. |
| Measures reported, total | * 388 | * 295 | 683 |
| Senate bills | 275 | 1 | .. |
| House bills | 96 | 200 | .. |
| Senate joint resolutions | 2 | .. | .. |
| House joint resolutions | .. | .. | .. |
| Senate concurrent resolutions | 2 | .. | .. |
| House concurrent resolutions | .. | 3 | .. |
| Simple resolutions | 13 | 91 | .. |
| Special reports | 6 | 30 | .. |
| Conference reports | .. | 2 | .. |
| Measures pending on calendar | 454 | 74 | .. |
| Measures introduced, total | 1,506 | 3,098 | 4,604 |
| Bills | 1,139 | 2,158 | .. |
| Joint resolutions | 17 | 41 | .. |
| Concurrent resolutions | 30 | 111 | .. |
| Simple resolutions | 320 | 788 | .. |
| Quorum calls | 8 | 4 | .. |
| Yea-and-nay votes | 299 | 450 | .. |
| Recorded votes | .. | 210 | .. |
| Bills vetoed | .. | 1 | .. |
| Vetoes overridden | .. | .. | .. |

* These figures include all measures reported, even if there was no accompanying report. A total of 275 written reports have been filed in the Senate, 327 reports have been filed in the House.

### DISPOSITION OF EXECUTIVE NOMINATIONS

January 5 through December 31, 2010

| | |
|---|---|
| Civilian nominations, totaling 644 (including 209 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 453 |
| Withdrawn | 16 |
| Returned to White House | 175 |
| Other Civilian nominations, totaling 2,352 (including 112 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 2,347 |
| Returned to White House | 5 |
| Air Force nominations, totaling 7,359 (including 759 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 7,318 |
| Returned to White House | 41 |
| Army nominations, totaling 7,562 (including 76 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 7,553 |
| Withdrawn | 5 |
| Returned to White House | 4 |
| Navy nominations, totaling 4,456 (including 8 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 4,454 |
| Returned to White House | 2 |
| Marine Corps nominations, totaling 1,341 (including 714 nominations carried over from the First Session), disposed of as follows: | |
| Confirmed | 1,202 |
| Returned to White House | 139 |

*Summary*

| | |
|---|---|
| Total nominations carried over from the First Session | 1,878 |
| Total nominations received this Session | 21,836 |
| Total confirmed | 23,327 |
| Total unconfirmed | 0 |
| Total withdrawn | 21 |
| Total Returned to the White House | 366 |

# HISTORY OF BILLS ENACTED INTO PUBLIC LAW

(111th Cong., 2D Sess.)

## BILLS ENACTED INTO PUBLIC LAW (111TH, 2D SESSION)

| | Law No. |
|---|---|
| S. 30 | 111–331 |
| S. 118 | 111–372 |
| S. 692 | 111–138 |
| S. 841 | 111–373 |
| S. 846 | 111–253 |
| S. 1053 | 111–222 |
| S. 1055 | 111–254 |
| S. 1067 | 111–172 |
| S. 1132 | 111–272 |
| S. 1147 | 111–154 |
| S. 1275 | 111–332 |
| S. 1338 | 111–306 |
| S. 1376 | 111–287 |
| S. 1405 | 111–333 |
| S. 1421 | 111–307 |
| S. 1448 | 111–334 |
| S. 1481 | 111–374 |
| S. 1508 | 111–204 |
| S. 1510 | 111–282 |
| S. 1609 | 111–335 |
| S. 1660 | 111–199 |
| S. 1674 | 111–255 |
| S. 1749 | 111–225 |
| S. 1782 | 111–174 |
| S. 1789 | 111–220 |
| S. 1963 | 111–163 |
| S. 2781 | 111–256 |
| S. 2847 | 111–311 |
| S. 2865 | 111–200 |
| S. 2868 | 111–263 |
| S. 2906 | 111–336 |
| S. 2949 | 111–127 |
| S. 2950 | 111–143 |
| S. 2968 | 111–146 |
| S. 3036 | 111–375 |
| S. 3104 | 111–202 |
| S. 3186 | 111–151 |
| S. 3196 | 111–283 |
| S. 3199 | 111–337 |
| S. 3243 | 111–376 |
| S. 3250 | 111–308 |
| S. 3253 | 111–162 |
| S. 3304 | 111–260 |
| S. 3307 | 111–296 |
| S. 3333 | 111–175 |
| S. 3372 | 111–215 |
| S. 3386 | 111–345 |
| S. 3397 | 111–273 |
| S. 3447 | 111–377 |
| S. 3473 | 111–191 |
| S. 3481 | 111–378 |
| S. 3567 | 111–288 |
| S. 3592 | 111–379 |

| | Law No. |
|---|---|
| S. 3656 | 111–239 |
| S. 3689 | 111–295 |
| S. 3717 | 111–257 |
| S. 3729 | 111–267 |
| S. 3751 | 111–264 |
| S. 3774 | 111–285 |
| S. 3789 | 111–318 |
| S. 3794 | 111–338 |
| S. 3802 | 111–284 |
| S. 3814 | 111–250 |
| S. 3817 | 111–320 |
| S. 3828 | 111–265 |
| S. 3839 | 111–251 |
| S. 3847 | 111–266 |
| S. 3860 | 111–339 |
| S. 3874 | 111–380 |
| S. 3903 | 111–381 |
| S. 3984 | 111–340 |
| S. 3987 | 111–319 |
| S. 3998 | 111–341 |
| S. 4005 | 111–342 |
| S. 4036 | 111–382 |
| S. 4058 | 111–346 |
| S.J. Res. 25 | 111–160 |
| S.J. Res. 32 | 111–201 |
| S.J. Res. 33 | 111–194 |
| S.J. Res. 40 | 111–289 |
| H.R. 81 | 111–348 |
| H.R. 511 | 111–231 |
| H.R. 553 | 111–258 |
| H.R. 628 | 111–349 |
| H.R. 689 | 111–206 |
| H.R. 714 | 111–261 |
| H.R. 725 | 111–211 |
| H.R. 730 | 111–140 |
| H.R. 847 | 111–347 |
| H.R. 946 | 111–274 |
| H.R. 1061 | 111–323 |
| H.R. 1107 | 111–350 |
| H.R. 1121 | 111–167 |
| H.R. 1177 | 111–262 |
| H.R. 1299 | 111–145 |
| H.R. 1377 | 111–137 |
| H.R. 1442 | 111–168 |
| H.R. 1454 | 111–241 |
| H.R. 1517 | 111–252 |
| H.R. 1586 | 111–226 |
| H.R. 1722 | 111–292 |
| H.R. 1746 | 111–351 |
| H.R. 1817 | 111–128 |
| H.R. 2097 | 111–232 |

| | Law No. |
|---|---|
| H.R. 2142 | 111–352 |
| H.R. 2194 | 111–195 |
| H.R. 2480 | 111–313 |
| H.R. 2701 | 111–259 |
| H.R. 2711 | 111–178 |
| H.R. 2751 | 111–353 |
| H.R. 2765 | 111–223 |
| H.R. 2802 | 111–169 |
| H.R. 2847 | 111–147 |
| H.R. 2877 | 111–129 |
| H.R. 2923 | 111–268 |
| H.R. 2941 | 111–324 |
| H.R. 2965 | 111–321 |
| H.R. 3072 | 111–130 |
| H.R. 3081 | 111–242 |
| H.R. 3082 | 111–322 |
| H.R. 3219 | 111–275 |
| H.R. 3237 | 111–314 |
| H.R. 3250 | 111–179 |
| H.R. 3319 | 111–131 |
| H.R. 3360 | 111–207 |
| H.R. 3433 | 111–149 |
| H.R. 3509 | 111–233 |
| H.R. 3539 | 111–132 |
| H.R. 3553 | 111–269 |
| H.R. 3562 | 111–243 |
| H.R. 3590 | 111–148 |
| H.R. 3619 | 111–281 |
| H.R. 3634 | 111–180 |
| H.R. 3667 | 111–133 |
| H.R. 3689 | 111–270 |
| H.R. 3714 | 111–166 |
| H.R. 3767 | 111–134 |
| H.R. 3788 | 111–135 |
| H.R. 3892 | 111–181 |
| H.R. 3940 | 111–244 |
| H.R. 3951 | 111–193 |
| H.R. 3961 | 111–141 |
| H.R. 3962 | 111–192 |
| H.R. 3978 | 111–245 |
| H.R. 3980 | 111–271 |
| H.R. 4017 | 111–182 |
| H.R. 4095 | 111–183 |
| H.R. 4139 | 111–184 |
| H.R. 4173 | 111–203 |
| H.R. 4213 | 111–205 |
| H.R. 4214 | 111–185 |
| H.R. 4238 | 111–186 |
| H.R. 4275 | 111–234 |
| H.R. 4337 | 111–325 |
| H.R. 4360 | 111–164 |
| H.R. 4380 | 111–227 |
| H.R. 4387 | 111–297 |

| | Law No. |
|---|---|
| H.R. 4425 | 111–187 |
| H.R. 4445 | 111–354 |
| H.R. 4462 | 111–126 |
| H.R. 4505 | 111–246 |
| H.R. 4508 | 111–136 |
| H.R. 4532 | 111–142 |
| H.R. 4543 | 111–276 |
| H.R. 4547 | 111–188 |
| H.R. 4573 | 111–158 |
| H.R. 4602 | 111–355 |
| H.R. 4621 | 111–155 |
| H.R. 4628 | 111–189 |
| H.R. 4667 | 111–247 |
| H.R. 4684 | 111–221 |
| H.R. 4691 | 111–144 |
| H.R. 4748 | 111–356 |
| H.R. 4783 | 111–291 |
| H.R. 4840 | 111–208 |
| H.R. 4851 | 111–157 |
| H.R. 4853 | 111–312 |
| H.R. 4861 | 111–217 |
| H.R. 4872 | 111–152 |
| H.R. 4887 | 111–159 |
| H.R. 4899 | 111–212 |
| H.R. 4938 | 111–150 |
| H.R. 4957 | 111–153 |
| H.R. 4973 | 111–357 |
| H.R. 4994 | 111–309 |
| H.R. 5014 | 111–173 |
| H.R. 5051 | 111–218 |
| H.R. 5099 | 111–219 |
| H.R. 5116 | 111–358 |
| H.R. 5128 | 111–176 |
| H.R. 5133 | 111–359 |
| H.R. 5139 | 111–177 |
| H.R. 5146 | 111–165 |
| H.R. 5147 | 111–161 |
| H.R. 5148 | 111–170 |
| H.R. 5160 | 111–171 |
| H.R. 5278 | 111–235 |
| H.R. 5283 | 111–293 |
| H.R. 5297 | 111–240 |
| H.R. 5330 | 111–190 |
| H.R. 5341 | 111–277 |
| H.R. 5390 | 111–278 |
| H.R. 5395 | 111–236 |
| H.R. 5450 | 111–279 |
| H.R. 5470 | 111–360 |
| H.R. 5502 | 111–209 |
| H.R. 5552 | 111–237 |
| H.R. 5566 | 111–294 |
| H.R. 5569 | 111–196 |
| H.R. 5591 | 111–326 |

| | Law No. |
|---|---|
| H.R. 5605 | 111–361 |
| H.R. 5606 | 111–362 |
| H.R. 5610 | 111–213 |
| H.R. 5611 | 111–197 |
| H.R. 5623 | 111–198 |
| H.R. 5651 | 111–298 |
| H.R. 5655 | 111–363 |
| H.R. 5682 | 111–248 |
| H.R. 5706 | 111–299 |
| H.R. 5712 | 111–286 |
| H.R. 5758 | 111–300 |
| H.R. 5773 | 111–301 |
| H.R. 5809 | 111–364 |
| H.R. 5849 | 111–214 |
| H.R. 5872 | 111–228 |
| H.R. 5874 | 111–224 |
| H.R. 5877 | 111–365 |
| H.R. 5900 | 111–216 |
| H.R. 5901 | 111–366 |
| H.R. 5981 | 111–229 |
| H.R. 6080 | 111–230 |
| H.R. 6102 | 111–238 |
| H.R. 6118 | 111–310 |
| H.R. 6162 | 111–302 |
| H.R. 6166 | 111–303 |
| H.R. 6184 | 111–315 |
| H.R. 6190 | 111–249 |
| H.R. 6198 | 111–327 |
| H.R. 6200 | 111–280 |
| H.R. 6237 | 111–304 |
| H.R. 6278 | 111–328 |
| H.R. 6387 | 111–305 |
| H.R. 6392 | 111–367 |
| H.R. 6398 | 111–343 |
| H.R. 6399 | 111–316 |
| H.R. 6400 | 111–368 |
| H.R. 6412 | 111–369 |
| H.R. 6473 | 111–329 |
| H.R. 6510 | 111–370 |
| H.R. 6516 | 111–330 |
| H.R. 6517 | 111–344 |
| H.R. 6523 | 111–383 |
| H.R. 6533 | 111–371 |
| H.J. Res. 45 | 111–139 |
| H.J. Res. 80 | 111–156 |
| H.J. Res. 83 | 111–210 |
| H.J. Res. 101 | 111–290 |
| H.J. Res. 105 | 111–317 |

## BILLS VETOED

H.R. 3808, 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. Vetoed Oct. 8, 2010.

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 111– | Senate 111– | House | Senate | Date approved | No. 111– |
| To accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti. | H.R. 4462 | Jan. 19, 2010 | WM | | | ..... | ..... | ..... | Jan. 20, 2010 | Jan. 21, 2010 | Jan. 22, 2010 | 126 |
| To amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2010 payments for temporary assistance to United States citizens returned from foreign countries, to provide necessary funding to avoid shortfalls in the Medicare cost-sharing program for low-income qualifying individuals, and for other purposes. | S. 2949 | Jan. 25, 2010 | | | ..... | ..... | ..... | ..... | Jan. 26, 2010 | Jan. 25, 2010 | Jan. 27, 2010 | 127 |
| To designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the "John S. Wilder Post Office Building". | H.R. 1817 | Mar. 31, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | June 4, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 128 |
| 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. 2877 | June 15, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | Oct. 13, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 129 |
| To designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the "Coach Jodie Bailey Post Office Building". | H.R. 3072 | June 26, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | July 29, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 130 |
| To designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building". | H.R. 3319 | July 23, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | Oct. 20, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 131 |
| To designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the "Patricia D. McGinty-Juhl Post Office Building". | H.R. 3539 | Sept. 8, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | Nov. 16, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 132 |
| To designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the "Clyde L. Hillhouse Post Office Building". | H.R. 3667 | Sept. 29, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | Dec. 1, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 133 |
| To designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the "W. Hazen Hillyard Post Office Building". | H.R. 3767 | Oct. 8, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | Nov. 16, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 134 |
| To designate the facility of the United States Postal Service located at 3900 Darrow Road in Stow, Ohio, as the "Corporal Joseph A. Tomci Post Office Building". | H.R. 3788 | Oct. 13, 2009 | OGR | HS&GA | | Dec. 17, 2009 | ..... | 0 | Nov. 6, 2009 | Dec. 21, 2009 | Jan. 29, 2010 | 135 |
| To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes. | H.R. 4508 | Jan. 26, 2010 | SB | | | ..... | ..... | ..... | Jan. 27, 2010 | Jan. 28, 2010 | Jan. 29, 2010 | 136 |
| To amend title 38, United States Code, to expand veteran eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, and for other purposes. | H.R. 1377 | Mar. 6, 2009 | VA | VA | Mar. 26, 2009 | | 55 | ..... | Mar. 30, 2009 | Dec. 18, 2009 | Feb. 1, 2010 | 137 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 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. | S. 692 | Mar. 25, 2009 | | HS&GA | ..... | Oct. 5, 2009 | ..... | 87 | Jan. 13, 2010 | Oct. 14, 2009 | Feb. 1, 2010 | 138 |
| Increasing the statutory limit on the public debt. | H.J. Res. 45 | Apr. 29, 2009 | | Fin | ..... | | ..... | ..... | Apr. 29, 2009 | Jan. 28, 2010 | Feb. 12, 2010 | 139 |
| To strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes. | H.R. 730 | Jan. 27, 2009 | HS<br>FA | HS&GA | | Dec. 17, 2009 | ..... | 0 | Mar. 24, 2009 | Dec. 23, 2009 | Feb. 16, 2010 | 140 |
| To extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011. | H.R. 3961 | Oct. 29, 2009 | EC<br>WM | | | ..... | ..... | ..... | Nov. 19, 2009 | Feb. 24, 2010 | Feb. 27, 2010 | 141 |
| To provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives. | H.R. 4532 | Jan. 27, 2010 | WM | | | ..... | ..... | ..... | Feb. 4, 2010 | Feb. 22, 2010 | Feb. 27, 2010 | 142 |
| To extend the pilot program for volunteer groups to obtain criminal history background checks. | S. 2950 | Jan. 25, 2010 | Jud | | | ..... | ..... | ..... | Feb. 4, 2010 | Jan. 25, 2010 | Mar. 1, 2010 | 143 |
| To provide a temporary extension of certain programs, and for other purposes. | H.R. 4691 | Feb. 25, 2010 | WM<br>EC<br>E&L<br>TI<br>FS<br>SB<br>Jud<br>Bud | | | ..... | ..... | ..... | Feb. 25, 2010 | Mar. 2, 2010 | Mar. 2, 2010 | 144 |
| To make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes. | H.R. 1299 | Mar. 4, 2009 | HA | RAdm | Mar. 30, 2009 | | 66 | ..... | Mar. 31, 2009 | Oct. 29, 2009 | Mar. 4, 2010 | 145 |
| To make certain technical and conforming amendments to the Lanham Act. | S. 2968 | Jan. 28, 2010 | Jud | | | ..... | ..... | ..... | Mar. 3, 2010 | Jan. 28, 2010 | Mar. 17, 2010 | 146 |
| Making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes. | H.R. 2847 | June 12, 2009 | App | App | June 12, 2009 | June 25, 2009 | 149 | 34 | June 18, 2009 | Nov. 5, 2009 | Mar. 18, 2010 | 147 |
| Entitled The Patient Protection and Affordable Care Act. | H.R. 3590 | Sept. 17, 2009 | WM | | | ..... | ..... | ..... | Oct. 8, 2009 | Dec. 24, 2009 | Mar. 23, 2010 | 148 |
| 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. 3433 | July 30, 2009 | NR | EPW | Oct. 9, 2009 | Mar. 5, 2010 | 296 | 158 | Oct. 13, 2009 | Mar. 9, 2010 | Mar. 25, 2010 | 149 |
| To permit the use of previously appropriated funds to extend the Small Business Loan Guarantee Program, and for other purposes. | H.R. 4938 | Mar. 25, 2010 | SB | | | ..... | ..... | ..... | Mar. 25, 2010 | Mar. 25, 2010 | Mar. 26, 2010 | 150 |
| To reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004 through April 30, 2010, and for other purposes. | S. 3186 | Mar. 25, 2010 | | | ..... | ..... | ..... | ..... | Mar. 25, 2010 | Mar. 25, 2010 | Mar. 26, 2010 | 151 |
| To provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13). | H.R. 4872 | Mar. 17, 2010 | Bud | | Mar. 17, 2010 | ..... | 443 | ..... | Mar. 21, 2010 | Mar. 25, 2010 | Mar. 30, 2010 | 152 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 111– | Senate 111– | House | Senate | Date approved | No. 111– |
| To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes. | H.R. 4957 | Mar. 25, 2010 | TI<br>WM | | | ..... | ..... | ..... | Mar. 25, 2010 | Mar. 26, 2010 | Mar. 31, 2010 | 153 |
| To prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes. | S. 1147 | May 21, 2009 | | Jud | ..... | Nov. 19, 2009 | ..... | 0 | Mar. 17, 2010 | Mar. 11, 2010 | Mar. 31, 2010 | 154 |
| To protect the integrity of the constitutionally mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census. | H.R. 4621 | Feb. 9, 2010 | OGR | HS&GA | | | ..... | ..... | Mar. 10, 2010 | Mar. 26, 2010 | Apr. 7, 2010 | 155 |
| Recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families. | H.J. Res. 80 | Mar. 4, 2010 | VA | | | ..... | ..... | ..... | Mar. 23, 2010 | Mar. 26, 2010 | Apr. 7, 2010 | 156 |
| To provide a temporary extension of certain programs, and for other purposes. | H.R. 4851 | Mar. 16, 2010 | WM<br>Bud<br>E&L<br>EC<br>FS<br>Jud<br>TI<br>OGR | | | ..... | ..... | ..... | Mar. 17, 2010 | Apr. 15, 2010 | Apr. 15, 2010 | 157 |
| To urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes. | H.R. 4573 | Feb. 2, 2010 | FS | | | ..... | ..... | ..... | Mar. 10, 2010 | Mar. 26, 2010 | Apr. 26, 2010 | 158 |
| To amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage. | H.R. 4887 | Mar. 19, 2010 | WM | Fin | | | ..... | ..... | Mar. 20, 2010 | Apr. 12, 2010 | Apr. 26, 2010 | 159 |
| Granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact. | S.J. Res. 25 | Dec. 24, 2009 | Jud | Jud | | | ..... | ..... | Apr. 14, 2010 | Jan. 21, 2010 | Apr. 26, 2010 | 160 |
| To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes. | H.R. 5147 | Apr. 27, 2010 | TI<br>WM | | | ..... | ..... | ..... | Apr. 28, 2010 | Apr. 28, 2010 | Apr. 30, 2010 | 161 |
| To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes. | S. 3253 | Apr. 22, 2010 | | | ..... | ..... | ..... | ..... | Apr. 27, 2010 | Apr. 22, 2010 | Apr. 30, 2010 | 162 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| To amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes. | S. | 1963 | Oct. 28, 2009 | VA | | | ..... | ..... | ..... | Apr. 21, 2010 | Nov. 19, 2009 | May 5, 2010 | 163 |
| To designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the ''Major Charles R. Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center''. | H.R. | 4360 | Dec. 16, 2009 | VA | VA | | | ..... | ..... | Mar. 25, 2010 | Apr. 19, 2010 | May 7, 2010 | 164 |
| To provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011. | H.R. | 5146 | Apr. 27, 2010 | HA OGR | | | ..... | ..... | ..... | Apr. 27, 2010 | Apr. 28, 2010 | May 14, 2010 | 165 |
| To amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes. | H.R. | 3714 | Oct. 1, 2009 | FA | FR | | | ..... | ..... | Dec. 16, 2009 | Apr. 29, 2010 | May 17, 2010 | 166 |
| To authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes. | H.R. | 1121 | Feb. 23, 2009 | NR | ENR | July 24, 2009 | Mar. 2, 2010 | 227 | 147 | July 27, 2009 | May 7, 2010 | May 24, 2010 | 167 |
| To provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909. | H.R. | 1442 | Mar. 11, 2009 | NR | ENR | July 10, 2009 | Mar. 2, 2010 | 198 | 150 | July 16, 2009 | May 7, 2010 | May 24, 2010 | 168 |
| To provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes. | H.R. | 2802 | June 10, 2009 | NR | ENR | Sept. 21, 2009 | Mar. 2, 2010 | 261 | 155 | Sept. 22, 2009 | May 7, 2010 | May 24, 2010 | 169 |
| To amend title 39, United States Code, to clarify the instances in which the term ''census'' may appear on mailable matter. | H.R. | 5148 | Apr. 27, 2010 | OGR | HS&GA | | | ..... | ..... | Apr. 28, 2010 | May 5, 2010 | May 24, 2010 | 170 |
| To extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes. | H.R. | 5160 | Apr. 28, 2010 | WM | | | ..... | ..... | ..... | May 5, 2010 | May 6, 2010 | May 24, 2010 | 171 |
| To support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes. | S. | 1067 | May 19, 2009 | FA | FR | | Dec. 15, 2009 | ..... | 108 | May 12, 2010 | Mar. 10, 2010 | May 24, 2010 | 172 |
| To clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage. | H.R. | 5014 | Apr. 14, 2010 | WM | | | ..... | ..... | ..... | May 12, 2010 | May 18, 2010 | May 27, 2010 | 173 |
| To provide improvements for the operations of the Federal courts, and for other purposes. | S. | 1782 | Oct. 14, 2009 | | Jud | ..... | | ..... | ..... | May 18, 2010 | Mar. 16, 2010 | May 27, 2010 | 174 |
| To extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes. | S. | 3333 | May 7, 2010 | | | ..... | ..... | ..... | ..... | May 12, 2010 | May 7, 2010 | May 27, 2010 | 175 |
| To designate the United States Department of the Interior Building in Washington, District of Columbia, as the ''Stewart Lee Udall Department of the Interior Building''. | H.R. | 5128 | Apr. 22, 2010 | TI | | May 18, 2010 | ..... | 485 | ..... | May 20, 2010 | May 25, 2010 | June 8, 2010 | 176 |

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| To provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo. | H.R. 5139 | Apr. 26, 2010 | FA | | | ..... | ..... | ..... | May 19, 2010 | May 20, 2010 | June 8, 2010 | 177 |
| To amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties. | H.R. 2711 | June 4, 2009 | OGR | HS&GA | Sept. 29, 2009 | Dec. 17, 2009 | 274 | 0 | Dec. 8, 2009 | May 14, 2010 | June 9, 2010 | 178 |
| To designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building". | H.R. 3250 | July 17, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Jan. 21, 2010 | May 25, 2010 | June 9, 2010 | 179 |
| To designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office". | H.R. 3634 | Sept. 23, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Dec. 2, 2009 | May 25, 2010 | June 9, 2010 | 180 |
| To designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office". | H.R. 3892 | Oct. 21, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Jan. 13, 2010 | May 25, 2010 | June 9, 2010 | 181 |
| To designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office". | H.R. 4017 | Nov. 4, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Dec. 10, 2009 | May 25, 2010 | June 9, 2010 | 182 |
| To designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building". | H.R. 4095 | Nov. 17, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Jan. 20, 2010 | May 25, 2010 | June 9, 2010 | 183 |
| To designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office". | H.R. 4139 | Nov. 19, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Jan. 13, 2010 | May 25, 2010 | June 9, 2010 | 184 |
| To designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office". | H.R. 4214 | Dec. 7, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Mar. 18, 2010 | May 25, 2010 | June 9, 2010 | 185 |
| To designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building". | H.R. 4238 | Dec. 8, 2009 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Feb. 22, 2010 | May 25, 2010 | June 9, 2010 | 186 |
| To designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office". | H.R. 4425 | Jan. 12, 2010 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Feb. 22, 2010 | May 25, 2010 | June 9, 2010 | 187 |
| To designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office". | H.R. 4547 | Jan. 27, 2010 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Mar. 9, 2010 | May 25, 2010 | June 9, 2010 | 188 |
| To designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building". | H.R. 4628 | Feb. 22, 2010 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Mar. 16, 2010 | May 25, 2010 | June 9, 2010 | 189 |

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| To amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, and for other purposes. | H.R. 5330 | May 18, 2010 | Jud | | | ..... | ..... | ..... | May 24, 2010 | May 27, 2010 | June 9, 2010 | 190 |
| To amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill. | S. 3473 | June 9, 2010 | | | ..... | ..... | ..... | ..... | June 10, 2010 | June 9, 2010 | June 15, 2010 | 191 |
| To provide a physician payment update, to provide pension funding relief, and for other purposes. | H.R. 3962 | Oct. 29, 2009 | EC<br>E&L<br>WM<br>OGR<br>Bud<br>R<br>NR<br>Jud | | | ..... | ..... | ..... | Nov. 7, 2009 | June 18, 2010 | June 25, 2010 | 192 |
| To designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building". | H.R. 3951 | Oct. 28, 2009 | OGR | HS&GA | | June 14, 2010 | ..... | 0 | Dec. 9, 2009 | June 15, 2010 | June 28, 2010 | 193 |
| To provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law. | S.J. Res. 33 | June 17, 2010 | | | ..... | ..... | ..... | ..... | June 29, 2010 | June 17, 2010 | June 30, 2010 | 194 |
| To amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran. | H.R. 2194 | Apr. 30, 2009 | FA<br>FS<br>OGR<br>WM | BHUA | Nov. 19, 2009 | | 342 | ..... | Dec. 15, 2009 | Mar. 11, 2010 | July 1, 2010 | 195 |
| To extend the National Flood Insurance Program until September 30, 2010. | H.R. 5569 | June 22, 2010 | FS<br>Bud | | | ..... | ..... | ..... | June 23, 2010 | June 30, 2010 | July 2, 2010 | 196 |
| To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes. | H.R. 5611 | June 28, 2010 | TI<br>WM | | | ..... | ..... | ..... | June 29, 2010 | June 30, 2010 | July 2, 2010 | 197 |
| To amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes. | H.R. 5623 | June 29, 2010 | WM<br>Bud<br>HS<br>EC | | | ..... | ..... | ..... | June 29, 2010 | June 30, 2010 | July 2, 2010 | 198 |
| To amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes. | S. 1660 | Sept. 10, 2009 | | EPW | ..... | Apr. 19, 2010 | ..... | 169 | June 23, 2010 | June 14, 2010 | July 7, 2010 | 199 |
| To reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes. | S. 2865 | Dec. 10, 2009 | E&L | HS&GA | | Mar. 15, 2010 | ..... | 163 | June 23, 2010 | Mar. 17, 2010 | July 7, 2010 | 200 |
| Recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance. | S.J. Res. 32 | June 16, 2010 | | | ..... | ..... | ..... | ..... | June 23, 2010 | June 16, 2010 | July 7, 2010 | 201 |
| To permanently authorize Radio Free Asia, and for other purposes. | S. 3104 | Mar. 11, 2010 | | FR | ..... | June 22, 2010 | ..... | 214 | June 30, 2010 | June 25, 2010 | July 13, 2010 | 202 |
| To provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes. | H.R. 4173 (S. 3217) | Dec. 2, 2009 | FS<br>Agr<br>EC<br>Jud<br>R<br>Bud<br>OGR<br>WM | BHUA | | Apr. 15, 2010 | ..... | 176 | Dec. 11, 2009 | May 20, 2010 | July 21, 2010 | 203 |

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| To amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars. | S. 1508 | July 23, 2009 | | HS&GA | ..... | June 15, 2010 | ..... | 0 | July 14, 2010 | June 23, 2010 | July 22, 2010 | 204 |
| To amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes. | H.R. 4213 | Dec. 7, 2009 | WM | Fin | | | ..... | ..... | Dec. 9, 2009 | Mar. 10, 2010 | July 22, 2010 | 205 |
| To interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes. | H.R. 689 | Jan. 26, 2009 | NR | ENR | May 14, 2009 | Mar. 2, 2010 | 108 | 145 | June 2, 2009 | May 7, 2010 | July 27, 2010 | 206 |
| To amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes. | H.R. 3360 | July 28, 2009 | TI | | Nov. 7, 2009 | ..... | 332 | ..... | Nov. 17, 2009 | June 10, 2010 | July 27, 2010 | 207 |
| To designate the facility of the United States Postal Service located at 1979 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office". | H.R. 4840 | Mar. 12, 2010 | OGR | HS&GA | | May 18, 2010 | ..... | 0 | Mar. 21, 2010 | May 25, 2010 | July 27, 2010 | 208 |
| To amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009. | H.R. 5502 | June 10, 2010 | FS | BHUA | | | ..... | ..... | June 14, 2010 | July 13, 2010 | July 27, 2010 | 209 |
| Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes. | H.J. Res. 83 | May 11, 2010 | WM | | | ..... | ..... | ..... | July 14, 2010 | July 22, 2010 | July 27, 2010 | 210 |
| To protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes. | H.R. 725 | Jan. 27, 2009 | NR<br>Jud | | Jan. 15, 2010 | ..... | 397 | ..... | Jan. 19, 2010 | June 23, 2010 | July 29, 2010 | 211 |
| Making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes. | H.R. 4899 | Mar. 21, 2010 | App<br>Bud | App | | May 14, 2010 | ..... | 188 | Mar. 24, 2010 | May 27, 2010 | July 29, 2010 | 212 |
| To provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers. | H.R. 5610 | June 28, 2010 | E&L | HEL&P | | | ..... | ..... | June 30, 2010 | July 27, 2010 | July 29, 2010 | 213 |
| To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes. | H.R. 5849 | July 26, 2010 | SB | | | ..... | ..... | ..... | July 27, 2010 | July 27, 2010 | July 30, 2010 | 214 |
| To modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels. | S. 3372 | May 13, 2010 | | EPW | ..... | June 18, 2010 | ..... | 209 | July 29, 2010 | July 14, 2010 | July 30, 2010 | 215 |
| To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program project grant authority and to improve airline safety, and for other purposes. | H.R. 5900 | July 28, 2010 | TI<br>WM | | | ..... | ..... | ..... | July 29, 2010 | July 30, 2010 | Aug. 1, 2010 | 216 |

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| To designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the "Steve Goodman Post Office Building". | H.R. | 4861 | Mar. 16, 2010 | OGR | HS&GA | | June 29, 2010 | ..... | 0 | Apr. 26, 2010 | July 14, 2010 | Aug. 3, 2010 | 217 |
| To designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building". | H.R. | 5051 | Apr. 15, 2010 | OGR | HS&GA | | June 29, 2010 | ..... | 0 | May 11, 2010 | July 14, 2010 | Aug. 3, 2010 | 218 |
| To designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office". | H.R. | 5099 | Apr. 21, 2010 | OGR | HS&GA | | June 29, 2010 | ..... | 0 | May 19, 2010 | July 14, 2010 | Aug. 3, 2010 | 219 |
| To restore fairness to Federal cocaine sentencing. | S. | 1789 | Oct. 15, 2009 | Jud<br>EC | Jud | | Mar. 15, 2010 | ..... | 0 | July 28, 2010 | Mar. 17, 2010 | Aug. 3, 2010 | 220 |
| To require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center. | H.R. | 4684 | Feb. 24, 2010 | FS | | | ..... | ..... | ..... | July 20, 2010 | July 22, 2010 | Aug. 6, 2010 | 221 |
| To amend the National Law Enforcement Museum Act to extend the termination date. | S. | 1053 | May 14, 2009 | NR | ENR | | Mar. 2, 2010 | ..... | 137 | July 21, 2010 | May 7, 2010 | Aug. 6, 2010 | 222 |
| To amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services. | H.R. | 2765 | June 9, 2009 | Jud | Jud | June 15, 2009 | July 14, 2010 | 154 | 224 | June 15, 2009 | July 19, 2010 | Aug. 10, 2010 | 223 |
| Making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes. | H.R. | 5874 | July 27, 2010 | App | | | ..... | ..... | ..... | July 28, 2010 | July 29, 2010 | Aug. 10, 2010 | 224 |
| To amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners. | S. | 1749 | Oct. 5, 2009 | Jud | Jud | | Feb. 2, 2010 | ..... | 0 | July 20, 2010 | Apr. 13, 2010 | Aug. 10, 2010 | 225 |
| To modernize the air traffic control system, improve the safety, reliability, and availability of transporation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes. | H.R. | 1586 | Mar. 18, 2009 | WM | | | ..... | ..... | ..... | Mar. 19, 2009 | Mar. 22, 2010 | Aug. 10, 2010 | 226 |
| To amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes. | H.R. | 4380 | Dec. 16, 2009 | WM | | | ..... | ..... | ..... | July 21, 2010 | July 27, 2010 | Aug. 11, 2010 | 227 |
| To provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development. | H.R. | 5872 | July 27, 2010 | FS | BHUA | | | ..... | ..... | July 28, 2010 | Aug. 4, 2010 | Aug. 11, 2010 | 228 |
| To increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes. | H.R. | 5981 | July 30, 2010 | FS | BHUA | | | ..... | ..... | July 30, 2010 | Aug. 4, 2010 | Aug. 11, 2010 | 229 |
| Making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes. | H.R. | 6080 | Aug. 9, 2010 | App<br>Bud | | | ..... | ..... | ..... | Aug. 10, 2010 | Aug. 12, 2010 | Aug. 13, 2010 | 230 |

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| To authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village. | H.R. 511 | Jan. 14, 2009 | Agr | ANF | Sept. 10, 2009 | Dec. 16, 2009 | 253 | 0 | Sept. 15, 2009 | Aug. 5, 2010 | Aug. 16, 2010 | 231 |
| To require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes. | H.R. 2097 | Apr. 23, 2009 | FS | BHUA | | | ..... | ..... | Sept. 9, 2009 | Aug. 2, 2010 | Aug. 16, 2010 | 232 |
| To reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987. | H.R. 3509 | July 31, 2009 | Agr | ANF | | | ..... | ..... | Mar. 18, 2010 | Aug. 5, 2010 | Aug. 16, 2010 | 233 |
| To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building". | H.R. 4275 | Dec. 10, 2009 | TI | EPW | Mar. 18, 2010 | June 15, 2010 | 444 | 0 | Apr. 14, 2010 | Aug. 5, 2010 | Aug. 16, 2010 | 234 |
| To designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the "President Ronald W. Reagan Post Office Building". | H.R. 5278 | May 12, 2010 | OGR | HS&GA | | July 28, 2010 | ..... | 0 | June 9, 2010 | July 30, 2010 | Aug. 16, 2010 | 235 |
| To designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the "Paula Hawkins Post Office Building". | H.R. 5395 | May 25, 2010 | OGR | HS&GA | | July 28, 2010 | ..... | 0 | June 30, 2010 | July 30, 2010 | Aug. 16, 2010 | 236 |
| To amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution. | H.R. 5552 | June 17, 2010 | WM | | | ..... | ..... | ..... | June 29, 2010 | Aug. 5, 2010 | Aug. 16, 2010 | 237 |
| To amend the National Defense Authorization Act for Fiscal Year 2010 to extend the authority of the Secretary of the Navy to enter into multiyear contracts for F/A-18E, F/A-18F, and EA-18G aircraft. | H.R. 6102 | Aug. 10, 2010 | AS-H | | | ..... | ..... | ..... | Sept. 14, 2010 | Sept. 16, 2010 | Sept. 27, 2010 | 238 |
| To amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes. | S. 3656 | July 27, 2010 | Agr | ANF | | Aug. 5, 2010 | ..... | 0 | Sept. 15, 2010 | Aug. 5, 2010 | Sept. 27, 2010 | 239 |
| To create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, and for other purposes. | H.R. 5297 | May 13, 2010 | FS | | May 27, 2010 | ..... | 499 | ..... | June 17, 2010 | Sept. 16, 2010 | Sept. 27, 2010 | 240 |
| To provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp. | H.R. 1454 | Mar. 12, 2009 | NR OGR | HS&GA | Dec. 7, 2009 | July 27, 2010 | 358 | 234 | Dec. 7, 2009 | July 29, 2010 | Sept. 30, 2010 | 241 |
| Making continuing appropriations for fiscal year 2011, and for other purposes. | H.R. 3081 | June 26, 2009 | App | | June 26, 2009 | ..... | 187 | ..... | July 9, 2009 | Sept. 29, 2010 | Sept. 30, 2010 | 242 |
| To designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building". | H.R. 3562 | Sept. 14, 2009 | TI | EPW | Feb. 22, 2010 | July 26, 2010 | 414 | 0 | Mar. 24, 2010 | Aug. 5, 2010 | Sept. 30, 2010 | 243 |

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| To amend Public Law 96-597 to clarify the authority of the Secretary of the Interior to extend grants and other assistance to facilitate political status public education programs for the peoples of the non-self-governing territories of the United States. | H.R. 3940 | Oct. 27, 2009 | NR | ENR | Dec. 7, 2009 | | 357 | ..... | Dec. 7, 2009 | Sept. 28, 2010 | Sept. 30, 2010 | 244 |
| To amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for a response to terrorism, and for other purposes. | H.R. 3978 | Nov. 2, 2009 | HS | HS&GA | Dec. 15, 2009 | Aug. 2, 2010 | 376 | 0 | Dec. 15, 2009 | Aug. 5, 2010 | Sept. 30, 2010 | 245 |
| To enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces. | H.R. 4505 | Jan. 26, 2010 | VA | VA | | | ..... | ..... | June 30, 2010 | Sept. 20, 2010 | Sept. 30, 2010 | 246 |
| To increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes. | H.R. 4667 (S. 3107) | Feb. 23, 2010 | VA | VA | Mar. 22, 2010 | Aug. 5, 2010 | 452 | 281 | Mar. 22, 2010 | Sept. 22, 2010 | Sept. 30, 2010 | 247 |
| To improve the operation of certain facilities and programs of the House of Representatives, and for other purposes. | H.R. 5682 | July 1, 2010 | HA | RAdm | July 27, 2010 | | 569 | ..... | July 27, 2010 | Sept. 22, 2010 | Sept. 30, 2010 | 248 |
| To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes. | H.R. 6190 | Sept. 23, 2010 | TI WM | | | ..... | ..... | ..... | Sept. 23, 2010 | Sept. 24, 2010 | Sept. 30, 2010 | 249 |
| To extend the National Flood Insurance Program until September 30, 2011. | S. 3814 | Sept. 21, 2010 | | | ..... | ..... | ..... | ..... | Sept. 23, 2010 | Sept. 21, 2010 | Sept. 30, 2010 | 250 |
| To provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes. | S. 3839 | Sept. 24, 2010 | SB | | | ..... | ..... | ..... | Sept. 28, 2010 | Sept. 24, 2010 | Sept. 30, 2010 | 251 |
| To allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service. | H.R. 1517 | Mar. 16, 2009 | HS OGR | HS&GA | Dec. 14, 2009 | Aug. 5, 2010 | 373 | 248 | Dec. 15, 2009 | Aug. 5, 2010 | Oct. 5, 2010 | 252 |
| To award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty. | S. 846 | Apr. 21, 2009 | FS | BHUA | | | ..... | ..... | Sept. 23, 2010 | Oct. 13, 2009 | Oct. 5, 2010 | 253 |
| To grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II. | S. 1055 | May 14, 2009 | | BHUA | ..... | | ..... | ..... | Sept. 23, 2010 | Aug. 2, 2010 | Oct. 5, 2010 | 254 |
| To provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions. | S. 1674 | Sept. 15, 2009 | | Fin | ..... | | ..... | ..... | Sept. 23, 2010 | Aug. 5, 2010 | Oct. 5, 2010 | 255 |
| To change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability. | S. 2781 | Nov. 17, 2009 | EC E&L | HEL&P | | Aug. 3, 2010 | ..... | 244 | Sept. 22, 2010 | Aug. 5, 2010 | Oct. 5, 2010 | 256 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|
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| To amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes. | S. 3717 | Aug. 5, 2010 | | Jud | ..... | Sept. 16, 2010 | ..... | 0 | Sept. 23, 2010 | Sept. 21, 2010 | Oct. 5, 2010 | 257 |
| To require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes. | H.R. 553 | Jan. 15, 2009 | HS | HS&GA | | May 27, 2010 | ..... | 200 | Feb. 3, 2009 | Sept. 27, 2010 | Oct. 7, 2010 | 258 |
| To authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. | H.R. 2701 | June 4, 2009 | Int | | June 26, 2009 | ..... | 186 | ..... | Feb. 26, 2010 | Sept. 27, 2010 | Oct. 7, 2010 | 259 |
| To increase the access of persons with disabilities to modern communications, and for other purposes. | S. 3304 | May 4, 2010 | | CST | ..... | Aug. 3, 2010 | ..... | 386 | Sept. 28, 2010 | Aug. 5, 2010 | Oct. 8, 2010 | 260 |
| To authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes. | H.R. 714 | Jan. 27, 2009 | NR | ENR | | Mar. 2, 2010 | ..... | 146 | Feb. 23, 2009 | May 13, 2010 | Oct. 8, 2010 | 261 |
| To require the Secretary of the Treasury to mint coins in recognition of 5 United States Army 5-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. | H.R. 1177 | Feb. 25, 2009 | FS | BHUA | | | ..... | ..... | May 20, 2010 | Sept. 28, 2010 | Oct. 8, 2010 | 262 |
| To provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments. | S. 2868 | Dec. 10, 2009 | OGR | HS&GA | Sept. 14, 2010 | May 17, 2010 | 587 | 192 | Sept. 15, 2010 | May 24, 2010 | Oct. 8, 2010 | 263 |
| To amend the Stem Cell Therapeutic and Research Act of 2005. | S. 3751 | Aug. 5, 2010 | | HEL&P | ..... | Sept. 23, 2010 | ..... | 0 | Sept. 30, 2010 | Sept. 28, 2010 | Oct. 8, 2010 | 264 |
| To make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act. | S. 3828 | Sept. 22, 2010 | EC | | | ..... | ..... | ..... | Sept. 28, 2010 | Sept. 22, 2010 | Oct. 8, 2010 | 265 |
| To implement certain defense trade cooperation treaties, and for other purposes. | S. 3847 | Sept. 27, 2010 | | | ..... | ..... | ..... | ..... | Sept. 28, 2010 | Sept. 27, 2010 | Oct. 8, 2010 | 266 |
| To authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes. | S. 3729 | Aug. 5, 2010 | | CST | ..... | Aug. 5, 2010 | ..... | 278 | Sept. 29, 2010 | Aug. 5, 2010 | Oct. 11, 2010 | 267 |
| To enhance the ability to combat methamphetamine. | H.R. 2923 | June 17, 2009 | EC Jud | | Sept. 22, 2010 | ..... | 615 | ..... | Sept. 22, 2010 | Sept. 27, 2010 | Oct. 12, 2010 | 268 |

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| To exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family. | H.R. | 3553 | Sept. 10, 2009 | FS | IA | | Sept. 22, 2010 | ..... | 299 | Apr. 20, 2010 | Sept. 27, 2010 | Oct. 12, 2010 | 269 |
| 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. | H.R. | 3689 | Oct. 1, 2009 | NR | ENR | | May 24, 2010 | ..... | 198 | Oct. 13, 2009 | Sept. 28, 2010 | Oct. 12, 2010 | 270 |
| To provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes. | H.R. | 3980 | Nov. 2, 2009 | HS | HS&GA | Dec. 1, 2009 | Sept. 16, 2010 | 346 | 291 | Dec. 2, 2009 | Sept. 22, 2010 | Oct. 12, 2010 | 271 |
| To amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes. | S. | 1132 | May 21, 2009 | Jud | Jud | | Mar. 11, 2010 | ..... | 233 | Sept. 29, 2010 | May 13, 2010 | Oct. 12, 2010 | 272 |
| To amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes. | S. | 3397 | May 24, 2010 | EC Jud | Jud | | July 29, 2010 | ..... | 0 | Sept. 29, 2010 | Aug. 3, 2010 | Oct. 12, 2010 | 273 |
| To enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes. | H.R. | 946 | Feb. 10, 2009 | OGR | | Mar. 11, 2010 | ..... | 432 | ..... | Mar. 17, 2010 | Sept. 27, 2010 | Oct. 13, 2010 | 274 |
| To amend title 38, United States Code, and the Servicemembers Civil Relief Act to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes. | H.R. | 3219 | July 15, 2009 | VA | VA | July 23, 2009 | | 223 | ..... | July 27, 2009 | Sept. 28, 2010 | Oct. 13, 2010 | 275 |
| To designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the "Anthony J. Cortese Post Office Building". | H.R. | 4543 | Jan. 27, 2010 | OGR | HS&GA | | Sept. 29, 2010 | ..... | 0 | Apr. 26, 2010 | Sept. 29, 2010 | Oct. 13, 2010 | 276 |
| To designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the "Joyce Rogers Post Office Building". | H.R. | 5341 | May 19, 2010 | OGR | HS&GA | | Sept. 29, 2010 | ..... | 0 | July 22, 2010 | Sept. 29, 2010 | Oct. 13, 2010 | 277 |
| To designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the "David John Donafee Post Office Building". | H.R. | 5390 | May 25, 2010 | OGR | HS&GA | | Sept. 29, 2010 | ..... | 0 | July 14, 2010 | Sept. 29, 2010 | Oct. 13, 2010 | 278 |
| To designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the "Tom Bradley Post Office Building". | H.R. | 5450 | May 27, 2010 | OGR | HS&GA | | Sept. 29, 2010 | ..... | 0 | July 14, 2010 | Sept. 29, 2010 | Oct. 13, 2010 | 279 |
| To amend part A of title XI of the Social Security Act to provide for a 1-year extension of the authorizations for the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program. | H.R. | 6200 | Sept. 23, 2010 | WM | | | ..... | ..... | ..... | Sept. 28, 2010 | Sept. 29, 2010 | Oct. 13, 2010 | 280 |
| To authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes. | H.R. | 3619 | Sept. 22, 2009 | TI HS | | Oct. 16, 2009 | ..... | 303 | ..... | Oct. 23, 2009 | May 7, 2010 | Oct. 15, 2010 | 281 |

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| To transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes. | S. 1510 | July 23, 2009 | OGR | HS&GA | | Oct. 5, 2009 | ..... | 86 | June 28, 2010 | Oct. 13, 2009 | Oct. 15, 2010 | 282 |
| To amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election. | S. 3196 | Apr. 13, 2010 | | HS&GA | ..... | Aug. 2, 2010 | ..... | 239 | Sept. 30, 2010 | Sept. 24, 2010 | Oct. 15, 2010 | 283 |
| To designate a mountain and icefield in the State of Alaska as the ''Mount Stevens'' and ''Ted Stevens Icefield'', respectively. | S. 3802 | Sept. 20, 2010 | NR | ENR | | | ..... | ..... | Sept. 30, 2010 | Sept. 27, 2010 | Oct. 18, 2010 | 284 |
| To extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008. | S. 3774 | Sept. 14, 2010 | | Fin | ..... | | ..... | ..... | Nov. 18, 2010 | Sept. 29, 2010 | Nov. 24, 2010 | 285 |
| Entitled The Physician Payment and Therapy Relief Act of 2010. | H.R. 5712 | July 13, 2010 | EC Bud WM | | | ..... | ..... | ..... | July 14, 2010 | Nov. 18, 2010 | Nov. 30, 2010 | 286 |
| 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 into the United States. | S. 1376 | June 25, 2009 | Jud | Jud | | Mar. 22, 2010 | ..... | 220 | Nov. 15, 2010 | July 21, 2010 | Nov. 30, 2010 | 287 |
| To designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the ''Navy Corpsman Jeffrey L. Wiener Post Office Building''. | S. 3567 | July 12, 2010 | OGR | HS&GA | | July 28, 2010 | ..... | 0 | Nov. 16, 2010 | July 30, 2010 | Nov. 30, 2010 | 288 |
| Appointing the day for the convening of the first session of the One Hundred Twelfth Congress. | S.J. Res. 40 | Nov. 15, 2010 | | | ..... | ..... | ..... | ..... | Nov. 17, 2010 | Nov. 15, 2010 | Nov. 30, 2010 | 289 |
| Making further continuing appropriations for fiscal year 2011, and for other purposes. | H.J. Res. 101 | Nov. 30, 2010 | App | | | ..... | ..... | ..... | Dec. 1, 2010 | Dec. 2, 2010 | Dec. 4, 2010 | 290 |
| This Act may be cited as ''The Claims Resettlement Act of 2010.''.. | H.R. 4783 | Mar. 9, 2010 | WM Bud | Fin | | | ..... | ..... | Mar. 10, 2010 | Nov. 19, 2010 | Dec. 8, 2010 | 291 |
| To require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes. | H.R. 1722 | Mar. 25, 2009 | OGR | HS&GA | May 4, 2010 | | 474 | ..... | July 14, 2010 | Sept. 29, 2010 | Dec. 9, 2010 | 292 |
| To provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010. | H.R. 5283 | May 12, 2010 | Jud | | | ..... | ..... | ..... | July 20, 2010 | Aug. 4, 2010 | Dec. 9, 2010 | 293 |
| To amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes. | H.R. 5566 | June 22, 2010 | Jud | Jud | July 19, 2010 | | 549 | ..... | July 21, 2010 | Sept. 28, 2010 | Dec. 9, 2010 | 294 |
| To clarify, improve, and correct the laws relating to copyrights. | S. 3689 | Aug. 2, 2010 | Jud Bud | | | ..... | ..... | ..... | Nov. 15, 2010 | Aug. 2, 2010 | Dec. 9, 2010 | 295 |
| To reauthorize child nutrition programs, and for other purposes. | S. 3307 | May 5, 2010 | Bud E&L | ANF | | May 5, 2010 | ..... | 178 | Dec. 2, 2010 | Aug. 5, 2010 | Dec. 13, 2010 | 296 |
| To designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the ''Winston E. Arnow Federal Building''. | H.R. 4387 | Dec. 16, 2009 | TI | EPW | Sept. 20, 2010 | Nov. 30, 2010 | 610 | 0 | Sept. 28, 2010 | Dec. 1, 2010 | Dec. 14, 2010 | 297 |

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| To designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the "Andrew W. Bogue Federal Building and United States Courthouse". | H.R. | 5651 | June 30, 2010 | TI | EPW | Sept. 14, 2010 | Nov. 30, 2010 | 590 | 0 | Sept. 15, 2010 | Dec. 1, 2010 | Dec. 14, 2010 | 298 |
| To designate the building occupied by the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the "Frank Evans Government Printing Office Building". | H.R. | 5706 | July 1, 2010 | TI | EPW | Sept. 14, 2010 | Nov. 30, 2010 | 591 | 0 | Sept. 15, 2010 | Dec. 1, 2010 | Dec. 14, 2010 | 299 |
| To designate the facility of the United States Postal Service located at 2 Government Center in Fall River, Massachusetts, as the "Sergeant Robert Barrett Post Office Building". | H.R. | 5758 | July 15, 2010 | OGR | HS&GA | | Dec. 1, 2010 | ..... | 0 | Nov. 17, 2010 | Dec. 2, 2010 | Dec. 14, 2010 | 300 |
| To designate the Federal building located at 6401 Security Boulevard in Baltimore, Maryland, commonly known as the Social Security Administration Operations Building, as the "Robert M. Ball Federal Building". | H.R. | 5773 | July 19, 2010 | TI | EPW | Sept. 14, 2010 | Nov. 30, 2010 | 592 | 0 | Sept. 15, 2010 | Dec. 1, 2010 | Dec. 14, 2010 | 301 |
| To provide research and development authority for alternative coinage materials to the Secretary of the Treasury, increase congressional oversight over coin production, and ensure the continuity of certain numismatic items. | H.R. | 6162 | Sept. 22, 2010 | FS | BHUA | | | ..... | ..... | Sept. 29, 2010 | Nov. 30, 2010 | Dec. 14, 2010 | 302 |
| To authorize the production of palladium bullion coins to provide affordable opportunities for investments in precious metals, and for other purposes. | H.R. | 6166 | Sept. 22, 2010 | FS | BHUA | | | ..... | ..... | Sept. 29, 2010 | Nov. 30, 2010 | Dec. 14, 2010 | 303 |
| To designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the "Tom Kongsgaard Post Office Building". | H.R. | 6237 | Sept. 28, 2010 | OGR | HS&GA | | Dec. 1, 2010 | ..... | 0 | Nov. 16, 2010 | Dec. 2, 2010 | Dec. 14, 2010 | 304 |
| To designate the facility of the United States Postal Service located at 337 West Clark Street in Eureka, California, as the "Sam Sacco Post Office Building". | H.R. | 6387 | Sept. 29, 2010 | OGR | HS&GA | | Dec. 1, 2010 | ..... | 0 | Nov. 16, 2010 | Dec. 2, 2010 | Dec. 14, 2010 | 305 |
| To require the accreditation of English language training programs, and for other purposes. | S. | 1338 | June 24, 2009 | Jud | Jud | | | ..... | ..... | Dec. 1, 2010 | Sept. 27, 2010 | Dec. 14, 2010 | 306 |
| To amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp. | S. | 1421 | July 9, 2009 | | EPW | ..... | May 5, 2010 | ..... | 181 | Dec. 1, 2010 | Nov. 17, 2010 | Dec. 14, 2010 | 307 |
| To provide for the training of Federal building personnel, and for other purposes. | S. | 3250 | Apr. 22, 2010 | TI | EPW | | June 21, 2010 | ..... | 212 | Dec. 1, 2010 | July 20, 2010 | Dec. 14, 2010 | 308 |
| To extend certain expiring provisions of the Medicare and Medicaid programs, and for other purposes. | H.R. | 4994 | Apr. 13, 2010 | WM Bud | Fin | | | ..... | ..... | Apr. 14, 2010 | Dec. 8, 2010 | Dec. 15, 2010 | 309 |
| To designate the facility of the United States Postal Service located at 2 Massachusetts Avenue, NE, in Washington, D.C., as the "Dorothy I. Height Post Office ". | H.R. | 6118 | Sept. 14, 2010 | OGR | HS&GA | | Dec. 1, 2010 | ..... | 0 | Sept. 30, 2010 | Dec. 2, 2010 | Dec. 15, 2010 | 310 |
| To regulate the volume of audio on commercials. | S. | 2847 | Dec. 8, 2009 | | CST | ..... | Sept. 28, 2010 | ..... | 340 | Dec. 2, 2010 | Sept. 29, 2010 | Dec. 15, 2010 | 311 |
| To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes. | H.R. | 4853 | Mar. 16, 2010 | TI WM | | | ..... | ..... | ..... | Mar. 17, 2010 | Sept. 23, 2010 | Dec. 17, 2010 | 312 |
| To improve the accuracy of fur product labeling, and for other purposes. | H.R. | 2480 | May 19, 2009 | EC | CST | July 27, 2010 | | 571 | ..... | July 28, 2010 | Dec. 7, 2010 | Dec. 18, 2010 | 313 |

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| To enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs". | H.R. 3237 | July 16, 2009 | Jud | Jud | Nov. 2, 2009 | May 10, 2010 | 325 | 0 | Jan. 13, 2010 | Dec. 3, 2010 | Dec. 18, 2010 | 314 |
| To amend the Water Resources Development Act of 2000 to extend and modify the program allowing the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits, and for other purposes. | H.R. 6184 | Sept. 22, 2010 | TI | | | ..... | ..... | ..... | Dec. 1, 2010 | Dec. 7, 2010 | Dec. 18, 2010 | 315 |
| To improve certain administrative operations of the Office of the Architect of the Capitol, and for other purposes. | H.R. 6399 | Nov. 15, 2010 | HA | RAdm | | | ..... | ..... | Nov. 16, 2010 | Dec. 4, 2010 | Dec. 18, 2010 | 316 |
| Making further continuing appropriations for fiscal year 2011, and for other purposes. | H.J. Res. 105 | Dec. 17, 2010 | App | | | ..... | ..... | ..... | Dec. 17, 2010 | Dec. 17, 2010 | Dec. 18, 2010 | 317 |
| To limit access to social security account numbers. | S. 3789 | Sept. 15, 2010 | | Fin | ..... | | ..... | ..... | Dec. 8, 2010 | Sept. 28, 2010 | Dec. 18, 2010 | 318 |
| To amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors. | S. 3987 | Nov. 30, 2010 | FS | | | ..... | ..... | ..... | Dec. 7, 2010 | Nov. 30, 2010 | Dec. 18, 2010 | 319 |
| To amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes. | S. 3817 | Sept. 22, 2010 | E&L | HEL&P | | Dec. 2, 2010 | ..... | 378 | Dec. 8, 2010 | Dec. 3, 2010 | Dec. 20, 2010 | 320 |
| To amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes. | H.R. 2965 (S. 1233) | June 19, 2009 | SB Sci | SBE | June 26, 2009 July 7, 2009 | July 2, 2009 | 190 | 37 | July 8, 2009 | July 13, 2009 | Dec. 22, 2010 | 321 |
| Making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes. | H.R. 3082 | June 26, 2009 | App | | June 26, 2009 | ..... | 188 | ..... | July 10, 2009 | Nov. 17, 2009 | Dec. 22, 2010 | 322 |
| To transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes. | H.R. 1061 | Feb. 13, 2009 | NR | | Oct. 21, 2009 | ..... | 306 | ..... | June 8, 2010 | Sept. 29, 2010 | Dec. 22, 2010 | 323 |
| To reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers. | H.R. 2941 | June 18, 2009 | EC | HEL&P | Sept. 28, 2010 | Dec. 6, 2010 | 635 | 0 | Sept. 30, 2010 | Dec. 10, 2010 | Dec. 22, 2010 | 324 |
| To amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes. | H.R. 4337 | Dec. 16, 2009 | WM | | | ..... | ..... | ..... | Sept. 28, 2010 | Dec. 8, 2010 | Dec. 22, 2010 | 325 |
| To designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower". | H.R. 5591 | June 24, 2010 | TI | CST | Sept. 20, 2010 | | 611 | ..... | Sept. 28, 2010 | Dec. 9, 2010 | Dec. 22, 2010 | 326 |
| To amend title 11 of the United States Code to make technical corrections; and for related purposes. | H.R. 6198 | Sept. 23, 2010 | Jud | Jud | | | ..... | ..... | Sept. 28, 2010 | Nov. 19, 2010 | Dec. 22, 2010 | 327 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| To amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes. | H.R. | 6278 | Sept. 29, 2010 | OGR | | | ..... | ..... | ..... | Nov. 16, 2010 | Dec. 13, 2010 | Dec. 22, 2010 | 328 |
| To amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes. | H.R. | 6473 | Dec. 2, 2010 | TI<br>WM | | | ..... | ..... | ..... | Dec. 2, 2010 | Dec. 18, 2010 | Dec. 22, 2010 | 329 |
| To make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010. | H.R. | 6516 | Dec. 13, 2010 | TI | | | ..... | ..... | ..... | Dec. 14, 2010 | Dec. 15, 2010 | Dec. 22, 2010 | 330 |
| To amend the Communications Act of 1934 to prohibit manipulation of caller identification information. | S. | 30 | Jan. 7, 2009 | EC | CST | | Nov. 2, 2009 | ..... | 96 | Dec. 15, 2010 | Feb. 23, 2010 | Dec. 22, 2010 | 331 |
| To establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports. | S. | 1275 | June 16, 2009 | | HEL&P | ..... | Dec. 7, 2010 | ..... | 0 | Dec. 14, 2010 | Dec. 9, 2010 | Dec. 22, 2010 | 332 |
| To redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site". | S. | 1405 | July 7, 2009 | NR | ENR | | Mar. 2, 2010 | ..... | 141 | Dec. 14, 2010 | May 7, 2010 | Dec. 22, 2010 | 333 |
| To amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land. | S. | 1448 | July 14, 2009 | NR | IA | | Aug. 3, 2010 | ..... | 245 | Dec. 14, 2010 | Sept. 22, 2010 | Dec. 22, 2010 | 334 |
| To authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes. | S. | 1609 | Aug. 6, 2009 | NR | CST | | Aug. 5, 2010 | ..... | 250 | Dec. 14, 2010 | Nov. 18, 2010 | Dec. 22, 2010 | 335 |
| To amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes. | S. | 2906 | Dec. 18, 2009 | NR | IA | | Aug. 3, 2010 | ..... | 246 | Dec. 14, 2010 | Sept. 22, 2010 | Dec. 22, 2010 | 336 |
| To amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss. | S. | 3199 | Apr. 14, 2010 | | HEL&P | ..... | Dec. 6, 2010 | ..... | 0 | Dec. 15, 2010 | Dec. 7, 2010 | Dec. 22, 2010 | 337 |
| To amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies. | S. | 3794 | Sept. 16, 2010 | OGR | HS&GA | | Sept. 29, 2010 | ..... | 0 | Dec. 14, 2010 | Sept. 29, 2010 | Dec. 22, 2010 | 338 |
| To require reports on the management of Arlington National Cemetery. | S. | 3860 | Sept. 28, 2010 | VA | VA | | | ..... | ..... | Dec. 16, 2010 | Dec. 4, 2010 | Dec. 22, 2010 | 339 |
| To amend and extend the Museum and Library Services Act, and for other purposes. | S. | 3984 | Nov. 29, 2010 | E&L | HEL&P | | Dec. 3, 2010 | ..... | 0 | Dec. 14, 2010 | Dec. 7, 2010 | Dec. 22, 2010 | 340 |
| To extend the Child Safety Pilot Program. | S. | 3998 | Dec. 1, 2010 | Jud | | | ..... | ..... | ..... | Dec. 8, 2010 | Dec. 1, 2010 | Dec. 22, 2010 | 341 |
| To amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings. | S. | 4005 | Dec. 2, 2010 | Jud | Jud | | | ..... | ..... | Dec. 16, 2010 | Dec. 14, 2010 | Dec. 22, 2010 | 342 |
| To require the Federal Deposit Insurance Corporation to fully insure Interest on Lawyers Trust Accounts. | H.R. | 6398 | Nov. 15, 2010 | FS | | | ..... | ..... | ..... | Nov. 30, 2010 | Dec. 22, 2010 | Dec. 29, 2010 | 343 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 111– | Senate 111– | House | Senate | Date approved | No. 111– |
| To extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes. | H.R. 6517 | Dec. 13, 2010 | WM E&L EC | | | ..... | ..... | ..... | Dec. 15, 2010 | Dec. 22, 2010 | Dec. 29, 2010 | 344 |
| To protect consumers from certain aggressive sales tactics on the Internet. | S. 3386 | May 19, 2010 | EC | CST | | Aug. 2, 2010 | ..... | 240 | Dec. 15, 2010 | Nov. 30, 2010 | Dec. 29, 2010 | 345 |
| To extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure. | S. 4058 | Dec. 22, 2010 | | | ..... | ..... | ..... | ..... | Dec. 22, 2010 | Dec. 22, 2010 | Dec. 29, 2010 | 346 |
| To amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes. | H.R. 847 | Feb. 4, 2009 | EC Jud | | July 22, 2010 July 22, 2010 | ..... | 560 | ..... | Sept. 29, 2010 | Dec. 22, 2010 | Jan. 2, 2011 | 347 |
| To amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks. | H.R. 81 | Jan. 6, 2009 | NR | CST | | | ..... | ..... | Mar. 2, 2009 | Dec. 20, 2010 | Jan. 4, 2011 | 348 |
| To establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges. | H.R. 628 | Jan. 22, 2009 | Jud | Jud | | | ..... | ..... | Mar. 17, 2009 | Dec. 13, 2010 | Jan. 4, 2011 | 349 |
| To enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts". | H.R. 1107 | Feb. 23, 2009 | Jud | Jud | Mar. 23, 2009 | | 42 | ..... | May 6, 2009 | Dec. 2, 2010 | Jan. 4, 2011 | 350 |
| To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the pre-disaster mitigation program of the Federal Emergency Management Agency. | H.R. 1746 | Mar. 26, 2009 | TI | HS&GA | Apr. 23, 2009 | | 83 | ..... | Apr. 27, 2009 | Dec. 20, 2010 | Jan. 4, 2011 | 351 |
| To require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council. | H.R. 2142 | Apr. 28, 2009 | OGR | HS&GA | June 14, 2010 | Dec. 7, 2010 | 504 | 372 | June 16, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 352 |
| To amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply. | H.R. 2751 (S. 510) | June 8, 2009 | EC WM | HEL&P | | Dec. 18, 2009 | ..... | 0 | June 9, 2009 | Dec. 19, 2010 | Jan. 4, 2011 | 353 |
| To amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico. | H.R. 4445 | Jan. 13, 2010 | NR | IA | June 28, 2010 | Dec. 20, 2010 | 515 | 379 | June 30, 2010 | Dec. 21, 2010 | Jan. 4, 2011 | 354 |
| To designate the facility of the United States Postal Service located at 1332 Sharon Copley Road in Sharon Center, Ohio, as the "Emil Bolas Post Office". | H.R. 4602 | Feb. 4, 2010 | OGR | HS&GA | | | ..... | ..... | Sept. 30, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 355 |
| To amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes. | H.R. 4748 | Mar. 3, 2010 | Jud HS | Jud | | | ..... | ..... | July 27, 2010 | Dec. 20, 2010 | Jan. 4, 2011 | 356 |

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|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| To amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes. | H.R. | 4973 | Mar. 25, 2010 | NR | EPW | July 13, 2010 | Dec. 14, 2010 | 531 | 366 | July 13, 2010 | Dec. 17, 2010 | Jan. 4, 2011 | 357 |
| To invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes. | H.R. | 5116 | Apr. 22, 2010 | Sci E&L | CST | May 7, 2010 | | 478 | ..... | May 28, 2010 | Dec. 17, 2010 | Jan. 4, 2011 | 358 |
| To designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the ''Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building''. | H.R. | 5133 | Apr. 22, 2010 | OGR | HS&GA | | | ..... | ..... | June 9, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 359 |
| To exclude an external power supply for certain security or life safety alarms and surveillance system components from the application of certain energy efficiency standards under the Energy Policy and Conservation Act. | H.R. | 5470 | May 28, 2010 | EC | | | ..... | ..... | ..... | Dec. 8, 2010 | Dec. 21, 2010 | Jan. 4, 2011 | 360 |
| To designate the facility of the United States Postal Service located at 47 East Fayette Street in Uniontown, Pennsylvania, as the ''George C. Marshall Post Office''. | H.R. | 5605 | June 25, 2010 | OGR | HS&GA | | | ..... | ..... | Sept. 30, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 361 |
| To designate the facility of the United States Postal Service located at 47 South 7th Street in Indiana, Pennsylvania, as the ''James M. 'Jimmy' Stewart Post Office Building''. | H.R. | 5606 | June 25, 2010 | OGR | HS&GA | | | ..... | ..... | Sept. 30, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 362 |
| To designate the Little River Branch facility of the United States Postal Service located at 140 NE 84th Street in Miami, Florida, as the ''Jesse J. McCrary, Jr. Post Office''. | H.R. | 5655 | June 30, 2010 | OGR | HS&GA | | | ..... | ..... | Nov. 16, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 363 |
| To amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program. | H.R. | 5809 | July 21, 2010 | EC Jud | Jud | Sept. 22, 2010 | | 618 | ..... | Sept. 22, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 364 |
| To designate the facility of the United States Postal Service located at 655 Centre Street in Jamaica Plain, Massachusetts, as the ''Lance Corporal Alexander Scott Arredondo, United States Marine Corps Post Office Building''. | H.R. | 5877 | July 27, 2010 | OGR | HS&GA | | | ..... | ..... | Nov. 29, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 365 |
| To amend the Internal Revenue Code of 1986 to authorize the tax court to appoint employees. | H.R. | 5901 | July 28, 2010 | WM Bud | | | ..... | ..... | ..... | July 30, 2010 | Dec. 17, 2010 | Jan. 4, 2011 | 366 |
| To designate the facility of the United States Postal Service located at 5003 Westfields Boulevard in Centreville, Virginia, as the ''Colonel George Juskalian Post Office Building''. | H.R. | 6392 | Sept. 29, 2010 | OGR | | | ..... | ..... | ..... | Nov. 29, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 367 |
| To designate the facility of the United States Postal Service located at 111 North 6th Street in St. Louis, Missouri, as the ''Earl Wilson, Jr. Post Office''. | H.R. | 6400 | Nov. 15, 2010 | OGR | HS&GA | | | ..... | ..... | Dec. 7, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 368 |
| To amend title 28, United States Code, to require the Attorney General to share criminal records with State sentencing commissions, and for other purposes. | H.R. | 6412 | Nov. 16, 2010 | Jud | Jud | | | ..... | ..... | Dec. 9, 2010 | Dec. 20, 2010 | Jan. 4, 2011 | 369 |
| To direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes. | H.R. | 6510 | Dec. 9, 2010 | TI | EPW | | | ..... | ..... | Dec. 14, 2010 | Dec. 18, 2010 | Jan. 4, 2011 | 370 |
| To implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, and for other purposes. | H.R. | 6533 | Dec. 16, 2010 | EC | | | ..... | ..... | ..... | Dec. 17, 2010 | Dec. 18, 2010 | Jan. 4, 2011 | 371 |

| Title | Bill No. | Date introduced | Committee | | Date Reported | | Report No. | | Date of passage | | Public Law | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | House | Senate | House | Senate | House 111– | Senate 111– | House | Senate | Date approved | No. 111– |
| To amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes. | S. 118 | Jan. 6, 2009 | | BHUA | ..... | Nov. 30, 2010 | ..... | 0 | Dec. 21, 2010 | Dec. 18, 2010 | Jan. 4, 2011 | 372 |
| To direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation. | S. 841 | Apr. 21, 2009 | EC TI | CST | | | ..... | ..... | Dec. 16, 2010 | Dec. 9, 2010 | Jan. 4, 2011 | 373 |
| To amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities. | S. 1481 | July 21, 2009 | | BHUA | ..... | Dec. 14, 2010 | ..... | 0 | Dec. 21, 2010 | Dec. 17, 2010 | Jan. 4, 2011 | 374 |
| To establish the National Alzheimer's Project. | S. 3036 | Feb. 24, 2010 | | HEL&P | ..... | Dec. 6, 2010 | ..... | 0 | Dec. 15, 2010 | Dec. 8, 2010 | Jan. 4, 2011 | 375 |
| To require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes. | S. 3243 | Apr. 21, 2010 | HS | HS&GA | | Sept. 27, 2010 | ..... | 338 | Dec. 21, 2010 | Sept. 28, 2010 | Jan. 4, 2011 | 376 |
| To amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes. | S. 3447 | May 27, 2010 | VA AS-H Bud | VA | | Oct. 26, 2010 | ..... | 346 | Dec. 16, 2010 | Dec. 13, 2010 | Jan. 4, 2011 | 377 |
| To amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution. | S. 3481 | June 10, 2010 | | EPW | ..... | Dec. 17, 2010 | ..... | 0 | Dec. 22, 2010 | Dec. 21, 2010 | Jan. 4, 2011 | 378 |
| To designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the "First Lieutenant Robert Wilson Collins Post Office Building". | S. 3592 | July 15, 2010 | | HS&GA | ..... | | ..... | ..... | Dec. 21, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 379 |
| To amend the Safe Drinking Water Act to reduce lead in drinking water. | S. 3874 | Sept. 29, 2010 | | EPW | ..... | Dec. 16, 2010 | ..... | 0 | Dec. 17, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 380 |
| To authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo. | S. 3903 | Sept. 29, 2010 | | IA | ..... | Dec. 16, 2010 | ..... | 371 | Dec. 22, 2010 | Dec. 21, 2010 | Jan. 4, 2011 | 381 |
| To clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury. | S. 4036 | Dec. 16, 2010 | FS | | | ..... | ..... | ..... | Dec. 22, 2010 | Dec. 16, 2010 | Jan. 4, 2011 | 382 |
| To authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes. | H.R. 6523 | Dec. 15, 2010 | AS-H Bud | | | ..... | ..... | ..... | Dec. 17, 2010 | Dec. 22, 2010 | Jan. 7, 2011 | 383 |

TABLE OF COMMITTEE ABBREVIATIONS

AG .....Aging
Agr .....Agriculture
ANF .....Agriculture, Nutrition, and Forestry
App .....Appropriations
AS-H .....Armed Services (House)
AS-S .....Armed Services (Senate)
BHUA ....Banking, Housing, and Urban Affairs
Bud .....Budget
CST .....Commerce, Science, and Transportation
E&L .....Education and Labor
EC .....Energy and Commerce
EIGW .....Energy Independence and Global Warming
ENR .....Energy and Natural Resources
EPW .....Environment and Public Works
ETH .....Ethics
Fin .....Finance
FS .....Financial Services
FA .....Foreign Affairs
FR .....Foreign Relations
HEL&P ..Health, Education, Labor and Pensions
HS .....Homeland Security
HS&GA ..Homeland Security and Governmental Affairs
HA .....House Administration
IA .....Indian Affairs
Int .....Intelligence
Jud .....Judiciary
NR .....Natural Resources
OGR .....Oversight and Government Reform
R .....Rules
RAdm ....Rules and Administration
Sci .....Science and Technology
SB .....Small Business
SBE .....Small Business and Entrepreneurship
SOC .....Standards of Official Conduct
TI .....Transportation and Infrastructure
VA .....Veterans' Affairs
WM .....Ways and Means

NOTE. –The bill in parentheses is a companion measure.

*Next Meeting of the* SENATE

9:30 a.m., Wednesday, March 30

Senate Chamber

**Program for Wednesday:** After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of S. 493, SBIR/STTR Reauthorization Act.

*Next Meeting of the* HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, March 30

House Chamber

**Program for Wednesday:** Consideration of H.R. 872—Reducing Regulatory Burdens Act of 2011 and H.R. 471—Scholarships for Opportunity and Results Act (Subject to a Rule).

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