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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 8, 2011.

I hereby appoint the Honorable CORY GARDNER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MESSAGE FROM THE SENATE

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

H.R. 658. An act to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. WILSON) for 5 minutes.

Mr. WILSON of South Carolina. Mr. Speaker, our Nation is standing at a crossroads. The government can continue to mortgage America's future by reckless borrowing, which is a threat to the young people of our country, it's a threat to our senior citizens, or we can limit the growth of government. We are facing a government shutdown today, as liberals are driving our Nation to a permanent economic shutdown. Dr. Skeet Burris is correct.

Yesterday, the House passed a bill funding the troops and military families for the rest of the year. Senate Democrats have yet another opportunity to pass a budget. They have had 48 days to act but have refused. Yesterday, liberals laughed and mocked Republican Leader ERIC CANTOR when he warned of bankruptcy, but ERIC was standing up for freedom in the best Virginia tradition.

We face a shutdown today because the liberal majority in the House last year failed to pass a budget. The new Republican majority did pass a budget 48 days ago, but the liberal majority in the Senate failed to act. Citizens should call liberals and demand they pass a budget today.

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

MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. CICILLINE) for 5 minutes.

Mr. CICILLINE. Mr. Speaker, I rise today in defense of our Nation's seniors, who are currently under attack. And the worst part about it is many of them are just waking up this morning to the nightmare that faces them. And why is that? Because the Republican budget proposal released this week is literally balanced on the fragile backs of our Nation's seniors. That's right. It ends Medicare as we know it. That's the simple truth. It no longer honors our commitment and our promise to our Nation's seniors.

As Americans now know, we are in the midst of a serious budget battle, and the Republicans are even threatening to shut down government. And there are real differences between our approach to the budget and the Republican budget released earlier this week. The Republican budget replaces Medicare with a voucher system. Seniors will have to use this voucher to buy insurance from private insurance companies.

Under the Republican plan, Medicare as we know it will end. And in the same budget proposal, the Republicans give away tens of billions of dollars in subsidies to big oil companies. And under their plan, they will slash support for seniors in nursing homes, while giving away tax breaks to companies that ship our jobs overseas.

And what else? America's seniors, more than 150,000 in my home State of Rhode Island, will literally be paying more for their health care and getting less in order to provide additional tax breaks to the wealthiest Americans, also reflected in this Republican budget.

To make matters worse, the Republican plan does not reduce the deficit. The nonpartisan Congressional Budget Office determined that this budget actually adds $8 trillion to the national debt over the next decade because its cuts in spending are far outpaced by the gigantic tax cuts for the richest Americans.

Our seniors cannot afford this Republican budget. It would deny them health care, long-term care, and the benefits they've earned and deserve.

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The Republicans' choice to privatize Medicare, turning more power over to the insurance companies, will result in reduced coverage and exposure to greater financial risks for our seniors.

The Congressional Budget Office determined that under the Republican budget seniors' out-of-pocket expenses for health care would more than double, and could almost triple. To put that into context, the Congressional Budget Office found out that by 2030 seniors would pay 68 percent of premiums and out-of-pocket costs under the Republican plan, compared to only 25 percent under current law. And it found that the Republican plan means seniors will pay more for their prescription drugs because it reestablishes the doughnut hole.

Even Alice Rivlin, the former Office of Management and Budget Director under President Clinton, who worked with the Republican architect of this budget on a deficit reduction proposal, said she could not support his Medicare proposal because it eliminated the traditional Medicare choice and lowered the rate of growth beyond what's defensible.

And the conservative Wall Street Journal concluded earlier this week, quote: The plan would essentially end Medicare, which now pays for 48 million elderly and disabled Americans, as a program that directly pays those bills.

Under the guise of deficit reduction, Republicans are recklessly attacking the vital supports for our seniors.

We all agree that we have to address the deficit. The issue is not whether we reduce the deficit but how we do it. We can't cut what helps us create jobs, innovate for the future, and remain competitive in the global marketplace. And we cannot balance this budget on the backs of our Nation's seniors.

The Federal budget is about more than dollars and cents. It's a statement of our values and priorities as a nation. Republicans in this budget have set the wrong priorities. They would rather cut benefits to seniors than cut subsidies to Big Oil or corporations that ship our jobs overseas. The Republican budget breaks the promise we made to our seniors to protect them in their golden years.

I say to my colleagues on the other side of the aisle: If we can't protect our Greatest Generation, I ask you, what's next?

END THE POLITICAL GAMES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, on a daily basis I listen to the people of my district, and they tell me they don't want games and they don't want the buck passed. They're sick of the status quo here in Washington. And my constituents are sick of the big spending, the big government, and the political games. They're sick of Washington doing what's easy.

Well, we're here today because last year it was easier for the Democrats in Congress to not do their job and not pass a budget. Isn't that a shame? And we're here because HARRY REID and the Senate Democrats want to play political games and defend big spending.

Yesterday, we passed a bill to protect our troops in the event that HARRY REID shuts down the government, and the President then said that he would veto this bill. HARRY REID and the President are playing games with our troops as well.

Now the House is leading, and we passed four bills to keep the government open and cut spending. And we are going to be here until we get our fiscal house in order.

I stand here today, 9 days after I first joined my colleagues outside of the Capitol demanding that HARRY REID act like a leader, and I said it then and I will say it now: HARRY REID, get your act together. Let's put this country on the right track and move forward.

STOP THE CHILDISH GAMES; KEEP THE GOVERNMENT RUNNING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, 14 hours from now it appears the doors of the Federal Government will shut. And it will happen for one reason and one reason alone—because of the Republican majority's inflexibility, callousness, and political gamesmanship.

For 3 months, they have been in charge of the people's House, but they haven't done one thing that the people want.

□ 1010

They haven't lifted a finger to create the jobs Americans so desperately need. One Republican Member, in fact, said on the House floor last week that we should stop talking about the jobs. Stop talking about the jobs? They don't want to talk about jobs because they don't have a plan to create any. They've offered nothing but deep, painful, unnecessary job-killing spending cuts, and they have refused to budge an inch.

I want to cut government spending, Mr. Speaker. But I don't want to take the money from children who need early childhood education. I don't want to take the money from families that need help paying for colleges. And I don't want to take the money from seniors who need medical care.

I want to cut the gobs and gobs of money, nearly $7 billion every single month, we're spending to occupy a foreign nation and have our servicemen killed and maimed by insurgents.

You want to eliminate wasteful government spending? I say the war in Afghanistan could be number one on our list. Ten years after we started sending our troops there we continue to be stuck in a hopeless quagmire that doesn't doing anything to eliminate the terrorist threat or accomplish our national security goals.

But, of course, the Republican leadership won't consider cutting more spending. Instead they want to go after middle class working families who need a government that's on their side, particularly now because of how dire the economy has become.

I hope my Republican colleagues will give up this childish refusal to compromise. The American people deserve better than to have their government held hostage by an extreme ideological agenda.

Let's keep the doors of the Federal Government open. And as we look to next year's budget, instead of making seniors and schoolchildren bear the sacrifice, and instead of dismantling Medicare and cutting education, instead of threatening women's health, why don't we restore fiscal sanity by finally bringing our troops home.

AVOIDING A GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. WOMACK) for 5 minutes.

Mr. WOMACK. Mr. Speaker, I rise today to add my voice to those calling for agreement on funding the government for the remainder of this year and avoiding the consequences of a government shutdown. I don't want the government to shut down. Our conference does not want the government to shut down. No one I've talked with wants the government to shut down. And talk of such a shutdown is weighing heavily on consumer confidence in an already fragile economy, not to mention its confidence in this body. We can do better. We should do better. We must do better.

Yesterday on this floor we took yet another action that keeps our government afloat and guarantees that, in the event of a shutdown, troops and their families get paid. That's the least we can do.

And Mr. Speaker, yesterday I sat in a hearing with the CEO of Amtrak. During the hearing it was suggested by a colleague that the carrier examine the feasibility of shutting down routes that are loosing, hemorrhaging money. The answer he received was that because of legal agreements mandating payments on labor and benefits and other guarantees, it would still cost them billions.

I find it incredible that we have these federally subsidized guarantees in place, but we can't guarantee the same for those men and women downrange willing to take a bullet for their country. Shame on us.

Jobs continue to be our highest priority, and it should surprise no one that fundamental to this objective is dealing with a balance sheet full of red ink. It's fundamental to business, it's fundamental to households, and it's fundamental to government. No reputable organization behaves financially the way this government behaves.

The message from the electorate is simple: Live within your means.

The reason we're facing a potential government shutdown is simple: No budget for 2011. And Democrats don't see our spending issues with the same degree of urgency as we do.

I said it just a few days ago on this same floor, and it's worth repeating. We have kicked this can down the road so long, so often and so far, that America and this Congress has a chronic case of turf toe.

Message to America: If you want to remove uncertainty and create jobs, fix the balance sheet. Cut spending. It's as simple as that.

This Republican-led House has done its job. We've attempted time and time again to fund government in a responsible way, prevent a government shutdown, and restore fiscal integrity. I join my colleagues in urging the Senate to act and to act now so that we can turn our attention to the far more important and substantive work that lies ahead.

MASSIVE PROPOSED BUDGET CUTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, yesterday on the floor of the House, STENY HOYER, Minority Whip, offered the Republicans the time, by unanimous consent, to work out the details in terms of getting the numbers right because, regardless of the pontification, it's very clear that urgent negotiations have gone forward, and the difference between the two parties is very small. This could be worked out in a day or two.

But this offer was rejected because our Republican friends are no longer interested in the money. It's about the ideological agenda, the riders, the change to policy for EPA, or dictating their ideology on the people in the District of Columbia, for instance.

It is also about a much larger agenda going forward. I spent most of Wednesday listening to the Republican budget road map that is on its way to the floor of the House. It is so extreme that before the election, when my good friend, PAUL RYAN, unveiled it, very few Republicans would sign on. They knew that in the heat of an election, if people knew what Republicans had in store, they wouldn't get elected. So they were counseled, stay away.

Well, it's unveiled now. The election is held and this agenda is back with a vengeance.

I invite any American to look at independent appraisals of what's in it. There is nothing new or reforming about vouchers for health insurance companies or block granting Medicare to the States. Under this proposal, total health care costs are going to go up. But the cost to the government of the voucher is going to go down. And 230 million Americans, 55 and under, are going to pick up the tab.

Oh, and yes, they're going to keep, for 80 million Americans, Medicare that's going to be limping on in its current form. In 2050 there will be 8 million people still covered.

There are massive cuts, but not for defense. That's more or less off limits. There's talk of reform, but in the area of reform where I have worked with PAUL RYAN for years, agriculture, no. We're going to leave that until reauthorization takes place.

Health care for the poor is on the chopping block. They are going to block grant aid to the States so that it can be reduced over time. Bear in mind that the cost per person for Medicaid is the lowest in this country, at a time when private health insurance premiums have doubled in the last 10 years, and overall private health care spending has gone up faster than government health care spending.

Now, in these troubled times, we should be looking at reform. In the Health Care Reform Act passed last session, we have an opportunity to actually change those health care cost curves. Every significant advance to restrain accelerated health care costs are embedded in that legislation. But rather than accelerating it, our friends want to delay it.

I strongly urge the American public to take the time to look at what's in this proposal because that's what's coming down the line, and not be distracted by the shutdown that Republicans are insisting upon.

□ 1020

GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Arkansas (Mr. CRAWFORD) for 5 minutes.

Mr. CRAWFORD. Mr. Speaker, I want to add my voice to the growing number of Members not only here in this body but also in the Senate that are calling on Senator REID to take action.

Last week, on Wednesday, 30 freshmen and myself wrote a letter imploring Senator REID to pass a long-term continuing resolution so that we could address the bigger issue of our fiscal year 12 budget. We said simply: We the undersigned call on you and the Senate to pass a long-term continuing resolution, a resolution that hears the calls of the American people and makes reasonable, responsible spending cuts. We have received nothing from the Senate except denials of the dire straits of our Nation's fiscal health.

Mr. REID, we are letting you know that we will rally on the Senate steps every day until you pass a long-term continuing resolution.

And that's exactly what we've done every day for the past week. In fact, today will be the 8th day, in just a few minutes, that we step over to the Senate steps and call on him once again to be a leader.

On Wednesday of this week, we sent another letter asking Senator REID, if he wasn't willing to lead, to step down and allow someone in who would lead. Ninety Members signed that, and we were joined by Members of the Senate in that call asking Mr. REID, simply: Your lack of action and absence of leadership is irresponsible.

Let's take a look at the costs that we face as we are literally hours away from a government shutdown. We spend $69 billion a week in spending, of which $27 billion is borrowed. We are asking for $61 billion in cuts—2 percent. Any small business that I know of in this economy, if you ask them can you cut 5 percent out of your budget and the other option is closing the doors, what do you think they're going to do? They're going to find the 5 percent and stay open, keep the doors open and stay in business. That's all we're asking at this point, a small down payment for the bigger picture that's coming up in fiscal year 2012.

Not to mention our troops. I got a call this morning from a young sergeant with four children, serving in a National Guard unit in my district that's being deployed in just weeks. And he said, Congressman CRAWFORD, we are frustrated. We're angry. We're upset. What's going to happen to my family as I go to Afghanistan and they rely on my paycheck? And yet the Senate says, no, we're not interested in funding the troops for the balance of this year.

Yesterday, this body took responsible action in funding the troops for the balance of this year and funding our government for another week until we could address the bigger picture, the balance of fiscal year 2011. It is time for Senator REID to lead, as his title suggests. We passed a bill to fund the government. We're asking for leadership on the Senate side.

Mr. REID, please pass a bill.

THE REPUBLICAN ROAD TO RUIN BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. TONKO) for 5 minutes.

Mr. TONKO. Mr. Speaker, the Republican road-to-ruin budget, if enacted, will end Medicare. It will end the program that 46 million seniors and disabled individuals depend upon for their health care. This gross injustice is made immeasurably more egregious and offensive by the fact that this is being done not to balance the budget, but to expand and permanently guarantee even bigger tax cuts for millionaires and billionaires and to give new tax breaks to some of the world's most profitable companies.

Rather than the path to prosperity, this budget is more like the road-to-riches, a road paved in gold with lavish handouts for special interests, paid for and built with dollars from senior citizens who will see their hard-earned

benefits rationed more and more with every passing year.

I have heard a lot of talk in the last few months about the need to make tough choices in this budget. Well, the average senior on Medicare earns just over $19,000 a year. About one-quarter of Medicare beneficiaries suffer from a cognitive or mental impairment, and many have at least one or more chronic medical conditions. I ask my Republican colleagues, what exactly is it about stripping these Americans bare of their health and economic security that qualifies as tough? There is nothing tough about stealing from the poor, the weak and the frail to give to the rich.

Our seniors, on the other hand, know all about tough choices. Do I buy groceries or do I buy prescriptions? Do I pay rent or do I pay medical bills? It hurts, but how much will it cost? These are tough choices. These are life-and-death choices.

With the passage of Medicare in 1965, we entered into a covenant with every American citizen. This budget breaks that promise and brings us back to square one. The Republican voucher plan ends Medicare. Instead, seniors will be on their own, with a measly voucher and forced to buy insurance in the private market, where all decisions will be profit-driven. More profits for insurance companies on the backs of seniors—sounds like a Republican plan to me.

This new voucher program amounts to a ration card, and the value of the voucher is not linked to increases in health care costs in the private market. Yet the costs of private health insurance have risen over 5,000 percent since the creation of Medicare—5,000 percent.

The analysis of the nonpartisan Congressional Budget Office has estimated that in less than 20 years, the vouchers under the Republican road-to-ruin budget would pay just 32 cents on every dollar that a senior spends on health care.

Now, the Republicans have repeatedly stated that their budget gives seniors the same coverage as Members of Congress. Well, as a Member of Congress myself, I know that our health plans pay for about 72 cents on every dollar of our health coverage, not 32 cents on the dollar.

According to CBO, the voucher program will provide a ration of $8,000 to seniors every year to purchase their health care from private insurance companies. Yet the private insurance premium charged by Blue Cross in 2010 for a Member of Congress was well over $9,000. Does anyone honestly believe that sick senior citizens and people with permanent disabilities will be able to find coverage from private insurance for $8,000 when they are now charging over $9,000 to Members of Congress?

According to The Wall Street Journal, the average cost of health care for seniors over 65 in 2009 was $11,743. If an insurance company were to take on $11,743 of risk for $8,000, they would be out of business in short order. But Republicans don't believe their insurance company buddies will actually offer coverage for $8,000 or even for $11,743 just to break even. They know that seniors will have to go into their pockets for thousands of dollars as this plan hands Medicare over to the private insurance companies to make even more profits. In fact, CBO found that seniors will have to pay more than twice as much out of pocket as they do today.

This budget takes trillions from seniors and rations their care, and where does it shift the savings? Well, if you guessed permanent tax cuts for millionaires and a new tax break for corporations making billions, you guessed right. After more than a year of hurling lies and demagoguery about death panels and rationing care, Republicans on the panel before us have demanded that we restrict seniors to a health care ration card and ensure that those who cannot afford coverage on their own will be left to suffer or die. Well, therein is the real death penalty they once talked about. They pay lip service to Americans' responsibility to share the burden and instead steal from those who cannot afford an expensive lobbyist and give to millionaires and billionaires and companies that can afford much, much more.

I'm not speaking of playing politics. America knows that our budget is a statement of priorities and values, not purely dollars and cents. America's families set priorities with their own budget each and every day. And I respectfully and honestly disagree with the values and priorities that the Republicans have established in their road-to-ruin budget. Let's not end Medicare.

I'VE HEARD THAT SONG BEFORE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. McCOTTER) for 5 minutes.

Mr. McCOTTER. Ah, the new civility.

I would like to start, Mr. Speaker, by thanking my Democratic colleagues this morning for disabusing me of an affliction. When I woke up, I found that I had a hankering to listen to Led Zeppelin, and I couldn't figure out why. This has happened before, usually when I leave the TV on at night and they run one of those Rolling Stones '70s buy it now before it's more expensive or in the dustbin ads. So I was walking over here and I'm thinking, wow, is it because there's been a communication breakdown between the parties? It's possible. It's possible. I said, Is it because one of the nice Senators is wearing a cashmere sweater? It's possible. But, no, I was sitting here today when I realized why I wanted to listen to the melodious strains of Page, Plant, Jones, and John Bonham. It's because for the Democratic Party, the song remains the same.

Once again, seniors and children wake to the hysterical, frightening visage of specters of gloom and doom—Democrats. Once again, we are regaled with the Democrats' entitlement reform plan. It is called do nothing, spend everything, go bankrupt, benefits bye-bye.

We continue to see a party that does not understand you cannot lift an economy when it is crushed beneath the weight of Big Government. We continue to see a party ideologically zealous in spending your tax dollars on Planned Parenthood to the point where they would shut down the Federal Government to do it. And we continue to hear the fundamental crux of the issue of a potential government shutdown. The Democratic Party will shut down the government so they can spend more of your money. The Republican Party is committed to keeping the government open and spending less of your money.

In fairness, it is not just Led Zeppelin they remind me of, because the reason we stand here today on the precipice of a government shutdown is because they did not do their work when they had total control of the United States Congress last year. They could not even pass a budget, let alone finish these appropriations which we are still dealing with well into April, let alone lay out a coherent strategy to do so when the parties changed power in this House.

□ 1030

The song remains the same, but the American people recognize the song and dance. They will not be fooled. They know that the major change that we see before us today in the fight over government spending is a very simple one, and a very simple choice. It is the difference between bankruptcy and solvency; and the Republican Party stands for solvency and for liberty.

IMPACT OF GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. BACA) for 5 minutes.

Mr. BACA. Mr. Speaker, we find ourselves less than 24 hours away from abandoning our veterans—I state, from abandoning our veterans, our seniors, and our active duty military personnel. Why? You ask yourself, Why? Because Republicans refuse to budge from a fiscal plan that will cost our Nation 700,000 jobs and the anti-government tea party is dead set on shutting government.

In my district in California's Inland Empire, we face a 14 percent unemployment rate. My constituents need jobs. Our priorities now should be about creating jobs, not about shutting government. We all know the devastation of the consequences of a shutdown. Eligible seniors and disabled Americans would be unable to apply for Medicare and Medicaid benefits. Can you imagine someone that needs medical assistance and they can't get it, the impact

it will have on their life, the impact it will have on their behavior and on their families?

Veterans' service benefits would be delayed. Pay for our troops and their families would be delayed. And on the other side, you hear a lot of rhetoric about our troops and that we should pass this budget. But they don't talk about, they are not willing to cut any of the rich, or the millionaires and the billionaires. They want to protect the rich. They want to protect the oil companies. They want to protect the outsourcing of companies that go outside, but aren't willing to make the cuts that are necessary. I think everybody has got to have cuts.

It will also impact our Social Security claims that would go unprocessed. Federal vendors and contractors, their employees would go unpaid. Government housing assistance would be halted, and millions of tax refunds would go unsent.

In my home of San Bernardino County, a shutdown would mean no paychecks for 22,000 Federal employees and retirees. Think about the economic damage this loss of revenue would cause.

But instead of working on a compromise, I say instead of working on a compromise, because it takes two leaders and it takes other individuals, and HARRY REID is doing what is necessary in leading, it's the other side that has to compromise as well. It's not a one-sided team; it's a two-sided team. And when the chemistry is good on both sides, we should be able to come up with a compromise that is good for our Nation and our country.

But instead, Republicans have introduced a long-term budget that devastates our seniors and ends Medicare as we know it. The budget shouldn't be about flexing our political muscle. It should be about doing what is right for the American people, and this Republican budget makes all of the wrong choices.

The GOP plan increases suffering, I state, suffering for our seniors and young people while protecting tax breaks for the wealthy, while protecting tax breaks for the wealthy. The Republican budget eliminates guaranteed coverage for our seniors under Medicare which currently serves 48 million elderly Americans. It slashes Medicaid for seniors in nursing homes and Americans with disabilities. It increases college education costs for 10 million middle class students. And we need to invest in education. They are our future. If we don't invest in our students and their education, they cannot provide for us. We need to invest in them, not cut them. And, of course, it gives tax breaks to the big oil companies and companies that ship jobs overseas.

Seniors in my district live on a fixed income. Can you imagine living on a fixed income of $1,900 a month or whatever income you have? It is very difficult to make your mortgage payments, put food on the table, and know how you are going to get by the next day. Or if you have any other emergencies.

We are a country; we are America. We are the greatest country in the world, and we should provide for every American that is here, regardless of who they are or where they come from. They can't afford to pay more health care or see cuts in Social Security benefits. We all agree, and it has been stated, we all agree that we must get our deficit under control.

But remember, Republicans had 12 years to do this and went out of control in their spending and didn't do anything when they had control.

CONTROLLING WASHINGTON SPENDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. BUCSHON) for 5 minutes.

Mr. BUCSHON. Mr. Speaker, I rise today to remind the American people why we're here. We're here today because of the failure of the 111th Congress to pass a budget for the first time in decades. You might think that for one party that controlled the White House and both Chambers of Congress, this would be a relatively easy thing to do, but you have to try. In an effort to protect a few powerful committee chairmen and other incumbents in their own party, they made a political decision not to pass a budget because it had a $1.5 trillion deficit attached to it. You can't run and you can't hide from the American people.

Now, even after the people have spoken in November, they are continuing to protect the status quo, protecting out-of-control Washington spending, and offering no solutions of their own other than raising everyone's taxes and demagoging anyone who puts forward a plan. Again, I would like to see their plan.

I began running to represent Indiana's Eighth Congressional District in October of 2009, an endeavor I had never undertaken before. I was a practicing physician, cardiothoracic surgeon. I decided to seek public office because of our government's inability to control spending. Let's remind everyone where the status quo has led us. It has led us to historic unemployment and a mounting debt that is mortgaging the future of our children and grandchildren.

But yesterday, our counterparts in the Senate and the White House showed different intentions. I can't stand before you today in good conscience not advocating for the men and women who have volunteered to wear the uniform of our great Nation. A notion that a bill to fund the troops for the remainder of the fiscal year is being threatened by a veto is preposterous.

This challenge to fix our government's spending habits is above politics and talking points. While I stand here today in the people's House, individuals are playing petty politics while we offered a solution yesterday that pays our troops and avoids a government shutdown.

We passed H.R. 1 with a modest $61 billion down payment on controlling Washington spending, and we have been criticized in the face of a $1.5 trillion deficit. I implore the Senate and the White House to join with us here in the House and act to significantly reduce spending and avoid a government shutdown.

And I offer one last observation since I am new to Congress, a continuing frustration that I am finding here in Washington, D.C., and that is I am amazed by the resistance of some in Congress to tackling this problem, especially the fact that some continue to find excuses why we can't even consolidate programs and downsize government and make things more efficient here in Washington, D.C. at the very least. But I found this at a committee hearing the other day when the Democrats continued to make excuses after a Government Accountability Office report showed the excesses that we have here in Washington, D.C.

□ 1040

This is a serious issue we face together as a Nation. I began this conversation when I began running for Congress almost 2 years ago, and it's a conversation I continue to have with my constituents. This is an adult conversation about facts and our future.

Until we come to a solution that will put hardworking Americans and Hoosiers back to work and our government begins to act in a responsible manner when it comes to our Nation's fiscal issues, I will continue to have this conversation with my constituents and with the American people.

A GOVERNMENT SHUTDOWN IS NOT ABOUT MONEY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. MCDERMOTT) for 5 minutes.

Mr. MCDERMOTT. Mr. Speaker pro tempore, there's a joke going around in Congress: the difference between a Boy Scout troop and the House of Representatives is that a Boy Scout troop has adult leadership.

Now, I predicted a shutdown of this place more than a month ago, not because I'm some kind of prophet but because I saw the movie of the Gingrich shutdown in 1996. The same elements are here today that were there then. I don't want a shutdown. I know what it does. I think it's silly and stupid and hard on the American people and a lot of people are going to suffer, but the elements are there.

First of all, a number of Members came in new, a lot of them, who were absolutely sure that they knew what was right. Secondly, they had no experience in governing. They didn't understand compromise. ''Compromise'' was

a dirty word. It meant you give up your principles.

If you operate on that principle, you can never negotiate a settlement in anything. What they don't understand is that there is a time when you take what you can get and come back tomorrow.

Everybody who has been here for more than one term knows that nobody gets 100 percent of what they want. I have been here in this place for 23 years, and I have gotten 60 percent and I figure I'm a big winner. Now, you come back the next year for the rest. We're doing that on the health care bill. We're doing that on a whole lot of things. You do not get it all now by saying, It's my way or the highway. No, every battle is not to the death.

The only hope I had for us was that our leadership on the Republican side had been here in 1996. They saw what happened. And 2 years later the Republicans lost seats, 2 years after that they lost seats, and the Speaker, Gingrich, was gone, he's history, on the basis of coming in here and saying, My way or the highway.

Now, if you think this is the big battle, let me give you the real facts:

In 5 weeks we're going to come to the debt limit. If you think people who believe that their way is the right way are going to fight over what's going on right now, what is it going to be like when we get to the debt limit, or by September when we get to the next budget resolution? We could have three shutdowns this year with no problem at all if the leadership on the other side allows their Members to drive them into this craziness. They have to stand up and tell them, Look, guys, there is a tomorrow; all right? We're hurting people and they're going to remember. People are not going to forget what happens here. They didn't forget in 1998, and they didn't forget in 2000. They kept whacking away at the people who were in charge.

Now, what's it all about here? It's not about money. H.R. 1 was $101 billion. Okay. The President has come all the way to $71 billion or $73 billion. That's more than halfway. The Republicans won that issue. Take it. Take it.

No, no, they say, but we have to change social policy.

This is really about social policy. It's not about winning or cutting down the deficit or any of that stuff. It is just as it was in Wisconsin. It was not about the deficit in Wisconsin; it was about breaking unions. The judge said that. That's why he threw the law out, because, he said, you're taking away people's rights in unions; you're not here worrying about the deficit in Wisconsin.

Well, here the issue was NPR. Now, if we took NPR off the radio tomorrow morning, do you think the deficit would be one bit affected? Of course not. If we got rid of the EPA, would there be some effect on the deficit? No. In fact, the Senate, they took the EPA repeal off the table. They said, Look, rich people breathe the air; rich people drink the same water as everybody else in the country. That's a stupid public policy change. So we're not going to take that one.

What was left? Family planning, abortion, poor women. Now, there's a bunch that can't fight back. Let's go get 'em. Let's hold out and we will finally get the poor women in this country.

That's what this is about. It is not about balancing the budget. It is not about anything else except getting poor people.

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

IT'S TIME TO STOP THE SPENDING INSANITY IN WASHINGTON

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Speaker, every evening across this great land, after homework is finished and the supper dishes are cleared and the children are put to bed, Mom and Dad sit down at the kitchen table, they sharpen their pencils, and they take out a pad of paper, and they struggle to make ends meet.

Whether their budgeting technique is different than the house next door, they know, without a doubt, that they cannot have their monthly bills exceed their monthly take-home pay. If the bills are higher than the monthly pay, they have to make changes.

So bill by bill they discuss what they have to pay. They discuss things like the power bill and the rent and the mortgage, the car loan, the credit card payments. Mom and Dad cut out the things that they can do without. Maybe it's the golf membership for Dad. Maybe it's the weekly pedicure for Mom. Whatever it is, they know they have to make tough and real decisions.

It's time to stop the spending insanity here in Washington, D.C.

America, your Nation is broke. We cannot continue to borrow 42 cents of every dollar we spend. We cannot continue to spend a trillion dollars more each year than we're bringing in; and we definitely cannot do that year after year, raking up over $14 trillion in debt that our children must one day pay.

And your Congress is struggling with cutting a paltry $61 billion from a $3.8 trillion spending plan. It's like we're arguing over what station the radio is on while the car is going off the cliff.

In the American kitchen, Dad looks at Mom at this point, and he says, Honey, something's got to change.

Your House of Representatives, folks, they've passed a spending plan. The Senate has failed to act. They haven't even come across with even their best-case-scenario spending plan. Even if it's the status quo of spending a trillion and a half dollars more than we are bringing in this year, they haven't brought anything across the aisle. So how do you negotiate if one body has brought their best plan and the other body hasn't done anything?

Yesterday, I was proud to vote to provide military pay for the guys and gals across this great land that are standing on the wall defending the liberties that we have. They deserve to be paid. They don't deserve to stand on that wall and wonder if back home Mom is wondering if the power is going to stay on, if she's going to be able to pay the rent, or if she's going to be able to put food on the table for her children. That's the American way, to take care of the military.

I was no prouder than to stand on the steps of the United States Senate yesterday and implore, encourage, ask, beg the majority leader in the Senate to get to work, to come to the table with a real solution, because I don't want to be with my colleagues many years from now dying in our beds waiting for one chance, hoping for one chance, to trade every day from this day to that for another chance to come back here and do what we should do as Americans, and that's fund our government, get our spending under control, and protect the future for our children.

□ 1050

GOP AGENDA OF MISGUIDED PRIORITIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. PAYNE) for 5 minutes.

Mr. PAYNE. Mr. Speaker, today I rise not to debate the economic crisis. Our national debt recently reached $14 trillion and our deficit continues to rise annually. So we know that we have a crisis, and that is really not the debate here today. However, I want to remind my colleagues that our economic deficit is dependent on our job deficit and our ever-growing education deficit.

While we must work to rein in spending, we must not indiscriminately cut funding in areas like education, health, and employment that will hamper our immediate and future economic growth. As we remain vigilant in cutting the debt and reducing deficits, we must remember that the most powerful driver of both is a growing economy, which includes an increase in revenue.

During this recession, unemployment has impeded economic growth. One of the challenges in addressing unemployment has been the rapid decline in certain occupations and industries and our labor market's inability to meet the demand of new occupations and industries.

More than two-thirds of workers in occupations and industries that are growing have at least some postsecondary education compared to one-third of the workers in occupations and industries that are declining. The demand for a post-secondary education, as well as the increase in baby boomer

retirement, is predicted to result in a shortage of more than 14 million college-educated workers by the year 2020. This is the deficit that should garner our national attention and we should work together on. We can only address this through our continued focus on education, training, employment, and social services, which make up a total of 2 percent of our Federal budget.

To build sustainable economic growth, we must continue our investment in employment and training programs, which have experienced an increase in demand of support for displaced and unemployed workers. We must continue our investment in higher education by maintaining Pell Grant funding, as well as support for programs such as TRIO, which sends the largest amount of low-income students to and through college, which helps the economic prowess of this country. We must continue our investment in title I programs, which are intended to supplement local resources of underserved schools, which bring our economy down.

We must continue our investment in School Improvement Grants, which provide important resources for States to turn around their lowest-performing schools and significantly reduce the high school dropout rate, which causes our country a great deal of deficit.

We must continue our investment in programs that address the 17,000 word gap between low-income 6-year-olds and their more advantaged peers. We must support programs such as Head Start that work to dismantle the cradle-to-prison pipeline and replace it with a cradle-to-career pipeline by providing early childhood education to low-income children. These supports, in tandem, produce a higher number of taxpaying citizens and add growth to our economy. Yet, my colleagues continually try to attack these efforts by cutting these programs.

Further, my colleagues—who made a ''pledge to America'' to develop a plan to create jobs, end economic uncertainty, and make America more competitive—continuously introduce and support measures to undermine this pledge and devastate our economic growth as a Nation.

In March, unemployment fell to 8.8 percent, a 2-year low. Payrolls grew to 216,000 for the month, following 194,000 in February. Private hiring rose by 230,000 people in March, following a 240,000 growth in February. Manufacturing expanded to a 7-year high in March. Incomes and consumer spending increased in February, helping to expand the economy. Yet, ignoring economic facts, the experts, the political reality, and the best interests of the American people, the Republicans continue to embrace an ideological spending plan that would destroy 700,000 jobs and derail the economic recovery just as it is beginning to gain momentum.

The current Republican spending plan would: Give away tax breaks to companies that shift jobs overseas; give away tens of billions of dollars in tax subsidies to Big Oil companies; and make tax cuts for the wealthy permanent, which adds $1 trillion to the deficit.

This plan would kick almost 1 million college students out of the Pell Grant program.

218,000 low income children and families would be removed from the Head Start program.

170,000 families trying to find or retain employment would lose childcare.

2,400 schools serving nearly a million low-income students would lose funding.

Job training programs for those out of work or attaining new skills would be dramatically cut.

Guaranteed coverage for seniors under Medicare would be eliminated.

Cuts will be made to Medicaid for seniors in nursing homes, health care for children and Americans with disabilities.

This spending plan that my colleagues have proposed only highlights the misplaced priorities.

The Republican budget is the wrong choice for the American people: it is unfair; it doesn't create jobs; and it doesn't grow the economy.

This proposal attempts to cut the deficit on the backs of working families, seniors, children, and our middle class. But I contend: We cannot build this country's economy on the backs of the vulnerable.

The public wants Democrats and Republicans to negotiate and compromise. My Democratic colleagues and I are willing to make responsible budget cuts that don't cost jobs, don't hurt the economy and that reduce the deficit responsibly.

Yet, our Republican colleagues continue to waste precious time with draconian spending proposals filled with divisive ''policy riders'' that are unacceptable to the American people.

This is irresponsible. Working families deserve more. Our children deserve more. Our future as a Nation deserves more.

LONE SURVIVOR

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. PEARCE) for 5 minutes.

Mr. PEARCE. Mr. Speaker, this past week, I had the opportunity to read a book called ''Lone Survivor,'' a tale about four Navy SEALs that were inserted into Afghanistan territory, Lieutenant Mike Murphy, Petty Officer Matthew Axelson, Petty Officer Danny Dietz, and Marcus Luttrell. Marcus Luttrell, the lone survivor, writes the book and says, ''If they built a mountain as high as the Empire State Building for Lieutenant Murphy, it would not be high enough.''

These four young men—physical specimens, men of valor, men of courage—were inserted into the dark on top of an Afghanistan mountain. Shortly after arrival, daylight hit. Three goat herders came upon them. They easily subdued them. Then the choice was to kill—if they represented a clear and present danger—or to let them go. One voted to abstain. There was a tie vote between the other two. Finally, Marcus Luttrell voted to let them go. He knew what the consequences would be. Twenty minutes later, the Taliban that they were after, over 100 came rushing over the top of the mountain firing their AK–47s and RPGs.

The four young SEALs moved to the back of the precipice. They were forced back by the fire and finally jumped off the edge of the mountain, 200 to 300 yards, the equivalent of three football fields straight down.

Lieutenant Mike Murphy had already been shot through the stomach. They were facing odds of 35 to 1, at least. They were worried about being tried for murder in this country because of their actions. They fell back off the mountain doing back flips headlong. Enemies swarmed after them. They were pushing through trees, grabbing limbs, trying to stop. Danny Dietz is shot. No SEAL is ever left behind. Mikey, bleeding out of his stomach, and Marcus move into the open and drag Danny back to cover. The enemy keeps closing in.

They are forced back a second time to another precipice and jump off a sheer cliff, the equivalent of four stories, straight down. Danny was shot again in the lower back. It blew out his stomach. He was still firing. Grenades are now pouring in on them. The Taliban reinforcements are coming closer, yards away, 20, 30 away. Danny is shot again. This time he slumps over, drops his rifle. He props himself up miraculously and continues to fire.

They have fallen over 900 feet down the mountain now. They fall back to the edge again and go over the edge. The SEALs had taken a heavy toll. Eighty Taliban are rushing after them, firing. Danny is shot again, this time in the neck. He slumps over. No SEAL is left behind. Marcus Luttrell steps out into the hail of gunfire to rescue him, props him up, and starts pulling him back by the pack. Danny is still firing his weapon.

Again they have to go over the edge. This time, Lieutenant Murphy understands they've got one choice. He casually walks out with his severe wounds into the opening to where he can get his cell phone open and get a call for help. He sits there with thousands of rounds of AK–47 rounds hitting near him. He makes a call and says, sir, taking heavy fire. Need help.

A round hits him in the back, blood spurts out his chest. Marcus Luttrell listens to him saying, ''Yes, sir.'' He drops his rifle, he picks up his cell phone from the ground and says, ''Yes, sir, I'll tell the men, sir.''

Mortally wounded, he sits there, rounds continuing to come in. Lieutenant Mike Murphy falls on the ground and says, ''Marcus, help me. Marcus, help me.'' Axelson, the third soldier to die that day, is dying on the other side. Miraculously, Marcus Luttrell survives.

We made this, yesterday, a discussion that was academic about supporting our troops. We have friends on the other side of the aisle saying it's a

trick. We have the President saying he would veto it immediately. And for us to not give the pay to men and women like this who are putting their life in harm's way causes great shame on this Nation.

□ 1100

TWO AMERICAS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Mr. Speaker, that was great rhetoric but not reality. Thank God when the Architect built this Capitol, he put a top on it that attracts lightning rods; otherwise, who knows what would happen in front of us.

The budget that was put up yesterday talked about defense, but it also had one other element in it. That was restricting the District of Columbia from using funds for low-income women to get family planning or abortions.

If you really wanted to take care of the troops, you would fund a spending proposal that took care of the troops and you wouldn't add a rider to it that you know that no human being who cared about women's choice would vote for. You eliminate a great percentage of your possible supporters. If the troops are number one and number one only, you don't put something on with DC abortion rights on it because that eliminates part of your constituency.

Now, one of the previous speakers talked about this too, the one that was back into Led Zeppelin. I haven't figured that one out yet. But it was something about Planned Parenthood. Why is Planned Parenthood an issue? Because the Republican majority made it an issue. They put in their budget that there will be no funding for Planned Parenthood, a specific organization. Not any organization that does family planning, not any organization that might provide abortions, but Planned Parenthood. And that is a sticking point in the negotiations.

It is wrong to single out a single organization that helps women with their family planning and that does give low-income women opportunities to get tests for HIV/AIDS and for breast cancer and for all other types of women's health issues. The Republicans have made that an issue, and they made it such an issue that they wouldn't have a clean CR proposal yesterday.

Mr. HOYER offered a proposal. He said, Let's just continue the budget for a week at its current spending plans. No cuts, true. They could come later. That was resoundingly rejected because they wanted to go forward with their extreme social policy, and that's what matters to them. They can hide behind what they want.

The fact is there are two America's today. I read about it when I was a young person. Michael Harrington wrote a book decades ago called ''The Other America.'' It was about an America that didn't get the support that it needed—Appalachia, poor people, regular folks that didn't get what they needed and didn't have the opportunity that this country should give everybody. The two Americas are the upper 1 percent that aren't going to be paying more taxes and the other 99 percent that do.

One gentleman said the Democrats want everybody to pay more taxes. No, not everybody; just the millionaires. And they wouldn't go along with that, because the millionaires are the party that control the Republicans. That's what they're about. They won't fund—put a tax proposal on that will tax millionaires because they want the middle class to pay more. Their budget blueprint that's going to come out lowers the overall rate to 25 percent—even more for millionaires.

And the billionaires, they're not watching today, Mr. Speaker, because they've got their lobbyists working for them. They came here in December and they took the estate tax from a million dollar exemption to a $5 million exemption. And they took the rate that really mattered to them from 55 to 35 percent so they can pass that wealth on and continue the differences in America.

Two Americas: The upper 1 percent that the majority party represents, and the other 99 percent that we represent.

Mr. Speaker, let's get abortion out of the debate. Let's protect our troops. Let's keep this government moving.

OUR NATION'S DEBT CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DESJARLAIS) for 3 minutes.

Mr. DESJARLAIS. Mr. Speaker, I find it shameful that Washington has run up trillion dollar deficits for the last 3 years and yet there are those that seek to portray Republicans' modest, commonsense spending cuts as extreme. It is time for government to tighten its belts and balance its budgets just like families do every day across Tennessee's Fourth Congressional District.

I refuse to allow our Nation to continue borrowing money from China for reckless government spending and then send the bill to our children and grandchildren.

Americans deserve the truth. The choices that we make now on spending are not easy, but they are necessary. We cannot continue to spend money that we do not have. My constituents did not send me to Washington to ignore problems nor offer excuses. They did send me here to solve the problems and not kick the can down the road further.

Our Nation is not in debt because Americans are taxed too little. We are in debt because government spends too much. We must address our Nation's debt crisis and spending addiction, and we must do it now.

THE TRUTH ABOUT THE REPUBLICAN BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. JOHNSON) for 3 minutes.

Mr. JOHNSON of Georgia. Mr. Speaker, I rise to stand up for the middle class, the working poor, and the poor of this great Nation. They deserve honesty and a fair shake from their government.

I'm here to tell the American people the honest truth that the Republican budget of fiscal year 2011 would destroy 700,000 jobs and derail our economic recovery. Their plan, H.R. 1, would cut funding for government programs with the precision of a chain saw.

The Republicans are ignoring the fact that the policies of the 111th Congress and of our President saved America from an economic free fall. These same policies have been responsible for the unemployment rate falling to 8.8 percent last month, a 2-year low. I think last month was the 14th straight month of jobs being created as opposed to jobs being cut.

Instead of funding programs that are helping our economy, these Republicans are poised to shut down the government. Today, every Republican in unison speaks about this shutdown in hushed and somber tones so as not to appear to be gloating. But they really don't care about you, the middle class, and they don't care about how a shutdown will affect you. And they all, in unison, cast blame on HARRY REID. He's going to be the whipping boy that we hear on FOX News tonight.

Mr. Speaker, a recent study found that more than 40 percent of House freshmen are millionaires. They have net worths of up to $40 million. And some of these freshmen, who have yet to become millionaires—they're wannabes—but they enjoy a median estimated wealth for these House freshman of $570,000 each. In contrast, according to the U.S. census, the median estimated wealth for the average American is $120,000. It's a big contrast.

Instead of funding problems that are helping our economy, they're poised to shut down the government. Today, for minorities, the median estimated wealth is $27,000. And what the Republicans are doing is trying to get us out of this budget turmoil that we're in on the backs of the middle class and the poor. It's wrong.

□ 1110

POLITICS AS USUAL IN THE MIDST OF CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 3 minutes.

Mr. FITZPATRICK. Mr. Speaker, we have the opportunity today to send a message that this Congress is serious about cutting spending, creating jobs and keeping the government operating. We can and we must do all three. It is

important to note, however, how we arrived at this point.

The last Congress was the first since the modern budget process was instituted that neglected to pass a budget despite the Democrats having complete control of the Federal Government. The inaction of the last Congress certainly did not excuse work on our part in this Congress. Instead, it made our responsibility all the more critical, and Mr. Speaker, this House has met that responsibility.

Through an unprecedented and lengthy debate 2 months ago, the House deliberated and ultimately passed a resolution, cutting $61 billion in Federal spending. In March, the House passed and sent to the Senate two short-term funding bills that cut a total of $10 billion and kept the government functioning. Yesterday, again, this Chamber sent to the Senate a bill to avoid a shutdown and to ensure that our men and women in uniform will be paid through the end of the fiscal year. The response from the Senate has been consistent—deafening silence.

Despite their agreement on the two short-term measures, the Senate has not sent a single bill or a single plan for this year's budget to the House. They have a responsibility to act now, and I call on them to pass H.R. 1363 to continue cutting Federal spending and to keep the government open.

Mr. Speaker, this debate is not merely about passing any budget; it is about passing a responsible one. Budgets, despite their countless line items and technical language, fundamentally reflect our priorities and our values as a nation.

Over the past 3 years, the administration and the previous Congress have added $5 trillion to our national debt, bringing the total to over $14 trillion. Trillions are being spent each year to feed our spending addiction, with nearly 42 cents of every dollar being mortgaged against our children's future. Perhaps the most sobering fact is that, after July 27, every cent the government spends through the rest of the year will be borrowed. This is money that will have to be repaid by our children and grandchildren long after we are gone. We can no longer saddle the next generation with the bill for today's good intentions.

Mr. Speaker, with America now engaged in three conflicts in the Middle East, with seniors worried about Social Security payments and with Federal services in the balance, shutting down the government sends the wrong message at a critical time—but so does continuing the spending binge that has plagued Washington for far too long. Both must be achieved and we must do so now.

Mr. Speaker, this House has acted. Four times we have passed resolutions to keep the government functioning and to cut out-of-control spending. The overwhelming mandate from the American people last November was that the status quo cannot continue, and we have answered. Just yesterday, while the Senate and this administration have stalled and delayed, we again passed a resolution that would have cut spending and would have met our responsibilities without interruption.

This Chamber has acted, Mr. Speaker, and I hope the Senate and the administration will answer the call.

MEDICARE VOUCHER PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Mrs. CAPPS) for 4 minutes.

Mrs. CAPPS. Mr. Speaker, I rise today to express my complete disapproval for the way this House is being run by the Republican majority.

To put it bluntly, the majority is neglecting its duty to address the biggest issues facing this country—creating jobs and implementing a fair and sensible budget that makes investments in our people while bringing down the deficit.

For example, to date, this majority has not brought to the floor a single piece of legislation to help create jobs. Instead, we've seen bill after bill that would actually increase joblessness, including their omnibus spending bill, H.R. 1, which would cut nearly three-quarters of a million American jobs.

While it is clear that we must take aggressive action to bring down the Federal deficit, it shouldn't come at the expense of guaranteeing health care to our seniors. Yet that's exactly the case with the new Republican budget proposal, which uses our deficit as an excuse to achieve their long-held goal of ending Medicare as we know it today.

Medicare has been a very successful program to ensure seniors have guaranteed access to affordable, quality care. It has its problems, to be sure, and they must be addressed, but we should not throw the baby out with the bath water. Before deciding to essentially junk Medicare, as the Republican budget would do, let's go back in time a little.

Before Medicare, seniors were the most likely group to be uninsured. Barely 14 percent of them had health insurance coverage at all. Before Medicare, almost one-third of all seniors were in poverty, and countless others would have been if not for the large sacrifices borne by their families. Before Medicare, seniors needed to make a false choice—go to the doctor and pay out of pocket or put food on the table and pay the bills. It also wasn't for seniors' lack of interest in being insured; it was because insurance companies simply had little interest in insuring a group of people they deemed too expensive to cover.

Let's be honest. The older you get, the more likely you are to need health care. We are not a cohort that insurance companies are exactly fighting each other to cover.

It is clear that Medicare has been absolutely critical in providing access to quality care at an affordable cost for seniors. It is responsible for helping lift so many of our parents and grandparents out of poverty, giving them peace of mind after a lifetime of work. It has also freed up their children as well, giving them the opportunity to invest in the future of their own children instead of having to worry about whether or not their parents are going to get the health care they need.

It is a remarkable success story, one that has helped Americans prosper, but this Republican budget proposal announced this week essentially throws it out the window.

First, it reopens the doughnut hole for today's Medicare beneficiaries, like for Beverly, from Morro Bay, who, thanks to the Affordable Care Act, no longer has to worry about how she will afford her important prescription medications if she reaches the doughnut hole again this year. Their plan will roll back the new preventative screenings and wellness checkups that the law provided for with no co-pays at all. Their plan would roll back important cost-containing and quality-improving measures from the program, and it repeals resources in place to reduce fraud and abuse, making this program more costly and less solvent.

But the centerpiece of the Republican proposal is the plan to privatize this critical program and end Medicare as we know it.

Let's be crystal clear: This isn't a reform. It isn't a tweak. It isn't a natural progression. It is nothing more than the end of the very program which, right now, guarantees health care coverage for America's seniors.

Medicare is much like Social Security, which guarantees a pension for seniors regardless of the twists and the turns of the market and our economy. Medicare guarantees health care coverage for our seniors. It guarantees it. But the Ryan budget bill ends that by turning Medicare into a voucher program with no guarantee of coverage—none at all. Instead, each senior would get a set amount of money to purchase a private insurance policy at an amount not high enough to start with and less each succeeding year. In fact, each year, the voucher would cover less and less.

These are the important factors of this budget, which is why we cannot accept it. We must save Medicare.

Who'll pay the rest of the cost of this care?

If you guessed "my grandmother or my grandfather" you'd be right.

And this is how the Ryan budget "saves" money.

It saves the federal government money by shifting the cost directly onto seniors.

In fact, while the government would save about $600 per beneficiary, the cost to the senior would jump by an estimated $12,500 a year in premiums, co-pays, and other out-of-pocket expenses—and that amount is expected to grow over time.

That estimate is about double the average annual out-of-pocket cost for a senior in Medicare today.

The CBO is clear in its warning about this program: Some seniors will forgo insurance all together, while others will find barriers to services that might save or improve their lives—both by plans not covering particular services or through such high costs that seniors forgo the care they need.

The bottom line—seniors will pay more for health insurance—much more—than they do today.

Some will get substandard coverage because they can't afford anything better.

Some won't be able to afford a policy at all, so they will forgo coverage and care.

The Republican budget has the wrong priorities.

It focuses on our families and communities for cuts, while doing nothing to root out waste in our tax system—like the tens of billions in subsidies for oil, gas and coal companies, or those that go to giant ethanol corporations.

And it continues the tax cuts for the wealthiest among us as well and even calls for more.

These priorities are all wrong . . . they are dangerous . . . and we must stand up against them.

I urge my colleagues to oppose the Republican Budget that will end Medicare as we know it.

Let's make responsible choices so that we can lower the deficit without doing so on the backs of our seniors.

TAKING A BUTTER KNIFE TO SPENDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. RIBBLE) for 3 minutes.

Mr. RIBBLE. Mr. Speaker, we are now drawing close to a government shutdown.

I have been sitting over here, listening to my colleagues from both sides speak this morning. I want everyone to know; I want the American people to know, and I want the folks in northeast Wisconsin to know that this is not about riders or extreme partisan ideology. It is about spending.

I will tell you that I am surprised at some of the language. A moment ago, one of my colleagues said we wanted to take a chain saw to spending. A few days ago, the President said we wanted to use an ax to cut spending. I will tell you that it's more like a butter knife. We spent in March of this year alone $189 billion in deficit. Our CR would have cut $8 billion. So instead of $189 billion, we would have spent $181 billion in deficit. That is not a chain saw. That is not an ax. Some Americans have been calling me from home, saying it's not even serious.

It is time that this Congress takes our fiscal situation seriously for the protection of our country, for the protection of our programs, for the protection of our seniors. It is time for this Congress to act and to act now. Yesterday, we offered up a plan to fund our troops at the request of Secretary Gates, and we've been turned down once again.

I call on my colleagues not to wait another day, another hour, another minute. Let's fund this government, and let's move on to the big task at hand—the next budget—so that we can do what the last Congress failed to do, which is to provide certainty to the American people and certainty to job creators so they will know what is coming ahead tomorrow.

A KABUKI DANCE OVER CONTRACEPTIVE PILLS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 4 minutes.

Ms. SPEIER. Mr. Speaker, the Kabuki dance is almost over, and like many of you, I'm wondering if we have lost our senses. By all reports by Leader REID and Speaker BOEHNER, they are very close. It's not about money. Do you know what it's about? It's about contraceptive pills. I can't believe that we are sitting here today, about to shut down the government, over contraceptive pills—because that's what it's all about.

□ 1120

It's all about defunding one organization, Planned Parenthood, that provides explicitly and only services around contraceptive pills, breast cancer screenings, STD screenings, and cervical cancer screenings. Not one dime goes for abortion services. In fact, the services provided under family planning have to be excluded completely. Different locations, different service providers, different staff. And on top of it, it's all audited. So not one dime for abortions. This is only for family planning services.

So in the end we're going to go to the American people and say, yes, we shut down the government, we told all our men and women serving in faraway places, trying to keep the world free, and keep it free for us, and keep terrorists at bay, we are going to tell them, no, you are not going to get paid for a while because we didn't want to fund contraceptive pills for women who are poor in this country.

The women who access Planned Parenthood, and one in five women accesses Planned Parenthood at some time in her life, the average income is $33,000 a year. These are women who can't access health care for reproductive services because they're working in jobs where they don't have health insurance. And we're saying shut down the government. Shut down the government. Don't pay our men and women serving overseas. Close down the national parks. Make sure none of our exports get to their destinations. Don't let any more small business loans be offered. Just shut it down, because we don't want to make contraceptive pills available to women in this country. It's absolutely shameful.

This is a message to Speaker BOEHNER. Mr. Speaker, this is your opportunity for a profile in courage. This is your opportunity to say to your caucus and to the American people, I am not going to allow this country to be shut down over contraceptive pills.

CUT FEDERAL SPENDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 3 minutes.

Mr. WALBERG. Mr. Speaker, I have listened to a textbook case, I believe, of self-induced amnesia this morning from my liberal colleagues. But the American people spoke in November, and I heard the mandate: Cut Federal spending so that more resources can be left in the hands of American families and small businesses so that they can save and invest in order to grow jobs.

I responded to their mandate by voting for billions in cuts. Unfortunately, my colleagues on the other side of the aisle refused to receive the message, but the message is still true.

Let's put the budget issue into a little perspective. It actually is quite simple. They didn't pass the budget when they had control, and now we have to clean up the mess. My liberal Democrat friends want to shut down government in order to maintain their overspending status quo, even at the expense of not sending paychecks to our courageous troops and their families at home.

On the other hand, I and my Republican colleagues want to keep the government open, pay our troops, and respond to the people's demands for cuts in spending and a return to the blessings of freedom.

Our Republican leadership has worked and negotiated with the other side in order to keep the government open, while cutting deficit spending, but it has been to no avail. The Democrats won't give up less than one-half of 1 percent spending in order to keep the government running on a trimmed-down budget and pay our troops. The argument has come down to the size and scope of the spending. And President Obama, Senate Majority Leader HARRY REID, and the Senate Democrats, like a stubborn mule, refuse to move in the direction of their masters, the Constitution and the American people who are telling us to cut spending.

It's time for them to start listening to the American people. It can't be just about the next election; it must be about the next generation.

PAY THE MILITARY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 5 minutes.

Mr. GOHMERT. Mr. Speaker, we are here because the last Congress did not do its job and for the first time since 1974 didn't have a budget. So we're having to do last year's work in addition to this year's work. And in the meantime, we look around at who is actually being hurt. And there were many of us that were inquiring over the last month, all right, if there is a shutdown, is the military going to be paid?

Well, we find out the military is essential, the military will be working in

the event there is a shutdown. But then as recent as last week, we find out they definitely will not be paid until after a shutdown is over. They will get paid for sure, but it will be after a shutdown. But they will be working.

In talking to many people on active duty, I find that things haven't changed a great deal since 30 years ago when I was in the Army. There are lots of people in our military that are having to live paycheck to paycheck. They don't get paid all that much. But they are standing between us and harm to this Nation, even its very existence.

There are those who want to take this out. At the end of last week, Congressman JACK KINGSTON, JOHN CARTER, STEVE KING, MICHELE BACHMANN, a number of people involved, we wanted to ensure that if the Democrats say we don't care—for example, gee, providing Federal tax dollars to fund abortion in the District of Columbia is more important than anything else. We wanted a vehicle to make sure our military gets paid on time so while they are out in harm's way, they don't have to worry about it.

We filed a bill the end of last week, and it's H.R. 1297. I contacted Senator KAY BAILEY HUTCHISON's office and JIM INHOFE's office, and they had it filed the first of the week. Down there it's Senate bill 724. Now we are told, well, gee, there is a procedural problem, because even though in the first two paragraphs each one starts with, ''to appropriate, to appropriate,'' later in the bill, very short, three pages, it says, ''make available funding.'' That can easily be remedied by a manager's amendment to change to ''shall appropriate.'' Easily handled.

A rule was passed this week that this could be brought to the floor within 24 hours. That part is waived. There is no reason that the military cannot be paid on time. That can be wiped away from their concerns. But our leadership was good enough last week to say we are taking care of it. We are going to make sure it's taken care of.

The best solution is what was done yesterday. The military is fully paid through the end of the year. That's the best way to go. It makes sure there is no glitches at all. But if our Democratic friends down the Hall are going to stand in the way of having the military funded for the rest of the year, then we need to bring this bill, H.R. 1297, to the floor today and make sure our military does not have to worry: your pay, your allowances will be taken care of on time.

Our military that are out in harm's way, as we heard about Marcus Luttrell and other heroes, they're taken care of. Your families back home get your paycheck. They're cared for. That's the responsible thing to do. Secretary Bob Gates said, ''As a historian, it occurred to me that the smart thing to do for a government was always to pay the guys with the guns first.'' That is a smart thing to do. Let's take care of the people that are taking care of this country's protection.

□ 1130

THE PENDING GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, isn't it a shame, I tell my friend who just spoke, that his colleagues objected to a unanimous consent request yesterday which would have taken care of the problem he raises today.

There's not a person on this floor that doesn't want to make sure that our men and women in harm's way and in uniform ready to be put in harm's way are paid on time. But we're playing a political game here, a game of gotcha, a game of my way or the highway, not a game of coming together from all over the country and trying to make laws for our country that require compromise.

Henry Clay, one of the first Speakers of this House, from the State of Kentucky, said that if you can't compromise, you cannot govern. That's why we are on the brink of shutting down government.

We asked for a unanimous consent. I'm going to tell you we're going to ask for another unanimous consent that will accomplish exactly what the gentleman from Texas wanted to accomplish. I hope that none of you object. I hope that all of you will say, yes, enough of these games. Let's do what Republicans and Democrats have historically done when they've reached an impasse at this time. They said, well, we'll keep things in place and we'll create a bridge across which we can all pass to get to compromise, to get to an agreement. That's what the American people expect us to do.

Mr. Speaker, I understand that to some in this Chamber, shutting down the government is an ideological game or a way of making a point. That's why they've included in this bill to fund the troops some of their social agenda. That's why they want to shut down the government, because they want to force the President to do something he has told the American people he would not do.

Now, ladies and gentlemen, when the Democrats were in charge of the House and the Senate and we disagreed with George Bush, we did not shut down the government. We said, Mr. President, we understand you disagree with this so we can't do it. Not, because you won't do it, Mr. President, we're going to shut down the government. That's what's happening here.

It's not about dollars and cents and, very frankly, it's not about funding the military. That's the image that's being created because we are all sympathetic and committed to funding our men and women in harm's way. That's the right thing to do. It's the moral thing to do. It's what we ought to be doing. And I hope when I ask for a unanimous consent to do that today that, unlike yesterday, the Republicans will not object.

I want every Member to be aware of the consequences for millions of Americans of shutting down government. A shutdown would put our economic recovery, our housing market, and paychecks at risk. And yes, every person listening to me will be affected in one way or another.

It's the wrong thing to do. Who said it was the wrong thing to do? Speaker JOHN BOEHNER, who said it would cost more to shut down the government than to keep it running. He is absolutely right.

Goldman Sachs has estimated that, and I quote, ''If a shutdown lasted more than a few days, it should shave 0.2 percent off the growth of the gross domestic product for every week it continued.''

What's that mean? It means jobs.

Now, we've been here for 90 days. We're in our fourth month with no jobs legislation.

Goldman Sachs went on to say, ''When the government shut down for 20 days in late 1995,'' said James O'Sullivan, chief economist, ''the Nation's economic growth was slowed by as much as a percentage point.'' That means jobs.

This is a very inefficient political tactic and prank to play on the American people. As CQ reports, business leaders also understand that averting a shutdown is crucial to our economic recovery. That is why, again, I hope you agree to my unanimous consent to keep the government open while we continue to negotiate, while we continue to try to get to an agreement.

Congressional Quarterly also points out that ''In the event of a shutdown, the Small Business Administration would not guarantee loans for business working capital, real estate investment, or job creation activities.'' It makes no sense to shut down the government.

And my friends, when they say, oh, well, the Democrats in the Senate, let me tell you why the Democrats in the Senate can't move things forward, because they can't get 60 votes. Why can't they get 60 votes? Because the Republican leader of the United States Senate will not let any of his Republicans join the 53 Democrats in the Senate to get to 60.

Ladies and gentlemen, we ought not to shut down this government, and I urge my colleagues to approve a unanimous consent request that I will make a little later today.

AVOID THE GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Mrs. ELLMERS) for 3 minutes.

Mrs. ELLMERS. Mr. Speaker, I rise today in support of my colleagues, and call on Senator REID to pass a bill to avoid the government shutdown.

I've been sitting here listening to my colleagues across the aisle, and I am in

complete amazement at their lack of ability to remember history accurately.

Thanks to the efforts of Speaker BOEHNER, this House, this Republican leadership, has consistently led. We did what the 111th Congress did not do: We passed a budget to fund the government through the end of the fiscal year.

H.R. 1 was passed under an open rule, with open debate, and truly reflects the will of this House and the people that sent us here with their votes last November. Again, open debate, and it truly reflects the will of the people.

Their message was, and is, get serious about cutting spending and change the culture in Washington so we can get our Nation back on a stable fiscal path. Remove many of the uncertainties facing our families and businesses, both large and small, and we can create an environment for job growth.

Unlike my colleagues across the aisle, we here in government cannot create jobs. The private sector creates jobs.

It has been 48 days since the House Republicans passed this bill, but we have yet to see a bill passed in the Senate to fund the government for the remainder of the year.

Yesterday, House Republicans listened to the will of the constituents who thought it shameful that our Nation's bravest women and men, volunteering to put their lives on the line for our freedom, should have to face prospects of not getting paid during this government shutdown.

With the passage of H.R. 1363, we fund the troops for the remainder of the year, regardless of any prospect of a shutdown, so those men and women fighting in the three theaters now and their families will not have to face the worry about whether they will get paid.

Yet to hear Senator REID's refusal to consider this bill in the Senate, and to hear President Obama threaten to veto this bill is nothing less than shameful. To choose to put politics before our soldiers and their families, to me, is appalling.

Mr. Speaker, it is time for the President and the Senate majority leader to end this political game and work with us to ensure and provide for the Nation's military families to continue to fund our government.

The fact is discretionary spending has increased over 83 percent under the current administration, and the Senate majority leader and the President are choosing to shut down the government over a less than 2 percent cut in spending.

SHUTTING DOWN THE GOVERNMENT FOR IDEOLOGICAL PURPOSES

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. FARR) for 5 minutes.

Mr. FARR. Mr. Speaker, I would just like to take a few moments and put some of this in perspective. I've been here 18 years now, and I've seen a lot going on in government, and I've had the experience in the State legislature and also in local government before getting here.

This is nothing but a ploy to shut down the government for ideological purposes. It has nothing to do with running the greatest Nation on earth and trying to be a responsible government, trying to teach democracy to countries around the world, that if you copy our system you may have a freer and more open system. This is about shutting down the entire United States Government over use of birth control.

It's also the party that has a history of shutting down government. The last time government was shut down it was shut down by the Republicans. And after they shut it down, what we did, before that, is we enacted taxes to pay off the debt under President Clinton. And guess what? That was a tough vote. Not a single Republican cast a vote for that. That was probably one of the greatest economic votes ever cast in modern Congress because it put the country back on foot. We didn't have a deficit. We removed it because we earmarked those taxes to pay off the debt.

Along came President Bush. The first thing he did was repeal all those taxes. The question was, well, how are you going to pay for this? Oh, no, no. We don't have to pay for this. Well, Mr. President, you are about to go into a war. How are you going to pay for that? We don't have to pay for it, we'll just put it on the credit card.

They came up with a great plan to give senior citizens Medicare drug reimbursements but instead of using the Medicare program, no, they invented another one. They gave the money to the pharmaceutical companies and said, you take care of the poor, charity work. And guess what, it won't cost you anything. Well, it cost us a lot of money. And when asked, how are you going to pay for it? We'll put it on the credit card.

The fact is this huge deficit we got into was driven through by the party now that wants to shut down government, the party that has shut down government in the past, the party that keeps not wanting government to work.

You took an oath of office when you came here, an oath to uphold the Constitution. That Constitution is based on, if you look around this room, the lawgivers, people of history who've done incredibly bold things.

Our Constitution is incredibly bold. There's nothing in that Constitution that says that your job in Congress is to make the rich richer and the poor poorer.

□ 1140

And that's exactly what their budget is doing, their strategy is doing, and now the shutdown of government. They're gleeful about it. And it's a very, very sorry state that we have to, in these modern times, think that the greatest country in the world has to deal with shutting down government. That's the last thing we ever came here to do. It's a sorry state.

THE FEDERAL BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. DANIEL E. LUNGREN) for 3 minutes.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, sitting here listening to comments on the other side can be quite instructive; although I might warn my colleagues on the other side that they ought to be careful about the metaphors they use. One of those on the other side got up to criticize Republicans for trying to stop funding of abortions, which means saving babies, and used the unfortunate expression of ''don't throw out the baby with the bathwater.'' It shows how almost obtuse they are with respect to what we're actually talking about.

The distinguished leader on the other side from Maryland quoted Henry Clay. I'd like to quote an outstanding American, his name is STENY HOYER, who said just a couple of years ago here on this floor that if you can't budget, you can't govern. That's why we're in the problem that we're in today, because when they had control of both sides of Capitol Hill and the Presidency, they, for the first time since the Budget Act was passed, intentionally did not pass a budget because they were embarrassed about the numbers.

And what did that lead to? That led to the fact that we didn't pass any of the 13 appropriations bills, which led to the fact that we have to deal with a CR. That's why we're in the mess we are today, because they did not budget. And now they have the effrontery to come out and criticize PAUL RYAN, the Republican leader of the Budget Committee's suggestion that we be serious about budgeting around here and that we understand that we're driving our children into the ground and our grandchildren with debt that cannot be paid, and because we have the courage to bring forth a serious adult proposal on the budget, we are accused of trying to put children on the street and to not allow seniors to be able to eat.

Come on. The American people are smarter than that. They want this House, this Senate, and this President to be adults. And to come here to this floor and to suggest that we're trying to kill Medicare—we're not trying to kill Medicare; we're trying to save Medicare. Every objective review has said it's going broke within 9 years.

But maybe collective amnesia is the way to leadership. I hope not. I hope not, not for me, but for my children and my grandchildren. They deserve better. This country deserves better. We should be required to do better.

FAIR TAX

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 3 minutes.

Mr. WOODALL. Mr. Speaker, you've heard it a lot of different ways this morning. Our challenge is not that we tax too little. Our challenge is that we spend too much, and we're taking steps to make that happen. But we do tax incorrectly. We do tax in a way that challenges the patience, the tolerance and the intellect of millions of Americans every year. We're coming up on that.

One week from today is Tax Day, April 15, that day that folks dread year after year after year after year. One of the things that makes Tax Day so complicated is the exceptions, the exemptions, the loopholes and those special favors that get written into the Code year after year after year after year.

I want to associate myself with the comments from the previous speaker, the gentleman from California. And we've talked about the very serious—the very serious—discussion of the budget that's been going on in the Budget Committee. I'm pleased to be a member of the Budget Committee.

Bloomberg came out with a report this morning, $2.9 trillion in special tax breaks, loopholes and exemptions erased in that budget. Not that taxes go up for Americans, but that taxes get simpler for Americans and fairer for Americans by taking away $2.9 trillion in special favors and special exemptions.

There's a proposal that goes even further, and I want to mention it now a week out from Tax Day, and that's H.R. 25, the Fair Tax. It's a bill that started with only two cosponsors, one Democrat and one Republican. It grew to two Democrats and two Republicans, and then it grew to four Democrats and four Republicans. Now there are 60 cosponsors in the House, five in the United States Senate, the most widely cosponsored fundamental tax reform bill in this Congress.

And it does this: It abolishes income taxes and replaces them with consumption taxes, because the power to tax is the power to destroy. And what we destroy in this country is productivity. We're the only OECD country on the planet that doesn't have a consumption tax, the only one that punishes our producers instead of taxing our consumers. And it eliminates not $2.9 trillion in loopholes as the budget does, but 100 percent of every corporate loophole.

We've heard it on this floor again and again: Loopholes for oil companies, loopholes for this company. It eliminates every single corporate tax break in existence today. And it eliminates them for individuals as well in favor of a simple, low-rate personal consumption tax.

On Tax Day, we talk about the income tax. The largest tax 80 percent of American families pay is the payroll tax. Everybody in here who's got a job has seen that FICA line. You may not add it up, but it is the largest tax that 80 percent of Americans pay. And there is not a single bill on this floor that deals with that except the Fair Tax, which abolishes that tax so you get to keep what you earn so that nobody touches your paycheck before you do.

As you finalize your tax forms over the next 7 days on your way to April 15, I want you to think about what could be different. I want you to think about how, with the passage of H.R. 25, April 15 could just be another spring day.

CUT SPENDING AND GROW THE ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Nevada (Mr. HECK) for 3 minutes.

Mr. HECK. Mr. Speaker, I have said, like most in this Chamber, that I oppose a government shutdown. Last November, Nevadans spoke. The American people spoke. They said cut the spending so the economy can grow.

My primary goal is not a government shutdown. It is to do the job that the people elected me to do: cut the spending and grow the economy.

Quite simply, our country is broke, all because there are checks in the checkbook doesn't mean there's money in the checking account. And we're paying the overdraft fees with money that we're borrowing from China.

Some people ask: What's the difference between a billion here and a billion there? Well, that's just $1 billion that we don't have. There is an old saying: Take care of your pennies, and your dollars will take care of themselves. For those who question the importance of a billion dollars, I would say, take care of your billions, and your trillions will take care of themselves.

DEMOCRATS FAILED TO PASS A BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wisconsin (Mr. DUFFY) for 3 minutes.

Mr. DUFFY. First of all, I think many of us here in this House want to see the government to continue to be funded. But let's review what has happened here.

Last year, the Democrats failed to pass a budget. They failed to propose a budget. So this Congress, we're here doing the work of last year's House and Senate.

We proposed a bill to fund the government, and in that bill, we cut $61 billion. That is under the backstop of the fact that we're going to borrow $1.6 trillion this year alone. Our national debt is $14 trillion. The Democrats in the Senate say they don't like our proposal.

That's okay. If you don't like it, pass your own proposal. Give us a counterproposal, and we will consider it. But the bottom line is the Senate has failed to act. They haven't sent us a counterproposal.

So what we've done is we've passed two extensions to fund the government, and again yesterday we passed a third. The Senate isn't going to take it up.

Again, if you don't like our proposal, give us your own. We can't negotiate with ourselves. We're willing to sit down and talk, but we can't continue to put out our proposals and our ideas and have you fail to give us a response.

RECESS

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

Accordingly (at 11 o'clock and 49 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

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

Your Word, Lord God, calls us to reform and spiritual renewal. ''Where your heart is, there is your treasure.'' The transformation You ask of us is not a change only of our manners or way of doing things. It is not a call for a change of language, the bottom line or even our thinking.

Rather, You Lord, who are hidden from our sight, know the hidden secrets of the heart. So You continually seek conversion of heart until, at last, our hearts rest only in You.

In such a changing world, unless we are willing to change our deepest desires according to Your Spirit of life and love, we will instead be changed by forces around us. Send forth Your powerful Spirit that You may have Your way with us both now and forever.

Amen.

THE JOURNAL

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

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

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. POE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

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

Mr. SOUTHERLAND 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches from each side.

PROTECT OUR POSTERITY

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

Mr. SOUTHERLAND. Mr. Speaker, I hold in my hand today the Constitution of the United States. It begins by saying: ''We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.''

I have a very, very short time here today, but I will say that irresponsible spending of the Federal Government does not form a more perfect Union. As a matter of fact, it forms a more imperfect Union. It establishes injustice. It ensures domestic chaos. It provides for the uncommon defense. It destroys the general welfare, and it endangers the blessings of liberty to ourselves and our posterity.

Based on this very Constitution that I hold in my hand, the direction that we are heading violates the will of the people. It is time for us to stop arguing and get on with the work of the people and protect our posterity for generations to come.

FUNDING CUTS THREATEN HEAD START

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

Mr. CICILLINE. Mr. Speaker, I rise today to ask my Republican colleagues: Which child pictured here would you deny an early education? Why would I ask that question? I'll tell you why. As it stands now, the Republican budget proposal would kick 218,000 children out of Head Start and prevent them from receiving an education, some of these children right here on this poster.

It will close 16,000 Head Start classrooms, classrooms in which these children learn. It will fire 55,000 Head Start teachers, teachers who teach these kids here.

A budget document, my friends, is not just about dollars and cents. It reflects our priorities as a Nation. Our children are our future and must be our top priority. Head Start is a key investment in improving their educational outcomes.

But if the Republican majority has their way, Head Start programs in my home State of Rhode Island will have to cut three kids from each classroom right now.

So I ask my colleagues on the other side of the aisle: Which of these children would you deny an early education to?

ILLEGALS SHOULD NOT RECEIVE WELFARE

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

Mr. POE of Texas. Mr. Speaker, according to a Center of Immigration Studies report cited in the Houston Chronicle, 70 percent of Texas' illegal immigrant families with at least one anchor baby collect welfare from Uncle Sam. People illegally in the United States should not receive welfare. American citizens shouldn't pay for the welfare of people who violate the law to enter this country.

Illegals are also draining our health care system. Sixty percent of the births over the last 4 years at a public hospital in Houston, Texas, were by women living here illegally.

I was recently in Cochise County, Arizona, where they have been forced to shut down almost all of their maternity wards because they can't financially support all of the illegals coming into the country.

Mr. Speaker, illegal immigration is breaking the bank. Let's take care of our citizens and legal immigrants first. Are you in, Mr. President?

And that's just the way it is.

DON'T DISMANTLE MEDICARE

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

Ms. CHU. Mr. Speaker, today the Republicans want to shut down government. Tomorrow they want to dismantle Medicare. If the shutdown weren't enough, the Republican Party just released next year's road-to-ruin budget. And, unbelievably, the people they have chosen to target are America's seniors.

This budget ends the Medicare guarantee as we know it. It turns Medicare into a voucher system where you would have to put your fate back into the hands of private insurance companies. It results in seniors paying more for Medicare. This plan shifts costs onto seniors and cuts Medicare at a time when seniors need health care the most.

We must take the target off the backs of our seniors and off of Medicare, a guarantee that seniors have earned through a lifetime of hard work.

ARMED FORCES FUNDING

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

Ms. FOXX. Mr. Speaker, every day courageous young men and women from all over America volunteer to serve our country in the military. They prove themselves as leaders and role models. But what is the response they receive from congressional liberals and even their Commander in Chief? A callous disregard. To further their own political aims, some of our colleagues would deny them their pay if there is a shutdown of the government this weekend. This is outrageous.

Our troops, especially those in combat zones, already have plenty to worrying about without Democratic intransigence adding personal debt to those worries.

In February, Republicans offered H.R. 1 and yesterday H.R. 1363, which would ensure that every member of the Armed Forces would receive his or her full salary for the rest of the year. Republicans support the troops and want them to succeed in their mission. It appears that most of the Democrats in Congress feel differently.

Our troops are sacrificing to keep us free and are exhibiting leadership. Democrats should follow their example and honor our commitments to the men and women of the military and their families.

□ 1210

GOVERNMENT SHUTDOWN: EFFECT AND CAUSE

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

Ms. EDWARDS. Mr. Speaker, there have been a lot of quotes on this floor, so this one goes out to our young people and our seniors and our servicemembers and Federal workers who stand to be affected by a government shutdown. It's a lesson for my Republican colleagues courtesy of the White Stripes, a little ''Effect and Cause'':

''I guess you have to have a problem
If you want to invent a contraption
First you cause a train wreck
Then you put me in traction.
Well, first came an action
And then a reaction
But you can't switch around
For your own satisfaction.
You burnt my house down, then got mad
At my reaction?
It's that you just can't take the effect

And make it the cause.''

So for my Republican colleagues who want to shut the government down for the effect you caused, you learn this White Stripes lesson first:

''If you're headin' to the grave
You don't blame the hearse.
You built a house of cards
And got shocked when you saw them fall.
You seem to forget
Just how this song started.
You just can't take the effect and make it the cause.''

TELLING THE TRUTH

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

Ms. JACKSON LEE of Texas. Mr. Speaker, this morning we pledged allegiance to the flag of the United States. What a privilege and an honor. I think it conveys upon this body to tell the truth.

And so this morning I raise a question of my friend's comments about holding the troops hostage. We're not holding them hostage. We were able to provide them with their paychecks, but we wanted to be concerned about their grandmothers and wives and children that were being abandoned by the Republican budget.

And, yes, can you imagine holding up the paying of the bills of the United States because you're against women's health care and family planning and you want to condemn and take away resources to family planning and to Planned Parenthood?

Can you imagine reciting the pledge to the flag and yet not telling the truth? Telling the truth about the fact that we had a provision that would allow our troops to be paid. But in actuality what we're standing against is eliminating of early childhood education, nutrition programs, housing programs, teacher compensation.

Yes, there has to be a moral standard for the budget. We're standing on high moral ground. You can pay our troops and you can have family planning.

Let's do the right thing.

Mr. Speaker, I rise today in opposition to H.J. Res. 37 which disapproves the rule submitted by the Federal Communications Commission (FCC) with respect to regulating the Internet and broadband industry practices.

As a Senior Member of the House Judiciary Committee, Subcommittee on Intellectual Property, Competition and the Internet we have held hearings to examine the importance of so-called ''Net Neutrality''; the principal that everyone should have equal access to the Internet and its lawful content. It gives me great pause whenever I see legislation that frankly looks like an attempt to restrict access to information and limit the right to free speech guaranteed by the 1st amendment of the Constitution. In practical terms, this bill affects the rights of the people to provide and receive information in the form of Internet content as regulated by the FCC.

Make no mistake, access to information contained on the Internet and through broadband connectivity provides vital resources for individuals, families and businesses in the 18th congressional district of Texas, in remote and underserved locations, and all across this great nation every day. Through an open Internet, families, large businesses, small businesses, minority and women owned businesses can access the critical personal, health, medical, news, public safety, educational, financial and business information they need to lead more productive lives and contribute to the continued growth of our national economy. We cannot stifle the innovation that emanates from Internet based activity and drives greater equality in participating in our nation's economic growth!

Census information indicates that small businesses and minority owned businesses are some of the most significant contributors to job growth in America. Minority-owned and small businesses heavily depend on access to information on the Internet as a cost effective means of allowing them to compete. These minority-owned businesses and small businesses would be particularly hard hit and devastated by prohibiting the free flow of information and certain applications over their networks. We cannot allow this to happen; we must oppose this bill.

Open access to the Internet and its content has become an important part of our everyday lives. I must express reservations about efforts to enact legislation that seeks to limit open access to the informational content on the Internet. This legislation seeks to divest the FCC of its power to regulate the Internet and broadband to ensure equal access for all Americans. While there is so much talk in this Chamber about shutting down the federal government for reasons that have nothing to do with fiscally responsibility, what we should be doing is shutting down attempts like these to limit our access to information. So as for this bill is concerned, ''Shut it down!''

This bill would disapprove the rule adopted by the FCC on December 21, 2010, that is intended to preserve the Internet as an open network. Report and Order FCC 10–201 establishes rules that would bar broadband providers from blocking lawful content and discriminating in transmitting lawful traffic on the network. The rule also would require broadband providers to disclose to the public information about network management practices, performance, and terms of service. H.J. Res. 37 would invoke a legislative process established by the Congressional Review Act ''CRA'' (Public Law 104–121) to disapprove the open Internet rule. If H.J. Res. 37 is enacted, the published rule would have no force or effect. This is unacceptable in an open, democratic society with freedom of expression!

The Obama administration strongly opposes House passage of H.J. Res. 37, which would undermine a fundamental part of the Nation's Internet and innovation strategy—an enforceable and effective policy for keeping the Internet free and open. Since the development of the Internet, Federal policy has ensured that this medium is kept open and facilitates innovation and investment, protects consumer choice, and enables free speech. The rule at issue resulted from a process that brought together parties on all sides of this issue—from consumer groups to technology companies to broadband providers—to enable their voices to be heard.

Notably, the Federal Communications Commission's rule reflected a constructive effort to build a consensus around what safeguards and protections were reasonable and necessary to ensure that the Internet continues to attract investment and to spur innovation. Disapproval of the rule would threaten those values and raise questions as to whether innovation on the Internet will be allowed to flourish, consumers will be protected from abuses, and the democratic spirit of the Internet will remain intact.

If the President is presented with a Resolution of Disapproval that would not safeguard the free and open Internet, his senior advisers would recommend that he veto the resolution.

In short, H.J. Res. 37 is impermissibly harmful:

This Bill uses A Rigid ''Congressional Review Act'' Disapproval Process to Address FCC Open Internet Rule.

By Overturning FCC Open Internet Rule, Republicans Undermine Job Creation and Stifle Innovation.

By Overturning FCC Open Internet Rule, Republicans Hurt Small Business (20,000 small businesses operate on the Internet and over 600,000 Americans have part- or full-time businesses on eBay alone. Small businesses were responsible for nearly 65 percent of new jobs over the last 15 years).

Bringing Up a CRA Disapproval Resolution Imposes a Straitjacket on Congress, Preventing Amendments.

This Straitjacket CRA Disapproval Resolution, Which Prevents Amendments, Overturns Even Consensus Provisions of the FCC Open Internet Rule.

Therefore, I urge my colleagues to join me and the cross-section of the great many voices of forward thinking people and organizations all across America, and oppose H.J. Res. 37.

HOLDING THE GOVERNMENT HOSTAGE

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

Mr. MCGOVERN. Mr. Speaker, it is hard to believe, but in less than 12 hours, the government will shut down unless Congress acts.

The Republican leadership should bring a clean CR to this floor free of all their controversial riders so that we can keep the government running for another few days so that the negotiators can continue their talks and get a deal. But it is outrageous that today we are not doing that. We're bringing a net neutrality bill to the floor which has nothing to do with anything, and we should be spending our time talking about instead how we should save the jobs of hundreds of thousands of people that are in the balance if this government shuts down, how we should save the social safety net, because it's gone if this government shuts down.

The Republicans should stop holding this government hostage and stop using these controversial social riders as ransom. We need to keep this government going. We need to get a deal.

Take this net neutrality bill off the floor today. Instead, bring a clean CR so we can all vote and keep this government running so we can get a final deal.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 14 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1315

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHAFFETZ) at 1 o'clock and 15 minutes p.m.

DISAPPROVING FCC INTERNET AND BROADBAND REGULATIONS

Mr. WALDEN. Mr. Speaker, pursuant to House Resolution 200, I call up the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices, and ask for its immediate consideration.

The Clerk read the title of the joint resolution.

Mr. MCGOVERN. Mr. Speaker, pursuant to clause 3 of rule XVI, I demand the question of consideration.

The SPEAKER pro tempore. The question is, Will the House now consider the joint resolution?

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 238, nays 174, not voting 20, as follows:

[Roll No. 250]

YEAS—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
Boren
Boustany
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
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
Gohmert
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
Jones
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
Palazzo
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
Schrader
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
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 (IN)

NAYS—174

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
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
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Holden
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
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—20

Becerra
Brady (TX)
Clay
Cleaver
Frelinghuysen
Giffords
Gingrey (GA)
Green, Gene
Hinchey
Holt
Meeks
Moore
Paul
Payne
Pelosi
Polis
Stark
Waters
Young (AK)
Young (FL)

□ 1339

Mr. WATT changed his vote from ''yea'' to ''nay.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BRADY of Texas. Mr. Speaker, on rollcall No. 250, I was inadvertently detained. Had I been present, I would have voted "yea."

Stated against:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 250, had I been present, I would have voted "nay."

Mr. HOLT. Mr. Speaker, I was detained and missed rollcall vote 250. Had I been present I would have voted "nay."

The SPEAKER pro tempore. Pursuant to House Resolution 200, the joint resolution shall be considered as read.

The text of the joint resolution is as follows:

H.J. RES. 37

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to the matter of preserving the open Internet and broadband industry practices (Report and Order FCC 10–201, adopted by the Commission on December 21, 2010), and such rule shall have no force or effect.

The SPEAKER pro tempore. The gentleman from Oregon (Mr. WALDEN) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Oregon.

□ 1340

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on the joint resolution.

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

There was no objection.

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

Mr. Speaker, in a representative democracy, Federal agencies may impose regulations only to the extent authorized by the United States Congress, the

elected representatives of the American people. I introduced H.J. Res. 37, which enjoys bipartisan support, because Congress has not authorized the Federal Communications Commission to regulate the Internet.

H.J. Res. 37 is a resolution of disapproval filed pursuant to the Congressional Review Act. It would prevent the agency from imposing the same or substantially similar rules through reclassification of broadband under title II of the Communications Act or through any other claimed source of direct or ancillary authority. If not challenged, the FCC's power grab would allow it to regulate any interstate communication service on barely more than a whim and without any additional input from Congress.

The FCC's claim that it can regulate the Internet under section 706 of the 1996 Telecommunications Act is not credible. The FCC has previously held that section 706 is not an independent grant of authority and the language of the section tells the FCC to remove barriers to investment, not create them. The FCC's reliance on section 706 could open the Internet to regulation by all 50 States.

Also flawed is the FCC's claim it can regulate the Internet under titles II, III and VI of the Communications Act because broadband has indirect impact on traditional services. Section 230 of the Communications Act makes clear that it is the policy of the United States to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services unfettered by Federal or State regulation. This regulation by ''bank shot'' is nothing more than a weak attempt to do an end-run around the D.C. Circuit Court's April 2010 ruling in the Comcast case that the FCC failed to show it had authority to regulate Internet network management.

The Internet is open and innovative thanks to the government's hands-off approach, as Democrat FCC Chairman William Kennard has explained, and I quote: ''The fertile fields of innovation across the communications sector and around the country are blooming because from the get-go we have taken a deregulatory, competitive approach to our communications structure, especially the Internet.'' There is no crisis warranting government intervention. The FCC even admits in its own order that it did not conduct a market power analysis.

Dr. David J. Farber, the grandfather of the Internet, says the FCC's ''order will sweep broadband ISPs, and potentially the entire Internet, into the big tent of regulation. What does this mean? Consumer needs take second place, and a previously innovative and vibrant industry becomes a creature of government rulemaking.'' From the grandfather of the Internet.

The order picks winners and losers and will threaten small providers that do not have the resources to send teams of lawyers to camp out at the FCC. How carriers manage their networks should be determined by engineers and entrepreneurs and consumers in the marketplace, not by as few as three unelected commissioners at the FCC.

My colleagues claim large broadband providers support the order—you will hear that today—but they only did so under the threat of being regulated like an old-fashioned telephone company under title II of the Communications Act. They are still concerned, and they say network neutrality is a solution in search of a problem.

AT&T's CEO has said, ''Regulation creates uncertainty.'' ''I would be lying if I said I was totally pleased with it,'' and, ''I'd like to have had no regulation, to be candid, but that wasn't going to happen.''

The CEO of a large cable association has said that ''there could certainly be an adverse economic impact by chilling the willingness to deploy these new services.'' The CEO of a large wireless association has said that some uncertainty over FCC implementation remains and ''increased regulation tends to depress rather than accelerate investment.''

Now opponents of H.J. Res. 37 will also criticize the Congressional Review Act process, but Senate Majority Leader HARRY REID, one of the authors of the CRA, has said the disapproval process is—and I quote the Majority Leader of the Senate—''a reasonable, sensible approach to regulatory reform.''

You see, the CRA was dually enacted by Congress and signed into law by President Clinton. And despite their recent criticism, even my colleagues themselves have co-sponsored disapproval resolutions in the past, including Mr. WAXMAN, Ms. ESHOO, Mr. MARKEY, Ms. SCHAKOWSKY, and Mr. DINGELL. They cosponsored H.J. Res. 72 in 2003. And Mr. WAXMAN, Ms. ESHOO, Mr. DOYLE, Ms. SCHAKOWSKY, and Ms. BALDWIN co-sponsored H.J. Res. 79 in 2008. Both, by the way, were resolutions disapproving of FCC rules.

So my colleagues complain that amendments are not in order, but that is because the language of the Congressional Review Act itself dictates the specific language of the disapproval resolutions, and to allow amendments would frustrate Congress' very intent in providing a straight up-or-down vote on whether to disapprove just these types of overreaching agency rules.

My colleagues say that instead of considering this resolution we should be debating comprehensive legislation to authorize the FCC to regulate the Internet. Then why did they refuse our repeated requests last Congress to hold hearings on whether such intervention is warranted? Why did they wait until November before proposing their own legislation—so close to the end of the last Congress there was no time for reasoned debate? And why did they single out only certain segments of industry for regulation and refuse to require a market power analysis? It is all too convenient that they wait until after the rules have been adopted and are vulnerable to legislative and judicial reversal before engaging.

A vote against this resolution is simply a vote that will allow the FCC to adopt substantially similar rules under title II when the FCC loses in court, something even network neutrality advocates like Free Press say is likely. Indeed, the FCC still has a proceeding open to do just that.

So for all of these reasons, I urge my colleagues to support H.J. Res. 37.

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

Mr. WAXMAN. Mr. Speaker, I yield myself 4 minutes.

Today, we are considering H.J. Res. 37, a resolution to invalidate the FCC's open Internet rules. We are debating this bill under the shadow of a shutdown of the Federal Government. The Republicans are holding the economic recovery and millions of jobs hostage to their extreme demands on the budget and their ideological demands on social and regulatory issues. And at such a moment of grave threat to our economic health, what are we doing on the floor today? The Republican leadership insists on bringing to the floor a bill that will end the Internet as we know it and threaten the jobs, investment, and prosperity the Internet has brought to America. This is an outrageous sense of priorities and policies.

This legislation is a bad bill. This bill would give big phone and cable companies control over what Web sites Americans can visit, what applications they can run, and what devices they can use.

□ 1350

The Internet may be the greatest engine in our economy today. American Internet companies lead the world in innovation. They have created over a million jobs.

There is one overriding reason the Internet has fostered such innovation and economic growth: It is open. A kid with a brilliant idea can launch his or her own company out of their family garage.

The FCC order protects the openness and vitality of the Internet. The resolution we are debating today would end it. The Republican proponents of the resolution will say the exact opposite. They will say they are trying to protect freedom of the Internet by stopping government regulation.

How are the American people to know who is right? Well, the answer is easy. Just ask Google, Facebook, Amazon, Netflix, eBay, and the other companies in the Open Internet Coalition that depend on the openness and vitality of the Internet.

They ask the FCC to act because ''baseline rules are critical to ensuring the Internet remains a key engine of economic growth.'' And they oppose this resolution because it would hurt consumers and innovation.

They understand that in most parts of the country companies like Verizon,

AT&T, and Comcast have a virtual monopoly over access to the Internet. The phone and cable companies are the gatekeepers to the information highway. Without regulations, they could choke off innovation by charging for the right to communicate with their customers.

Consumer advocates, civil rights organizations, religious groups, and labor unions have exactly the same view. The committee has heard from 150 organizations urging Congress to keep the Internet open and defeat this bill. Even the companies that might benefit the most from this legislation do not support the resolution. In fact, AT&T and the cable industry support the FCC's orders because it provides greater certainty for investment.

This bill is partisan. It is anti-innovation. And it threatens to transform the open Internet into a series of walled gardens controlled by the phone and cable companies. This is a bill that is not going anywhere. We shouldn't be wasting our time on this legislation when there's a threat that our whole government is going to be closed down because of the partisan and extreme views of the Republican majority.

Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. ESHOO), and I ask unanimous consent that she be allowed to control that time.

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

There was no objection.

Mr. WALDEN. Mr. Speaker, I just want to make one point. This is not partisan legislation. We have two Democrats as co-sponsors of the legislation, and I anticipate it will actually have a bipartisan vote, as it has had in the past.

I now yield such time as he may consume to the chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. I want to thank the chair of the Subcommittee on Telecommunications for yielding this time and for his leadership on the legislation.

Once again, we're here to put the brakes on runaway bureaucracy. The FCC has overstepped its authority and is attempting to seize control of one of the Nation's greatest technological success stories. If there is one segment of our economy that continues to fire on all cylinders in the current economic environment, it is the information technology sector and the Internet.

The FCC's ''2010 National Broadband Plan'' reports that 95 percent of the country has access to broadband and two-thirds subscribe. The number of users has skyrocketed to 200 million from 8 million 10 years ago. That translates into real investment and real jobs.

In 2009, the communication sector invested close to $90 billion. In the U.S., it directly employed approximately 1.5 million people. All the success stories that we are hearing, from Apple to Zipcar, not only have occurred in the absence of government intervention but because of the absence of government intervention.

From technological advancements to creative business models, the Internet has remained a thriving, competitive, and innovative marketplace because the government has kept its hand off. Despite this economic and innovation success story, the FCC has decided to fundamentally change the technology landscape by adopting rules regulating the Internet. Like the late Democratic FCC commissioner, a good guy from Michigan, Jim Quello, said: ''If it ain't broke, don't break it.'' Well, Mr. Speaker, the Internet is not broken, and this bill will ensure that the FCC does not break it.

George Will said: ''Most Americans think that the government doesn't work real well and the Internet does.'' Why in the world are we then putting the government in charge of the Internet?

Some of my colleagues criticize the use of the CRA. Let me remind these critics that they themselves have co-sponsored disapproval resolutions to overturn previous FCC rulemaking. Mr. WAXMAN, Ms. ESHOO, Mr. MARKEY, Ms. SCHAKOWSKY, and Mr. DINGELL cosponsored H.J. Res. 72 in 2003. Mr. WAXMAN, Ms. ESHOO, Mr. DOYLE, Ms. SCHAKOWSKY, and Ms. BALDWIN cosponsored H.J. Res. 79 in 2008. Senate Majority Leader HARRY REID helped create the disapproval process in the CRA to give Congress a straight up-or-down vote on just this kind of regulatory overreach.

That's why this statute itself provides the language of disapproval resolutions and which is why there are no amendments.

President Obama has said that his priority is to focus on jobs. He's also said that his administration will avoid onerous and unnecessary regulations that stifle investment and innovation. On January 18, the President issued an executive order calling on agencies to base regulations on a reasoned determination that their benefits justify their costs.

While the executive order does not apply to independent agencies, the President urged such agencies to follow it, and FCC Chairman Genachowski said that he agrees with the executive order's principles. Yet the FCC admitted in its network neutrality order that it conducted that no market power analysis.

The Internet is not broken. The market has not failed. Imposing these rules will cause more harm than good by chilling the very investment and innovation that we need to ensure that the Internet keeps pace with the growing demands being placed on it. It will only hurt our economy.

Ultimately, it's a question of authority. The FCC lacks both legal and policy justifications for its action. The agency keeps changing its story about where it gets the power to issue the rules, each time teetering from one weak explanation to another based on the most recent legal or political impediment that its facing. None are consistent with its own precedent and all are an end-run around the D.C. circuit's decision in the Comcast case that the FCC has failed to show its authority in this space.

So, Mr. Speaker, if we allow the FCC to seize control of the Internet, it's going to reduce innovation and investment. Fewer jobs.

I urge my colleagues to vote in support of this resolution.

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

Mr. Speaker, I rise in opposition to this resolution 37 which, if enacted, would overturn the FCC's open Internet rules, not closed Internet rules.

The first thing that I want to say today is that at 2 p.m. today, which is the time right now, we are moving ever closer to the shutdown of our government. I think that this is a very sad day, a day when the rest of the world that always looks to the United States of America to be the best example for what we do, how we do it, what we say, and how we comport ourselves, that there is failure within a few hours, a total collapse of leadership.

So while this is taking place, that is the toxic cloud that really hangs over the House.

I'm going to use 4 minutes, Mr. Speaker.

This resolution isn't about acting in the interest of American innovation, American jobs, American competition or American consumers. Quite simply, this is an ideological assault on a government agency and their ability to provide basic consumer protections.

□ 1400

If this were about innovation, jobs, competition for consumers, the majority wouldn't really be offering it, because it disables a free and open Internet, which has brought about greater consumer choice and has ushered in some of the most successful businesses of the past two decades in America, from Google and Facebook to Amazon and EBay. I know because so many of them—and I'm so proud of this—are constituent companies of my distinguished congressional district. These companies and thousands of others like them offer access to news, shopping, video, music, and social networking, and have resulted in more than 3 million new American jobs over the past 15 years. If the majority understood this, they wouldn't be standing in the way of it.

In fact, consumers have lined up against what the majority has brought to the floor today. Some of the largest broadband providers in the Nation—AT&T, Comcast and others—have lined up against it. Small businesses have lined up against it. Medium-sized businesses that are in the Internet business

have lined up against it. More than 150 organizations, including public interest organizations, civil rights groups, unions, and education advocates have lined up against it. The United States Conference of Catholic Bishops has lined up against it. The United Church of Christ and Evangelical Lutheran Church in America have lined up against it. The Computer and Communications Industry Association has lined up against it. TechNet is against it. These groups overwhelmingly agree that the CRA is not the answer.

The chairman said earlier that there are many Members on this side who have enacted—used—the CRA on other pieces of legislation. Yes, we have. We thought it was appropriate to. We're not opposed to the CRA, but we are in terms of using it on this.

I really think, at the end of the day, this is ideological. I think, in the Republican DNA, there is total opposition to any Federal agency that is charged with carrying out the protection of consumers and those things that the Congress believes are the best for the American people. So, with all of these businesses and all of these organizations, I think, with all due respect, that you have a very, very weak case.

I reserve the balance of my time.

Mr. WALDEN. I yield 2 minutes to the gentleman from Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank the distinguished subcommittee chairman.

Madam Speaker, when I came to Congress in 1985, there was no such thing as a cell phone. I remember my first mobile phone was a box phone. It cost about two bucks a minute to use, as I recall. We did have personal computers, but they were big and bulky and very slow. I still had a typewriter in my office, and I had constituents who still used telephones that actually had the dial, you know, the mechanical dial. That was in 1985. Today, we have over 2 billion users of the Internet. I have two BlackBerries. I have a laptop. I have a personal computer in my home. In fact, in my home in Arlington, Texas, we have two. The Internet has revolutionized telecommunications.

Yet, in December of 2010, the FCC adopted a rule giving themselves the right to regulate the Internet. It gave them the right to regulate how fixed and mobile broadband providers disclose their network management practices and performance characteristics; to regulate how fixed and mobile broadband carriers provide access to content, applications, services, and devices; to determine whether the way fixed broadband providers are carrying network traffic is unreasonably discriminatory; to regulate how fixed and mobile broadband carriers charge for the carriage of traffic; and to determine whether fixed and mobile broadband providers' network management techniques are reasonable.

This is the regulation of the Internet.

Mr. WALDEN's bill is pretty straightforward. It's one paragraph. You can read it. It doesn't take much time. It just simply says that the Federal Communications Commission cannot regulate the Internet.

We have had the most successful business practice in the last 100 years, and we are trying to give the FCC the ability to regulate it? Give me a break. This isn't Republican DNA. This is plain common sense. Vote for the Walden bill, to not give the FCC the authority to regulate the Internet.

Ms. ESHOO. I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentlelady.

In 2 days, the Republicans have proven that they always side with the biggest behemoth companies. Yesterday, they said it was okay for the biggest oil and coal and chemical companies to pollute the atmosphere. Today, they are saying that it's okay for the biggest communications companies to totally control the entire blogosphere. They want to spoil Mother Earth and Google Earth all in a 24-hour period. They want to allow the domination of the World Wide Web and the pollution of the whole wide world all in 24 hours.

Let me give you a little history here, ladies and gentlemen. We had no competition in the Internet, in the wireless world.

In 1993, there were two companies—analog, 50 cents a minute. No one had cell phones in their companies. ''We'' had to move over the 200 megahertz. ''We'' had to say there was a third, fourth, fifth, and sixth company so that there would be competition and then block the first two companies that were not innovating. Why were they not innovating? Because there was no Darwinian paranoia inducing competition to force them to move. Then in 1996, when the whole country was analog, we had to pass another bill to move them to digital, to move them to broadband, because the behemoths had yet to deploy broadband to one home in the United States.

No competition. No innovation. No benefits to consumers. The biggest companies that the Republicans support were happy with the way things were going because they could charge whatever they wanted to, provide whatever services they wanted to, ignore competition, and ignore consumers simultaneously.

That's what this debate is all about. We had to ensure that those behemoths—the oligopolies, the monopolies—were taken from the clutches of the Republicans and put out into the world where they had to compete.

So what do we have here today? Another Republican congressional resolution, which says let's go back to that era where the biggest companies, the monopolies, defy the one lesson that ADAM SMITH taught us, which is that monopolies and oligopolies are incapable of enjoying anything but the respect of those who are already in the wealthy class while ignoring those who are in the consumer class. That's their history. That's the number one lesson of ADAM SMITH, that we must beware of oligopolies.

Here, what we have on our hands is an effort to shut down the one job-creating engine that has driven our economy over the last 15 years, since we opened up the competition, and they want to shut it down. Ladies and gentlemen, 50 percent of the growth of our economy in the 1990s was in this sector. It's because we had competition. They want to shut it down here today.

Vote ''no'' on the Republican resolution, which ends this era of the open Internet and which allows every innovator in their garages and at home to dream big—that they could create new jobs in our economy.

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

Obviously, my friend, the gentleman from Massachusetts, walked in a little late because we just heard that all those big companies he railed against are opposed to this resolution we have before us. So if anybody is doing the bidding of those companies, it must be the Democrats, who have rattled off as part of their argument all those very companies that he just railed against who are opposed to us.

I now yield 2 minutes to the vice chairman of the Communications Subcommittee, the gentleman from Nebraska (Mr. TERRY).

□ 1410

Mr. TERRY. There are really three major points to bring up here. One is Congress did not give the FCC authorization to regulate the Internet. There is no authorization. Mr. MARKEY had a bill. It didn't get enough support even in a Democratic-controlled Congress to pass. There was not support for a net neutrality bill in the Senate. So the President, who made campaign promises to some of his biggest supporters from California, had to do it through the FCC. These back-end ways of legislating have to stop. That's what we're doing here today.

The second point is the robust nature of the Internet. I love the argument that as it's been deregulated somehow it's been stifled from innovation. Like we haven't seen the Facebooks and the Googles, which are in favor of net neutrality, come to being. My goodness, it was the robust Internet that allowed these great experiments like Netflix to come up. Now they're so big that they want help through government agencies for advantages in the marketplace.

We hear a lot about blocking, that it's about blocking content. There has been about a half a dozen instances, Madam Speaker, where Internet providers did block, in some way altered the people's, their customers' ability to go to a Web site. All instances were resolved by their customers' pressure and

some encouragement by the FCC. So the fact that these instances were resolved, and everyone knows there should be no blocking, why are we here except for the real reason: to give the FCC power over business plans.

Mr. MARKEY just mentioned it. The gentlelady from California mentioned it. It's about tiering. If you walk into McDonald's, you pay more for a large Coke than a small Coke. But yet under the FCC's plan, they want one size fits all, one price, which is the Netflix and Google's request.

Ms. ESHOO. I yield 4 minutes to a highly valued member of the subcommittee, the gentleman from Pennsylvania (Mr. DOYLE).

Mr. DOYLE. Madam Speaker, I rise in the strongest possible opposition to this resolution. If enacted, it will strip the Federal Communications Commission of its authority to police the most egregious conduct of broadband providers, and it would permit those providers to block consumers' access to lawful Web sites of their choice.

The FCC's open Internet rule makes two simple promises: To consumers, that we can visit any legal Web site and use any online service on any device we want; to innovators, that they don't have to ask permission from the government or get shaken down by Internet access providers when they come up with a new Web site, device, or service. That's it. That isn't regulating the Internet. No one's proposing to regulate Internet content. But Internet access providers have always lived with basic rules of the road. No blocking was chief among them.

Those basic rules of the road are what turned the Internet into the economic engine that it is today. But in our hearings on this bill, we learned that some broadband providers want the right to block what you can see. I'll tell you what I don't want. I don't want to live in a country where it's legal to block Web sites like it is in Iran, China, Saudi Arabia, Sudan, and in other oppressive regimes.

Why can't we have a regulation that protects your constituents' Internet freedom? What's the harm in ensuring that no one can block your constituents' ability to access the Web sites they want to visit?

I offered an amendment to this bill that simply tried to ensure that if this resolution of disapproval that we are considering today is enacted into law, broadband providers would not be able to block or interfere with consumers' access to lawful Web sites. But the way this resolution is written, we are not allowed to offer perfecting amendments.

You know, we used to be able to debate net neutrality in a levelheaded way. The no blocking principle was broadly accepted since it was included in the FCC's 2005 Internet Policy Statement, then controlled by Republicans. That principle has garnered support from both Democratic and Republican FCC Commissioners. Chairman Michael Powell stated at the time that consumers have come to be able to expect to go where they want on high-speed connections. And this was also part of the Communications Opportunity Promotion and Enhancement Act of 2006 authored by Chairman BARTON at that time. Most of my Republican colleagues who were there voted in favor of the bill.

To close, this resolution gives the green light to broadband providers to block anything, even legal content on the Internet, just like they do in Iran. I think consumers should have the choice to go where they want to go and to do what they want to do on the Internet. That's why my colleagues should oppose this legislation.

Mr. WALDEN. Madam Speaker, the last time I checked, it's like the Government of Iran controls their Internet. That's what we are trying to avoid here is government control of the Internet.

I yield 2 minutes to the gentleman from Florida (Mr. STEARNS).

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

Mr. STEARNS. Madam Speaker, it's a shame the gentleman from Massachusetts is not here. I appreciate always when he speaks his exclamatory speeches, high emotionality. His idiosyncrasies that he brings to the House floor are obviously humorous. But I think he and the gentleman from Pennsylvania miss a very blatant fact: The FCC has never had the authority to regulate the Internet. In fact, the Comcast decision, the D.C. Circuit Court in 2010 indicated clearly the Court found that the FCC failed to demonstrate it had authority under Title I.

Not even Title II, but under Title I, Mr. MARKEY, they had no authority.

So if the D.C. court ruled that way, you would think that you would respect that. So they had no jurisdiction to regulate the Internet in any form. And as a result of what the FCC did in December, a major telephone communication company intended to sue. They stopped their suit because of a technicality, but they are going to move forward with it because they also believe the FCC doesn't have jurisdiction to regulate the Internet.

So I am a little puzzled why you folks have come down here. I think all of you on the Democrats' side should realize there are over 60 Democrats on your side that signed a letter to the FCC in the last Congress saying they didn't want the FCC to regulate the Internet. So why don't you talk to me about your own colleagues, 60 of them, that agree with Mr. WALDEN and our republican Telecommunications Subcommittee on this issue.

So I really think it's a little puzzling why we are down here talking about it, and you are getting to the point where you are saying the FCC is having their authority taken away. They never had it. And the majority, a lot of your Members also agree with us that, frankly, the FCC should not regulate the Internet.

And this argument has been going on for over 3 years. It's nothing surprising. Mr. MARKEY acts like we are bringing this legislation to the floor all of a sudden. We have been working on this when Mr. BARTON was ranking member of the Energy and Commerce Committee and I was the ranking Republican on the subcommittee on Telecommunications. I sent letters, BARTON sent letters, and almost everybody on the Republican Telecommunications subcommittee also did it. So this is nothing new. And I think, Mr. WAXMAN and Mr. MARKEY, as you continue to try to exploit the idea that we are bringing fresh new legislation down here to control the FCC, you are wrong.

I rise in strong support of H.J. Res. 37. This measure will overturn the FCC's dangerous Internet regulations. These rules will, for the first time, give government a substantive role in how the Internet will be operated and managed, how broadband services will be priced and structured, and potentially how broadband networks will be financed.

Over the past 18 months, as the former Ranking Member of this Communications Subcommittee, I joined with former full committee Ranking Member JOE BARTON in sending 3 letters to FCC Chairman Genachowski expressing strong opposition to his plan to regulate the Internet. I have introduced legislation in the past two Congresses to try to prevent the implementation of net neutrality rules, as have other members. So as we can see, there is a long record fighting Internet regulation.

It is not appropriate for the unelected FCC to make a decision with such potential long-term consequences without explicit direction from Congress. The FCC's actions will lead to uncertainty and will drive investment out of the broadband sector.

Aside from the harm these rules will cause, whether or not the FCC even has the authority to enforce these rules is not clear. The FCC claims it has authority to enact the rules under Section 706 of the 1996 Telecommunications Act relating to the promotion of advanced telecommunications capability. However, the FCC cannot rely on Section 706 because, as the agency has previously acknowledged, Section 706 is not an independent source of authority, because Section 706 talks of removing barriers to infrastructure investment but the rules will erect barriers to investment. The FCC's claims stretch the authority under those provisions too far.

Just look at the DC Circuit's April 2010 decision in the Comcast case. The court found that the FCC failed to demonstrate it had ancillary authority under Title I to regulate Internet network management. As a result of these rules, more lawsuits will be filed, which will only lead to more uncertainty.

One of the few bright spots in our economy is in the technology sector. Yet, for some reason, the FCC has decided to overstep its bounds and institute unnecessary regulations. Only in Washington, can a regulatory agency issue rules to solve a problem that does not exist. It simply does not make sense.

The FCC talks about this in terms of open Internet and net neutrality. In actuality, it is net

regulation that will freeze investment, chill innovation, and harm job creation.

The Internet that exists today is open and thriving, because of the deregulatory approach we have taken over the past two decades. Consumers can access anything they want with the click of a mouse thanks to our historical hands-off approach to the Internet. We must maintain that course if the Internet is to continue to flourish, especially in the face of demands for more sophisticated content, services, and applications.

There is no crisis warranting the FCC's recent departure from that policy. The FCC hangs its adoption of network neutrality rules regulating the Internet on speculation of future harm.

I urge passage this legislation to stop the FCC from regulating the Internet.

Mr. WALDEN. Madam Speaker, could I just get a time check for each side?

The SPEAKER pro tempore (Mrs. ELLMERS). The gentleman from Oregon has 12 minutes remaining. The gentlewoman from California has 16 minutes remaining.

Ms. ESHOO. I would just like to add to the debate that the number of Democrats that signed the letter that Mr. STEARNS just referenced, that was in opposition to operating under Title II. The FCC listened, and they went and placed this set of rules under Title I.

I yield 2 minutes to the gentlewoman from California (Ms. MATSUI), another very distinguished member of the subcommittee.

Ms. MATSUI. I thank the gentlelady for yielding.

Mr. Speaker, I rise today in opposition to this resolution.

Mr. Speaker, ahead of a looming potential government shutdown, it is ironic that we are considering this resolution today that would move towards shutting down a free and open Internet. On the CR, my Republican colleagues are overreaching and have unfortunately demonstrated an unwillingness to negotiate in good faith with congressional Democrats and the President. The resolution before us is an example of the flawed process.

Under the terms of the Congressional Review Act, resolutions of disapproval are not open to amendment even for the most basic consumer protections. During the Energy and Commerce Committee debate, I offered an amendment that would preserve the transparency rule adopted by the FCC as part of the open Internet order, requiring broadband providers to make available their network management practices so that consumers and innovators can make informed choices.

□ 1420

I offered the same amendment to the Rules Committee in hopes that the majority would make it in order and debate its merits.

The transparency rule is the most basic of consumer protections, and it is also the least controversial aspect of the rule supported by broadband providers, high-tech companies and consumers groups, including all six witnesses during a committee hearing on this. Yet this resolution will remove this widely accepted practice to protect consumers and innovators as well.

Mr. Speaker, it is unclear how the FCC will be able to address consumer protection issues with respect to broadband providers if this resolution is enacted. We need to consider these unintended consequences. This resolution is a blunt instrument that risks the future of competition, innovation, and an open Internet.

Mr. Speaker, the FCC's open Internet order brings certainty and clarity to a debate that has consumed this industry for years. It allows Internet service and content providers to focus on what they do best, innovate and create jobs.

The SPEAKER pro tempore (Mr. CONAWAY). The time of the gentlewoman has expired.

Ms. MATSUI. I strongly urge my colleagues to oppose this legislation.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I think there is some confusion about House Joint Resolution 37 and what it does.

My colleagues seem to think this would impact the FCC's statutory authority, and I want to call their attention to the actual wording of the resolution. It's eight little bitty lines. If you start on line 3 and you begin to read, it says the Congress disapproves the rule submitted by the Federal Communications Commission relating to the matter of preserving the open Internet and broadband industry practices.

Now, what this does is to say we disapprove it. If you want to get to the statutory authority, I want to invite you to join us in that discussion. You are going to have that opportunity. It is called House Resolution 96, and it is coming to a committee near you very, very soon, and we look forward to forever prohibiting the overreach of the Federal Communications Commission.

Let's also be clear on another point that has been misstated. There have never been telephone rules that regulated the Internet. It didn't happen. They were not there. So we need to be certain that those who are listening to us, Mr. Speaker, realize that never had the Federal Communications Commission, never had the Federal Government regulated the Internet until December 21, when the Federal Communications Commission met after we had adjourned the 111th Congress and decided to go where they had no statutory authority to go. They enacted, they brought the heavy arm of government in and put it on the Internet after these Internet service providers spend about $60 billion a year on spectrum, on maintaining this network.

I would also remind my colleagues that when the ACLU decided they were going to go in here and show there was a need, they couldn't even find enough examples.

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

Mrs. BLACKBURN. There has never been an example of a market failure.

Ms. ESHOO. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my esteemed colleague for yielding time.

Mr. Speaker, I rise in strong opposition to this resolution to overturn the FCC's open Internet rules.

The public wants us to focus on job creation. And yet here we are debating this resolution that would do the exact opposite. It doesn't create jobs, not one. Instead, it injects uncertainty into our recovering economy. It stifles innovation in our fastest-growing industries.

The FCC open Internet rules ensure Americans can fully utilize all of the benefits the Internet provides, creating good-paying, head of household jobs along the way. But the resolution before us today jeopardizes all of that. Like a government shutdown, this resolution will hurt the economy, and I can't support that.

Now the public has made it clear: They expect us to cut spending in our CR, and we will. A deal is very close at hand, but Republicans are holding it up at the eleventh hour. Why? Well, apparently, it's not about the money. Instead, the holdups are the extraneous non-budgetary issues Republicans are trying to force into this funding bill, like cutting funding for women's health and letting polluters dirty our air.

Mr. Speaker, even Republican Senator TOM COBURN, who is nobody's idea of a pushover, has urged his party to drop the policy riders in order to avoid a shutdown. They should listen, Mr. Speaker.

Democrats have gone 70 percent of the way to Republicans' demands. That's a long way to go in terms of trying to reach a compromise, but Republicans are demanding that they either get 100 percent of what they want or they will shut down the government.

Democrats do not want to shut down the government. We know it would put our economy at risk right when we have been making progress over the last few months.

Mr. Speaker, the innocent victims that are shut down are the American people, and I share their outrage.

PARLIAMENTARY INQUIRY

Mr. WALDEN. Parliamentary inquiry, Mr. Speaker.

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

Mr. WALDEN. Is the gentlewoman addressing the bill before us? Is this germane to the bill before us? I question the relevance to the issue before us.

The SPEAKER pro tempore. The Speaker would remind Members to confine their remarks to the joint resolution.

The gentlewoman may continue.

Mrs. CAPPS. Mr. Speaker, the resolution before us today is just more of

the same. It will hobble our efforts to create countless jobs and boost our economy. This resolution shutting down the FCC's effort is not the way forward, and neither is shutting down the government.

I urge the Republican leadership to stop playing these dangerous games.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. I thank the gentleman from Oregon for yielding.

Mr. Speaker, I rise in strong support of H.J. Res. 37, which prevents the Federal Government from coming in and regulating the Internet. If you look at what's happening in Washington right now, I think there is no clearer sign how broken this town is.

President Obama couldn't even pass a budget last year, and his party controlled the House, the Senate, and the White House, which is why we stand here today facing a potential government shutdown. But yet the President is going to come along and say now he wants the government to run the Internet, to have regulations on the Internet.

You know, my colleagues on the other side talk about all these innovations. And I love all the innovations that have happened over the last few decades. The irony of that is all these great innovations have all happened without this government regulation that the FCC is now proposing. They act as if we're trying to take away the things that have allowed the innovation.

In fact, it's the innovations that have happened because the government hadn't figured out how to come in and regulate it in a way where they would be picking winners and losers. And yet the FCC is proposing a plan that picks winners and losers. And they rattled off a big list of some big companies who have done well for themselves and now want to be those winners that the government would protect.

What you don't hear about is what about those small startup companies, that small company that is working out of a garage right now in California that's going to be the next big idea. But if the government picks winners and losers, we all know who usually are the losers: It's those small startup companies that might never be that great idea of innovation.

We have got to be able to protect the next Harvard student who is right now studying at Harvard but may be getting ready to drop out and be the next billionaire who created another great idea. And all those great ideas, again, happen without this government regulation the FCC is proposing, which is why we need to block them from doing it.

Then you can just go look at the innovations. In 2000 less than 5 percent of homes had broadband Internet access. Today more than 70 percent do, and it's growing because of over $500 billion of private investment, because of this innovation in the job creation that's going with it.

Let's protect those jobs. Let's protect the Internet's ability to continue regulating without the heavyhanded government picking winners and losers.

Ms. ESHOO. Mr. Speaker, I yield 3 minutes to the gentleman from the State of Washington (Mr. INSLEE).

□ 1430

The SPEAKER pro tempore. The Chair is investigating the source of the microphone malfunction.

Mr. INSLEE. Mr. Speaker, it is deeply disappointing that instead of being here seeking a bipartisan consensus to avoid a government shutdown, we again are brought to this floor in an effort to engage in this ideological effort to, in fact, shut down government.

Yesterday, my Republican friends wanted to shut down the ability of Uncle Sam to protect the freedom of Americans to breathe clean air. Today, they are attempting to shut down the ability of Uncle Sam to protect the freedom of Americans to get access to the Internet. Tomorrow, they are attempting to shut down the government so they won't be allowed to protect the freedom of women to get health.

We should not be shutting down Americans' access to an open Internet. We should be opening up Americans' access and Uncle Sam's ability to guarantee Americans access to the Internet.

Now here's what is at stake. Our access to freeways—and freeways are great, just like the Internet is great, but it is not so great if powerful economic forces can shut down the on-ramps to the freeway. And it's not so great if they can shut down or create a two-tiered system so that if you go to your Internet service provider's favorite warehouse store you get a deal to get access to the freeway; but if you want to go to their competitors, you have got to pay extra and you get slower service to get there. This is what is at stake.

And what the Republicans want to do with this resolution is shut down government's ability to prevent these powerful economic forces from making a second tier, a substitute, a secondary access if you don't go to their favorite situation.

Now, Mr. Speaker, America has been great because it invented free speech and it has been great because it has invented an open Internet. But both of those freedoms are in jeopardy today because powerful economic interests that are becoming larger and larger in consolidating these Internet entities have the ability now to start choking off consumers' access to the Internet. And for those who want to say, oh, it's not a problem, we cannot wait until this horse is out of the barn, it will be too late.

And, by the way, this is not just a consumers' issue; it is a business development issue. It is small businesses who today want to create these small businesses that want to have people get access to their businesses. And they don't have the powerful clout to sign these big, mega-million dollar deals with Internet service providers to give them a leg up.

Mr. Speaker, reject this issue to shut down government's ability to provide freedom of the Internet. Preserve open Internet and reject this bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask that Members suspend use of that microphone until we determine the problem.

Mr. WALDEN. Mr. Speaker, I think this points up two things. When you have government-run microphones on the Internet, you're going to have a problem. And, second, we are for open and free microphones; so they are welcome to use our podium as well.

I now yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. Mr. Speaker, it is with some trepidation that I come before this government-regulated microphone, but I do come in strong support of this resolution. I would like to commend the chairman of the Subcommittee on Communications and Technology, Mr. WALDEN, for his leadership to prevent the Federal Communications Commission from implementing regulations on the Internet.

As a member of the subcommittee, I'm proud to be a cosponsor of H.J. Res. 37 because I believe that it is absolutely necessary that we invoke the Congressional Review Act to nullify the implementation of net neutrality because it will negatively impact our economy. It is time that we rein in the FCC under its current leadership and ensure the continued growth of the Internet without the handcuffs of net neutrality.

Mr. Speaker, the sole reason the Internet has been able to grow unfettered is due to the absence of unnecessary regulations, and I fear that the FCC's so-called open Internet order will stifle innovation and investment, and it will prevent continued job creation within the broadband industry.

Unfortunately, the FCC has chosen to act without quantifiable statistics about the need for such regulation. In fact, in the FCC's order, the commission admitted that it conducted no—and I repeat no—market analysis on the demonstration of any actual problem rather than mere speculation.

In our subcommittee hearing with all five FCC commissioners on February 16, Commissioner McDowell testified that this order is not necessary, it will cause more harm for the industry than it will prevent, and that the FCC does not have the authority to move forward on this order.

He is not alone in this analysis. Former FCC Chairman William Kennard, who was appointed by President Clinton, said back in 1999 that the ''deregulatory, competitive approach''

has led to the innovation in the Internet that now benefits our country, as my colleagues have pointed out.

Mr. Speaker, this is precisely why we are here today. I am reminded of the famous line in William Shakespeare's ''The Tempest.'' He wrote: ''What's past is prologue.'' Our policy of deregulation of the Internet has yielded tremendous benefits and growth, and I strongly believe that the FCC's order will undermine that growth over the past 15 years.

Ms. ESHOO. Mr. Speaker, first I'd like to say that this charge about the FCC failing to conduct an adequate market power and cost-benefit analysis has been stated and restated ad nauseam. The FCC fully reviewed the competitiveness of broadband Internet access markets and analyzed the cost benefit of adopting open Internet rules.

Secondly, the Republican witness that came before the committee very comfortably spoke about blocking Netflix. So if anyone questions whether consumers are at stake here and what could happen, they should just look to that record.

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

Mr. KUCINICH. I thank the gentlelady.

I just want to comment on my friend from Georgia's scholarly, even erudite, mention of the quote from Shakespeare and ''The Tempest'' because I too was thinking of ''The Tempest'' perhaps in a different line, not necessarily related to these proceedings; but you just sparked this memory of the line from ''The Tempest'' that says, ''Hell is empty, and all the devils are here.''

Now H.J. Res. 37 undercuts the authority and the mandate of the FCC during an era of increasing consolidation in the telecommunications industry. The FCC order gives the wired and wireless broadband industry too much leeway to exercise ''reasonable'' management of the Internet. The FCC order should explicitly forbid such practices as ''paid prioritization,'' a technique where ISPs funnel users to one type of content over another simply because that site or service moves faster instead of a mere pledge to monitor broadband developments.

The FCC ought to be sending the strongest possible message to Internet service providers that the physical infrastructure and foundation of the Internet from which they reap immense profit was created by the American taxpayer.

Instead of telling the FCC that there should be no net neutrality rules, we should be sending the FCC back to the drawing board with a message that the FCC should be more vigilant in protecting net neutrality, not less. Keep the Internet open and keep government open; otherwise, we may have succeeded in communicating that the opposite of progress is Congress.

□ 1440

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Speaker, this is a big shocker. I am new here, me and about 86 new people on my side. I watched last year as I was running for office to represent the 11th District of Illinois. I watched as this House failed to produce a budget, which is why we are where we are today. But I also watched as this body, the Democrat-controlled body, attempted to implement net neutrality through the legislative process but failed to garner enough votes. They didn't, and that's fine. That's good. Everybody has a right to do that. This is the people's House.

But what happens if you are unable to do that through a legislative process? Well, why not call a regulatory agency in to do it by fiat. Ladies and gentlemen, the FCC and a whole host of other regulatory agencies have acted outside the will of the people. It is high time that the regulatory agencies do what their job is, which is to regulate, not to legislate.

We were sent here in November to stand up and say the will of the people will be respected in the House of Representatives and the will of the people will be respected by the Federal Government.

Ms. ESHOO. Mr. Speaker, I now would like to yield 2 minutes to the distinguished ranking member of the House Appropriations Committee, the gentleman from Washington (Mr. DICKS).

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

Mr. DICKS. Mr. Speaker, it strikes me, and I have one major question, and that is: Why are we considering H.J. Res. 37 when we are on the verge of shutting down the House of Representatives?

I hope and I think a deal is very close at hand, but Republicans are holding it at the 11th hour over divisive social policy that should not be a part of this debate. Republicans should not hold the government hostage using controversial social policy as ransom. Republicans are especially focusing on divisive changes to women's health policy.

PARLIAMENTARY INQUIRY

Mr. WALDEN. Parliamentary inquiry, Mr. Speaker.

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

Mr. WALDEN. What is the relevance?

The SPEAKER pro tempore. The gentleman from Washington is reminded to confine his remarks to the subject matter of the joint resolution.

Mr. DICKS. Well, I think the relevance is: Why are we here working on this piece of legislation at this time when we are on the verge of a crisis of shutting down the government?

Mr. WALDEN. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Oregon.

Mr. WALDEN. I would be happy to answer.

I am not part of that negotiating team. And I don't think you are, and I don't think Ms. ESHOO is or Mr. WAXMAN. And so those who are negotiating are negotiating, and we're taking care of this business.

Mr. DICKS. Reclaiming my time. I reclaim my time.

This is an important day. And what we are saying on our side is we want to enact a clean continuing resolution at some point today so we can take care of our troops and so we can move forward with the process and protect ourselves. And I hope we can do it in the context of an agreement between the President, between the leader of the other body and the Speaker of the House. If that is done, then this will be a good day. But taking up H.J. Res. 37 to kind of do as a filler, to me, it doesn't make any sense.

Mr. WALDEN. Mr. Speaker, I now yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

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

Mr. GOODLATTE. I thank the chairman for yielding and for his leadership on this issue.

To the gentleman from Washington, I would tell him yesterday this House voted to cut government spending and keep the government open. Today this House will vote to cut government regulations and keep the Internet open. That's what this is all about.

Let me add that, to the gentleman from Pennsylvania who said all the FCC is doing is making two simple promises, here they are: 200 pages, single spaced, small print, to make two simple promises to keep the Internet open.

Well, guess what. The Internet is open now and we have laws to protect keeping the Internet open now, and they are called antitrust laws. If they need to be modified, they should come forward with those proposals. But the Internet is open today.

And to my friends in the technology community, and they are my friends, some of whom think this is a great thing the FCC is doing, I would say to them, be careful what you ask for because these 200 pages are just the beginning. There will be thousands of pages more as they illegally try to blast their way into regulating the most valuable invention in the history of the world. That is what is going on here.

And to the gentlewoman from California who says there is a market power analysis, I refer to page 12 of the very FCC regulations, which says: ''We are not performing a market power analysis in this proceeding.''

This issue is very, very important. The Internet is based upon free enterprise. It is based upon individual initiative and creativity. It is not based upon government regulation, and government regulation will stifle it and ultimately snuff it out. If you want proof of that, go look at government-

regulated Internets in other countries around the world like China and Iran. That is not what this country is about. We are about protecting the greatest job creator we have ever made in this country.

Support this resolution. Oppose the naysayers.

I rise in support of House Joint Resolution 37. Many Internet content providers are concerned, as am I, about proposals to create different classes of content on the Internet or to discriminate against legitimate content or services online.

Unfortunately, I believe that the FCC has gone too far in its recent action and urge a yes vote on H.J. Res. 37, which would eliminate uncertainty created in the marketplace by the FCC's power-grab.

I believe in free market principles and the fact that Government involvement often stifles innovation. I also believe that our Nation's antitrust laws have served as important guidelines to ensure that markets remain competitive and that these antitrust laws must remain applicable to ensure that Internet access providers do not discriminate against or block access to certain Web sites, services, or content. In fact, the Judiciary Subcommittee on Intellectual Property, Competition, and the Internet, which I chair, recently held a hearing to discuss the impact of antitrust laws on net neutrality. I urge passage of this resolution.

Ms. ESHOO. Mr. Speaker, I would like to just in a calm voice respond to my good friend, Mr. GOODLATTE. And he is a good friend.

This is not necessary. If there were a case to be made, other than those that have come to the floor today, it would have been made in testimony by the people that are the very stakeholders in all of these businesses. And that's why I started out today by saying I don't believe the Republicans have a case, a leg to stand on, because all of the companies—small, medium, and large—even the largest broadband providers in the country, consumer advocates, religious organizations, it is the broadest and deepest coalition I have seen in recent history of the committee, they are all opposed to what you are doing.

So you are having a wonderful conversation with yourselves, but, most frankly, it is not doing anything for anyone else. This is about protecting consumers, and there have been cases, case after case at the FCC where abuses were committed in terms of blocking, and many other things. So this side is for protecting and understands what an open and free Internet is.

I yield 1 minute to the gentleman from California (Mr. WAXMAN), the ranking member of the full committee.

Mr. WAXMAN. I was astounded by the comment of our friend on the Republican side of the aisle who is not on our committee. He said that the antitrust laws will protect us. Well, if you have a cable company or a phone company to choose, you are going to choose one or the other. Let's say the cable company has its own list of special programs that they want people to purchase. Well, they could easily stop Netflix. They could easily stop competitive programming. That is not an antitrust violation; that is a business opportunity. And what these rules propose to do is to not give anybody a business opportunity to deny the consumer the ability to access anything on the Web, which is the case today.

These rules that we see the FCC doing are being put into place to make sure that somebody does not take advantage of the power they have in the market. We do that all the time. We regulate the securities agencies with the SEC because we don't want them to run amuck. I wish the SEC had acted to stop the economy from going over the cliff practically.

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

Ms. ESHOO. I yield an additional 30 seconds to the gentleman.

Mr. WAXMAN. We need to defeat this Republican proposal because it is not based on anything but an ideological point of view that government can do nothing right and business can do nothing wrong; and they, therefore, favor the big businesses.

I say do not vote for this Republican proposal. It is not something that any constituency wants. It would confuse the situation. It would make life uncertain for all of the players, stakeholders and others, and it would deny consumers the freedom they now have.

□ 1450

Mr. WALDEN. Mr. Speaker, it is evident that there's confusion on their side of the aisle, because at one end they have a Speaker that says we're doing the bidding of the big oligarchies, these big companies, and on the other hand that all those companies oppose what we're doing. I'm trying to figure out just which side they're on. We're for an open Internet that is vibrant as it is today because it's not regulated by the government.

I would now yield 1 minute to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Mr. Speaker, I think we should boil it down to what this debate is all about. The supporters of this resolution, including myself, believe that the Internet has been, frankly, rather efficient and innovative and creative—clearly more efficient and innovative and creative than the Federal Government bureaucracy.

The administration, however, believes that the Federal bureaucracy can do a much better job running the Internet. Therefore, they are proceeding to regulate the Internet.

Here is the bottom line, Mr. Speaker. If you believe that the Federal Government bureaucracy should regulate, i.e., should run the Internet because they can do better, then please vote against this. However, if you believe that the Internet does a pretty good job and that the Federal bureaucrats' hands should be again kept out of the Internet, then you would vote ''yes'' for the resolution. It is, frankly, just that simple.

Ms. ESHOO. I yield the balance of my time to the distinguished gentleman from Massachusetts (Mr. MARKEY).

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1½ minutes.

Mr. MARKEY. I thank the gentlelady.

The microphone in the well on the Democratic side is shut down; so I will use the microphone on the Republican side.

And I will say to the Republicans that we already have rules that govern the Internet that have passed through this Congress. They deal with education; they deal with privacy; they deal with intellectual property; they deal with global Internet governance; they deal with network security; they deal with pornography; they deal with taxation of items on the Internet; they deal with protections to the deaf and blind on the Internet. We do have rules on the Internet, so don't pretend for a second that we don't.

Let me give you, though, another lesson from Adam Smith in the Wealth of Nations. Here is what he said:

''The Member of Parliament who supports every proposal for strengthening the monopoly is sure to acquire not only the reputation of understanding trade but great popularity and influence with an order of men whose numbers and wealth render them of great importance.

''If he opposes them, on the contrary, and still more if he has the authority to be able to thwart them, neither the most acknowledged probity nor the greatest rank nor the greatest public services can protect him from the most infamous abuse and detraction, from personal insults, nor sometimes from real danger arising from the insolent outrage of furious and disappointed monopolists.''

Adam Smith warned us of monopolies, of oligopolies as the greatest threat to capitalism. That is what we are debating today, to ensure that the Internet is open, not just to the monopolists but to every entrepreneur, the tens of thousands of them out there who have been creating the wealth, creating the opportunities, creating the jobs, creating the open communication that has revolutionized our world.

In Iran it is legal to shut down the Internet. In China it is legal to shut down the Internet. Let us make sure in the United States it is not legal to shut down the Internet.

Mr. WALDEN. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Oregon is recognized for 1½ minutes.

Mr. WALDEN. First of all, I think it's very interesting that the last speaker pointed out that in Iran and in China they can shut down the Internet. That's because the government controls the Internet. That's what Republicans are trying to stop from happening here, in part because we think

it's wrong, in part because we know that the FCC does not have the legal authority to take this action. That's why we're doing that.

But beyond that, it's a bad economic decision, because we had a Harvard MBA testify before our committee, ''Over time, the order represents a direct transfer of wealth from broadband access providers to those whose content rides over the network. That means that it provides those who ride the network with a strategically vital financial weapon to use against broadband providers who in many cases are their competitors.''

You see, this is picking winners and losers. The Democrats do not want to extend the net neutrality rules to the search engines and others who ride on the network. They don't want to do that. They want to pick a winner and a loser. They're the ones who are siding with the big companies in this case. We're the ones on the Republican side who are siding with keeping the Internet open and free as it is today, that has allowed it to flourish and grow, that has allowed incredible technology and innovation to take place. We want it open and unfettered from government regulation in terms of the management of the Internet.

Further, we do not believe that the FCC has the legal authority to regulate in this area. When they have attempted this before, the D.C. Circuit Court has said, you did not prove, FCC, that you had legal authority and struck them down. And if they are able to get authority using section 706, they may well have opened the door to every State regulator in the country regulating the Internet. That's bad for innovation.

Ms. MCCOLLUM. Mr. Speaker, I rise in strong opposition to H.J. Res. 37—legislation introduced by the House majority that would bar the Federal Communications Commission (FCC) from enforcing the new rules on net neutrality that protect consumer freedom on the Internet.

Last year, the FCC produced a commonsense set of rules that would bar Internet service providers from slowing or blocking consumer access to the Internet. The rules strike a sensible balance between ensuring consumer access to the Internet and the need for Internet service providers to pursue innovative and equitable business models.

Today, the House Republican majority brought H.J. Res. 37 to the floor. This reckless legislation would strip away the FCC's ability to ensure a fair online marketplace and protect consumers. Moreover, it is being introduced at a time when large corporations are already restricting Americans' Internet freedom.

Under H.J. Res. 37, consumers would not have a right to know if their Internet connection is as fast as advertised, or how their Internet provider is charging them for certain services. This legislation is a threat to the open Internet: without proper enforcement of net neutrality rules, competition would be limited, innovation would be hindered, and open access to information would be restricted.

As individuals and businesses increasingly rely on access to high speed Internet, they also rely on federal authorities to develop and enforce essential consumer protections. This radical proposal by House Republicans would demolish the Federal government's ability to carry out these protections and ensure a free and open Internet for our constituents. If the Republican majority gets their way and this bill becomes the law of the land, consumer choice would be sacrificed in favor of even more power for a handful of corporations.

I urge my colleagues to oppose H.J. Res. 37.

Ms. MOORE. Mr. Speaker, I rise today in opposition to H.J. Res. 37, a resolution of disapproval regarding the Federal Communication Commission's recent Internet and broadband industry practices ruling.

It is very telling that as we count down the hours till a likely government shut down, the majority party decides to focus their energy on net neutrality principles, rather than the American people.

I was elected into Congress to represent my constituents, including the 3,600 Federal employees in Wisconsin's fourth congressional district.

The same constituents who want answers to the very simple questions, ''Will I get paid?'' and ''Can I make my mortgage payment?''

A Government shutdown is not free of consequence. Let me take a minute to explain how serious this is to our country.

Some estimate that a week-long shut down could cost America's economy $8 billion. This would be a crushing blow to our economy as we have been seeing job growth, with more than 200,000 jobs added just last month.

Beyond that, many services will be delayed or stopped all together, including:

Tax refunds that families have budgeted for will be delayed;

Our brave men and women in the Armed Forces will still be fighting for us, but will be paid late;

Environmental reviews underway for new construction projects that create jobs will be stopped;

Federal Housing Administration would stop approving loans, threatening the housing market;

The Small Business Administration will stop giving loans to qualified small businesses that are ready to expand and create jobs;

Enrollments in programs like Social Security will be slowed;

Our national parks and museums will close affecting families who have saved up for vacation and the communities that rely on a strong tourism economy; and

800,000 Federal workers may be furloughed, which could ultimately cost the government about $175 million a day in back wages.

Now the question is—what are we doing right now to prevent it?

The answer is: Nothing. The majority has deemed it necessary for the American people to debate whether or not to disapprove of the FCC's net neutrality rule.

The bill funding the government will expire tonight at midnight. Democrats have been working with Republicans and have met them more than halfway on the cuts they proposed in their 6-month continuing resolution. Yet, Republicans are refusing to compromise—not on the spending cuts—but on what are known as ''policy riders.'' The bottom line is that this debate isn't about numbers anymore, it's about ideology.

Republicans are willing to shut down the government over debates we have been having for years over family planning services like birth control.

House Speaker JOHN BOEHNER has acknowledged that House Republicans need to compromise when he said they are clearly ''one-half of one-third of the government.'' Yet, he is beholden to the fringe of his caucus.

I urge my Republican colleagues to put the ideological partisanship aside and work together for the sake of my district and the American people.

Mrs. CHRISTENSEN. Mr. Speaker, the legislation we are considering today—H.J. Res. 37—is one of the most regressive I have seen, even in a very regressive environment.

H.J. Res. 37 not only stifles innovation but is anti-small business, anti-consumer and, because it brings uncertainty back into the telecommunications marketplace, is also anti-investment and anti-job creation. All of the industry leaders, as well as consumer groups and those for whom an open Internet provides opportunities to start a business and grow, support the FCC rule.

The principles embodied therein have guided the Commission for years now and this resolution, if passed, would set this industry back decades with no benefit whatsoever and without the possibility of rectifying the damage it would do.

The FCC has adopted a framework that will preserve the open Internet and create certainty in an industry that changes every day. Ironically, it is the Republicans who are creating uncertainty by preventing the FCC from fulfilling its statutory mandate.

Using the Congressional Review Act to oppose the FCC's Open Internet Rule is bad politics and sets a bad precedent.

I urge my colleagues to vote ''no'' on H.J. Res. 37.

Ms. PELOSI. Mr. Speaker, in support of consumer choice, innovation and economic growth, and a free and open Internet, I oppose the repeal of net neutrality rules.

In the wake of extraordinary movements for reform and human rights in the Middle East—organized online, on Facebook and Twitter—the United States must take heed of one of the fundamental facts of our time: that an open Internet is a critical building block of free, prosperous, democratic societies in the 21st century.

Out of this conviction, many of us have fought for net neutrality rules—because neither government nor telecommunications firms should be in charge of our free speech; because the Internet strengthens our democracy, stimulates investment, and bolsters our economy.

As a coalition of small businesses wrote in opposition to today's resolution: ''the open Internet increases opportunities for businesses large and small to compete and grow . . . An open Internet allows us to reach our customers at any place and at any time . . . An open Internet is an engine for economic growth, innovation, and job creation.'' To put it another way: an open Internet enhances consumer choice, supports entrepreneurship, and ensures competition in our economy.

Among those leading the charge are: Ranking Member HENRY WAXMAN, Energy and Commerce Committee; Congresswoman ANNA ESHOO, the top Democrat on the Energy and Commerce Subcommittee on Communications

and Technology; Congressman ED MARKEY, Congressman MIKE DOYLE, and Congresswoman DORIS MATSUI of the Energy and Commerce Committee.

Late last year—after hearing from public interest groups, civil rights organizations, religious leaders, small businesses, unions, and education advocates—the Federal Communications Commission issued long-overdue rules for open access to websites and online services.

These standards were a step in the right direction; but they did not go far enough. Standing alone, the rules are not sufficiently clear, consistent, or firm to effectively protect consumers and innovative freedom. But that's not reason to eliminate them; it's reason to strengthen them.

However, the resolution before us today takes us in the wrong direction. It will revoke basic consumer protections of transparency and choice online; eliminate competition and shut off outlets of innovation. And it betrays the democratic values resting at the core of our history, our success, and our country's prosperity.

We live in an era when the Internet has the potential to transform lives for the better—through job creation and economic development; as a venue to communicate, speak out, and exercise our fundamental right to free expression. Democrats and Republicans should be able to agree that we must tap into this potential for the benefit of all Americans. We must work together to maintain and expand an Internet where innovation can flourish, where consumer choice is protected, where the democratic spirit of our nation remains strong.

I urge my colleagues to vote "no" on this resolution.

Mr. VAN HOLLEN. Mr. Speaker, I rise today to oppose H.J. Res. 37, a resolution disapproving of the recent FCC net neutrality rule.

The FCC's net neutrality rule is designed to ensure that the Internet remains affordable and accessible to all Americans. This goal is critical for Americans to engage the world and for the Internet to continue to be the engine of economic growth, job creation and innovation we have known it to be. To continue fulfilling this vital role in our society and economy, the Internet must be unencumbered and free from arbitrary or commercially driven disruptions. The FCC rule is tailored to achieve that objective.

Mr. Speaker, the FCC's net neutrality rule is the product of years of careful analysis, deliberation and review. The question of whether the FCC has the authority to issue the rule will ultimately be decided by the courts. We should not be considering such a serious matter under the expedited procedures and closed rule before us today.

I urge a "no" vote.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 200, the previous question is ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HOYER. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. HOYER. I am in its present form.

Mr. WALDEN. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Hoyer moves to recommit the joint resolution, H. J. Res. 37, to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Page 2, after line 8, insert the following:

SEC. 2. That the Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended by striking the date specified in section 106(3) and inserting ''April 15, 2011''.

Mr. HOYER (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Maryland is recognized for 5 minutes in support of his motion.

Mr. HOYER. Thank you very much, Mr. Speaker, and I want to thank the gentleman from Oregon for the time. I understand that he could have precluded that, and I appreciate the fact that he gave me the time.

Mr. Speaker, we've heard on the floor about all the Americans who would suffer the very real effects of a government shutdown. Those effects might include slowed economic growth, which means, of course, fewer jobs; a weakened housing market; delayed pay for our military families; delayed benefits for our veterans; unanswered Social Security applications; proceedings and more. Republicans are holding these government services hostage. Let me repeat that. The Republicans are holding those services hostage. And it turns out that their ransom demand is the passage of divisive social policy, because Mr. and Mrs. America know, my colleagues and Mr. Speaker, that we have got an agreement on numbers. We've got an agreement on how much to cut, a compromise. Henry Clay said, ''To compromise is to govern.'' We cannot govern if we do not come to agreement. But we haven't come to agreement now.

Democrats have proven more than willing to compromise. We've met Republicans more than halfway, only to find out that Republicans cannot stand up to the most extreme in their party who demand that we have an agreement on a social policy totally unrelated to the deficit. But we're still hopeful that Members of both of our parties can put their responsibility to the American people first, come to a compromise, and keep the government open for the people it serves.

To give that work the time it needs, I urge my colleagues for a clean, 1-week spending bill, a bridge to keep the government functioning into next week. That is what this motion will do. It's very simple. It will keep our defense structure intact, make sure that our people on the front line, in harm's way, get paid; make sure that every other government official that is serving the American people stays on the job to do just that.

It is free of divisive social policy. It contains no partisan measures. It will ensure that our troops are taken care of and paid on time. And unlike the partisan, divisive, 1-week extension passed by the Republicans, it can and will become law. Those Members who understand that we must compromise in order to govern I think will support this 1-week bridge and support this motion to recommit.

□ 1500

Mr. Speaker, let me say to you that I had the privilege of being on television with your whip, the majority whip, a friend of mine. His assertion was that, well, we had voted for some of these policies when George Bush was President. I didn't agree with those policies, but I allowed them to stay in the bill. Why? Because I knew that I had to compromise. I knew that the American public had elected a Republican President who disagreed with me. And I knew as well that I needed to keep the government running because I had a responsibility to the American public to do so. I had a responsibility to the servicemembers to do so. And so, yes, I compromised. That is all this resolution is asking of all of you.

You have a President of our country. Is he a Democrat? He is. But he is elected by the people of the United States, and he disagrees with your provision, just as George Bush agreed with it. But when we were in charge, we did not shut down the government because of that disagreement; we understood that the American public expected us to compromise and come to an agreement. This motion to recommit, if passed, will allow you to do that and keep government open.

We have now been debating for almost 2 hours, under the rule and during the course of this debate, an amendment that will make no difference to the American public tomorrow. This motion to recommit will make all the difference to America tomorrow. It is the difference between keeping the government open and shutting it down in just a little less than 9 hours from now.

I ask each of our colleagues, Republican and Democrat, conservative and liberal, east, west, north, and south: Support this motion to recommit. It is the responsible, effective way to do what so many of you have said you want to do, and that is to keep this government functioning for the American people, continue to give it stability.

And I might add that you criticized us for creating uncertainty. I think

that was an apt criticism, my colleagues on the Republican side, that certainty is important in our economy. Nothing will create more uncertainty than defeating this motion to recommit.

I urge its adoption.

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

Mr. WALDEN. Mr. Speaker, I continue to reserve my point of order.

The SPEAKER pro tempore. The point of order is reserved.

The gentleman from Oregon claims the time in opposition to the motion and is recognized for 5 minutes.

Mr. WALDEN. To my dear friend and colleague from Maryland, I'm actually surprised he has the time to come to the floor given the status of negotiations, I'm sure they're taking place as we speak, but we appreciate him coming to the floor.

Let me make a couple of points. First of all, the continuing resolution they put forward in this context is more of the status quo spending that just keeps government growing. We're saying no; we are to do better than that for the American people. We need to reduce wasteful Washington spending. We need to create jobs in the private sector.

We came here to cut back on the deficit and not put an ever-increasing, intolerable, unsustainable—frankly, immoral—budget deficit and debt on the next generation, our kids and our grandkids. We did not come here to do that. We came here to cut spending.

Mr. HOYER. Could my friend yield just so I can correct, because I will tell my dear friend——

Mr. WALDEN. I have not yielded.

Mr. HOYER. Could you yield just so I can correct the statement? Because it does cut the $51 billion we've already agreed to. And I thank the gentleman.

Mr. WALDEN. I appreciate that.

The point here, though, is this: We would not be here today if the Democrats in the last Congress had bothered to take up a budget and pass it or even vote on it. That is the first time since the 1974 Budget Act was put into law that I believe the House didn't consider a budget. It's not that the House and Senate have always agreed on a budget, but at least they've always voted on a budget. And the Democrats, under Speaker PELOSI and my friend from Maryland, could not bring or did not bring a budget to the House floor for even consideration in the House.

Now I was in small business for 22 years, I've served on various boards, and if you failed to bring a budget and pass a budget at a city council, a county commission, a corporation, you would be tossed out. But in the Congress—well, I guess they did get tossed out in November, but they didn't do a budget. And then, you didn't fund the government through the fiscal year we're in today. You only funded it into March, and then it was left on our doorstep when we took the majority. That's not the first time that's happened, and it has happened over time, but we came in and said, okay, we won, we assume the responsibility to govern. And we passed a continuing resolution to fund the government through the rest of this fiscal year—it would have funded our troops and everything else—and cut $61 billion in spending. And that still resides in that august body across the Capitol where they can't seem to act.

When that didn't work, we came back with another continuing resolution, cut $2 billion a week. That resolution was passed in this House—I think with bipartisan support—went to the Senate, was passed there, signed by the President. We continue to negotiate because we're not here to shut down the government. We're here to cut the government spending and get back toward a balanced budget and create jobs in the private sector.

When they couldn't get a deal, we passed another continuing resolution. We cut more—another $2 billion a week, we're up to 10 now. That passed this House, it went over to the Senate, it became law.

And then when we could get nothing else back from the Senate, yesterday we brought forward a resolution to make sure our men and women in uniform, who are fighting for our freedom across this globe, and their families here at home, would get paid through the end of this fiscal year. And we also cut spending. We cut the spending we cut in the first resolution—that's still residing in the Senate where they can't act—and we sent that over to the Senate where it sits. Now the first thing we hear from the President is, I'm going to veto it. And the Senate says, oh, we can't take that up. Well, why not? We passed it here, and we did so in a bipartisan way. And it's over there.

Republicans have acted responsibly to the will of the American people. We have said time and again we will govern, and we will govern responsibly. There is no blank check here anymore. And we're going to follow the rules.

POINT OF ORDER

Mr. WALDEN. That is why I am insisting on my reservation of a point of order because we are not going to violate the House rules. The motion is not in order because it violates clause 7—as I'm sure the gentleman from Maryland knows—of rule XVI of the Rules of the House. It is not germane to the resolution before us.

Mr. Speaker, I insist on my point of order.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order?

Mr. HOYER. Mr. Speaker, I wish to speak on the point of order.

The SPEAKER pro tempore. The gentleman from Maryland is recognized.

Mr. HOYER. Mr. Speaker, Congressman ALLEN WEST, a newly elected Republican from Florida, said, ''I'm disgusted at the perception that leaders in my own party are now using the men and women in uniform to pass a short-term budget bill.'' That was a newly elected Republican, a former member of the Armed Forces of the United States. My point being this, Mr. Speaker: This resolution speaks directly to keeping the government of the United States operating for the next 7 days, keeping our men and women in the Armed Forces paid for that week, making sure that every other necessary service for government is available to the American people for the next 7 days. And it is the only vehicle that now appears to be viable to accomplish that objective. And as a result, Mr. Speaker, I believe this is not only in order; it is imperative that we pass this motion to recommit. And I would urge the Speaker to find it in order.

The SPEAKER pro tempore. The Chair is prepared to rule.

The gentleman from Oregon makes a point of order that the instructions included in the motion to recommit propose an amendment not germane to the joint resolution. Clause 7 of rule XVI, the germaneness rule, provides that no proposition on a subject different from that under consideration shall be admitted under color of amendment.

House Joint Resolution 37 addresses a rule submitted by the Federal Communications Commission. The instructions contained in the motion to recommit address continuing appropriations for the fiscal year 2011, a different subject matter.

Accordingly, the amendment proposed in the motion to recommit is not germane. The point of order is sustained and the motion is not in order.

Mr. HOYER. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE

Mr. WALDEN. Mr. Speaker, I move to table the appeal.

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

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

RECORDED VOTE

Mr. WALDEN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the 15-minute vote on the motion to table will be followed by a 5-minute vote on passage of the joint resolution, if arising without further proceedings in recommittal; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 235, noes 181, not voting 16, as follows:

[Roll No. 251]

AYES—235

Adams	Bachus	Biggert
Aderholt	Barletta	Bilbray
Akin	Bartlett	Bilirakis
Alexander	Barton (TX)	Bishop (UT)
Amash	Bass (NH)	Black
Austria	Benishek	Blackburn
Bachmann	Berg	Bonner

Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
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)
Gohmert
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
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
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
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)
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 (IN)

NOES—181

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
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)
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
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
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Peterson
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
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)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—16

Becerra
Berkley
Clay
Cleaver
Costa
Frelinghuysen
Giffords
Hinchey
Lummis
Meeks
Paul
Pelosi
Polis
Waters
Young (AK)
Young (FL)

□ 1533

Ms. PINGREE of Maine changed her vote from ''aye'' to ''no.''

Mr. FRANKS of Arizona changed his vote from ''no'' to ''aye.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

RECORDED VOTE

Mr. WALDEN. 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 240, noes 179, not voting 13, as follows:

[Roll No. 252]

AYES—240

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
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)
Gohmert
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
Jones
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
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
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
Schrader
Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (IN)

NOES—179

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
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
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
Lofgren, Zoe

Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters
Pingree (ME)
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Rigell
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—13

Berkley
Clay
Cleaver
Frelinghuysen
Giffords
Hinchey
Meeks
Paul
Pelosi
Polis
Waters
Young (AK)
Young (FL)

□ 1541

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

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

Mr. CANTOR. Mr. Speaker, I would like to inform my colleagues that additional legislative business and votes are possible today.

I would expect Members to have at least 1 hour's notice prior to any recorded votes. Due to ongoing negotiations, it is critical for the House to remain in legislative session.

In addition, Mr. Speaker, I would remind my colleagues that in the case of a lapse in appropriations, I fully expect the House to meet tomorrow.

We will provide further information as soon as it's available, but Members should continue to keep their schedule for this weekend as flexible as possible.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 42 minutes p.m.), the House stood in recess subject to the call of the Chair.

(0000)

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington) at midnight.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

APRIL 8, 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 April 8, 2011 at 11:35 p.m.:

That the Senate passed with amendment H.R. 1363.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

FURTHER ADDITIONAL CONTINUING APPROPRIATIONS AMENDMENTS, 2011

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it be in order at any time to take from the Speaker's table the bill H.R. 1363, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment; that the Senate amendment be considered as read; that the motion be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and that the previous question be considered as ordered on the motion to final adoption without intervening motion.

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

Mr. DICKS. Mr. Speaker, reserving the right to object, this only affects this bill tonight; isn't this correct?

Mr. DREIER. Will the gentleman yield?

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

Mr. DREIER. I thank my friend for yielding.

Let me say, yes, this only addresses the measure, the short-term continuing resolution, that we are considering this evening.

Mr. DICKS. And the only amendment to this is the $2 billion in cuts; is that correct?

Mr. DREIER. If the gentleman would further yield, the gentleman is absolutely correct.

Mr. DICKS. So this would look a lot like the Dicks amendment that was offered in the Rules Committee for a clean CR?

Mr. DREIER. If the gentleman would yield, I would say that the groundwork that was laid earlier this week by my very good friend from Seattle has, I know, played an integral role in getting us to this very important point.

Mr. DICKS. We could have done it a little earlier, is all I am saying.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to the order of the House of today, I call up the bill (H.R. 1363) making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes, with the Senate amendment thereto, and I have a motion at the desk.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. The Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended—

(1) by striking the date specified in section 106(3) and inserting ''April 15, 2011'';

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (section 1 of Public Law 112–6), the following new sections:

''SEC. 295. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development' at a rate for operations of $9,800,000.

''SEC. 296. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Facilities and Equipment' at a rate for operations of $2,927,500,000.

''SEC. 297. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development' at a rate for operations of $187,000,000.

''SEC. 298. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service' at a rate for operations of $1,000,000,000.

''SEC. 299. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Railroad Research and Development' at a rate for operations of $35,100,000.

''SEC. 300. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Capital Investment Grants' at a rate for operations of $1,720,000,000.

''SEC. 301. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Research and University Research Centers' at a rate for operations of $64,200,000.

''SEC. 302. Notwithstanding section 101, amounts are provided for 'Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund' at a rate for operations of $4,626,000,000.

''SEC. 303. Notwithstanding sections 101 and 226, amounts are provided for 'Department of Housing and Urban Development—Community Planning and Development—Community Development Fund' at a rate for operations of $4,230,068,480, of which $0 shall be for grants for the Economic Development Initiative (EDI), $0 shall be for neighborhood initiatives, and $0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111–117: Provided, That the second and third paragraphs

under such heading in title II of division A of Public Law 111–117 shall not apply to funds appropriated by this Act.''.

This Act may be cited as the ''Further Additional Continuing Appropriations Amendments, 2011''.

MOTION TO CONCUR

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

The Clerk read as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to H.R. 1363.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the motion shall be debatable for 20 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Washington (Mr. DICKS) each will control 10 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1363.

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

There was no objection.

Mr. ROGERS of Kentucky. I yield myself such time as I may consume.

Mr. Speaker, we come here tonight just moments before the government is forced to close its doors with very good news. We have an agreement with the Senate and the White House to fund the government for the rest of the fiscal year, while providing critical resources for our national defense.

In addition, when this agreement is signed into law, we will have taken the unprecedented step of passing the largest non-defense spending cut in the history of the Nation, tens of billions of dollars larger than any other non-defense reduction. This remarkable achievement is the result of hard-fought negotiations that required all sides to come together to find common ground.

The American people need and deserve to have a functioning government, but they also deserve a government that spends its taxpayer dollars responsibly, a government that won't saddle their children and grandchildren with unsustainable and reckless debt.

Our constituents have sent us the message that the standard tax-and-spend culture in Washington is no longer acceptable. It has been the goal of this new Republican majority to keep precious tax dollars where they are needed most, in the hands of businesses and individuals across the Nation so that they can create jobs and grow our economy.

This agreement will mark the end of a budget process that should have been completed almost a year ago by the previous Congress. Yet sometimes the end result is worth the wait, and the unparalleled spending cuts in this bill will not only save the taxpayers tens of billions of dollars this year, but will allow Congress to continue the trend of reductions to dig our Nation out of our dangerous deficits and debt for years to come.

Now that a broad agreement has been reached, my committee will work over the next few days to craft legislation to bring to the floor next week.

While we continue to work, we must make responsible decisions to fund our troops and their families, keep the lights on in government, and continue to provide the services that Americans depend on every day.

This temporary CR allows us to meet these needs by providing funding through next Friday, April 15, while also making $2 billion in additional spending cuts to show the American people that we are serious about cutting spending wherever and whenever we can.

Mr. Speaker, I guarantee the final legislation will rein in Federal spending, and this CR keeps us on track to cut excessive Federal spending as we continue to finalize a deal. We are determined to deliver to the American people a complete budget with historic levels of deep and real spending cuts, cuts that will keep our economy moving in the right direction.

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

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

First of all, I would like to thank the President and the leaders in the House and Senate on both sides for the compromise and for averting a government shutdown.

I think there was a major decision made tonight by both parties and by the administration to keep the government open.

(0010)

That's what the American people sent us here to do. They sent us here to work out compromises, to be able to resolve issues and to move forward, and I think this is an example of that.

Now, this CR will run for 1 week to April 15. It is basically a clean CR in the sense of there is no ideologically driven language. It has $2 billion in it in cuts, but they are in the underlying agreement. And so I think this is acceptable.

My understanding is that there are cuts in discretionary spending and in some of the mandatory accounts. I am pleased that the leaders were able to reach this agreement.

We still have a lot of work to do. I want to say to my chairman that I still look forward to working on the 2012 appropriations bills, and I hope that we can work and have an open process where we can bring these bills to subcommittee, full committee and to the floor with open rules.

I would like to yield to my chairman just to make sure that that is still the path we want to go in this year. We want to avoid what happened in 2006.

Now, I reminded you—sometimes you forget a little bit—that when the Republicans lost in 2006, there were a number of unfinished appropriations bills and we had to do an omnibus in 2007. We did it a little faster, by the way. It didn't take quite as long. But we're glad that this agreement was reached, and I look forward to getting on with the work of the 2012 appropriations items.

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. I really deeply appreciate the gentleman's reminding us again that he and I are determined to bring to the floor every single one of the 12 appropriations bills and complete our work in the House before the August recess.

Mr. DICKS. Absolutely. And we will work hard to cooperate in order to do that. We will try to keep a reasonable number of amendments on our side. I hope you can do that on your side.

I yield back the remainder of my time and ask for a vote.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of today, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. ROGERS).

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

Mr. ROGERS of Kentucky. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 348, nays 70, not voting 14, as follows:

[Roll No. 253]

YEAS—348

Adams	Brady (PA)	Coffman (CO)
Aderholt	Brady (TX)	Cohen
Akin	Braley (IA)	Cole
Alexander	Brooks	Conaway
Altmire	Brown (FL)	Connolly (VA)
Andrews	Buchanan	Conyers
Austria	Bucshon	Cooper
Baca	Buerkle	Costa
Bachus	Burgess	Costello
Barletta	Burton (IN)	Courtney
Barrow	Butterfield	Cravaack
Bartlett	Calvert	Crawford
Bass (CA)	Camp	Crenshaw
Bass (NH)	Campbell	Critz
Benishek	Cantor	Cuellar
Berg	Capito	Culberson
Berman	Capps	Cummings
Biggert	Cardoza	Davis (CA)
Bilbray	Carnahan	Davis (KY)
Bilirakis	Carney	DeFazio
Bishop (GA)	Carson (IN)	DeGette
Bishop (NY)	Carter	DeLauro
Bishop (UT)	Cassidy	Denham
Black	Castor (FL)	Dent
Blackburn	Chandler	DesJarlais
Bonner	Cicilline	Deutch
Bono Mack	Clarke (MI)	Diaz-Balart
Boren	Clay	Dicks
Boswell	Clyburn	Dingell
Boustany	Coble	Doggett

Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (TN)
Edwards
Ellmers
Emerson
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Gallegly
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gonzalez
Goodlatte
Gosar
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinojosa
Holden
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Kaptur
Keating
Kelly
Kildee
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran
Murphy (CT)
Murphy (PA)
Myrick
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Pascrell
Pastor (AZ)
Paulsen
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner
Upton
Van Hollen
Visclosky
Walberg
Walden
Walz (MN)
Wasserman Schultz
Watt
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Wu
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—70

Amash
Bachmann
Baldwin
Barton (TX)
Blumenauer
Broun (GA)
Canseco
Capuano
Chabot
Chaffetz
Chu
Clarke (NY)
Crowley
Davis (IL)
Duncan (SC)
Ellison
Engel
Filner
Frank (MA)
Fudge
Gohmert
Gowdy
Graves (GA)
Gutierrez
Harris
Hastings (FL)
Hirono
Holt
Honda
Huelskamp
Jackson (IL)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jordan
King (IA)
Kucinich
Labrador
Larson (CT)
Lee (CA)
Lewis (GA)
Long
Mack
Maloney
Markey
McCotter
McDermott
McGovern
Meeks
Miller, George
Mulvaney
Nadler
Palazzo
Pallone
Payne
Pearce
Rangel
Richmond
Rigell
Rush
Ryan (OH)
Scott (SC)
Serrano
Southerland
Towns
Velázquez
Walsh (IL)
Weiner
Wilson (SC)
Woolsey

NOT VOTING—14

Ackerman
Becerra
Berkley
Cleaver
Fortenberry
Frelinghuysen
Giffords
Hinchey
Moore
Paul
Polis
Waters
Waxman
Young (AK)

0040

Mr. SCHOCK and Ms. BASS of California changed their vote from ''nay'' to ''yea.''

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION TO FILE REPORT ON H.R. 1217, PREVENTION AND PUBLIC HEALTH FUND REPEAL ACT

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be permitted to file its report to accompany H.R. 1217 at any time through Monday, April 11, 2011.

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

There was no objection.

ADJOURNMENT TO MONDAY, APRIL 11, 2011

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 p.m. on Monday next and, further, when the House adjourns on that day, it adjourn to meet at noon on Tuesday, April 12, 2011, for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1363. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes.

ADJOURNMENT

Mr. WALDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes a.m.), under its previous order, the House adjourned until Monday, April 11, 2011, at 11 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1148. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Changes in Disease Status of the Brazilian State of Santa Catarina With Regard to Certain Ruminant and Swine Diseases; Technical Amendment [Docket No.: APHIS-2009-0034] (RIN: 0579-AD12) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1149. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — National Poultry Improvement Plan and Auxiliary Provisions [Docket No.: APHIS-2009-0031] (RIN: 0579-AD21) received March 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1150. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to Hong Kong pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1151. A letter from the Acting Scientific Director, Department of Health and Human Services, transmitting the Annual Report on the National Institute of Child Health and Human Development (NICHD) Division of Intramural Research for FY 2010; to the Committee on Energy and Commerce.

1152. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — New Animal Drugs for Minor Use and Minor Species; Confirmation of Effective Date [Docket No.: FDA-2010-N-0534] (RIN: 0910-AG58) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1153. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Temperature-Indicating Devices; Thermally Processed Low-Acid Foods Packaged in Hermetically Sealed Containers [Docket No.: FDA-2007-N-0265; formerly Docket No. 2007P-0026] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1154. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Amendments to General Regulations of the

Food and Drug Administration; Confirmation of Effective Date [Docket No.: FDA-2010-N-0560] (RIN: 0910-AG55) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1155. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on U.S. support for Taiwan's participation as an observer at the 64th World Health Assembly and in the work of the World Health Organization, as mandated in the 2004 Participation of Taiwan in the World Health Organization Act, Pub. L. 108-235, Sec. 1(c); to the Committee on Foreign Affairs.

1156. A letter from the Secretary, Department of Transportation, transmitting the Department's FY 2010 Performance Report; to the Committee on Oversight and Government Reform.

1157. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's FY 2012 — FY 2016 Strategic Plan; to the Committee on Oversight and Government Reform.

1158. A letter from the Chairman, National Railroad Passenger Corporation, transmitting Amtrak's Office of Inspector General's Semiannual Report to Congress for the period ending September 30, 2010, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1159. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Credit Union Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 0910131363-0087-02] (RIN: 0648-XA252) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1160. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 0910131362-0087-02] (RIN: 0648-XA237) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1161. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Progam [Docket Nos.: 0910131362-0087-02 and 0910131363-0087-02] (RIN: 0648-XA256) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1162. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 0910131362-0087-02] (RIN: 0648-XA257) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1163. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 0910131362-0087-02] (RIN: 0648-XA258) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1164. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Adminsitration's final rule — Hawaii Bottomfish and Seamount Groundfish Fisheries; Fishery Closure (RIN: 0648-XA174) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1165. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Inseason Adjustments to Fishery Management Measures [Docket No.: 090428799-9802-01] (RIN: 0648-BA57) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1166. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XA264) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1167. A letter from the Deputy Director, Office of State, Local and Tribal Affairs, Office of National Drug Control Policy, transmitting High Intensity Drug Trafficking Areas (HIDTA) Program Report to Congress, pursuant to Public Law 109-469; to the Committee on the Judiciary.

1168. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-45 and CF6-50 Series Turbofan Engines [Docket No.: FAA-2006-21415; Directorate Identifier 2006-NE-06-AD; Amendment 39-16638; AD 2011-07-01] (RIN: 2120-AA64) received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1169. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Lavatory Oxygen Systems [Docket No.: FAA-2011-0186; Amendment Nos. 21-94, 25-133, 121-354, and 129-50; SFAR 111] (RIN: 2120-AJ92) received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1170. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Removal and Amendment of Class E Airspace, Oxford, CT [Docket No.: FAA-2010-0815; Airspace Docket No. 10-ANE-107] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1171. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; La Porte, IN [Docket No.: FAA-2010-1030; Airspace Docket No. 10-AGL-18] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1172. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to VOR Federal Airway V-358; TX [Docket No.: FAA-2011-0024; Airspace Docket No. 11-ASW-1] (RIN: 2120-AA66) received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1173. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airways V-1, V-7, V-11 and V-20; Kona, Hawaii [Docket No.: FAA-2011-0009; Airspace Docket No. 10-AWP-20] (RIN: 2120-AA66) received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1174. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation (RNAV) Routes; Western United States [Docket No.: FAA-2010-1180; Airspace Docket No. 10-AWP-15] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1175. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation (RNAV) Routes; Western United States [Docket No.: FAA-2010-1179; Airspace Docket No. 10-ANM-9] (RIN: 2120-AA66) received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1176. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to Special Use Airspace Restricted Areas R-2203, and R-2205; Alaska [Docket No.: FAA-2011-0055; Airspace Docket No. 11-AAL-2] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1177. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment to and Revocation of Reporting Points; Hawaii [Docket No.: FAA-2011-0018; Airspace Docket No. 10-AWP-18] received March 29, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1178. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's report for fiscal year 2010 on the amount of acquisitions from entities that manufacture articles, materials, or supplies outside of the United States; to the Committee on Transportation and Infrastructure.

1179. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — LB&I Alert — Cases Forwarded to Appeals That Involve a Section 965 Issue and Transfer Pricing Adjustment under Section 482 [LMSB Control No.: LB&I-4-1110-034] received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1180. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Rulings and determination letters (Rev. Proc. 2011-23) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1181. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Withdrawal of Regulations Related to Validity and Priority of Federal Tax Lien [TD 9520] (RIN: 1545-BG13) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1182. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Nonconventional Source Fuel Credit, Section 45K Inflation Adjustment Factor, and Section 45K Reference Price [Notice 2011-30] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1183. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Taxpayer Assistance Orders [TD 9519]

(RIN: 1545-BF33) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1184. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Puerto Rican Excise Tax [Notice 2011-29] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1185. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Technical Correction for Neurological Listing Cross-Reference [Docket No.: SSA-2011-0019] (RIN: 0960-AH33) received March 24, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1186. A letter from the Chair, Federal Election Commission, transmitting four recommendations for legislative action, pursuant to 2 U.S.C. 438(a)(9); jointly to the Committees on House Administration and Oversight and Government Reform.

1187. A letter from the Assistant Secretary, Legislative Affairs, Department of Defense, transmitting four legislative proposals that the Department requests to be enacted during the first session fo the 112th Congress; jointly to the Committees on Armed Services, Transportation and Infrastructure, and Energy and Commerce.

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. GOODLATTE (for himself, Mr. SCOTT of Virginia, Mr. DUNCAN of South Carolina, and Ms. JACKSON LEE of Texas):

H.R. 1439. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mrs. MALONEY (for herself, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. NADLER, Mr. LEWIS of Georgia, Mr. ELLISON, and Mr. MCGOVERN):

H.R. 1440. A bill to amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities, and to clarify that leave may be taken for routine family medical needs and to assist elderly relatives, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, 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. RUNYAN:

H.R. 1441. A bill to amend title 38, United States Code, to codify the prohibition against the reservation of gravesites at Arlington National Cemetery, and for other purposes; to the Committee on Veterans' 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. AMASH:

H.R. 1442. A bill making appropriations for fiscal year 2011 to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed during a Government shutdown; to the Committee on Appropriations.

By Mr. BROUN of Georgia (for himself, Mr. BOREN, Mr. ROSS of Arkansas, Mr. ALTMIRE, Mr. MATHESON, Mr. BISHOP of Utah, Mr. REHBERG, Ms. JENKINS, and Mr. MILLER of Florida):

H.R. 1443. A bill to protect the use of traditional hunting and fishing implements and to prevent unnecessary and unwarranted restrictions on the implements used by the hunting and fishing communities; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROUN of Georgia (for himself, Mr. BOREN, Mr. ROSS of Arkansas, Mr. ALTMIRE, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. REHBERG, Ms. JENKINS, Mr. MILLER of Florida, and Mr. MATHESON):

H.R. 1444. A bill to require that hunting activities be a land use in all management plans for Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to the extent that such use is not clearly incompatible with the purposes for which the Federal land is managed, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROUN of Georgia (for himself, Mr. BOREN, Mr. ROSS of Arkansas, Mr. ALTMIRE, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. REHBERG, Ms. JENKINS, and Mr. MILLER of Florida):

H.R. 1445. A bill to prohibit the Administrator of the Environmental Protection Agency from regulating, based on material composition, any type of firearm ammunition or fishing tackle; to the Committee on Energy and Commerce.

By Mr. ISSA:

H.R. 1446. A bill to amend title 31, United States Code, to provide for transparency of payments made from the Judgment Fund; to the Committee on the Judiciary.

By Mr. THOMPSON of Mississippi (for himself and Ms. JACKSON LEE of Texas):

H.R. 1447. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to establish an Aviation Security Advisory Committee, and for other purposes; to the Committee on Homeland Security.

By Ms. BALDWIN (for herself, Mr. CONNOLLY of Virginia, Mr. JOHNSON of Georgia, Mr. LOEBSACK, Mrs. MALONEY, Mr. MORAN, Mr. NADLER, Ms. SCHAKOWSKY, and Mr. HASTINGS of Florida):

H.R. 1448. A bill to amend the Public Health Service Act with respect to eating disorders, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, and 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. TOWNS (for himself and Mr. PLATTS):

H.R. 1449. A bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BACHMANN (for herself and Mr. FITZPATRICK):

H.R. 1450. A bill to amend the Internal Revenue Code of 1986 to eliminate any time limitation for granting equitable innocent spouse relief; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself and Mr. HUNTER):

H.R. 1451. A bill to repeal a modification of authority to make certain interval payments of educational assistance under laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEINRICH (for himself and Mr. LUJÁN):

H.R. 1452. A bill to amend the Mineral Leasing Act to provide for the leasing of Federal lands for uranium mining, and for other purposes; to the Committee on Natural Resources.

By Mr. HINCHEY:

H.R. 1453. A bill to revise the National Flood Insurance Program to more fairly treat homeowners who purchase insurance under the program; to the Committee on Financial Services.

By Mr. HULTGREN:

H.R. 1454. A bill to require the salaries of Members of Congress to be held in escrow if all regular appropriation bills for a fiscal year have not been enacted by the beginning of the fiscal year, 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. ISRAEL (for himself and Mr. KING of New York):

H.R. 1455. A bill to direct the Librarian of Congress to carry out a project to collect video and audio recordings of personal histories and testimonials of emergency responders and recovery and cleanup workers who responded to the September 11, 2001 terrorist attacks; to the Committee on House Administration.

By Mr. KIND (for himself and Mr. GERLACH):

H.R. 1456. A bill to reauthorize the Neotropical Migratory Bird Conservation Act; to the Committee on Natural Resources.

By Mr. LUETKEMEYER (for himself, Mr. BRADY of Pennsylvania, Ms. BERKLEY, Ms. BROWN of Florida, Mr. CLAY, Mr. DEUTCH, Mr. FILNER, Mr. GRIMM, Mrs. HARTZLER, Mr. LONG, Mrs. MALONEY, Mr. MCGOVERN, Mr. ROGERS of Alabama, Mr. ROTHMAN of New Jersey, Mr. TURNER, and Mr. WEST):

H.R. 1457. A bill to direct the Secretary of the Army and the Secretary of the Navy to conduct a review of military service records of Jewish American veterans of World War I, including those previously awarded a military decoration, to determine whether any of the veterans should be posthumously awarded the Medal of Honor, and for other purposes; to the Committee on Armed Services.

By Mr. DANIEL E. LUNGREN of California:

H.R. 1458. A bill to amend title 18, United States Code, to exempt qualifying law school students participating in legal clinics or externships from the application of the conflict of interest rules under section 205 of

such title; to the Committee on the Judiciary.

By Mrs. MYRICK (for herself and Mr. MCINTYRE):

H.R. 1459. A bill to amend the Immigration and Nationality Act with respect to detention of unlawfully present aliens who are apprehended for driving while intoxicated, to improve State and local enforcement of immigration laws, and for other purposes; to the Committee on the Judiciary.

By Mr. OWENS:

H.R. 1460. A bill to provide for automatic enrollment of veterans returning from combat zones into the VA medical system, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PEARCE:

H.R. 1461. A bill to authorize the Mescalero Apache Tribe to lease adjudicated water rights; to the Committee on Natural Resources.

By Mr. RANGEL (for himself, Mr. RUSH, Ms. NORTON, Mrs. MALONEY, Ms. RICHARDSON, Mrs. CHRISTENSEN, Ms. CLARKE of New York, Mr. JACKSON of Illinois, Mr. KING of New York, Ms. LEE of California, and Ms. SCHAKOWSKY):

H.R. 1462. A bill to address HIV/AIDS in the African-American community, and for other purposes; to the Committee on Energy and Commerce.

By Mr. REICHERT (for himself and Mr. MCDERMOTT):

H.R. 1463. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova; to the Committee on Ways and Means.

By Mr. ROYCE:

H.R. 1464. A bill to develop a strategy for assisting stateless children from North Korea, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SABLAN:

H.R. 1465. A bill to amend the Food and Nutrition Act of 2008 to treat the Commonwealth of the Northern Mariana Islands in the same manner as Guam is treated; to the Committee on Agriculture.

By Mr. SABLAN (for himself, Mrs. CHRISTENSEN, and Mr. FALEOMAVAEGA):

H.R. 1466. A bill to resolve the status of certain persons legally residing in the Commonwealth of the Northern Mariana Islands under the immigration laws of the United States; 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. THOMPSON of Pennsylvania:

H.R. 1467. A bill to provide for reliquidation of certain entries of medium density fiberboard; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 1468. A bill to amend title 18, United States Code, to prohibit public officials from engaging in undisclosed self-dealing; to the Committee on the Judiciary.

By Mr. KISSELL (for himself, Ms. HANABUSA, Mr. MICHAUD, Mr. SHULER, Mr. HOLDEN, Mr. BOSWELL, Mr. SCOTT of Virginia, Mr. LUJÁN, Mr. BOREN, Mr. YARMUTH, Ms. SCHAKOWSKY, Mr. CONNOLLY of Virginia, Mr. ROTHMAN of New Jersey, Mr. COSTA, Mr. DONNELLY of Indiana, Ms. JACKSON LEE of Texas, Ms. SUTTON, Mr. MCGOVERN, Mr. FATTAH, Mr. ISRAEL, Ms. HIRONO, Mr. CARNAHAN, Mr. LONG, Ms. SCHWARTZ, Mr. GRIJALVA, Mr. FARR, Mrs. LOWEY, Mr. TONKO, Mr. MCCOTTER, Ms. PINGREE of Maine, Mr. SCHIFF, Mr. LOEBSACK, Mr. HINOJOSA, Mr. GUTIERREZ, Mr. THOMPSON of Mississippi, Mrs. MYRICK, Mr. BARROW, Ms. BROWN of Florida, Mr. BROUN of Georgia, Mrs. MCCARTHY of New York, Mr. MCNERNEY, Mr. NEUGEBAUER, Mr. BUTTERFIELD, Ms. MCCOLLUM, Mr. WELCH, Mr. DOYLE, Mr. BRALEY of Iowa, Mr. HOLT, Mr. ROSS of Arkansas, Mr. BILBRAY, Mr. CUMMINGS, Mr. HIGGINS, Mr. GENE GREEN of Texas, Mrs. CAPPS, Mr. MCINTYRE, Ms. WILSON of Florida, Mr. BISHOP of New York, Mr. LANGEVIN, Mr. AL GREEN of Texas, Mr. SIRES, Mr. ALTMIRE, Ms. SEWELL, Ms. LORETTA SANCHEZ of California, Mr. CRENSHAW, Mr. KILDEE, Mr. HEINRICH, Mr. BLUMENAUER, Mr. FILNER, Mr. COLE, Mr. QUIGLEY, Mr. DEUTCH, Mr. RUSH, Mr. CICILLINE, Mr. STIVERS, Mr. GEORGE MILLER of California, Mr. ENGEL, Mr. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CRITZ, Mr. MILLER of Florida, Ms. RICHARDSON, Mr. HIMES, Ms. FUDGE, Mr. CUELLAR, Mr. WU, Ms. LINDA T. SÁNCHEZ of California, Mr. PIERLUISI, Mr. LYNCH, Mr. PETERSON, and Mrs. HARTZLER):

H.R. 1469. A bill making appropriations to ensure the prompt payment by the Department of Defense (and the Department of Homeland Security in the case of the Coast Guard) of the death gratuity paid upon the death of members of the Armed Forces and certain other eligible persons despite the failure to enact interim or full-year appropriations for the Armed Forces; to the Committee on Appropriations.

By Mr. ROSS of Florida:

H.R. 1470. A bill to amend title 5, United States Code, to extend the probationary period applicable to appointments in the civil service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KILDEE:

H.R. 1471. A bill to prevent Government shutdowns by providing for the automatic continuation of Federal funding during a lapse in appropriations; to the Committee on Appropriations.

By Ms. RICHARDSON (for herself, Mr. BACA, Mrs. NAPOLITANO, Ms. LINDA T. SÁNCHEZ of California, Mr. SHERMAN, Ms. WATERS, Mr. SCHIFF, Ms. ROYBAL-ALLARD, Mr. BERMAN, Ms. CHU, and Mr. BECERRA):

H.R. 1472. A bill to designate a portion of Interstate Route 710 located between post mile 5.2 and post mile 6.2 in Los Angeles County, California, as the ''Jenny Oropeza Highway''; to the Committee on Transportation and Infrastructure.

By Mrs. NAPOLITANO:

H. Res. 214. A resolution expressing support for designation of May 2011 as Mental Health Month; to the Committee on Energy and Commerce.

By Mr. RIGELL (for himself, Mr. HURT, Mr. GOODLATTE, Mr. SCOTT of Virginia, and Mr. WITTMAN):

H. Res. 215. A resolution encouraging creditors to safeguard the credit scores of members of the Armed Forces and their immediate family in the event of a Government shutdown; to the Committee on Financial Services.

By Mr. MCDERMOTT:

H. Res. 216. A resolution expressing the sense of the House of Representatives regarding the importance of increasing the funding of Job Corps, AmeriCorps, and the Peace Corps; to the Committee on Education and the Workforce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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. GOODLATTE:

H.R. 1439.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3.

By Mrs. MALONEY:

H.R. 1440.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. RUNYAN:

H.R. 1441.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. AMASH:

H.R. 1442.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution specifically empowers Congress to ''raise and support Armies'' and ''provide and maintain a Navy.'' The bill appropriates funds to support our Armed Forces.

By Mr. BROUN of Georgia:

H.R. 1443.

Congress has the power to enact this legislation pursuant to the following:

Amendment II: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. BROUN of Georgia:

H.R. 1444.

Congress has the power to enact this legislation pursuant to the following:

Article IV, §3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. BROUN of Georgia:

H.R. 1445.

Congress has the power to enact this legislation pursuant to the following:

Amendment II: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. ISSA:

H.R. 1446.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. THOMPSON of Mississippi:

H.R. 1447.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution, including Article 1, Section 8.

By Ms. BALDWIN:

H.R. 1448.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 3 and 18 of the Constitution of the United States

By Mr. TOWNS:

H.R. 1449.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8, Clause 3 of the United States Constitution, known as the ''Commerce Clause.'' This provision grants Congress the broad power to ''regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''[1]

By Mrs. BACHMANN:

H.R. 1450.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section Eight, Clause One, wherein it states, ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;''

By Mrs. DAVIS of California:

H.R. 1451.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the Constitution

By Mr. HEINRICH:

H.R. 1452.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article IV, section 3, clause 2 of the United States Constitution.

By Mr. HINCHEY:

H.R. 1453.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3 of the Constitution

By Mr. HULTGREN:

H.R. 1454.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 6 of Article I of the Constitution.

By Mr. ISRAEL:

H.R. 1455.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Regulations to Effectuate Powers—Article I, Section 8, Clause 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 the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KIND:

H.R. 1456.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of article I of the Constitution.

By Mr. LUETKEMEYER:

H.R. 1457.

Congress has the power to enact this legislation pursuant to the following:

Amendment I to the Constitution states, ''Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;''

Many veterans in World War I were not awarded the Medal of Honor which many of them may have deserved. Those worthy veterans were denied the Medal of Honor due to religious discrimination.

[1] Please note, pursuant to Article I, section 8, Congress has the 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. DANIEL E. LUNGREN of California:

H.R. 1458.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 of the United States Constitution.

By Mrs. MYRICK:

H.R. 1459.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of section 8 of article I of the Constitution

By Mr. OWENS:

H.R. 1460.

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. PEARCE:

H.R. 1461.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution of the United States grants Congress the power to enact this law.

By Mr. RANGEL:

H.R. 1462.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 ''to provide for the common Defense and Welfare of the United States.''

By Mr. REICHERT:

H.R. 1463.

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 Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Article I, Section 8, Clause 3—The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ROYCE:

H.R. 1464.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 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. SABLAN:

H.R. 1465.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, section 8, clause 1 and Article IV, section 3, clause 2 of the Constitution.

By Mr. SABLAN:

H.R. 1466.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 4 of the Constitution of the United States, Congress has the power to establish a uniform Rule of Naturalization—to define the terms under which a foreign person can become a citizen of the U.S. Congress also has the power to exclude aliens and to prescribe the terms under which they are allowed to enter the U.S.

By Mr. THOMPSON of Pennsylvania:

H.R. 1467.

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 3 of the United States Constitution, which grants Congress the power ''to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.''

By Mr. WEINER:

H.R. 1468.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3, 7, and 18 of the United States Constitution.

By Mr. KISSELL:

H.R. 1469.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. ROSS of Florida:

H.R. 1470.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 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. KILDEE:

H.R. 1471.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9: No money shall be drawn from the Treasury, but in Consequence of Appropriations made by law; and a regular Statement and Account of the Receipts and Expenditures of all public Money Shall be published from time to time.

By Ms. RICHARDSON:

H.R. 1472.

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, Clauses 3 and 18 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. WEST.

H.R. 58: Mr. KINZINGER of Illinois, Mr. ROONEY, Mr. LATTA, Mr. KELLY, Ms. ROS-LEHTINEN, Mr. REHBERG, Mr. MCCAUL, Mr. SULLIVAN, Mr. BROUN of Georgia, Mr. GRAVES of Missouri, Mr. JONES, Mr. CHANDLER, and Mr. BARROW.

H.R. 114: Mr. DEFAZIO, Mr. HERGER, and Mr. HASTINGS of Washington.

H.R. 122: Mr. NEUGEBAUER.

H.R. 125: Mr. PAUL.

H.R. 132: Mrs. LOWEY.

H.R. 134: Mrs. LOWEY.

H.R. 178: Mr. LANCE, Mr. CARSON of Indiana, and Mr. MICHAUD.

H.R. 198: Mrs. NAPOLITANO and Mr. ACKERMAN.

H.R. 218: Mr. WEINER.

H.R. 376: Mr. PAUL.

H.R. 399: Mr. MANZULLO.

H.R. 412: Mr. LOBIONDO.

H.R. 420: Mr. MCCAUL, Mr. SULLIVAN, Ms. ROS-LEHTINEN, Mr. LUJÁN, Ms. JENKINS, Mr. KELLY, Mr. GRAVES of Missouri, Mr. JONES, Mr. CHANDLER, and Mr. OLSON.

H.R. 421: Mr. DESJARLAIS.

H.R. 440: Mr. WU.

H.R. 451: Mrs. MALONEY, Mr. MARINO, Mr. WEST, Mr. GINGREY of Georgia, and Mr. MORAN.

H.R. 452: Mr. ROGERS of Alabama, Mr. TERRY, and Mr. HARPER.
H.R. 458: Mr. PETERSON.
H.R. 462: Mr. WILSON of South Carolina and Mr. JOHNSON of Ohio.
H.R. 527: Mr. DANIEL E. LUNGREN of California and Mr. GRIFFIN of Arkansas.
H.R. 529: Mr. BURTON of Indiana.
H.R. 567: Mr. GRIFFIN of Arkansas.
H.R. 595: Mr. COBLE.
H.R. 615: Mr. KELLY, Ms. JENKINS, Mr. KINZINGER of Illinois, Mr. MCCAUL, Mr. CHANDLER, Mr. JONES, Mr. GRAVES of Missouri, and Mr. SULLIVAN.
H.R. 645: Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. BISHOP of Utah, Ms. JENKINS, Mr. KINZINGER of Illinois, Mr. ROONEY, Mr. LATTA, Mr. JONES, Mr. CHANDLER, Mr. SESSIONS, and Mr. BARROW.
H.R. 651: Mr. FATTAH.
H.R. 674: Mr. LOBIONDO.
H.R. 683: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS, and Mr. SIRES.
H.R. 692: Mr. FLORES.
H.R. 694: Mr. STUTZMAN and Mr. ELLISON.
H.R. 721: Mr. SIRES, Mr. LARSEN of Washington, and Mr. GUTHRIE.
H.R. 733: Ms. BALDWIN, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. RYAN of Ohio.
H.R. 735: Mrs. ELLMERS and Mr. AMASH.
H.R. 749: Mr. ROSKAM.
H.R. 751: Mr. VAN HOLLEN and Mr. PIERLUISI.
H.R. 763: Mr. KINZINGER of Illinois and Mr. NEUGEBAUER.
H.R. 780: Mr. FATTAH.
H.R. 791: Mr. MORAN, Mr. SABLAN, Ms. BORDALLO, Ms. LINDA T. SÁNCHEZ of California, and Mr. HASTINGS of Florida.
H.R. 795: Mr. PEARCE and Mr. MCCLINTOCK.
H.R. 819: Mr. ALTMIRE, Mrs. CAPPS, Ms. HIRONO, Mr. CHANDLER, Mr. KEATING, Mr. CUELLAR, Mr. GRIJALVA, Ms. SCHWARTZ, Mr. PASCRELL, Mr. YARMUTH, and Mr. ROTHMAN of New Jersey.
H.R. 820: Mr. CICILLINE, Ms. TSONGAS, Mr. SCOTT of Virginia, Mr. ELLISON, Mr. JONES, Mr. LOEBSACK, Mrs. DAVIS of California, and Mr. MEEKS.
H.R. 822: Mr. LUJÁN, Mr. YODER, Mr. KELLY, Ms. ROS-LEHTINEN, Mr. REHBERG, Mr. BONNER, and Mr. BROUN of Georgia.
H.R. 870: Mr. DAVIS of Illinois.
H.R. 880: Mr. PETERS.
H.R. 883: Mr. LIPINSKI.
H.R. 887: Mr. FALEOMAVAEGA.
H.R. 895: Mr. CALVERT and Mr. MURPHY of Connecticut.
H.R. 904: Mr. KINZINGER of Illinois and Mr. GRIFFIN of Arkansas.
H.R. 913: Mr. COBLE, Mr. BONNER, and Mr. KISSELL.
H.R. 930: Mr. RUSH.
H.R. 938: Mr. FITZPATRICK, Mr. MANZULLO, and Mr. SCHOCK.
H.R. 947: Mr. CUELLAR.
H.R. 965: Mr. KILDEE.
H.R. 966: Mr. CALVERT.
H.R. 981: Mr. RIGELL.
H.R. 997: Mr. HUNTER.
H.R. 998: Mr. CLARKE of Michigan.
H.R. 1024: Mr. GRIJALVA.
H.R. 1031: Mr. THOMPSON of Mississippi and Mr. RAHALL.
H.R. 1041: Mr. RUPPERSBERGER.
H.R. 1049: Mr. FORBES.
H.R. 1054: Mr. INSLEE.
H.R. 1057: Mr. SIRES and Ms. WOOLSEY.
H.R. 1058: Mr. GOODLATTE.
H.R. 1061: Mr. NEUGEBAUER.
H.R. 1063: Mr. PAUL and Ms. DEGETTE.
H.R. 1075: Mr. MCCLINTOCK and Mr. BROUN of Georgia.
H.R. 1081: Mr. SMITH of Nebraska, Mr. HUNTER, Mr. SHERMAN, Mr. STUTZMAN, Mr. DEFAZIO, and Ms. MOORE.
H.R. 1085: Mr. BRADY of Pennsylvania.
H.R. 1093: Mr. BARROW, Mr. SULLIVAN, Mr. MCCAUL, Mr. BONNER, and Mr. BROUN of Georgia.
H.R. 1106: Mr. SARBANES.
H.R. 1110: Mr. GARAMENDI.
H.R. 1113: Mr. DAVIS of Illinois.
H.R. 1148: Ms. TSONGAS and Mr. GRIJALVA.
H.R. 1183: Mr. CALVERT.
H.R. 1186: Mr. HUELSKAMP.
H.R. 1188: Ms. PINGREE of Maine.
H.R. 1206: Mr. MCKINLEY.
H.R. 1211: Mrs. MILLER of Michigan and Mr. KINGSTON.
H.R. 1213: Mr. CHAFFETZ and Mr. COFFMAN of Colorado.
H.R. 1214: Mr. COFFMAN of Colorado and Mr. PEARCE.
H.R. 1215: Mr. COFFMAN of Colorado and Mr. PEARCE.
H.R. 1217: Mr. COFFMAN of Colorado and Mr. PEARCE.
H.R. 1234: Mr. LARSEN of Washington.
H.R. 1242: Mr. ENGEL.
H.R. 1252: Mrs. EMERSON.
H.R. 1254: Mr. BOSWELL, Mr. LATHAM, and Mr. LOEBSACK.
H.R. 1256: Mr. COHEN.
H.R. 1259: Mr. MCCOTTER.
H.R. 1270: Mr. BURTON of Indiana, Mrs. MYRICK, and Mr. ROSS of Florida.
H.R. 1284: Mrs. NAPOLITANO.
H.R. 1285: Mr. BURTON of Indiana and Mr. WEST.
H.R. 1286: Mr. BURTON of Indiana, Mr. WALSH of Illinois, Mr. HUELSKAMP, Mr. GARDNER, Mr. WOLF, Mr. WITTMAN, Mr. LATTA, Mr. COBLE, Mr. YOUNG of Indiana, Mr. POE of Texas, Mr. GIBBS, Mr. BILBRAY, Mr. ROE of Tennessee, and Mrs. EMERSON.
H.R. 1294: Mr. GUTIERREZ.
H.R. 1297: Mr. ROSS of Arkansas, Mr. WALZ of Minnesota, Mr. GRIFFITH of Virginia, Mr. LANKFORD, Mr. LANDRY, Mr. FINCHER, Mr. AMASH, Mr. YARMUTH, Ms. TSONGAS, Mr. POSEY, Mr. DAVIS of Kentucky, Mr. LIPINSKI, Mr. CRAWFORD, Ms. FOXX, Mr. THOMPSON of Pennsylvania, Mr. KEATING, Mr. PETERSON, Mr. DONNELLY of Indiana, Mr. DENHAM, Mr. SHULER, Mr. CARNAHAN, Mr. CHANDLER, Mr. STIVERS, Mr. GOODLATTE, Mr. ALTMIRE, Mr. BARROW, Mr. BOREN, Mr. CARNEY, Ms. CASTOR of Florida, Mr. COHEN, Mr. CONNOLLY of Virginia, Mr. DENT, Mr. GUTHRIE, Mr. HENSARLING, Mr. HIMES, Mr. JOHNSON of Georgia, Mr. JORDAN, Mr. RIBBLE, Mr. SABLAN, and Mr. WELCH.
H.R. 1310: Mr. GIBBS.
H.R. 1317: Mr. GRIJALVA, Mr. FARR, Mr. SERRANO, and Mr. ELLISON.
H.R. 1319: Mr. GARAMENDI, Ms. SLAUGHTER, and Mr. MURPHY of Connecticut.
H.R. 1321: Mr. SHERMAN, Mr. CONNOLLY of Virginia, Mr. MARINO, and Mr. POMPEO.
H.R. 1341: Mrs. MYRICK, Mr. JOHNSON of Ohio, and Mr. PAUL.
H.R. 1366: Mr. CLARKE of Michigan.
H.R. 1375: Mr. WU, Mr. SIRES, Mr. CARSON of Indiana, Ms. LINDA T. SÁNCHEZ of California, Mrs. CAPPS, Mr. TIERNEY, Mr. INSLEE, Mr. JACKSON of Illinois, Mr. CONYERS, Ms. CHU, and Mr. RYAN of Ohio.
H.R. 1377: Mr. BISHOP of Georgia.
H.R. 1380: Mr. GERLACH, Mr. AUSTIN SCOTT of Georgia, Mr. SMITH of Texas, and Mr. OLSON.
H.R. 1386: Mr. DEUTCH, Ms. NORTON, and Mr. MCGOVERN.
H.R. 1391: Mr. COSTELLO, Mr. JOHNSON of Ohio, Mr. ROGERS of Kentucky, and Mrs. MYRICK.
H.R. 1397: Mr. GARAMENDI, Mr. SCHRADER, Ms. JACKSON LEE of Texas, Mr. KUCINICH, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1411: Ms. RICHARDSON.
H.R. 1429: Mr. CUMMINGS, Mr. SARBANES, and Ms. NORTON.
H.J. Res. 52: Mr. GOODLATTE.
H. Res. 16: Mr. CALVERT.
H. Res. 25: Mr. MURPHY of Pennsylvania, Mr. BARTON of Texas, Mr. COBLE, and Mr. WU.
H. Res. 60: Mr. QUAYLE and Mr. MARINO.
H. Res. 95: Mr. FORBES.
H. Res. 98: Mr. NUGENT and Mr. WILSON of South Carolina.
H. Res. 134: Mr. MCCAUL and Mrs. BIGGERT.
H. Res. 137: Mr. PETERS, Mr. OWENS, Mr. DIAZ-BALART, and Mr. DONNELLY of Indiana.

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PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, FIRST SESSION

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Senate

The Senate met at 11 a.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible, God only wise, You know our needs before we ask You but wait to bless us until we ask You for Your help. So, Lord, we are asking You to fill our lawmakers with energy for the tasks You have assigned their hands to do. Let no pride of power betray them into rejecting Your precepts and purposes, but help them face the challenges of these difficult times with a total dependence on You.

Lord, save us from ourselves, as You help us to remember that in our Nation's history, well-meaning people have sown to the wind but reaped the whirlwind.

While our military men and women risk and give their lives for liberty overseas, may we be willing to sacrifice for freedom at home.

Lord, without Your help, we cannot succeed; with Your power, we cannot fail.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER 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 assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 8, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, there will be a period of morning business until 4 o'clock this afternoon for debate only, with Senators permitted to speak for up to 10 minutes each during this time, with the time equally divided and controlled between the two leaders or their designees.

We are very hopeful we can reach agreement on the budget today. I will have more to say about that in a few minutes. Senators will be notified when votes are scheduled.

ORDER OF PROCEDURE

Mr. President, I now ask unanimous consent that the Senate recess from 1 p.m. this afternoon until 2 p.m. this afternoon in order to allow for a special Democratic caucus meeting.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—H.R. 1255 AND S. 768

Mr. REID. Mr. President, there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 1255) to prevent a shutdown of the government of the United States, and for other purposes.

A bill (S. 768) to provide for continuing operations of government in a fiscally responsible manner.

Mr. REID. Mr. President, I object to further proceedings in regard to these bills en bloc.

The ACTING PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

BUDGET NEGOTIATIONS

Mr. REID. Mr. President, I have been married for a long time—more than 50 years. My wife and I have one daughter and nine grandchildren. I love these women very, very much. One day, though, I may not be able to help them, and one of them may need a cancer screening. It is not a pleasant thought, but that is the reality of life—that I may not be around to help them when they need something.

Over their lives, they will be in need of other things, such as a cholesterol check, maybe a blood pressure screening—tests that are less serious but just as important to a woman's health. They should be able to get the test that can save their life. So should every single woman in America. I believe that and, frankly, that is not so controversial. It is not so controversial a belief.

Some women, of course, have doctors. Others, including many of the poorest among us, don't. So where do they go to get a blood pressure, cholesterol, or cancer screening? Where do they go? Thankfully, there is a little-known part of a little-known law that saves many lives. It is called title X, and it is part of a public health law. It means women and girls can go to their

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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local health department or community clinic and get these tests. More than 5 million women use these centers for title X coverage every year—5 million—and one of them could be my granddaughter or my daughter.

Mr. President, some watching us today—and we know the whole world is watching us today—may be asking why I am talking about women's health when the question before us is the budget of the biggest economy on the planet Earth. Some may ask why we are talking about the smallest corner of planet Earth. With a government shutdown looming not weeks away or days away but hours away, why are we talking about whether women can get something as simple and noncontroversial as a cancer screening? The answer is that Republicans want to shut down our Nation's government because they want to make it harder for women to get the health services they need.

By the way, title X does not include abortion. It is illegal to use Federal funds for abortion services. So anyone who says this debate is over abortion isn't being truthful. It is about simple and important health services. Republicans want to shut down the government because they think there is nothing more important than keeping women from getting cancer screenings. This is indefensible, and everyone should be outraged—men and women should be outraged. The Republican House leadership has only a few hours left to look in the mirror, snap out of it, and realize how positively shameful that would be.

For months, this conversation has been about billions and trillions of dollars. It has been about weighty issues and difficult decisions. This debate is about saving money—or that is what we thought it was about. But no longer. We have an agreement on the cuts and savings. I was there at the White House last night. That agreement includes a historic level of cuts. We have always recognized we had to make cuts. That is why we agreed at the White House last night to make significant cuts—hard but important.

But now the tea party—among others, although they are the biggest push—is trying to move its extreme social agenda on issues that have nothing to do with funding the government. They are willing, it appears, clearly, to throw women under the bus even if it means they will shut down the government because that is where we are. That is the one issue that was remaining last night. That agenda is an extreme agenda. I don't agree with their ideas on social policy, but in our democracy, those ideas, however radical or however you may disagree with them, deserve a debate if they want one. That is fair. But that debate doesn't belong in an urgent bill to keep the government running, and it especially doesn't belong here at this late hour.

The consequences of letting our country's funding expire will be devastating. There are almost 1 million Federal employees. These are people who work for the Bureau of Land Management, which doesn't have a big presence in the Presiding Officer's State but has a huge presence in Nevada. The State of Nevada is 87 percent owned by the Federal Government. There are Forest Service employees, FBI employees, Internal Revenue Service employees, and the people who work in this great government complex—almost 1 million of them—who are waiting on pins and needles.

Federal employees are like everybody else. They are working from paycheck to paycheck. They are wondering if they are going to be able to get that new car they have needed for 3 or 4 years. They are wondering, with summer coming, if they are going to be able to take that vacation they have wanted to take for a long time. Federal employees are like everybody else.

The consequences of letting our country's funding expire would be devastating to people, individuals, and it would be devastating to our troops, to our small businesses, and to Americans' everyday lives—people who just want to get a home loan or get their tax refund or, I repeat, get their paycheck. A government shutdown would damage our image and credibility around the world. But Republicans are asking me to sacrifice my wife's health, my daughter's health, and my nine granddaughters' health. They are asking me to sacrifice the health of women in Nevada and all across this country. But I am not going to be part of that. I won't do it. As a legislator, I am very frustrated. As an American, I am appalled. As a husband, a father, and a grandfather, I am personally offended.

Would the Chair announce morning business now, please.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senate will be in a period of morning business until 4 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, and any time spent in a quorum call will be equally divided.

The Senator from Arizona.

BUDGET NEGOTIATIONS

Mr. KYL. Mr. President, at this very critical time in our country's history—a time when we have over a $14 trillion debt and we are desperately trying to find ways to reduce government spending and there looms the possibility of a government shutdown—I think we would be best served trying to provide some information to our constituents and, as politicians, resisting the temptation to throw rotten apples at each other. I also think it would be wise for the media to not hype or overhype a situation regarding a government shutdown but to try to put things into perspective. So let me try to do that for a moment this morning.

In the first place, obviously we are trying to reach agreement. I compliment the majority leader, Senator REID, who just spoke, and the Speaker of the House, JOHN BOEHNER, for their efforts to get together and bridge the differences between the two parties—the two bodies—and to reach an agreement. In the last 2 or 3 days, the President has also weighed in on the issue, and I think he too is trying very hard to help the parties reach an agreement. Notwithstanding that fact, under the law, tonight at midnight, the funding for much of the government stops, and the question is, What can be done about that?

The House of Representatives has passed a bill. They passed it yesterday. The Senate could take up that bill and pass it. It would keep the government running for another week. It would provide full funding for the military, not just for another week but for the entire rest of the year. That is a reasonable measure to keep the government running. It also, by the way, reduces $12 billion in spending, and most of that spending, I am informed, has already been agreed to by the administration and would be included in any longer range continuing resolution.

Well, what happened? The President said he would veto that bill. That is very puzzling because if we are all seeking to fund the government, at least until there can be an agreement on a long-term resolution, one would think we would try to keep it going for another week and adopt what the House did, especially since it provides funding for the military.

The President, in his veto message, said that the bill was a distraction. I do have to take issue with that. It is not a distraction, it is what is necessary to keep the government running. Let me get back to that in a moment.

What would happen if we were able to reach agreement by tonight? If we are able to reach agreement before midnight then at least theoretically both bodies, both House and Senate, could pass a very short term, 2 or 3 days, stop-gap measure in order to have the time to complete the work on the full measure and then adopt that sometime next week and that would avert a shutdown. It is possible also, because in the Senate it would require unanimous consent; somebody might disagree with that process and would object. In that case, it would take a few days for us to do, in effect, the paperwork to get this done. That would then result in a government shutdown during that time, at least over the course of the weekend.

That should be avoided if at all possible. But while there would be some dislocations and inconveniences, I do think the media exaggerates a little bit the result of a shutdown over the weekend.

The biggest problem from my perspective is that the military doesn't get paid during that period of time. They will get paid but it is a disruptive thing when you have young military families trying to make ends meet and sometimes living from paycheck to paycheck to have that disrupted. That is why I think it makes so much sense to adopt what the House passed yesterday so we have the time, the week to complete the work on the continuing resolution that would fund the government through the end of the fiscal year, that is to say through the end of September, and then not have to worry about a government shutdown and especially funding the military.

There is a question that has been raised that is very logical. Why can't the parties get together? Why can't you split the difference? In ordinary times it might be possible to reach an agreement that way, but these are not ordinary times. We are talking about a country that is on the verge of not being able to pay its debts. The President himself has asked us to raise the debt ceiling—I believe sometime next month. In effect, we run out not only of money but of the capacity to borrow. Our credit card in effect, the government's credit card, is full up and we cannot get any more credit unless we go to the credit card company and say: Would you extend the amount of money we can borrow? In that case, it is the Congress passing a bill.

We are in a very difficult position in this country and everyone knows we are passing a lot of our debts on to future generations. We need to get a handle on that and I don't think anybody disagrees with the proposition that means we need to cut spending. That is what this exercise is all about. So it is not the usual thing of splitting the difference. We are talking about big spending cuts.

I was disappointed in the comments of the majority leader just now. He said this debate is about saving money. Indeed it is. Yet it appears the one thing—this is what he said. I do not tend to believe this is correct, but in effect what he was saying is it all boils down to a $300-and-some million subsidy for Planned Parenthood. I do not believe that is what is keeping us from allowing the government to continue to operate. The majority leader has been in the negotiations. He is in a position to say that. If that is the case, then it seems to me we are in a very untenable position here, at least the majority leader is, because Planned Parenthood is not the only entity that can provide medical care in this country. It gets a subsidy of something like $300 million-and-some a year. To shut down the government over that would be absolutely unthinkable.

The majority leader never said Planned Parenthood, you know, he said title X. Title X does not receive the subsidy, Planned Parenthood receives the subsidy. Everybody goes to clinics and hospitals and doctors. Some people go to Planned Parenthood. But you don't have to go to Planned Parenthood to get your cholesterol or blood pressure checked. If you want an abortion you go to Planned Parenthood and that is what Planned Parenthood does. So this is a red herring. To say that somehow the government is going to be shut down over the fact that Planned Parenthood will not get a $300 million gift from the taxpayers of America would be absolutely irresponsible. If that is what the majority leader is saying, it is irresponsible. I cannot believe that is the fact of what is holding up this agreement from being reached.

As I said, we have the bill before us which would provide for a week-long continuation of the government with a $12 billion reduction in spending and a funding of the military through the end of the year. It seems to me that is a very reasonable proposition. We don't have to worry about shutting the government if we adopt that.

I said I would get back to the President's message. He said it would be a distraction when he said he would veto that bill to keep the government running, and to fully fund the military. He said it would be a distraction. His exact words, ''this bill is a distraction from the real work that would bring us close to a reasonable compromise.'' I don't see how it is a distraction if it provides another week for us to complete the work to be done. It is obvious we are going to need time to get the work done because neither the House nor the Senate can get everything that would have to be done completed by midnight tonight. The House has a requirement that they have any bill pending for 72 hours before it is adopted. This continuing resolution clearly would have to be posted for 72 hours. Do we want to shut the government down during that period of time because the President thinks the bill to do so is a distraction? I find that incomprehensible, frankly.

I also will make this final point. The discussion about reducing government spending is not just because we are having trouble borrowing from borrowers now. Over half, about 42 cents on every dollar we spend now, is borrowed from someone. About half of that is from foreign entities. It is also because, as the government spends more and more money, the private sector has less money to invest and spend. It is the private sector that creates jobs. What we need to do is spend less government money, not only to get ourselves out from under this huge debt burden but also to allow the private economy to have the resources to grow. Included in that, of course, is to hire more people.

On April 4, the Wall Street Journal had an op-ed by Dr. John Taylor, a noted economist from Stanford, Gary Becker, a Nobel laureate in economics, George Shultz—three different Secretaries, serving in two different Cabinets—all experts in financial, fiscal matters. What they wrote in this, which they called ''Time for a Budget Game-Changer'' is the following two sentences:

> Credible actions that reduce the rapid rate of growth of Federal spending and debt will raise economic growth and lower the unemployment rate. Higher private investment, not more government purchases, is the surest way to increase prosperity.

What we are talking about here is not drastic cuts for austerity's sake, but rather sensible reductions to create prosperity in this country. That is what we are talking about doing here. That is why I support what Speaker BOEHNER has been trying to do. I urge my colleagues, instead of, as I said, throwing rotten apples at each other here and trying to preach a doom-and-gloom game, let's focus on what this country can do in a positive and constructive way to get our economy going again and get our people back to work.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today in shock and anger that, after weeks of negotiations, after pledges from Republicans to come to the table in good faith, after repeated assurances that they want to talk about principles and budget numbers and not politics, after all the hot rhetoric we have heard about concern for our troops and our workers and that the veterans will be hurt, Republicans have decided to hold the Federal budget hostage to their extreme social agenda. It is now clear that this is not a debate in the last hours before this government shuts down about how much to cut. It is about whether women in this country will have access to basic health care services.

As a woman, as a mother, as a grandmother, I find that appalling. They can say whatever they want to on the other side, but if they want to say this is about numbers, then I challenge them to say title X is off the table. For millions of women in this country, and men, their only access to preventive health care services, pregnancy diagnosis, counseling, preventive health services, cervical and breast cancer screening, sexually transmitted disease and HIV transmission prevention and education, a broad range of access to contraceptive methods—that is what Republicans now, in the 11th hour, are holding hostage to a government shutdown. I don't think anyone in America thought this election was about that.

We heard the promises about the economy, about cutting budgets, about fiscal concerns, but we never heard from anyone that they would be willing to shut down this government and put this country at risk over an ideological debate about women's health care.

I have three words for them: Women aren't pawns. We will not be pawns in

this debate and we will not give in. The access to these critical services is so important to so many young women in this country. I told the story and I will tell it again. A few days ago I heard from a young woman in my State who, at 18-years-old, had to leave an extremely abusive family situation, out on the street on her own. She had cervical cancer that runs in her family. The only way she was able to get the medication and care she needed was through title X Federal funding through clinics in her State.

She and 5 million others in this country depend on that, and we are going to take this away at the 11th hour, in order to get an agreement? Not on my watch. Not on the watch of millions of American families in this country who know that access to women's health care is basic to them and their families and their communities. What kind of country are we, that at the 11th hour on a debate like this, the issue remaining is about women's health care? I find that stunning.

Families across my State are hurting. They have lost their jobs, they are worried about getting a pink slip, their home prices have dropped, they are worried about making their mortgage, and this debate now has come to this? An issue of access to title X funding for preventive health care for women? We need to focus on the economy. Yes, there are going to be some budget cuts in this that are going to be extremely hard for me and others who care about investing in education and jobs, but we know we have to come to an agreement. But we will not let women be used as pawns in this debate at this 11th hour. We are not going to allow this debate to end by cutting off funding for health clinics across America that are often the only place for low-income women.

In my State of Washington over 100,000 patients depend on these clinics to provide prevention. Over 3 million Americans do nationwide. We are not going to let the threat of a shutdown make us fade away. Women are going to stand tall, and men with them, across the country, to say: Not on our watch. Women are not pawns.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I am going to proceed in my leader time.

The ACTING PRESIDENT pro tempore. The Senator has that right.

GOVERNMENT SHUTDOWN

Mr. MCCONNELL. Mr. President, the American people have heard a lot of excuses over the past few days as to why it is that we are staring at a potential government shutdown here in Washington.

Democrats are saying the holdup is over social issues. This plays nicely into the political strategy they have decided on to distract people from their own fiscal recklessness.

Republicans say the holdup is over the need to reduce Washington spending—that Democrats, including the President, would rather see the government shut down than to allow a reduction in the size and scope of Washington that is perfectly reasonable by any objective standard.

Those are the competing messages. And generally speaking, people will probably agree with the party they tend to vote for. But whichever side you come down on, two things are not in dispute in this debate: First, that the whole reason we are in this mess is that Democrats abdicated their responsibility to keep the government funded through this year. And second, that Democrats have rejected the only plan out there that keeps the government open—the bipartisan troop funding bill—for no apparent reason.

The President says he will veto it, but does not say why. And Democrats in Congress would not vote for it, even though it funds the Defense Department and keeps the government operational and makes reasonable cuts in spending.

In other words, what Democrats are saying at this point is that they had rather see the government shut down either because they would not accept a modest amount of spending cuts that fall well within the range of what Democrats previously described as reasonable, or because they would not reinstate a longstanding policy related to one American city that Members of both parties, including Presidents of both parties, have approved repeatedly in the past.

The majority leader said yesterday that this particular provision relates to an issue that we have been unable to reach agreement on for 40 years. My response is that this is actually one of the few areas of agreement both parties have agreed about on this issue for years.

Let's be very clear about this: if the government shuts down, it is either because Democrats are pretending that a previously noncontroversial provision is suddenly out of bounds. Or they refuse to take another baby step in the direction of balancing the government checkbook, something we know the American people want. Neither reason is worth a shutdown especially when neither side actually wants one. And that is why I believe there will be an agreement here shortly. I have been in many negotiations over the years. I assure you, these are not unresolvable issues.

So my suggestion this morning is that both sides sit back and give the negotiators a few more hours to work this out.

Let Senator REID talk with his conference. Let the Speaker talk to his. And let's just hold off on the speculation and the back and forth for a little while here. Both sides are working hard to reach the kind of resolution Americans want.

A resolution is within reach. The contours of a final agreement are coming into focus. There is virtually nothing in the troop funding bill Republicans in the House passed yesterday that will not be included in a final package.

Let's not disrupt and derail that agreement.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, let's make it clear where we are at this moment in time. There is an agreement. There is agreement on the budget number. It was an agreement reached between the President with Speaker BOEHNER and with Senate Majority Leader REID—an agreement on the spending cuts for the reminder of this year. It was reached last night at the White House.

Then it fell apart, not because of a change of heart when it came to the number but, rather, because of the insistence of the House Republicans that they would not let us keep this government functioning, they would not let us pass a budget resolution for the reminder of this year, unless we were prepared to virtually devastate the title X family planning program.

Let me ask you something: In the big national debate in the last election over the future of our country and what we would do with our deficit, how many times do you remember that issue coming up? Exactly. None. This issue over title X has been brought in by the House Republicans at the last moment. It has virtually no impact on government spending—virtually none.

Yet they insist on it. Why? It is because of some problems within the House Republican caucus. The Speaker of the House, JOHN BOEHNER, whom I know and respect and like, is surrounded by lean and hungry colleagues challenging his value, his resolve, and his leadership.

This House power struggle has now reached a point where we face a government shutdown and a slowdown on whether we are going to provide basic health care access for women across America. First, understand, not one penny, not a penny in title X funds can be spent on abortion, other than the strictly limited provisions of the Hyde amendment, which have been the law of the land for decades, agreed to by virtually all Republicans and Democrats.

It is about access to cancer screening, it is about pap smears, breast screening, it is about screening for infectious diseases. Here is what it means: If we cut off the funding, as the Republicans ask, for women to have access to affordable health care for their basic health, it is not, as the Senator from Arizona says, just a matter of whether they will knock on the next

door down the street at a doctor's office, it is whether they will have any care at all.

This is the lowest priced health care for people who struggle to survive day by day. If we fail to provide that health care, we endanger their health and we run the risk that without access to family planning, they will have unintended pregnancies and, sadly—sadly—even more abortions in this country.

If you believe, as I do, personally, that we should try to reduce the number of abortions in America, how can you do what the House Republicans are asking us to do and close down access to family planning? In my State of Illinois, it is estimated that if title X were eliminated, we would have a 24-percent increase in abortions in the State. I do not want to see that.

I consider myself a person who is personally opposed to abortion but believes it is up to a woman and her doctor and her family and her conscience. But for goodness' sake, should not women, rich and poor alike, have access to family planning? That is part of what this debate comes down to.

I would say to my colleague over here, Senator MCCONNELL, the Republican leader, he blames us for not coming up with a spending bill for this year and putting us in this mess. My memory is a little better than his. I remember, in December, when we brought the spending bill to the floor, he objected to it. He objected to it, even though the spending targets in that bill were exactly what he had asked for before the Senate Appropriations Committee. That put us into this current showdown.

Here is what I think we should do: Let's not close down this government. Let's face this decision responsibly. Let's say to the millions of committed Federal employees across America who are basically keeping America safe, making sure our planes are safe in the air, tending to the business of this great Nation, that they can come to work because the government will not close at midnight.

Let's acknowledge that we have agreed on the amount of deficit reduction, the amount of spending cuts, and move forward. But let's also agree, let's agree to save for another day all those other debates about all those other issues, whether it is the EPA or title X.

There is plenty of time and opportunity for Senators and House Members to give speeches until they are red in the face over these issues and to call for a vote. But let's not close down the government of the United States of America over the access to women's basic health care. That is what the House Republicans are insisting on. It is the wrong fight at the wrong time.

It is important for us to step up and step forward and understand that if we do not invest a modest amount in preventative health care so women can learn their health status before small problems become large problems, so women can plan their family future, so people understand what their health status is, if we do not invest in that preventative care, we will pay dearly for that not only in terms of dollars spent but in terms of human suffering. That is something we should rise above.

That is something we should care about enough to put aside and say keep the government open. My plea now to Speaker BOEHNER is: You have fought the good fight. We are at the 11th hour. Do not let us reach the depths of despair by closing down our government and sending a message across the world that there is something wrong with this American form of government.

There is nothing wrong with it. There is nothing wrong with it that people of good faith, responsibly stepping forward and accepting their duty in the House and Senate, cannot cure by agreeing today. Let's do it. In this hour of decision, let's get it done.

Senator KERRY spoke yesterday at our Senate Democratic caucus lunch. JOHN, I still remember your words of what an embarrassment it will be to the United States if our government is shut down. In the eyes of the world, so many people respect this great Nation and I am glad they do and I do too. But to allow a government shutdown at this moment in our history is a sad commentary. Let us not shut down the Government of the United States of America over the question of whether women will have access to affordable health care and preventative health care across the United States.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I think that everyone—or virtually everyone in the Senate—does not believe we should shut down the government. The question is, What are the negotiations? I am not privy to them and neither is anyone on this floor about what are still the sticking points.

We all believe it is our responsibility to assure that government does not shut down and to come to an agreement because this is a 6-month bill—this is to the end of the fiscal year—that we are trying to negotiate. It is a very small part of the big picture, which is, we must get the deficit down, which is projected to be, under the current budget that has been put forward, $1.5 trillion.

That is wrong. That is what we ought to be addressing. We ought to be looking at the numbers we can bring down so we start getting this budget deficit down so our debt starts coming down and we can see an economy that is thriving through private sector job creation.

That is what we ought to be doing. But because there is so much debate and because there is such disagreement about what is holding up the agreement for that 6-month plan, there is something that is gaining momentum in this country that I want to assure everyone knows about.

I was notified of it this morning through an e-mail into my Web site. It was from a woman I do not know. She said: My husband is Active Duty in the Navy, and I just wanted to let you know there is a Facebook campaign supporting S. 724. Please click the link below because there are 437,000 people who have signed on that they agree with us. This is what Americans think about military pay being cut.

Because S. 724, that was put forward by myself and Senator CASEY who came on board, which now has 58 sponsors, is about making sure no matter what happens in the next 12 hours, no matter what happens with the government shutdown, is that there be no question in the minds of our military and their families that they will be paid on time because there is no question they are going to come to work. I do not want 1 day or 1 hour of delay in the payment for our military. We have about 100,000 people in Afghanistan today putting their lives on the line, wherever they are in that country, and we have 47,000 in Iraq.

For the people back home—and I have already heard from one wife who has a 1-year-old child whose husband is in Afghanistan, who says: Thank you for remembering that we have mortgages to pay, and our husbands are not here to help us or do anything about it.

So I wish to say we have now, in the hour since we got this note, we went on the Web site. The Web site is called Ensure Pay for Our Military Act of 2011, which is also the name of our bill. It now has 639,212 people who have signed on in support of this Web site.

The people of our country know there is one option we do not have; that is, to pass a freestanding bill that will assure whatever the other disagreements are, that our military pay will be on time for the work that is being performed. America understands that. I am asking the Senate to join.

I ask unanimous consent for cosponsors to be added to my bill: Senator PRYOR, Senator BOOZMAN, Senator BENNET, Senator BAUCUS, Senator ISAKSON, Senator KIRK, and Senator JOHNSON.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. HUTCHISON. That brings the total to 58. Senator CASEY has been a wonderful supporter in this. He is the lead cosponsor.

Mr. President, 58 Senators have stepped to the plate and said: This is not an option, for us to equivocate for 1 minute.

I am waiting to get two more cosponsors, which will show that we have 60 and that we want to act as a Senate. I am hoping that Senator CASEY and I can get the ability to bring up our bill and pass it. It is very simple, very clear. Military pay for those who are serving our military in civilian capacities will not be delayed. They are going to report to work, and they need to have peace of mind because the mortgages they have may be on direct

lines to the mortgage companies, that they are going to be covered. That is the very least we can do as we are arguing about whose fault it is going to be if we have a shutdown. We need to say: It is our first priority not to have a shutdown, and we need to be able to come to agreement, and we need to take further action—I hope we can do it very quickly—of saying we are going to assure, with this simple bill, that our military will be paid.

If we send this to the House of Representatives, my guess is they, too, will pass it.

Mr. DURBIN. Will the Senator yield?

Mrs. HUTCHISON. I yield.

Mr. DURBIN. I ask unanimous consent to be added as a cosponsor of the legislation.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, that makes 59.

Mr. WARNER. Will the Senator yield?

Mrs. HUTCHISON. I yield.

Mr. WARNER. I ask unanimous consent to be added as a cosponsor as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, Senator WARNER is 60. We now have the ability to pass this piece of legislation. Whatever happens on this floor, we have 60 votes that commit us to supporting our troops and assuring them that there is no equivocation in this Senate for having their pay on time. They will be doing their duty in Iraq, and they will be doing their duty in Afghanistan. It is my great hope that we also will have the ability to assure their families so there is not 1 minute of stress added to what they already have in their lives.

I thank those who started this Facebook and the grassroots movement that has brought us to over a half million people in a few hours. This is a true grassroots movement. I thank those who started it.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I rise to speak about the crisis we have. I guess I ask my Republican colleagues: Please, don't shut down our government. A shutdown will hurt all Americans—our businesses, our middle-class families, our servicemembers who could see their paychecks delayed. It will hurt this economy. Eight percent of mortgages are FHA guaranteed. None can be issued that are FHA guaranteed starting tomorrow. Housing is one of our largest industries, and it has been on its knees. This will put it on its back. IRS checks that are mailed, where the refund is mailed back, will stop. That is billions of dollars that would be circulating in the economy that will not happen.

We Democrats have been listening to the people. We want to avoid a shutdown and have met all of the Republican demands on the spending side.

Last night at the White House Speaker BOEHNER said to the President: If you go with me, it is $78 billion in cuts. That will satisfy me.

The President said: We will get to that number.

We have moved in every direction Speaker BOEHNER has asked. We believe there should be cuts. There is tremendous waste in government. I think any Democrat who ignores the lesson of those who voted, the lesson of the last election, makes a mistake. The people did want government to cut out the waste and to shrink, but they didn't say cut everything. They didn't say use a meat ax. I didn't have a single person tell me—and I met a whole lot of tea party people—to cut cancer research, cut loans to students who are going to college because the American people have wisdom. Cut the things that are wasteful and hurt the middle class but grow the things that help the middle class achieve a better life. That is what the President has tried to do when he said: We are going to out-educate, out-build, out-innovate. That is what we are trying to do.

There are a lot of tough cuts in our proposal, some that I don't like. Every Member on this side will be able to find things they seriously don't like, but at the same time we have gone to a level, about as high as we can go, that doesn't cut our seed corn, our future, a growing economy for our people and their children.

On cuts, we are in a good place. So why didn't we come to an agreement? Why, after Speaker BOEHNER offered a number and the President accepted, why are we still here today worried about a shutdown that will hurt so many? The answer is simple: the so-called extraneous riders. These add-ons, which have nothing to do with deficit reduction, are standing in the way. Why are they standing in the way? Because a minority of the House—perhaps even a minority although a large number of Republicans—insists that they be there. They are the hard right of the Republican Party. They are the same people who have said: We cannot give an inch on their H.R. 1 bill, which did cut our seed corn, did cut loans to colleges and cancer research. Now they say they have to insert these extraneous riders dealing not with abortion—the Federal Government can't fund abortion because of the Hyde amendment—but rather about women's health, about who, not how much, should get the payments to do chest screenings and blood tests and cancer tests for women. That battle has been raging for a long time, decades. It has nothing to do with reducing the deficit.

So why is it there? Let me show why on this little chart, this little pictorial representation. Speaker BOEHNER has said: ''No daylight between Tea Party and me.''

Let me repeat that because these are his words: ''No daylight between Tea Party and me.''

Does he have the exact same views as the tea party? Obviously not, but he is pulled by them. He has a choice. He can listen to the tea party and shut down the government, or he can take the very difficult—and I admit it is difficult; I believe Speaker BOEHNER is a good man; I like him; I think he is a decent, honorable man who is caught between a rock and a hard place—alternative which is to take the mantle of leadership and tell those on the hard right they cannot run the government completely.

They will have influence—they already have—but they cannot run the government completely. They certainly can't impose their social ideological agenda on a budget process, frail enough as it is. These riders are the straw that breaks the camel's back and causes the shutdown.

Speaker BOEHNER is trying to say today it is not the riders, it is the budget numbers; but that is belied by two facts: No. 1, he offered a number to the President last night and the President accepted, $78 billion in cuts. No. 2, if it isn't the riders, as my colleague from Washington State said, take them off the table. Tell the tea party and others that this is not the time or place. There will be a debate on this issue. We can guarantee that. Even if we didn't want it to happen, it would. Our colleagues on the other side of the aisle would make sure. But not here and not now; not when continuing the government with all the ramifications is at stake.

What we have is a flea wagging a tail wagging a dog. The flea is the minority of House Republicans who are hard right. The tail is the House Republican caucus. The dog is the government. That flea is influencing what the dog does. More than influencing, right now it is determining. It is sad.

Leadership is tough. Frankly, when either party goes to the extremes, they don't do the right thing. When Republicans go to the hard right, when Democrats go to the hard left, my experience is they lose politically. Much more importantly, they do what is wrong for the country substantively. We are a country that governs from the middle. We are a country that believes in compromise. We are a country of what the Founding Fathers profoundly weaved through the Constitution: checks and balances.

It says two things: When the people want change, a new group will come in, and they will certainly have an effect. Our government, our structure of government the Founding Fathers created, is not ossified. They also said they won't control everything. That is the beauty of our government.

We in the Senate are the cooling saucer. That is what we are doing here. We are performing our function. It is a function that the Founding Fathers wished us to perform, some of whom, I might note, come from the State of Virginia. In any case, we have a serious issue ahead of us.

I say to Speaker BOEHNER: Please, tell the tea party folks they are going

to get some of their way but not all their way. They will not get their way on these extraneous riders related to women's health. The battle for whether the government shuts down goes on inside Speaker BOEHNER's head.

When people ask me: Are we going to shut down?

I say: Look inside Speaker BOEHNER's brain and see what is going on there. I am sure there is a lot of torment and tumult. I sympathize with the situation.

This is a time for leadership, and if leadership emerges, this government, on which so many people depend, will not shut down.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, the American credit card is maxed out. We continue to add about $1 trillion or $1.5 trillion to that credit card every single year to where it is now at $14 trillion. The amazing thing is, right now it is about noon, and between now and midnight tonight when this continuing resolution expires, if nothing is done the government would shut down. We will add more than $2 billion to that debt. In a 12-hour time period between noon and midnight tonight, we will add another more than $2 billion to that $14 trillion debt that is growing by the hour.

We have a crisis in this country. We have had experts tell us, such as the former Chairman of the Federal Reserve, Alan Greenspan, that there is a 50-percent probability that we will see a debt crisis in the next 2 to 3 years.

Interestingly enough, there was a story in the Wall Street Journal this morning that says:

> Europe's central bank became the first monetary authority in a major developed economy to raise interest rates since the global financial crisis struck, a sign that an era of cheap credit is coming to a close.

It goes on to say the ECB increased its benchmark by a quarter point to 1.25 percent.

Now, if we started to see an upward tick in interest rates, it would have a profound impact on the deficit and on the debt because the experts also tell us—the Congressional Budget Office and others—that for every 1 percentage point increase in interest rates, it would cost about $140 billion every single year.

To put that into perspective, the interest on the debt in the year 2015—if we stay on our current trajectory, will exceed the amount we spend for defense. So we will be spending more on interest on the debt than we actually spend defending this country in 2015. That is assuming we did not see any kind of an increase in interest rates. If we were to see, as I said earlier, as much as a 1-percent increase in interest rates, that adds $140 billion every single year in interest costs to finance the debt. This is a serious situation which requires serious action.

We have in front of us a continuing resolution to fund the government because we did not get the work done last year. The Democratic majorities in the last year did not pass a budget, did not pass a single appropriations bill. So we are doing the unfinished work of last year. We are in the now sixth continuing resolution which, as I said, expires tonight at midnight. If nothing is done, the government would shut down, but there is an alternative. Of course, the best alternative would be to pass legislation that passed the House of Representatives earlier this year—it was voted on in the Senate and was defeated—that cut $61 billion from discretionary spending and would take us back to 2008 levels.

Just to remind my colleagues, in the last 2 years discretionary spending has increased 24 percent. That is if we do not include stimulus money. If we add stimulus money, it was 84 percent. We have seen discretionary spending increase in the last 2 years by 24 percent at a time when inflation in this country was 2 percent. So we were spending at a rate that was literally more than 10 times the rate of inflation.

I do not think the American people would think it is unreasonable—when we are running $1.5 trillion deficits every year, when we have a $14 trillion debt—that we ought to be able to go back to 2008 spending levels. That is what the House bill did that failed in the Senate. So that triggered a negotiation, which is ongoing.

My point very simply is, there is a solution in front of us now that would prevent, at midnight tonight, the government from shutting down, and it would also fund our troops through the end of this fiscal year, which ends on September 30. So all we have to do in the Senate is—the majority leader, all he has to do is call up that House-passed bill, we move that, and it would fund the government for another week until the negotiators can come to a final conclusion on a longer term funding resolution that would take us through to the end of the fiscal year.

There is a very simple answer to all this. So there is a big debate about that particular short-term funding resolution. They say, well, maybe it cuts too deeply. All the cuts that are in that short-term funding resolution are cuts that have been agreed upon largely by both sides, by both Democrats and Republicans, and it is to the tune of about $12 billion, which is significantly less than the number both sides have agreed we ought to cut from the budget this year.

As I said, it also would fund the military. It is important we fund our troops, that we not put our military at risk of not having the funding that is necessary for them to conduct their very important duties when we are trying to fight two wars, and perhaps three. So it would fund the military through the end of this fiscal year.

So why will it not be picked up and passed by the majority leader in the Senate? Well, according to our colleagues on the other side, it is because of these ideological riders, this rigid partisanship, this insisting upon things that just absolutely do not have any support in the Congress.

Well, I want to point out something. In 2009 the other side was singing a very different tune because at that time they were passing a big spending bill, and at that time President Obama and then-Speaker PELOSI loaded such riders onto a government funding bill similar to the one now being negotiated. A senior Democratic aide is saying: Well, they are not comparable. Well, many of the same provisions—in fact, one of them was an abortion provision that was included in that particular spending bill. It goes on to say—and this is quoting a Democratic aide later on:

> There is a difference between including riders on a bill when they are supported by a majority of the Senate and just need a vehicle and including riders on a bill because a minority is trying to ram through something that would not have support on its own.

Well, just to point out, the rider that was added by the House Republicans on the short-term spending bill is a ban on taxpayer funding of abortions in Washington, DC. It would affect one city in the country. Interestingly enough, it is a position that has been supported repeatedly by the leadership on the other side. The majority leader, Senator REID, has voted for this very ban 10 times since 1995. The majority whip, Senator DURBIN, has voted for this very ban 9 times since 1995. Believe it or not, the President of the United States, when he was a member of the Senate, voted for that ban twice, and he, as President, signed legislation that includes that ban.

So to suggest this is something that lacks majority support just does not pass the smell test. You cannot make an argument that it is about ideological riders that do not have majority support when you have people on both sides, by large majorities, voting for these particular riders. I think you cannot argue that this is an ideological battle because these are things that have been passed before right here in the Senate.

I think most of these—a lot of legislative things, a lot of things that get funded in government are an expression of someone's ideology. Now, there are some of us who happen to believe the taxpayers in this country should not be supporting abortion; that taxpayer funds should not be going to support abortions.

The broader debate about funding for Planned Parenthood is not just ideological, it is a funding issue because they have received somewhere on the order of over $300 million a year in taxpayer funds. So when you are looking at ways to trim government, you are looking at every area of the government. You are by definition making decisions that in some cases may be based on someone's ideology. The fact is, you cannot argue with a straight face on the floor of the Senate that

this short-term funding resolution ought to be held up over a couple of riders that have broad support by Members on both sides and have countless previous votes in support of those.

So I would suggest to my colleagues in the Senate that a shutdown at midnight tonight can be avoided very simply. All it requires is for the majority leader to pick up the bill that passed the House of Representatives yesterday; a bill that, as I said, funds the government for another week until our negotiators can come to that final conclusion, that funds the military through the end of the fiscal year, and that includes a couple of provisions that have been supported numerous times by Members on both sides in the Senate.

A shutdown is totally avoidable, but it is completely up to the majority to pick up that legislation and pass it. We cannot afford to wait to deal with out-of-control spending and debt for the reasons I just mentioned. Over 40 cents of every dollar we spend at the Federal level is borrowed. As I said before, we have seen discretionary spending increase by 24 percent over the past 2 years. What the House Republicans have proposed in terms of spending reductions, I think by any definition—I think the American people would find it to be very reasonable. It represents literally less than 2 percent of total Federal spending.

At a time when most Americans are tightening their belts, most small businesses are tightening their belts, families are having to make hard budget decisions, at least in Washington we ought to be making decisions in the best interest of getting this country back on track so we do not spend money we do not have and we are living within our means and not saddling future generations with an enormous debt, which is not fair to them and which, by the way, also has a profound impact on the economy.

Everybody makes the argument up here that somehow if we reduce Federal spending it is going to hurt the economy. Well, I would argue the opposite. If we do not get Federal spending under control, it is going to hurt the economy because you are going to see these kinds of impacts. You are going to see interest rates start going up. You are going to see inflation start going up. You are going to have people not making decisions about hiring out there in our economy because they do not believe Washington, DC, has gotten the message about getting spending and debt under control.

So I would argue to my colleagues that we have a solution, a very simple solution in front of us. It certainly does not necessitate at midnight tonight the government shutting down. I do not think that is in anybody's best interests. I do not know of anyone on this side of the aisle who wants to see that happen. All we are saying is, it is high time this government started to live within its means, started to stop spending money it does not have, started putting us on a fiscal path that will ensure that this country is around for future generations of Americans, and that we do not have young people in the future carrying around an $88,000 debt, which is what their debt will be in a few short years if we do not take steps to get Federal spending and Federal debt under control.

So I urge my colleagues—the Senator from New York got up and said: Please, Republicans, don't shut the government down. I would say to my colleagues on the other side: It is very simple. If the majority leader just picks up the House-passed bill, passes it, this crisis is averted. The negotiators can continue their discussions on a longer term solution which it sounds like they are very close to coming to a conclusion on. That is all it would require. It is a very simple solution.

I hope my colleagues will do it, and we can make sure the government continues to function, but that we start to get spending and debt under control.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that I be added as a cosponsor to S. 724.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed for 15 minutes.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, reserving the right to object—and I do not intend to object—but I am just wondering if the Senator from Massachusetts would be willing to amend his request to allow subsequent Republican speakers to also have 15 minutes to make their remarks. So if the Senator would agree to amend that request, I will not object.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, reserving the right to object, this is a critically important issue, and I think a lot of us all want to speak. I just want to make sure—I have been presiding and waiting for some time as well. I hope we do not start rearranging all the rules here so we all get a fair chance to speak.

The PRESIDING OFFICER. Is there objection to the request from the Senator from Massachusetts?

Mr. COATS. Mr. President, I continue to reserve the right to object. If the Senator is willing to amend his request, I will not object. But if he is not, then I agree with the Senator from Virginia. There is a long list of Republicans and Democrats who would like to speak.

Mr. KERRY. Mr. President, I withdraw my request.

The PRESIDING OFFICER. The request is withdrawn.

Mr. KERRY. Mr. President, that is sort of an indication of the kind of problem we have around here, which is the ability to accommodate a simple request that used to be accommodated around here all the time.

Let me say very quickly, what the Senator from South Dakota just said is a massive oversimplification of what is happening. The President of the United States made it very clear, we are not going to fund the government week to week to week to week to week. It costs more money. It is a completely incompetent way to fund the Government of the United States of America. People need to make plans. People need to let contracts. People need to be able to know how much they are going to be spending, how much can they hire, who can they hire. That is an incompetent way to manage the United States.

The President made it clear, we have already done two short-term fundings of the government, and he said we are not going to do it again. It is time to reach an agreement. It is time to show the maturity and the capacity to be able to do the business of our Nation. They are just asking for another delay. But they are not just asking for that, they have also put their ideological wish list into that particular request.

This is a dangerous moment for our economy and for our country. Frankly, it is an embarrassing moment for the Congress of the United States. It is an embarrassing moment, I think, for the American people, who have to watch their Congress struggling to do what we were sent here to compromise and find a way to do the business of our country.

There is a reason we are standing on the precipice of this argument. I believe we can still get an agreement in these next hours. I believe we may well get that agreement in these next hours. But what a show to get there. How extraordinary it is that for the first time since the 1990s, when, incidentally, the Republicans ran the House—does it ring a bell? That is the last time we had a shutdown in the U.S. Congress, and here we are back again with the same threats, the same need to do brinksmanship that puts an ideological wish list on the table, that you cannot pass any other way, to try to force it down the throats of Americans at the last minute by threatening to shut down the government.

I have to tell you, in China, they have to be laughing at us right now. They have to be clapping. How terrific that the United States of America cannot make a decision. Boy, does that send a wonderful message to businesses all around the world: They can't make a decision. They can't decide an energy policy. They can't decide an infrastructure policy. They can't fix their schools. They can't do anything, and now they can't even get a budget. That is a hell of a message around the world. While we are running the world preaching the virtues of democracy, people have to be scratching their heads and saying, That is what we are going to get?

This is not because both sides of the political aisle cannot agree about a plan for cutting the deficit. This is not about the deficit. We only have to listen to Speaker BOEHNER and to the President, the majority leader and others, and add up the math. It is beyond dispute that Democrats have agreed to make the largest budget cuts in American history in discretionary spending. It is also beyond dispute that we have agreed to travel far more than halfway. We are at about 73 percent of what they requested in terms of spending reductions.

Last night, the President of the United States sat with Speaker BOEHNER and said, I agree to your number. This is not about the number. We agree with the number, providing we can also look beyond discretionary spending and look to the larger budget, which is the way we ought to be doing budgeting for the United States. We have compromised. We have agreed to well more than what is reasonable with respect to some of these reductions.

So this is not about making cuts to the deficit. That is not what it is about. America needs to understand that. In a negotiation, there is always a back and forth. There is a give and a take. But we are at this extraordinary moment in American history where a small group of people seems to be intimidating their own leadership.

I keep hearing about what a tough position the Speaker is in. He is not in a tough position. He is the Speaker of the House of the United States of America. It is a job he always wanted. It is a job he wants to have. He asked for it. His position is no tougher than anybody else here who has to make a cut on these kinds of issues. What are you for? But he is allowing this small group, a minority within a group—maybe a minority of a minority, I don't know—to dictate and they are saying, Oh, we have to do this. We have to take America right up to the brink, right up to the edge, and show the world we are not able to do our business in a quiet and responsible and thoughtful way.

Rigid ideology is threatening to shut down the Federal Government of the United States. Let's not play games and pretend with some short-term stopgap measure when the President has said we are not going to do that anymore. It is no way to run the government and it costs more money. They are doing this with impunity because all the voices of moderation and common sense—all the voices on the other side of the aisle who say we don't want to shut down the government—and they really don't. I know some of our colleagues on the other side of the aisle. They get it. They don't want to do this. But either they are not being listened to or something has happened over there where there is a level of anarchy within the institutional process of the Congress that is dictating where we are.

So why is it that 100 percent—100 percent—of the cuts we are being asked to make are coming from only 12 percent of the budget? There isn't an American who will sit there and say, What do you mean? You mean only 12 percent of the budget is up for grabs, and they are taking 100 percent of their cuts from the 12 percent of the budget? That doesn't make a lot of sense. It doesn't make a lot of sense. Defense spending at the Pentagon: Are you telling me that every system we are buying over there, the procurement process of the Pentagon is so perfect that we can't make some cuts? But they are not trying to cut defense. That is not on the table.

Everybody knows the big items of our budget deficit are Medicare, Medicaid, and Social Security. Those aren't on the table. They are not being considered. How can they say this is not ideological when the only things that are being cut in their proposals are the very things some people have been trying to cut for 40 years? They have opposed them as a matter of principle their entire political life and they can't get them any other way, so now they are trying to jam them down the American throat by saying we are threatening to shut down the Government of the United States.

This isn't about the budget deficit. If it were, we would have made the largest cuts in American history because we have agreed to those cuts. Every single one of us understands why we are in the predicament we are in. Yes, we have a huge budget deficit and huge debt. I can't get over how quickly my colleagues on the other side of the aisle are able to forget about how we got here. When President George Bush became President, we had a path toward a $5.6 trillion surplus. We had balanced the budget. We did what we needed to do. Then they came in and passed two huge tax cuts for the wealthiest people in the country that they didn't ask for and didn't need, and all of a sudden we had a deficit. Of course, it was because they gave tax cuts on the credit card. Then we had two wars, one of which was a war we never had to have—the war in Iraq at a cost of $1 trillion. That is our deficit. Then they had all their cronies guarding the financial system with the foxes guarding the chicken coops. The result was Wall Street ran away with American economic interests, and we had the housing crisis and the Wall Street crash—the greatest loss of wealth in modern times. As a result was the deficit and the debt went up. When President Obama came into office we were losing 750,000 jobs a month. They forget that. They forget their complicity in that.

So we are where we are now. The fact is this fight—do my colleagues know what they have been trying to do? They have been trying to shut down the government if they don't get Environmental Protection Agency restraints which they weren't able to win otherwise. They have about 65 different ideological wish list items now being reduced, but that is what the fight has been about for these last weeks. Folks, we had that debate. It is fresh in our minds.

This week the Senate debated Senator MCCONNELL's amendment to cut off EPA's authority under the Clean Air Act. It lost. Three other amendments with similar approaches had up-or-down votes. Each one of them failed. The process worked. Amendments were debated and votes were counted.

So now it is do it or we will shut down the government. I don't remember a lot of Americans voting for dirtier air or water they can't drink or longer droughts for farmers but now they are saying the government is going to be shut down if we don't handcuff the EPA.

We have been here before. In December 1995, one of the reasons that the Federal Government shutdown was the Republican attempts to include a ''. . . excessive number of anti-environmental riders.'' And here we go again. The Budget Committee chairman, Senator CONRAD, reports that last night in the middle of the night, the other side put mountaintop mining riders on the table. What does that have to do with reducing the deficit?

And that is just the start of this ideological excess. Planned Parenthood, we are fighting over whether Planned Parenthood can get any money from the Federal Government for cancer screenings for low-income women.

We had that debate over here. We voted on the House budget to kill Planned Parenthood. It lost. It lost overwhelmingly. Senate Republicans opposed it. So now the gang from the House say defund Planned Parenthood or we shut down the government. Strip Planned Parenthood of money it uses to provide lifesaving, preventative care to millions of women each year or we shut down the government.

Is this about abortion? No. They want to prohibit Planned Parenthood from receiving any Federal funds, including Medicaid—a proposal that would cut 1.4 million women off from their health care provider.

This isn't even good fiscal policy—the preventative care saves taxpayers dollars in the long run. Every dollar ends up saving $3.74 of health-related costs to Federal and State governments.

We are talking about women like Jennifer, a woman from Boston who credits Planned Parenthood with saving her life. She had little money and no doctor. She went to Planned Parenthood for a checkup, and the doctors found a precancerous condition of the uterus. She says now, ''Because of Planned Parenthood's early intervention, I was able to have two children and a healthy life.'' But today, here we are—here is the choice they are ramming down our throats: defund that care or shut down the government.

Last year, both the House and Senate Appropriations Committees did their job. However, in December 2010, the Republicans objected to even considering

this year's budget and forced us into this situation.

That is ideology that has nothing—nothing—to do with balancing the budget.

So if a small ideological group shuts down the government over all this, what happens? What happens?

Well, for all the talk here about jobs and the economy, you would think somebody might be thinking hard about that, especially now that our economy is starting to create hundreds of thousands of new jobs every month.

So just yesterday, one of our leading economists said: ''The economic damage from a government shutdown would mount very quickly. And the longer it drags on, the greater the odds of a renewed recession.''

Goldman Sachs analysts say a shutdown will cost the economy $8 billion every week. The Business Roundtable, whose companies account for $6 trillion in annual revenues, forecast increased sales and hiring by businesses over the next 6 months, but they say even a short shutdown would put that in jeopardy. ''I don't think any of the CEOs would welcome a government shutdown,'' said Ivan Seidenberg. Even Speaker BOEHNER says, ''if you shut the government down, it'll end up costing more than you'll save.'' The Republican economist Mark Zandi, says a shutdown would not only ''disrupt a wide range of government operations and significantly cut the output of government workers, but the hit to confidence could be serious . . . it could easily undermine confidence as questions grow about policymakers' ability to govern. This would be fodder for a new recession.''

A new recession because ideologues continue to object to the compromises necessary to pass a budget? But here we are hours away from shutting down the government over abortion.

And folks, that is the big danger—that the actions of these ideologues will stop the recovery.

But it has a human face too.

Just yesterday I read an e-mail from a constituent of mine named Tim. He lives in Norwood, MA, and he is a Federal employee at Homeland Security working in Boston. On March 26, he and his wife moved into their first home. Now, if the government shuts down, he will be furloughed. He is worried that he won't be able to pay his mortgage and he is terrified about the consequences this will have on his credit rating.

I have no idea whether Tim is a Democrat or Republican, but I know he didn't vote in November to not be able to do his job or pay his mortgage.

But that is what he is worried about this morning. He is one of 800,000 families that will not be able to go to work and do their jobs. I heard one of them asked yesterday about it and about all the talk that after the shutdown she will get paid, and she said, ''Tell my two-year-old he can eat retroactively.''

But why isn't the job getting done? Because of issues wholly unrelated to the deficit.

And what does it mean to the country?

Well, the last time we had a government shutdown, they told us that at the NIH the scientists doing the research on cancer and cures had to go home. They couldn't work. The only person deemed essential was the guy who came in to feed the lab rats so they would still be alive when the government came to its senses.

Did anyone vote last November for us to stop researching cures to diseases? I don't remember that being a part of the tea party platform. Bu here we are.

At the height of filing season, IRS processing of tax refunds for returns could be suspended. So families who have been waiting for their refund checks won't get them.

During the spring home-buying season, 15,000 homeowners could be prevented from getting a new home loan every week.

We talk about honoring our men and women in uniform and those who have served our country, but we know that during the last shutdown more than 400,000 veterans saw their disability, pension or educational benefits delayed.

We talk about honoring our seniors, but more than 100,000 new Social Security claims were delayed in 1995.

We say we care about the disabled, but during the last shutdown services to 1.2 million people with disabilities were interrupted.

And that is just the immediate consequences of a shutdown. But what about the long term? What happens when the world watches a small group of ideologues making it impossible to pass a budget for 1 year? We are preaching democracy all over the world and we can't make our own work. Our economic competitors are going to take advantage of this opportunity to strengthen their economy at our expense.

Does it make businesses more likely to invest here, or go invest in China and in Latin America where governments are racing ahead investing in infrastructure and energy to own the markets of the future? They are going to laugh all the way to the bank.

But instead here we are, about to shut down the government—and willing to slam the brakes on the investments and the research and development we need to make so America doesn't fall behind other countries. While we have these ideological fights, we eat America's seed corn today, even if it means going hungry tomorrow.

This is about ideology. This is the takeover of our national dialogue by people who actually want to shut down the government—for them, it is a goal not an unintended consequence.

Don't take my word for it. Just listen to them.

Representative RON PAUL of Texas said: ''I don't think it would hurt one bit'': and that ''life would go on without the Federal government.''

Representative LYNN WESTMORELAND of Georgia said the Republicans are simply ''listening to the American people'' and doing what they want.

Now, I will grant you that Congress needs a ''jolt'' but it should not be a jolt that causes a government shutdown. It should be a ''jolt'' to do the job that we were elected to do.

There is a better way. We can balance our budget and we can grow our economy to benefit everyone and we can do both at the same time. How do I know? Because many of us were there when we did it before. We tackled a budget deficit and created jobs at the same time. And we didn't do it by cutting our budget to the bone.

In the 1990s we grew our way to a stronger economy under the Clinton economic plan. We invested in the workforce, in research, in development, in new industries. As a result, we saw the longest economic expansion in history, creating more than 22 million jobs and generating unprecedented wealth in America, with every income bracket rising. And working with Republicans, we came up with a budget framework that put our Nation on track to be debt free by 2012 for the first time since Andrew Jackson's administration. Of course, it didn't work out quite that way, what with huge tax cuts, two wars and the worst economic downturn since the Great Depression in the 8 years that came before these last 2 difficult and divisive years.

We can do it again. But it is going to take a serious dialogue within the Congress about our fiscal situation, discretionary spending, entitlements, and revenues—a dialogue that is long overdue. We need to work towards a long-term solution to reduce both our current budget deficit and our staggering debt. We will need to reduce Federal spending and make appropriate changes to our entitlement programs to meet the fiscal challenges facing our country.

But that is not what is being debated here today. That is not what the House ideologues are doing. And it is not what the Senate is supposed to be doing. I have been here 27 years. I know that the world's greatest deliberative body can still be a decisive one. But we are not today.

Before we entered into this showdown with the clock ticking towards a shut-down, Senator INOUYE and I were going to be in Boston for the groundbreaking of the Edward Kennedy Institute dedicated to the study of how to make the Senate work as an institution.

Ted Kennedy knew what the Senate could do when we made this place work. He understood the differences of 100 Senators from States as different as Alaska and Hawaii, California and South Carolina, Ohio and Oregon. He embraced different accents and different world views even as he was proud of his own. He became living, legislating proof that a most fiercely independent, plain-talking, direct and determined partisan could resolve the hardest issues, staking out common

ground with those they disagreed with on almost everything else.

Ted knew that the historic breakthroughs in American politics have been brokered not by a mushy middle or by splitting the difference, but by people who had a pretty healthy sense of ideology. Ted Kennedy and ORRIN HATCH were a powerful team precisely because they spent a lot of time opposing each other. But he knew that they were opponents, never enemies; that they could be friends in life even as they were foes in politics. And again and again, over and over, when this ultimate odd couple found things they were willing to fight for together, arm in arm, all of us in the Senate leaned in and listened—and followed them.

Make no mistake. Were Ted Kennedy serving in the Senate today he would be down on the Senate floor—red faced, fists pounding the bully pulpit—exhorting his colleagues that it is wrong to balance the budget on the backs of working people, that Senators should stop the political gamesmanship, and that we need to get back to doing the business of the American people.

But he would be doing something else, too. He would be working the cloakroom quietly pulling aside Democrats and Republicans. He would be reading the rhythms of the institution. He would be appealing to the better angels of the Senate's nature—because as deeply as he believed in the issues, Ted believed just as deeply in the capacity of his colleagues, at critical times, to put country ahead of party.

Ted Kennedy would be proud of today's groundbreaking for the Kennedy Institute for the Senate. But I know he would be insistent too that we have to break new and common ground in the institution that is the U.S. Senate itself.

Generations of young Americans to come will come to the Kennedy Institute and learn to understand what the U.S. Senate was intended to be.

But 100 Senators don't need to wait that long. We can do what Ted Kennedy and Bob Dole and so many other Senators of both parties used to know how to do—which is find common ground and insist on common sense.

We don't have to shut down the government. We don't have to continue the ideological bloodletting. We can do better than we are doing. The question is whether we are going to get back to work and ensure that the great center of American politics holds once again. Our country deserves that—and nothing less.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I join the Senator from Massachusetts in saying also we don't have more time on this. We all want more time. Each of us would like to spend more time on this important issue, but we want to give everyone the chance to speak and this is why we have the limitation.

I think it is important to put this whole issue in perspective. People are saying, Well, the clock is ticking and we are 12 hours or less away from having to shut the government down. Well, yes, the clock is ticking. But the clock that has been ticking year after year on the mounting debt and fiscal crisis that is going to take this country into bankruptcy if we don't do something about it. That clock is ticking a lot faster than the clock is ticking on this debate.

Let's put this debate into the perspective of the larger picture. In the last 3 years we have added over $4 trillion to our debt—$4 trillion plus in the last 3 years. This country is on an unsustainable spending binge. People throughout the year in 2010 expressed their views about the egregious, reckless spending of this Congress, and they sent a new Congress here to do something about it.

Because the other party that was in control in 2010 didn't pass a budget, didn't do anything about it when the time ran out on September 30 at the end of the fiscal year—we are at this point today because we have had to have these continuing extensions which we are trying to do something about, and I hope we can resolve this. I don't want a shutdown any more than anybody else does. But people have to put this in perspective. What we are dealing with here is a request put out by the Republicans—because there is no request from the President of the United States and there has been no request from the other party as to what the package should be to deal with this—and that request requires and asks for a reduction of 1.6 percent of the total amount of spending that is going to take place in 2011—1.6 percent.

If you are the head of a family or an individual making $50,000 a year and you find out you are running yourself into bankruptcy, that amount you would have to come up with to save, to start the process of getting your financial situation back in order is $800. If you are making $100,000 a year, what we are asking for is a $1,600 equivalent cut in the spending. If you are a business making $1 million a year and the boss comes and says we are spending way more than we take in in our revenues and this company is going to go bust and everybody is going to get released from employment as a result of that unless we make a start in moving forward in dealing with our fiscal crisis, and we are going to start by cutting $16,000 out of the $1 million, that is the equivalent of what we are doing here. Yet, we are talking as if this is doomsday, this is cataclysmic: These are the greatest cuts in the history of the Senate.

We have a timebomb, a debt bomb, ticking away out there that is going to take the country down into second tier or third tier status, at best, or we are going to have the bond markets do it for us if we don't start. This isn't just a Republican plea. Democrats, the President's own commission, headed by Erskine Bowles, who was the President's Chief of Staff, has said there has been no more predictable collapse facing America than this one and we need to do something about it now.

What we are trying to do about it now is simply do something that wasn't done for 2011, for the 2011 budget, with a modest 1.6-percent cut so we can move to what we need to do, and what we need to do is address the whole picture. As the Senator from Massachusetts said, we have to deal with more than this 12 percent of the discretionary spending for 2011.

We have to put mandatory spending on the table, defense spending on the table; we have to look at tax reform as a way to grow our economy. There are a whole range of things we have to do. We have one plan in place that has been put there for us to at least begin to start the debate on what we need to do—get this thing out of the way so we can start that debate, and that is the Republican plan put forward by House Member PAUL RYAN, the head of the House Budget Committee. That is the comprehensive plan we ought to be working on. We can't get to that plan because we are dealing with this 1.6-percent fix to the problem that exists for 2011. It is 2012 and 10 years beyond that needs to be addressed and needs to be addressed now.

This country is facing as serious a debt crisis as we have ever had. Leading economists, Republicans and Democrats, liberals and conservatives, those from Harvard and those from Stanford and every college in between and every institution and entity that has studied this problem, say we have to do something and we have to do it now or it is going to be done for us, and the results of that will be a lot worse than if we start to address it now.

Governors and heads of businesses and heads of families all across America know exactly what we are talking about because they have already had to make these tough decisions. They are already implementing what is necessary to get their fiscal house back in order. It is not just Republican Governors; it is Republican and Democratic Governors. Why aren't we listening to Andrew Cuomo? Why aren't we listening to Jerry Brown? Why aren't we listening to Mitch Daniels and other Governors, including Governor Walker from Wisconsin and Governor Kasich from Ohio? Why are we not looking at what they are doing? At least they are stepping up and doing it.

Here we are, arguing over the extreme nature of a 1.6-percent reduction out of a $3.7 trillion budget. Revenues are coming in at $2.2 billion for a $1.5 trillion deficit and we are talking about a 1.6-percent cut out of all that, as if this is doomsday if we don't raise—even come halfway, or a little more than halfway to this.

Putting this in perspective I think is necessary for us. We have all the focus on this little, small grass fire happening over here when there is a five alarmer across the street. That is the

fiscal house of America. Are we doing this because we are green eyeshade people and we don't like the way government functions and we want to take things away from people? No. We are doing this to save this country—to save the benefits available to those who are under Medicare, to save the benefits available to those under Medicaid, and other provisions. We are trying to keep these programs from collapsing and we are trying to keep this country's fiscal house from collapsing or burning up. Instead of fighting a little grass fire, we have a five alarmer over here and we have a little truck with a hose trying to put out that grass fire. Let us reconcile this and pass this now so we can get to the issue we have to get to.

This whole thing about riders and about the largest tax cut in American history is a pebble in a pond of what is necessary for us to go forward and deal with the crisis that is before us. It is going to rest on all of our shoulders. It is going to reflect on all of us, Republicans and Democrats, liberals and conservatives, if we stand here and fiddle while our fiscal house burns to the ground and collapses.

As I said, one way or another, this will happen. It may happen sooner or later. If you listen to Erskine Bowles and a former colleague, Senator Simpson, and to the President's own commission, and if you listen to any analyst who has looked at this, they say it is totally unsustainable. If you don't do it and start the process, the bond market and the interest rates will do it for you. It will fall on all of us for not stepping up to the plate and getting it done.

We have 11 hours to get this done. Let's pass this now and make the decision to go forward and let our yeas and nays be recorded. Let the American people decide which side they want to be on on this particular issue.

I think, given the results of the last election and the awareness of the American people, clearly they have come to the conclusion that the government is too big, it is growing too fast, it is spending too much money—money it doesn't have—and it is borrowing money at a rate that is putting us into severe jeopardy in terms of our creditors and what their demands will be in the future. When 40 cents of every dollar is borrowed, you cannot continue on that course without dire consequences.

I believe the challenge before us today is to wrap up this negotiation and wrap up the issue that deals with the remaining months of 2011 so that we can immediately begin—and whether it means canceling the recess or whatever, I am more than happy to participate in that—to work on the necessary decisions and changes and debate that have to take place regarding our long-term future. If we fail to do that, we are going to reap the negative consequences.

My time is about to expire. I simply plead with my colleagues, let's get past this little nothing of a skirmish here and keep this government functioning and get to work on what we have to do. We hope to have competing plans, but if not, let's go forward with the Ryan plan and get a yea or nay on it and let the American people decide whether it is the right way to go.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I wish I could say I was rising today to just debate some of the normal issues we talk about. Like most of my colleagues, probably, I rise today a bit embarrassed—not a bit but really embarrassed that we are here under these circumstances.

People across Virginia cannot understand why we can't get this done. I had the honor of serving as the Governor of Virginia. I am a Democrat, and I had a two-to-one Republican legislature. We got things done. We compromised. We found that common ground that now seems to be viewed as a bad place to be.

Mr. President, I agree with the Senator from Indiana that whatever number we agree on today, that doesn't take us very far when you have a $1.6 trillion deficit and a $14 trillion debt. If this debate is showing anything, it is that there is not going to be a way to get there unless we can frame this in a bipartisan way. I agree with the Senator from Indiana that we ought to take the framework of the Simpson-Bowles plan and put it forward. There are a group of Democrats and Republicans who are trying to do that, and a lot of other Members would like to be part of that as well.

We ought to take one lesson from this debate—that we are not going to solve the bigger problem unless we can start on a bipartisan basis. We have heard this morning back-and-forth about what is holding this up. I am not in the negotiating room. I wish I were. I don't know what is holding it up. I know, as somebody who has followed this debate pretty closely, that for the weeks of this discussion, it seems to have been focused on, can we at least take some small step toward attacking that deficit and cutting spending.

It seems to me from every bit of the press reports I have read—I would like to say I have an insider's view, and many of the Senators are trying to figure out what is going on, but from all the press reports, it seems that, until the last day or two, this has been about cuts, and there has actually been agreement on the number and size of this first step of cuts. But now we have these other issues. I think, as some of my colleagues have said, there will be time to debate those issues, but why in the heck would we roll the dice with not just 800,000 Federal employees but millions of Americans who rely on some level of continuity to have these extra social issue divisions right now?

I heard some of my colleagues say earlier that, well, we have to shut it down for a weekend, and that won't be too much of a problem. Well, you don't have to worry about the Federal employees.

Lord knows, anybody who puts a red herring—I appreciate Senators HUTCHISON and CASEY making sure our troops are going to get paid. I am proud of that. Regardless, I think Senators and Congressmen should not be paid, either, if we shut down, and I promise not to take any salary if we are shut down. But just even for a weekend, what do you tell the motel owners, the restaurant workers, the private sector folks who are relying this weekend on people coming to Washington to see the cherry blossoms? You may say that is small ball, but that is people's lives—not Federal workers but the private sector workers. What about the defense contractor who says that if we shut this down, he is going to lay off 70 folks starting next week? What about the shipbuilder in Norfolk who is living paycheck to paycheck and says they don't know whether they are going to see private sector dollars from their private sector employment, whether they are going to get paid or not? What do you say to our soldiers who are fighting in Iraq and Afghanistan to try to spread democratic government if the greatest democracy in the world is going to shut down not over trillions of dollars' worth of differences but over some issue that may or may not have been introduced at the eleventh hour? I don't get it.

The notion somehow that this will send a good signal of fiscal discipline—I am proud, as my friend the Senator from Tennessee said, that we have spent more time in business careers than we have in our political lives. But what business hates the most is uncertainty. The markets hate uncertainty the most.

Portugal, yesterday or the day before, said they need a bailout from the European Central Bank. The notion that we are out of the woods in terms of a macrofinancial crisis is not true. The situation in Europe is very uncertain. The situation in the Middle East is obviously very uncertain. It would be the height of irresponsibility if we were to kind of once again rock the bond markets with the fact that the American Government would shut down over some extraneous issue. I don't get it.

The economists whom we have talked to have said that you can see up to a .2 percent decline in economic growth if we even shut down for a few hours. Frankly, it would end up costing us more than we save because shutting down operations and starting up operations, as any business leader or any government person who actually runs something knows, costs more money. People may say two-tenths of 1 percent, and we struggle for half a percent of growth here and there with all of these policies we try to promote—that is billions and hundreds of billions of dollars to our economy.

Just as we started to see a little bit of good news with the job numbers last month, just as we started to see the beginnings of an economic recovery, are we going to show that we can't even continue to operate the government for the next 6 months, and are we going to shut it down, at least based on press reports, on extraneous issues that don't have to do with deficit reduction?

If we can't get through this challenge, what happens when we move from the small-ball issues to the issues Senator COATS and my colleagues and friends, Senators CARPER and CORKER, all want to be part of—and the Presiding Officer—and how will we take on that $14 trillion debt, to which we add $4 billion every day that we fail to act, if we can't solve this problem in a way that focuses on making the cuts and letting the government continue to operate, not simply for the sake of 800,000 Federal workers but for countless millions in the private sector who depend upon that certainty, and move on to the question of how we find, I believe, the bipartisan solution that I hope and pray is at least around the framework of the Simpson-Bowles approach, which puts everything on the table—revenues and cuts—and recognize that we need to put the country back on the path of economic prosperity.

I hope the negotiators realize this is bigger than the small issues—bigger than 73, 78, or whatever number they finally determine. We will send a signal by our actions today whether we are willing to then move forward to take on the much bigger issue, which is where we have to start.

I will close with this. If there is anything we have learned from this effort, it is that if we start with guns ablazing at each other, we are not going to be able to take on the real issue that confronts us—the national security crisis that Chairman Mullen has said is the single biggest threat to our long-term economic stability based upon the rising debt.

I yield the floor and hope and pray we will come to a solution.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, if the Chair will please let me know when there is a minute left, I would appreciate it.

I rise to speak about the current issue. I am always glad to speak after my friend from Virginia, whom I have enjoyed working with on so many issues. I appreciate the work he is doing now to try to deal with the bigger issue we have to deal with.

I will not waste a lot of emotion or say things that might—look, we are involved in a powder puff right now. We are dealing with a small amount of dollars. We add $4.1 billion a day to the deficit—$4.1 billion a day. So probably, with the negotiations we are involved in today, maybe we are separated by 1 day of deficit spending.

I know there has been a lot of talk about what might happen with the government shutdown. I don't believe that is going to happen. I believe that when we come in on Monday morning, an agreement will have been reached. I am not going to waste time on the Senate floor talking about all the bad that might happen in this country because I cannot believe that, over the small ball we are dealing with right now, we are going to have a government shutdown. I think we will resolve this over the next few hours or maybe sometime over the weekend possibly. Maybe there will be a minor disruption this weekend. I have faith that this will be worked out.

What I want to spend time talking about is the fact that we do have a crisis that is looming. I don't think it is this weekend, and I don't think it is over a continuing resolution that goes for the rest of this year. I hope we are actually able to move beyond majoring in the minors, which is what is happening now, to majoring in the majors; that is, talking about trillions of dollars in less expenditures, not billions of dollars. Each day that goes by, with the $1.5 trillion deficit we have, we are spending $4.1 billion that we don't have.

I am convinced that negotiators on both sides of the aisle very soon will work out their differences, and when Monday morning rolls along, the government will be operating.

To me, the big picture is this: We have a debt ceiling vote that I think will be coming up sometime between Memorial Day weekend and the July Fourth recess. To me, that is the opportunity we have to really do something great for our country.

I know Senator WARNER alluded to the Gang of 6. I know there are a number of people on both sides of the aisle who are working toward a long-term solution.

CLAIRE MCCASKILL and I have offered the Cap Act, which is gaining momentum and has a number of Republican cosponsors. We picked up another Democratic cosponsor yesterday. It is very simple. It would keep us from doing the kind of thing that is happening right now.

One of the things that is most fascinating is today—and I know you just came from State government, Mr. President—today we are dealing with last year's business. The thing that is most frustrating for those of us who come from the business world or who come from State government or who have been a mayor, in this body, we never know where we are going. We are always debating issues that should have been resolved a long time ago.

What we need to do in this body for this country is to figure out where we are going over the longer haul and then both sides of the aisle need to sit down together and figure out how we get there. We need to somehow create a fiscal straitjacket where we know—we know we are at an all-time high with spending today relative to our economic output. We had the same thing back in 1945 and, candidly, even in the eighties. We got up to levels that were higher than they should have been. We have the ability to get back to the norm. We know that. We have to make some tough decisions to do that.

The CAP Act is a 10-page bill. Basically, it says we will go from where we are today in spending over a 10-year period to our 40-year historical average of 20.6 percent of our GDP. There are a lot of people in this body—and I am not going to point fingers—who use the word ''extreme.'' There is nothing extreme about this. It is common sense. It puts everything on the table.

What is fascinating to me is that today we are debating minor amounts of cuts in discretionary spending. Everybody in this body knows that if we cut all discretionary spending—discretionary spending, by the way, includes defense—if we cut all discretionary spending, including defense, we still could not balance our budget. What we need to do as a body is look at everything—all the entitlements, all the mandatory spending, and we need to cap Federal spending relative to our economy and take it down to the 40-year average over the next 10 years.

I think everybody in this body is aware that would save our country per projected policy $7.6 trillion. By the way, I think it would force us as a body to have the discipline to take up many of the issues on which the gang of six is working. We already had PAUL RYAN from the House show us that it can be done, and there are people who criticize that, and that is fine. There are multiple ways of solving this problem.

The problem we have is politicians in Washington do everything they can to avoid making a tough decision. Back home, what we want to do is get the pain out of the way. Let's make the tough decisions so we can have blue sky in front of us. Here everybody wants to wait until the next election and hopefully move beyond their own election to deal with the tough issues with which we have to deal. That is just the way this body is.

It is amazing, here we are in April dealing with last year's business. Again, both sides are involved in that. I am not pointing fingers. But if we had a plan that we adopted, a statutory bill where we agreed we were going to go from where we are to where we need to be, our 40-year average—not extreme, over a 10-year period—it would force us to sit down and in a bipartisan way look at the big picture.

Everybody knows cutting discretionary spending is small ball. Let me say, that is powder puff. It is powder puff. We have our Nation at stake, and we are sitting here yelling at each other, saying things we should not be saying to each other that take us nowhere over powder puff. It takes us no place. I feel as though here our Nation is getting ready to have a fiscal crisis at some point—in a year or two—and we are all here trying to score points with each other over something that at

the end of the day and in the scope of things are important, certainly, but there is no question that today we are majoring in the minors.

I hope we can get by this and move beyond this without creating even further divides between the two sides and people saying silly things about who is to blame and who is not to blame. It is silly. It is beneath us. The American people have to be watching us with embarrassment. I am embarrassed.

This is the most dysfunctional place I have ever been a part of in my life because, again, we never know where we are going. It is a privilege to serve, do not get me wrong. It is a privilege to represent and get involved, but it is dysfunctional because we major in the minors. We can cut all the discretionary spending and not get where we need to go.

Senator KERRY from Massachusetts, a State very different from Tennessee, agreed that we have to deal with mandatory spending. We have to deal with entitlements. We want those programs to exist for our seniors down the road. We want them to exist for these pages, and we know on today's course, it cannot happen. We know without dealing with them, we cannot solve our country's fiscal issues.

Let's move beyond this episode that is beneath us, that is silly, that is small ball, that is powder puff. Let's move beyond this over this weekend and reach an agreement. The cuts we are making are the biggest cuts that have been made, and I applaud people on both sides of the aisle who are trying to get us there. No doubt it will pass through the budget for a decade. It could be $300 billion or $400 billion in savings. That is great. But we all know we need to be dealing with $7 trillion or $8 trillion over that decade. If we do not do that, we know that our country's fiscal future is in great jeopardy, and we lose in that the ability to display American exceptionalism that all of us want to see us do.

I hope we will stop talking about Republicans and Democrats. Candidly, I hope we will talk about the future or something else because this debate is almost beneath us.

I see my time is up.

I yield the floor to my great friend from Delaware who has been a sensible advocate on so many issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, first, I say a special thanks to Senator CORKER, not just for what he said about the issues we are facing on the path forward but the nice words he said about his friend from Delaware. It is a pleasure to serve with him. I thank him for introducing the concept of tele-townhall meetings. We do that a lot in Delaware. I learned that from him.

The President has been likening the squabble going on here to a family squabble between a husband and wife. He said what husbands and wives usually do is figure out their differences, find middle ground, compromise, and work them out.

One of the things I love to do when I go up and down my State is to talk with people who have been married a long time—I am sure this happens to the Presiding Officer—50 years, 60 years, 70 years. I like to ask them what is the key to being married 50, 60, 70 years. I get some funny answers and some great answers as well. I am sure the Presiding Officer does too.

One of my favorite answers is a couple said to me: Two Cs.

I said: What is that?

They said: Communicate and compromise.

There is a little theme going on here with a former Governor of Virginia, Senator WARNER, a former mayor of Chattanooga, Senator CORKER, and a former Governor of Delaware. I want to continue with that theme.

I go home at night to Delaware. I take the train home, and I come back the next morning. This morning, I was walking on the platform to catch my train. One person said to me: You all are acting like a State legislature in the Senate.

I said: No, that is not the way we act in Dover, DE. When I was Governor, we had a Democratic senate, as we have here, we had a Republican house, as we have here, and we had a Democratic Governor for those 8 years. Yet we managed to work out our differences, to communicate and compromise and to be able to balance our budget 8 years in a row, cutting taxes 7 out of those 8 years, adding tens of thousands of jobs, which was no mean feat in our State, and to get ourselves a triple A credit rating for the first time in the history of our State. That is what you can do when you communicate and compromise in good faith.

At the end of these negotiations—I think largely taken in good faith. I have a lot of respect certainly for our own leaders and a healthy respect for the Speaker of the House, with whom I served briefly. I think he is an honorable person and a guy who tries to do what is right.

The President said—and I heard this from pretty good sources—the President said to the Speaker of the House: We will take your number. We will agree on the spending cuts. We may think it is a little too much focus on domestic discretionary spending, not enough on defense, not anything on entitlements, nothing on the revenue side. It is not a balanced package, but we will take your number. This ended up not so much a discussion over how we are going to further reduce spending in this fiscal year. The discussion is over things I think we addressed already in this body this week on whether the Environmental Protection Agency should be allowed to comply with the Clean Air Act, as ordered by the Supreme Court, to reduce pollution or are we going to tie their hands with some kind of a special rider on what should be a continuing resolution to fund the government?

We have had four bites out of the apple this week. None of the amendments to tie the hands of EPA and their ability to enforce the Clean Air Act has been adopted. What we are now trying to do with our friends in the other body is somehow put in the legislation as a rider language that would fly in the face of what we already decided here.

A second point. As a former Governor, I was active in the National Governors Association. One issue I worked hard on with George Voinovich from Ohio when he was Governor was legislation that said we do not like Federal mandates. States do not like Federal mandates that say you have to spend money on something or you cannot spend money on something or you have to raise revenues this way or raise them in that way. We did not like that.

Congress actually passed and President Clinton signed legislation on unfunded mandates. We do not do it nearly as much as we used to. One of the riders is to tell the District of Columbia what they can and cannot do with their money—not with Federal money but what they can and cannot do with their money. In my mind it is a violation of the unfunded mandate law, certainly in spirit if not in truth.

One of the issues we appear to be divided on is whether Federal money should be used for family planning. I think we all agree we should work toward having fewer abortions. I think almost everybody agrees we would like to have fewer abortions. One way to make sure we have more abortions is to reduce the money set aside for family planning. It is counterintuitive. If you want fewer abortions, cut funding for family planning. That makes no sense to me. I hope we will walk away from making that bad decision.

Again, I go back to the comments of our friends from Virginia and Tennessee who preceded me. This is a speed bump ahead of us. We are talking about how to come up with $4 billion, $5 billion, $6 billion in savings for the rest of this fiscal year. How about when we are looking for $4 trillion of savings over the next 10 years? That is the tough negotiation. It all has to be on the table. It cannot just be discretionary spending on the domestic side. We can eliminate it entirely, but we will still have a big budget deficit. Defense has to be on the table. Last year, there were $402 billion in cost overruns on major weapons systems. That is up $42 billion from 10 years ago. Defense and entitlements have to be on the table. Revenues have to be on the table.

We have been given a roadmap—not a perfect roadmap, but a roadmap—by the deficit commission, chaired by Erskine Bowles and Alan Simpson.

The last thing I want to say is, coming down on the train today, I read the business section of the New York Times. There is actually some pretty

interesting stuff in there. One of the things they reported on was the retail numbers for last month. Most analysts thought they would be down, but they are up.

I was at an auto dealership this past weekend in Milford, DE, talking about car sales. They are not flat. They are up. It was not just that dealership but throughout my State and the Nation. Two years ago, 9 million trucks and vans; last year, up to 11 million; next year, 13 million. Credit is available again and things are moving in the right direction.

Every Thursday, as the Presiding Officer knows, we have a number from the Department of Labor. It is new unemployment filings, how many people have filed a new claim for unemployment. We get it every Thursday. If we go back to the end of 2008, I think the top number in 1 week was 660,000 filings, people filing for unemployment, new claims at the end of 2008. Yesterday, for last week, we are down to 380,000 to 390,000. We saw jobs numbers created, new jobs for March, 220,000 private-sector jobs being created. We are going the right way.

Finally, the economic recovery is beginning and we need to strengthen it. One of the best ways to undermine it—one of the worst things we can do—is to add uncertainty, add unpredictability. I am not sure who said this. Maybe it was JOHN ENSIGN who said this before. One of the things businesses need and want, that markets need and want is certainty and predictability.

One of the reasons big companies are sitting on the sidelines—a bunch of them still are—and not hiring people, even though they are sitting on cash—is unpredictability. What are we going to do with the budget, not just short-term runup, but for the 10-year plan, the $3 trillion, $4 trillion, $5 trillion in savings? What is the Supreme Court going to do with health care? Are they going to throw it out or fix it and make it even better? What are we going to do about energy policy? What are we going to do about tax policy? What are we going to do about transportation policy? All those are uncertainties.

We can begin to resolve the budgetary uncertainty by agreeing on a reasonable spending reduction plan for the balance of this fiscal year and go to work on the much tougher problem, and that is how to take $4 trillion out of our debt in the years to come.

Last thing I want to say is that a couple of us have been working on this in the Homeland Security and Governmental Affairs Committee. What we are beginning to do is to use our committee's jurisdiction to look into every nook and cranny of this government to ask this question: How do we get better results for less money? How do we get better results in domestic spending, how do we get better results in defense spending, and how do we get better results for less money in entitlement programs? And frankly, with the tax expenditures as well. How do we get better results?

I call it getting rid of a culture of spendthrift and replacing it with a culture of thrift. Above and beyond all the other stuff we are doing, we need to do that as well. Because everything I do, I know I can do better. I think the same is true of all of us. Everything we do, we can do better, and the same is true of Federal programs. The question we have to ask as we look to every one, as we look in every nook and cranny of the Federal Government, is to ask this question: Can we get better results for less money or at least better results for the same amount of money or not much more money? For a lot of them, the answer is: Yes, we can. For us, the challenge is to do that.

With that being said, I yield back my time. I see my friend from Nevada is here, and I am sure he is anxious to agree with everything I have said, and I welcome that.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, I say hello to my good friend from Delaware. He made some very good comments. I want to follow up and talk about this debate we are having.

The Senator from Tennessee, Senator CORKER, talked about the need to forget about whether you are a Republican or a Democrat and think about what is best for the country, and that is what we should be doing right now.

People around the country understand we have a serious debt problem. Spending has been run up under Republicans and Democrats. People can blame whichever party they want, but the reality is we now have a $14 trillion national debt. This year alone, $1.6 trillion is how much more we are going to spend than we take in. That is 40 cents, or a little over 40 cents, out of every dollar we are spending this year we are borrowing from countries like China. That is such a dangerous thing to do, because we are now dependent on other countries and our economy is on very shaky ground. Everyone in this body understands this is completely unsustainable.

Let's look at the path the President has set us on as far as his budget is concerned. If we took up his budget, this year alone we will spend about $250 billion in interest on our national debt. That is kind of like having a credit card and you are spending $250 billion in interest on that credit card. If we follow the President's plan over the next 10 years, that $250 billion will go to almost $900 billion a year. That is more than Social Security, more than Medicare, and more than national defense. That is why this is completely unsustainable.

So now we are in a debate over a few billion dollars compared to trillions of dollars? It is a drop in the bucket. That is why I believe it is important for both sides to get this behind us so we can focus on the much larger issues.

I have a 100-percent pro-life voting record. I believe very strongly that life is precious; that God created each of us in his image, and that life should be protected. But we have to face reality. The Democrats are in control of the Senate and in control of the White House. There is no way they are going to allow Planned Parenthood, which is the largest abortion provider in the United States—and I disagree with what they do—the Democrats will never allow us to defund Planned Parenthood while they are in charge. So we have to look at what we can do. What is achievable?

Right now, I think one of the biggest moral issues we face in this country is the debt. What we are doing to our children and grandchildren is handing them a country they cannot afford. The taxes will have to be too high. We could default on our debt and end in a depression which is worse than the Great Depression simply because this body, the body on the other side of the Capitol, and the White House have spent too much money for too long. We have spent money we do not have.

Next year's budget and the debt ceiling are much bigger issues than we are dealing with here. We don't need to shut down the government. We just need to sit down, make the compromises necessary so we can move this process forward and get to the much larger issues on spending and debt.

We have seen in the news that Portugal, Greece, and Ireland have had serious problems. They have actually had their debt downgraded to almost junk status. One of the countries is actually considered junk bond status. The others have now had their bonds seriously downgraded. What does that mean? That means they are paying higher interest rates.

Yesterday, the EU raised their interest rates. The European Union raised their interest rates because of fears of inflation. Here in the United States, our Federal Reserve is keeping interest rates low. But we know inflation is coming, and eventually they are going to have to raise interest rates because of inflation and overspending by the United States. What does a rise in interest rates mean to the average American? It means that the home mortgage is going to go up.

Remember, a lot of Americans have these adjustable rate mortgages. So the next time they refinance those mortgages, their payments will be higher. They are already having trouble meeting these payments.

What does that mean for job creation? The small business owner who wants to get a loan will have to pay higher interest rates. That affects the cost of capital and whether they may be able to even start a business in the first place. It will hurt job creation right in the middle of this very little, very delicate bit of job recovery that we are having in the United States.

This spending and the debt is not some esoteric argument. It is real and it affects real people's lives. It isn't

something we can put off for another 3, 4, 5 years. We must deal with it now. We know that entitlements are the biggest part of the budget. Yes, discretionary is important. We have to deal with discretionary and we have to deal with defense. We overspend in defense in so many wasteful programs, but the big issue is going to be entitlement spending.

Congressman RYAN put out a very bold budget the other day—the first person to come forward with a bold proposal to deal with entitlement spending in this country. The President's debt commission put out a proposal, but the President, unfortunately, ignored his own debt commission and didn't put any of their recommendations in his budget. But both Republicans and Democrats are going to have to deal with this spending problem—this spending binge we have been on—otherwise we are not going to have the same United States of America we have all been enjoying our entire lives. We are literally going to become an economy that cannot exist the way we exist today because we cannot afford it. Our debt will literally collapse the economy of the United States.

A recent study came out, done by two incredible economists named Rogoff and Reinhart. These are viewed by both sides of the aisle as well-respected studies. They studied sovereign debt over the last 200 years of about 64 countries. What they found is any time the debt reaches 90 percent of the economy, or 90 percent of the GDP, it causes a net decrease of about 30 percent of economic growth going forward.

Those are numbers. But what does it mean? It means a loss of jobs. In the United States, we have over a million jobs that will be lost, that would otherwise be created. So this is real stuff. Where are we in the United States? Currently, we are about 94 percent of GDP. So we are already there, and it is going to get worse and worse.

That is why this debate we are having over spending is so critical, and critical that we get it under control. We need to forget about which party is going to have a political advantage. I am one of those Senators—and there are quite a few of us—who is not running for reelection. Everybody in this body needs to forget about whether they get reelected and do what is right for the country. It is so critical right now that we put our country first.

House Republicans have sent over a proposal that would do a couple of things. One, it would fund the troops. Let's not let our military come to work and not get paid. That would be ridiculous. Let's at least fund the troops and pass this 1-week spending proposal that would fund the government. It does cut $12 billion out. The only significant rider in there is the DC abortion rider that says DC can have funds to provide abortions. This is something that was in law and that President Obama signed, in a bill that many Democrats on the other side have signed, so it should not be that controversial.

In the meantime, since we have agreed on the spending number, we can work out some of these other controversial things in the next week. I believe that is the right thing to do to keep the government open, so people can continue to get their paychecks, so people can continue to visit national parks, and on and on and on. I think we all know the problems if the government shuts down.

I think it is critical that we start doing what is right for the country instead of what is right for somebody's reelection. Let's sit down and make the serious and tough choices so we can put this country on the right path.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 1:10 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. BLUMENTHAL).

Mr. LAUTENBERG. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET NEGOTIATIONS

Mr. LAUTENBERG. Mr. President, it is my understanding we are now in morning business. I ask if there is a time constraint when making speeches.

The PRESIDING OFFICER. Senators are limited, under morning business, to 10 minutes each.

Mr. LAUTENBERG. Thank you, Mr. President. We are facing a moment in the issue that all Americans are looking at and wondering: What is happening here? What is going to come about? What are we going to do?

But I wish to remind everyone, in 1773, a tea party was held in Boston Harbor. It was to protest a yoke of oppression that hobbled the start of freedom in our new Nation and that new Americans wanted removed. Those here then wanted the liberty to choose their own customs and their way of life.

While that was 238 years ago, we again struggle to keep a fringe group from taking away the rights of a majority of American citizens who treasure choices they are free to make in our democracy. Although these attacks are marked in the cloak of fiscal responsibility, it is very clear that this group, unlike our forebears, is determined to restrict the freedoms most Americans choose to protect.

So while we are not latter-day Paul Reveres, we sound the alarm for the American people to beware. I come to the floor to warn every parent and grandparent to beware for the well-being of your loved ones. If you want your children and your grandchildren to have the best health care American research can produce, beware.

If your chest swells with pride when your 2-year-old repeats numbers or words learned at a Federal Head Start schoolhouse, beware.

If your child suffers when toxic air overwhelms them and they are gasping for a breath of fresh air, beware. Look at your family, and if you have a son or a daughter anxious, ready, and able to go to college and you cannot afford to help, beware.

If you are a woman dependent on Planned Parenthood, where every year women receive tests for breast or cervical cancer that could endanger their health and maybe their lives, beware.

If you are a retiree who believes Medicare is freely available to help you live longer or function better, beware. Watch out. Tea party Republicans have seized control of the House of Representatives and will use their power to eliminate current services to children, adults, and retirees from the government, as promised.

They are continuing to brew a toxic tea, a sleight of hand trick to push pain on America's most vulnerable citizens, as we look at this placard: ''House GOP Brewing a Toxic Tea for Americans.''

Across our country, millions are worried sick about losing jobs, losing homes, and losing an established way of life for their children's futures. What do the tea party Republicans propose? Cut their programs to protect the wealth of the richest among us. But tea party Republicans do not want to solve problems. Instead, they are trying to use the budget process to push an extreme ideology that they believe is the only way others should live their lives. Do it their way or no way.

They are willing to shut down the government to prove a point, to change the condition we have operated so well under for many years. They are willing to sacrifice America's financial standing to impose their extreme views on millions who do not agree with these radical extremists.

They refuse to step up, compromise, and move ahead, so America can continue leading the world as it has been. The President and the Senate Democrats have come to the negotiating table with a responsible plan that protects our country's fragile economy, economic recovery, and invests in our future.

But the toxic tea Republicans in the House would rather recklessly shut down the government than budge off their foul scheme. Last week, they stood outside the Capitol and chanted: ''Shut it down. Shut it down.'' That was their mantra, shut down the government.

When Speaker BOEHNER told them to prepare for a shutdown, they gave him

an ovation. That is where they stand: Cut it off. Cut off the health America needs to maintain some financial leadership. These are elected lawmakers who are supposed to guard our government, not kill it.

They want to deceive our people, talking about arithmetic and accounting, but that is not their real aim. Their aim is to have the government decide what is right or wrong in people's homes and families so they can govern others' behavior. Make no mistake. They do not care if their cuts hurt children. They have shown that all along. They want to chase more than 200,000 children out of Head Start, where children learn how to learn, and modest-income families have no other way to provide that education.

We see it on this placard: ''House Republicans Hold Back 218,000 Head Start Kids.'' That is not going to help our country in the future. Tea party Republicans ignore the fact that children who attend Head Start have higher test scores and are more likely to graduate from high school and go on to college.

They should visit Head Start classrooms to see those little ones. Maybe their tough hearts will mellow instead of just saying: No. Sorry. With American wealth, we cannot help you.

But Head Start is only a beginning. Look at what tea party Republicans want to do to higher education. They want to reduce Pell grants, which help millions of Americans go to college. Do they not understand they are not just saying no to hard-working young students, they are also saying no to American employers, telling them: Too bad our country does not have the skilled workers. Ship those jobs overseas or bring foreigners here. They will work for much less anyway.

They are saying no to the millions of hard-working parents who dream of seeing their kids living better than their parents because they received a college education. This chart tells a tragic story about the opportunities for smart kids who depend on Pell grants to afford college. Look at what it says: ''As College Costs Rise, House GOP Slash Pell Grants.'' We can see it here. Rising tuition and less help is the way they would like to see America go.

Do we want to force students to take on more debt in order to attend college or kick them off our country's campuses altogether?

I learned the value of a government investment in college education firsthand. I attended Columbia University on the GI bill after serving in the Army during 1944 and 1945. Later, I cofounded ADP. That is one of America's most successful companies, now employing 45,000 people. America built the ''Greatest Generation'' by enabling 8 million veterans to attend college free for their service in wartime.

Even as we currently continue losing lives in wars that have also injured thousands, they are willing to shut down the government, no matter what, if it takes away a payday for soldiers on the battlefield.

The assault on our children's future does not end there. The tea party Republicans want to cripple our ability to provide the clean air our people need to breathe without fear by eliminating the Clean Air Act, putting polluter's profits ahead of our children's health.

It is an outrageous assault on a landmark law that the Supreme Court ruled on in 2007, that it is the government's responsibility to protect children from toxic chemicals in the air and illnesses such as asthma, lung cancer, among other life-threatening diseases.

I wish our GOP colleagues would be straight with the millions of parents who are concerned about their children's health and explain why tea partiers are asking families to be patient and maybe their children will outgrow asthma.

One of my grandsons suffers from this disease. He is an athletic child, and every time he goes to a soccer game, my daughter first checks to see where the closest emergency room is. No parent should have to worry about their children playing outside.

Look at this picture. Soot is ugly when it is pouring from a smokestack, but it is even uglier inside a child's lungs.

Tea party Republicans say you can not restrict polluters with regulations because it is too cumbersome.

By their logic, we should rid ourselves of traffic signals, too. Those red lights are a real inconvenience.

And while we are at it, maybe our Republican colleagues would like us to get government bureaucrats out of the air traffic control towers.

Can anyone believe the Republicans are going after medical research, at the same time?

The National Institutes of Health are making strides in fighting childhood diseases. But the Republicans want to reduce NIH's ability to do research by taking $1 billion of their budget.

That is funding that could find a cure for childhood cancer or just maybe identify the cause of autism or other autoimmune diseases.

If the government shuts down, NIH will have to stop admitting new patients for 640 clinical trials, 60 of which involve children with cancer.

And what about the toxic tea Republicans are trying to serve to women? Willing to put women at risk with their health.

They want to wipe out Planned Parenthood, one of the Nation's leading providers of health services for women.

Disadvantaged women turn to Planned Parenthood for family planning services, breast exams and cervical cancer screenings.

And make no mistake: Cancer screenings save lives.

Since the 1950s, cervical cancer screenings have cut mortality rates by more than 70 percent.

So why would we want to take cancer screenings away from women?

But it is not just women's health at risk, health care for America's seniors and retirees is also on the tea party Republicans' chopping block.

They just revealed a scheme to end Medicare as we know it by turning it into a voucher program.

The problem is, when your voucher runs out, you will have to dig into your own pocket to pay for health care.

The nonpartisan Congressional Budget Office could not have been clearer this week when it reported ''Under [this] proposal, most elderly people would pay more for their health care than they would pay under the current Medicare system.''

Is this what America wants, forcing seniors to spend more on medicine and treatment, and get less in return?

The bottom line is the Republican leaders in the House should stop the toxic tea lawmakers from hijacking the deficit debate.

We cannot allow them to ''ransom'' Head Start, the Clean Air Act, Planned Parenthood and Medicare.

We cannot negotiate away the health and well-being of America's children, women and seniors.

This is not how we solve our financial problems.

I was a CEO for many years, and I know that you cannot run a company, or a country, without sufficient revenues.

I voted last year to end the Bush tax cuts for the top 2 percent of wage earners because I know windfalls for the wealthy will not guarantee jobs, reduce the deficit or help us invest in our future.

I am one of the most fortunate people on Earth, and it is time for those of us who have been fortunate to pay our fair share.

So I call on every Member of Congress to reject the toxic tea that the House Republicans want to serve America's most vulnerable citizens.

Let's protect the future of our country, not poison it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I rise today, as the Federal Government is on the verge of a government shutdown, in the hope that both sides will come together and pass a resolution which not only keeps the government functioning but also fully funds our troops for the remainder of the fiscal year and enables the troops to have the support they deserve. It is not sensible—it is not practical; it is not morally defensible—to send our troops to fight for us in Afghanistan and Iraq and now in Libya without giving them the resources they deserve. They should not have to worry about their loved ones back home, whether they will be able to meet their rent payments, make their mortgage payments, put food on their tables, while they are fighting for our country.

I find it extraordinary that our President, the Commander in Chief, has issued a veto threat on the troop funding bill passed in the House yesterday

and on the calendar in the Senate today. Looking at the Statement of Administration Policy, the President doesn't talk about concerns over the legislation, doesn't talk about concerns over the spending or the riders, he simply says:

This bill is a distraction from the real work that would bring us closer to a reasonable compromise.

I am not quite sure what that means except by not stating any objections to the legislation other than saying it is a distraction, it is not responsible for our troops and our military. To be honest, I am far less concerned that passing this bill will be a distraction to the Congress and to the President than I am concerned that not passing the bill will be a distraction to those troops who are putting their lives on the line for us overseas every day.

As we all know, we should not be having this discussion. We are talking about funding for this fiscal year only because the Senate and the House of Representatives last year didn't get their work done. In fact, for the first time since 1974, when the Budget Act was made law, the Congress did not pass a budget in either House. That is why we are here. That is why the continuing resolutions are necessary, these so-called short-term measures. It is too bad, because Congress not getting their work done last year means we have to clean up the mess this year when we should be focused on a much bigger issue.

My colleague just talked about some of his concerns about the spending reductions in H.R. 1. I remind us that not having gotten our work done last year, we are also facing the biggest deficit in the history of the country and a debt that is unprecedented, over $14 trillion. If we are truly worried about our kids and grandkids and the next generation, we have to focus on that.

For today, what we are talking about is something very simple. It is just to pass a short-term measure to keep government in operation and to provide funding for the troops. I hope we can do that today. We are talking about actually a relatively small part of the bigger problem. Even adding up all of the spending reductions in H.R. 1, it is less than 2 percent of our Federal budget at a time when our Federal budget deficit is over 40 percent.

So what we are debating today in the Senate and what is being negotiated behind closed doors in the Congress and at the White House is such a small part of the issue.

But here we are. So what do we do to make things better, not make them worse? The short-term measure the House has already passed yesterday is unfortunately the only thing we can agree on today because, given the process of this place, the House and the Senate, it is the only option we have to move things forward. We need to send it to the President while we are working on longer term legislation. Again, it does provide for our troops, which is incredibly important to us at this time with three wars and so much concern and anxiety among the military. This measure would reduce nondefense discretionary budget authority by about $13 billion, again while funding the military fully for the rest of the year.

Many of these reductions were included in the President's budget and are not particularly controversial. In terms of actual outlays, it reduces nondefense spending by $3.9 billion. In the context of our overall Federal budget, that is .1 percent. So we are talking about a .1-percent spending adjustment for the rest of the fiscal year. Yet we still can't seem to get together to fund our troops and keep the government open. Some call that .1 percent extreme. We just heard some of that. I don't think it is extreme. I think it is only a very small step we have to take, if we are truly concerned about the future for the next generation and concerned about our economy. If we don't get this record deficit and this debt that is growing out of control under control, it will continue to harm the economy today and our prospects for getting this economy back on track in the future.

Let's allow these negotiations to continue. In the meantime, let's fund the troops and avoid the unnecessary disruption of a government shutdown. We can do that right now as a body by passing the legislation the House passed yesterday, send it to the President for signature, and take care of our fighting men and women for the rest of this year and keep the government from shutting down.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I have long believed we have to be serious about the deficit, and I was 1 of about 14 Senators who held back their vote on the debt ceiling last year to make sure we actually created the fiscal commission, which did very good work this year. That work is being taken by a small group of Democratic and Republican Senators to come up with long-term solutions for the debt. I strongly believe that is what we have to do. I also believe we have a responsibility to govern.

Allowing a shutdown when we are this close in negotiations, when a number has been agreed upon and all it comes down to is a disagreement on politics, is just wrong. What makes this situation so troubling is that we have reached this standstill not over dollars at its essence but over politics that I don't believe have a place in the debate.

With a bipartisan deal within reach, it would be irresponsible to shut down the government and punish our constituents solely to score political points. This impending shutdown has broad consequences. While we have now seen 13 straight months of private sector job growth, adding 1.8 million jobs in that time, the economy is still fragile. Everyone knows that in their own States. Too many Americans continue to struggle.

According to an analysis from Goldman Sachs, a government shutdown will cost the economy around $8 billion per year or nearly .2 percent of GDP for each week of the shutdown, all because of a disagreement over social issues not over dollars—because last night there was actually agreement on the dollars.

Economists and business leaders agree that a government shutdown at this time will hurt our recovery, hurt businesses, and slow economic growth. Even Speaker BOEHNER has admitted it will cost more than it saves.

If a shutdown were to occur, the Small Business Administration would cease to process applications for business loan guarantees, curtailing lending to small businesses already squeezed by tight credit markets. Last year the Small Business Administration supported more than $212 billion in lending to small businesses through its two largest loan programs. At these levels we would see over $400 million a week in small business lending put on hold because of a shutdown.

Our government also provides vital support for businesses seeking to export their products and services and conducting business abroad. The U.S. Commercial Service, a part of the Department of Commerce's International Trade Administration, has offices and embassies and consulates in over 80 countries worldwide and utilizes its global network of trade professionals to connect U.S. companies with international buyers. Every year they help thousands of U.S. companies export goods and services worth billions of dollars.

If the Federal Government shuts down, these services will end and sales and contracts will be lost. If we look at the shutdown in 1995, we can see evidence of how damaging a disruption of services like these can be. During that shutdown, approximately $2.2 billion in U.S. exports couldn't leave the country because the Department of State and the Bureau of Export Administration were unable to issue export licenses.

Finally, I wish to make a point about visas since I chair the Subcommittee on Export Promotion, Competitiveness and Innovation, which includes tourism. During the last shutdown, approximately 20,000 to 30,000 applications by foreigners for foreign tourist visas were unprocessed each day, and the U.S. tourist industries and airlines reportedly sustained millions of dollars in losses. With the average foreign visitor spending over $4,000 per visit, it is easy to see how fast these losses add up for businesses. These are just a few examples, but the sum total will be much greater.

I am on a bill with Senator CASEY and Senator HUTCHISON to continue funding our troops. Of course, we will do that; of course, they should get their paychecks. But let's look at what this shutdown would do on a day-to-day basis to provide some perspective.

In northwestern Minnesota, volunteers are taking time off from their jobs and from school to help fill sand bags and build temporary levees as we watch the Red River of the north rise to its eventual crest. The flood fight takes all hands on deck in North Dakota and Minnesota, with local, State, and Federal Government working together to protect these communities. Earlier this week, to help in this fight, Governor Dayton declared a state of emergency for 46 Minnesota counties. North Dakota has also been declared a state of emergency.

FEMA has said it will have all the resources it would need to maintain its capabilities during a shutdown. However, if the Federal Government closes its doors, FEMA will not be able to process in a timely manner paperwork and applications that Minnesotans will be submitting for assistance once the waters recede. I have been through these flood fights before. The whole community comes together. The whole community fights that flood. They take days and days and days. Some of them have lost their houses, and they are still out there helping their fellow citizens. I see that and I wonder to myself: And we in this body and in this Congress can't come together when we are this close, when there actually was agreement on a number last night. We can't come together while these volunteers across the Red River are coming together on a flood fight? That is absurd.

I urge my colleagues who are holding this up to reconsider their all-or-nothing stance so we can move forward with the real work that must be done. A setback now would simply prevent the growth needed to address our country's long-term fiscal imbalances.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I ask unanimous consent to add 4 additional minutes to my 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIBYA

Mr. McCAIN. Mr. President, I am aware that most of my colleagues are taking the floor today to speak about the potential shutdown of the government, and very appropriately so. I am strongly opposed to a government shutdown, as we all are. I especially want to note its adverse effects on our men and women in uniform.

Of course, I have joined so many of my colleagues in cosponsoring the Ensuring Pay for Our Military Act of 2011. The last thing our men and women and their families need to worry about is how to make ends meet while they are taking up arms to defend the Nation's interests.

I rise to talk about the deteriorating situation in Libya which could have more profound effects than the crisis we are in. It is a very serious, very deteriorating situation and one which is fraught with severe implications for America's national security interests.

I remain a strong supporter of the President's decision to take military action in Libya. It averted what was an imminent slaughter in Benghazi and has given us a chance to achieve the goal of U.S. policy as stated correctly by the President: to force Qadhafi to leave power. I am also grateful we have capable friends, our Arab partners, and NATO allies, who are making critical contributions. But that is not a substitute for U.S. leadership. Right now that is the main missing ingredient in the coalition's efforts in Libya—the willingness of the administration to take decisive actions, together with our partners, so that we can accomplish our goal as quickly as possible rather than look to our allies to do it all themselves, which I fear the evidence is mounting they cannot do.

The administration has chosen to stop flying strike missions against Qadhafi's forces, even though they continue to threaten Libyan civilians and even though our NATO allies cannot match our unique capabilities in this regard. The administration correctly declared that forcing Qadhafi from power is a goal of U.S. policy, but our military mission is not working toward that goal by actively seeking to degrade Qadhafi's forces, thereby increasing the pressure on him to leave power.

At a time when Qadhafi's forces are adapting to NATO's tactics and capabilities and concealing themselves in populated civilian areas, the administration has grounded our most effective aircraft, the A–10 and the AC–130, which are the only planes—the only planes—that are capable of conducting the kinds of precise air-to-ground operations now required to protect civilians under the current circumstances. Not surprisingly, Qadhafi's forces are now regaining the momentum on the ground.

We cannot succeed with half-measures. Right now, our actions are not adding up to a strategy that appears capable of achieving our goals. To the contrary, we seem to be failing to prevent the situation on the ground in Libya from sliding into a stalemate.

Just yesterday, GEN Carter Hamm, the commander of U.S. Africa Command, who led Operation Odyssey Dawn in Libya, told the Armed Services Committee that a stalemate in Libya, where Qadhafi remains in power to pose an even greater threat to the world and to the Libyan people, is not in America's interest or in anyone's interest. But in the same hearing yesterday, General Hamm also conceded that the situation on the ground in Libya is "more likely" of becoming a stalemate now then when this intervention began. I am afraid I agree with the general.

I would like to highlight some of the news my colleagues may have missed.

Yesterday, there was an airstrike that, unfortunately—the Washington Post: "NATO's credibility takes a hit in Libya."

> Forces loyal to Libyan leader Moammar Gaddafi went back on the offensive . . . as questions continued to mount about the credibility and effectiveness of NATO's no-fly zone and campaign of airstrikes.
>
> A senior U.S. general described the situation in Libya as a stalemate, while Turkey said it was talking to both sides working on a "road map" for a cease-fire. In the meantime, Gaddafi is seeking what military advantage he can get and probing for gaps in NATO's resolve. . . .
>
> The day also ignited new confusion and outrage among rebels in Ajdabiya after warplanes strafed rebel forces and killed at least five people, including two doctors. Rebels first accused NATO of targeting them. . . . By Thursday night, it was still unclear who attacked. . . .
>
> Abdul Fattah Younis, the rebel's commander, told reporters that if NATO had attacked their tanks, it was a mistake, and if Gaddafi's airplanes had been allowed to strike them, it was an "even bigger mistake."

Quoting the New York Times:

> As for the current air war, NATO is especially sensitive to the criticism that came most scathingly from the leader of the Libyan opposition forces, Gen. Abdul Fattah Younes. He said in Benghazi late Tuesday that "NATO blesses us every now and then with a bombardment here and there, and is letting the people of Misurata die every day."

So we relieved a humanitarian—let's get this straight, my friends—we relieved a humanitarian disaster in Benghazi, and now, because of either ineptitude or lack of resolve or lack of capability or all of the above, we are now watching a massacre—certainly human suffering of enormous proportions in Misurata.

There is another article from the Guardian: "NATO lacking strike aircraft for Libya campaign."

There is a New York Times editorial today. Interestingly, the New York Times says:

> There is a much better option: the American A–10 and AC–130 aircraft used earlier in the Libya fighting and still on standby status. President Obama should authorize these planes to fly again under NATO command. Unlike the highflying supersonic French and British jets now carrying the main burden of the air war, these American planes can fly slow enough and low enough to let them see and target Colonel Qaddafi's weapons without unduly endangering nearby populations.

Facts are stubborn things. The fact is that now the situation is deteriorating. The suffering goes on, and America and our allies appear to be showing that we are incapable or unwilling to address a third-rate military power, ruled by a man who has the blood of 190 Americans on his hands, who has been involved in terrorist activities throughout the world, who went outside of Benghazi and said: We will go house to house and kill every one of you. And the situation is deteriorating into stalemate.

So what do we need to do?

First, we need to get U.S. Armed Forces, especially our A–10s and AC–130s, back in the business of flying strike missions against Qadhafi's

forces—not just as part of our effort to protect civilians but to work toward the goal of our actual policy, which is to impose enough pressure on the regime to compel Qadhafi and his family to leave power.

Second, the United States should work with our friends and allies to help the opposition government in Benghazi, the Transitional National Council, to gain access to some of the tens of billions of dollars worth of funds that have been frozen from the Qadhafi regime.

Third, we need to help the opposition to Qadhafi communicate more effectively, while shutting down Qadhafi's ability to broadcast his propaganda. Qadhafi has cut off land lines, mobile networks, and the Internet. While top opposition leaders have satellite phones, we have both humanitarian and strategic interests in restoring the ability of people in liberated parts of Libya to communicate with each other and the rest of the world. We should take steps to get Qadhafi's satellite, television, and radio broadcasts off the air. U.S. diplomacy is urgently needed to get those countries that have satellite providers broadcasting Qadhafi's propaganda to drop those communications immediately.

Fourth, the United States should follow France, Qatar, and Italy in recognizing the opposition government, the Transitional National Council, as the sole legitimate government of Libya.

I hear again and again: We don't know who these people are. Well, I will tell you who they are. They are people who rose up against an oppressive and brutal dictator and wanted to assert their rights for freedom and democracy. That is who they are.

Any allegation that they are dominated by al-Qaida is patently false. We did not know who was going to come after Hitler, but we wanted him gone. So this continuous stream that somehow this is al-Qaida—it is not al-Qaida; it is people who want freedom and democracy. They rose up peacefully, as the Tunisians did and the Egyptians did and as others across the Middle East and north Africa are now doing for greater political freedom, economic opportunity, and justice. That is why this regional awakening, which some are calling the Arab spring, rather than helping al-Qaida, is, in fact, the greatest repudiation of al-Qaida the world has ever seen.

Fifth, we need to facilitate the provision of weapons to the Libyan opposition, as well as command and control technology, training, battlefield intelligence, and other capabilities that can strengthen their ability to increase the pressure on Qadhafi to leave power.

I want to reiterate that I do not support nor do I believe is necessary American ground troops under any circumstances. We should be able to, with a combination of the robust implementation of these five measures, drive Qadhafi from power and give the Libyan people their God-given rights.

I want to say again that I see on cable time after time that we do not know who these people are and they may be al-Qaida. I will tell you who they are. They are people who do not want to live under oppressive, repressive brutal regimes. And the more of a stalemate, the more likely al-Qaida forces will infiltrate and gain power. The quicker Qadhafi leaves power, the more likely it is we will see a dramatic transition.

We cannot say—we cannot say—we intervened in Libya to prevent a slaughter in Benghazi only to see one in Misurata or some other city. If we stay our present course, that is what will likely happen. We need decisive actions, not half-measures. We need to be leading. America must lead. NATO is America. We need to be leading in a strong and sustained way, not sitting on the side lines or playing a supporting role. We have the right goal in Libya. The President was right to intervene in the first place, but now we need to take the necessary steps to finish the job.

Mr. President, I ask unanimous consent that the articles I referred to be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 8, 2011]

NATO'S CREDIBILITY TAKES A HIT IN LIBYA

(By Leila Fadel and Simon Denyer)

AJDABIYA, LIBYA.—Forces loyal to Libyan leader Moammar Gaddafi went back on the offensive Thursday, as questions continued to mount about the credibility and effectiveness of NATO's no-fly zone and campaign of airstrikes.

A senior U.S. general described the situation in Libya as a stalemate, while Turkey said it was talking to both sides and working on a ''road map'' for a cease-fire. In the meantime, Gaddafi is seeking what military advantage he can get and probing for gaps in NATO's resolve.

At the organization's headquarters in Brussels, NATO ambassadors held an unscheduled meeting Thursday to follow up on complaints from French Foreign Minister Alain Juppe that the Libya campaign risks getting bogged down unless the pace and efficiency of air support for rebel forces picks up.

The inability of either side to score a decisive victory has left the Obama administration and NATO in a quandary, facing decisions about whether to continue the mission of trying to protect civilians or to increase assistance to the opposition, aid that is currently limited to strikes from air and sea.

Attacks by Gaddafi's forces began with strikes on desert oil installations that serve as the rebels' economic lifeline, and they intensified Thursday with the fresh artillery bombardment of rebel positions in the eastern port of Ajdabiya, which sent many fighters fleeing.

The day also ignited new confusion and outrage among rebels in Ajdabiya after warplanes strafed rebel forces and killed at least five people, including two doctors. Rebels first accused NATO of targeting them but later said the attack probably came from Gaddafi's forces. By Thursday night, it was still unclear who attacked the rebels from the sky.

Abdul Fattah Younis, the rebels' commander, told reporters that if NATO had attacked their tanks, it was a mistake, and if Gaddafi's airplanes had been allowed to strike them, it was an ''even bigger mistake.''

Either way, NATO's credibility among rebel forces, already battered since the United States took a back-seat role, appears to have sustained another blow. Rebels are questioning NATO's resolve to help them.

The government attacks on oil installations in the remote southern desert appeared intended to take advantage of the limits of NATO's involvement. Even as the rebels made their first oil shipment, a series of attacks on oil installations shut down production at the country's main oil field of Sarir. An oil company official in rebel-held territory joined the calls Thursday for better protection from NATO.

Rebel fighters in Ajdabiya have grown accustomed to the Western alliance controlling the skies, so they were taken off guard Thursday when low-flying planes fired upon several tanks and a passenger bus loaded with fighters. Younis, the rebel commander, denounced what he called ''a vicious attack'' and said that the precision of the strikes led him to believe that NATO was responsible.

Outraged rebel fighters called the attack a repeat of an incident last Friday in which NATO bombs mistakenly killed 13 rebels and injured seven others. That incident was triggered when the rebels fired their weapons into the air in celebration—an act that NATO forces mistook for hostile fire.

This time, Younis said, the rebel army had informed NATO of its plan to move tanks and other forces into new positions outside Ajdabiya. The tanks and bus were parked, other fighters said, and were marked with the green, black and red rebel flag.

Rebel forces, meanwhile, came under fire from government loyalists at Ajdabiya's western gate and rapidly retreated. Many fighters, and some of the few families who had not yet fled the city after weeks of fighting, drove north and east toward Benghazi, the rebel capital, their pickup trucks and cars filled with everything from mattresses to suitcases to automatic weapons.

The main hospital in Ajdabiya was evacuated, with its patients and staff also headed to Benghazi. But Gaddafi's forces appeared not to have entered the city proper, and some rebel fighters remained.

In Washington, Gen. Carter F. Ham, who commanded the coalition operation until it was taken over by NATO last week, responded affirmatively when asked during congressional testimony Thursday whether the conflict had reached a stalemate. He said that ''debate is occurring within the U.S. government'' about how best to respond.

In response to a question from Sen. John McCain (R-Ariz.), Ham said he agreed that a stalemate seemed ''more likely'' than it had been when the United States and its allies began their military strikes last month.

The NATO meeting in Brussels was convened in response to complaints from France, which, along with Britain, has carried out the largest number of sorties over Libya since U.S. forces turned over operational command March 31.

NATO officials said bad weather had reduced visibility and not made it easy to supply the sustained, close air support demanded by rebel commanders. They also accused Gaddafi's forces of dispersing troops, tanks and artillery among civilian populations in several cities.

The alliance said it was investigating the initial rebel version of what happened near Ajdabiya, but it did not reveal whether coalition warplanes were in the area at the time.

The alliance said that fighting there had been ''fierce'' for several days and that the battlefield remains confused and disorganized.

''The situation is unclear and fluid, with mechanized weapons traveling in all directions,'' said a statement from NATO facilities in Naples.

With a quick military solution looking less likely by the day, Turkish Prime Minister Recep Tayyip Erdogan said his country was holding talks with both sides in Libya and working on a ''road map'' to achieve a cease-fire.

In any prolonged stalemate, the rebels' ability to shore up their region's tattered economy with oil revenue will be critical. Rebels have about 2 million barrels of crude oil in Tobruk that can be exported, but production at the Sarir and Misla fields has halted after a series of attacks.

Two employees of Arabian Gulf Oil Co. are still missing after Gaddafi forces attacked the Misla field with rockets, setting fire to at least one oil tank, a company spokesman, Abdeljalil Mayuf, told the Reuters news agency on Thursday.

Gaddafi's government has routinely denied attacking oil facilities and has blamed rebels or NATO for the attacks.

''If we get Gaddafi's forces out of these areas, we can try to reopen Sarir field, but it's not safe now,'' Mayuf said, appealing for air support from NATO.

[From the New York Times, Apr. 7, 2011]

CHANGING LIBYAN TACTICS POSE PROBLEMS FOR NATO

(By Steven Erlanger)

PARIS.—Angry charges by Libyan rebels that NATO has failed to come to their aid point up a question that has haunted the Western air campaign from the start: how to avoid a stalemate and defeat the Libyan leader without putting foreign troops on the ground.

NATO officials and the French foreign minister, Alain Juppé, rejected the opposition criticism on Wednesday, saying that bad weather and evolving tactics by forces loyal to Col. Muammar el-Qaddafi were limiting the air war, which is supposed to be protecting Libyan civilians and driving the colonel's troops to retreat to their barracks. In recent days, Qaddafi forces have stepped up their shelling of Misurata, in the west, and pushed rebels back from some eastern oil towns.

The rebels, of course, are a largely untrained, disorganized fighting force. But the nature of the battle has also changed since a United Nations resolution authorized ''all necessary measures'' to protect civilians.

In the early stages of the air campaign, allied warplanes blistered Qaddafi tanks, artillery and transport trucks in the desert outside the rebel capital, Benghazi. But American intelligence reports from Libya say that the Qaddafi forces are now hiding their troops and weaponry among urban populations and traveling in pickup trucks and S.U.V.'s rather than military vehicles, making them extremely difficult targets.

''The military capabilities available to Qaddafi remain quite substantial,'' said a senior Pentagon official who watches Libya. ''What this shows is that you cannot guarantee tipping the balance of ground operations only with bombs and missiles from the air.''

NATO officials, who just took over responsibility for the air campaign from the United States, deny that their bureaucracy is somehow limiting the campaign. ''No country is vetoing this target or that one; it's not like Kosovo,'' where in 1999 some countries objected to certain bombing targets, said a senior NATO official, asking anonymity in accordance with diplomatic practice.

''The military command is doing what it wants to do,'' he said.

NATO officials said on Wednesday that NATO was flying more missions every day, and that defending Misurata was a priority. Carmen Romero, a NATO spokeswoman, said that the alliance flew 137 missions on Monday and 186 on Tuesday, and planned 198 on Wednesday. ''We have a clear mandate, and we will do everything to protect the citizens of Misurata.''

A rebel spokesman in Misurata said Wednesday that NATO had delivered two airstrikes that pushed the Qaddafi forces away from the port, opening it for vital supply ships. ''We have renewed momentum, and our friends are helping us big time,'' said Mohamed, a rebel spokesman whose name was withheld for the protection of his family.

''NATO is not the problem,'' the senior NATO official said. ''The Qaddafi forces have learned and have adapted. They're using human shields, so it's difficult to attack them from the air.'' While many Western officials have accused the Qaddafi forces of using human shields, they have yet to produce explicit evidence. But they generally mean that the troops take shelter, with their armor, in civilian areas.

The harder question is how NATO will respond to the changed tactics of the Qaddafi forces, which now seem to have achieved a stalemate against the combination of Western air power and the ragtag opposition army.

First, there is a question of whether without the participation of the United States, the rest of the coalition—France, Britain, Italy, Spain, Norway, Qatar and a few others—have the right mix of weapons or enough of them. In particular, the United States uses a jet called the A–10, or Warthog—which flies lower and slower than other airplanes but has cannon that can destroy armored vehicles—as well as the AC–130, both of which are effective in more built-up areas. The Europeans have nothing similar.

The United States has had C.I.A. agents on the ground with the rebels in eastern Libya for some time, and there are unconfirmed reports that they may be helping to train the rebel army's raw recruits. Even so, forming a real army that can oust Colonel Qaddafi may take many months, and the coalition is unlikely to be that patient.

That is one reason that allied governments, including the United States and Britain, are urging defections from the Qaddafi circle and hoping that he will be removed from inside. No official, of course, is willing to talk about any covert mission to remove the colonel, except to say that ''regime change'' is not authorized by the United Nations.

And that is why Britain, Turkey and the United States are all exploring the possibilities of a negotiated solution to the conflict, provided Colonel Qaddafi and his sons relinquish power.

François Heisbourg, a military policy expert at the Foundation for Strategic Research in Paris, said, ''Given where we are, any deal that removes Colonel Qaddafi from the scene is a deal we should take.''

As for the current air war, NATO is especially sensitive to the criticism that came most scathingly from the leader of the Libyan opposition forces, Gen. Abdul Fattah Younes. He said in Benghazi late Tuesday that ''NATO blesses us every now and then with a bombardment here and there, and is letting the people of Misurata die every day.''

Mr. Juppé, whose country has been the most aggressive in defense of the Libyan opposition, said on Wednesday that the situation in Misurata was difficult, but it was complicated by the need to protect civilian lives.

''Misurata is in a situation that cannot carry on,'' Mr. Juppé told France Info radio. ''But I want to make clear that we categorically asked that there is no collateral damage on the civilian population, so it makes the military interventions more difficult, because Qaddafi's troops understood it very well and are getting closer to the civilian population.''

He said he would bring up the difficulties of Misurata to the NATO secretary general, Anders Fogh Rasmussen.

Rebel leaders have rejected the idea that the Qaddafi forces in Misurata cannot be attacked from the air, saying that the neighborhoods where the troops are concentrated were long ago abandoned by civilians.

Another option is to increase the pressure on Colonel Qaddafi and his sons, although openly changing the objective in Libya from protecting civilians to ousting the Qaddafi family from power would probably shatter the international coalition that is enforcing the United Nations resolution, said Anthony H. Cordesman of the Center for Strategic and International Studies in Washington.

''Nevertheless,'' he added, ''the U.S. and its allies need to make hard—if somewhat covert—choices, and make them quickly,'' he said in an e-mailed commentary. ''The last thing anyone needs at a time when there is near-turmoil from Pakistan to Morocco is a long-lasting open wound of political division and extended conflict in Libya as the worst-of-the-worst authoritarian leaders elsewhere in the region struggle to survive.''

NATO needs to take the rebels' side more forcefully, he said, despite the neutrality of the United Nations resolution. That could take several forms, he said, among them ''killing Qaddafi forces the moment they move or concentrate, rather than waiting for them to attack; striking Qaddafi's military and security facilities; and finding excuses to strike his compound.''

For Libya, Mr. Cordesman wrote, ''a long political and economic crisis and an extended low-level conflict that devastates populated areas'' would represent a ''net humanitarian cost'' that would be ''higher than fully backing the rebels, with air power and covert arms and training.''

[From the Guardian, Apr. 5, 2011]

NATO LACKING STRIKE AIRCRAFT FOR LIBYA CAMPAIGN

(By Ian Traynor and Richard Norton-Taylor)

Nato is running short of attack aircraft for its bombing campaign against Muammar Gaddafi only days after taking command of the Libyan mission from a coalition led by the US, France and Britain.

David Cameron has pledged four more British Tornado jets on top of eight already being used for the air strikes. But pressure is growing for other European countries, especially France, to offer more after the Americans withdrew their attack aircraft from the campaign on Monday.

''We will need more strike capability,'' a Nato official said.

Since the French launched the first raids on Libya 16 days ago, the coalition and Nato have destroyed around 30% of Gaddafi's military capacity, Lieutenant General Charles Bouchard, the Canadian officer leading the air campaign, told Nato ambassadors.

But attempts to ''degrade'' the Libyan leader's firepower further were being complicated by a shift in tactics by Gaddafi, said Brigadier General Marc van Uhm, a senior Nato military planner.

''They are using light vehicles and trucks to transport,'' while hiding tanks and heavy weapons, he said.

''We try to identify where those heavy assets are, because we have seen they have

chosen to hide themselves into urban areas to prevent being targeted, even using human shields.''

Nato officials insisted the pace of the air operations was being maintained. But it has emerged that the US and the French, who have been the two biggest military players until now, are retaining national control over substantial military forces in the Mediterranean and refusing to submit them to Nato authority.

The French have the Charles de Gaulle aircraft carrier, two escorting frigates and 16 fighter aircraft, none of which are under the Nato command and control which was announced last Thursday.

Until last week, President Nicolas Sarkozy was the loudest opponent of handing over the operations to Nato control. Nonetheless, the French are not only taking part in the Nato campaign, but are the biggest non-US contributors, with 33 aircraft, double Britain's 17. Not all of these are strike aircraft.

Until Monday, the Americans had performed most of the attacks on ground targets, with the French executing around a quarter and the British around a 10th. Given the US retreat, Nato is seeking to fill the gap, but only the British have pledged more.

''We're very happy that one country decided to bring in more assets,'' said Van Uhm.

When Nato took over from the coalition it was stressed that it had assumed ''sole command and control'' of all air operations.

However, countries are dipping in and out of Nato command, withdrawing ''air assets'' for national operations before returning them to alliance control.

''It's pretty clear that Nato is in command. Nato is in the lead,'' said Van Uhm. ''There are assets under national control in the area. But General Bouchard is commanding what Nato does . . . You could say nothing is happening without Nato knowing.''

The general stressed that no air strikes on ground targets in Libya had taken place outside Nato's command.

Six countries are believed to be engaged in the bombing campaign—France, Britain, Canada, Denmark, Belgium, and Norway—with many others involved in policing an arms embargo and enforcing a no-fly zone.

Gaddafi's air force had been grounded, Van Uhm said.

In London, the Ministry of Defence said RAF aircraft had struck targets in Libya on each of the past three days.

Tornado GR4 ground attack planes, flying from the Italian airbase of Gioia del Colle, hit a battle tank and two surface-to-air missile launchers near Sirte on Monday when they launched three anti-armour Brimstone missiles. The previous day, they dropped Paveway IV bombs and fired Brimstone missiles to target a group of 10 armoured vehicles south of Sirte.

On Saturday, they dropped Paveway IV bombs on two tanks in Sirte and also hit ''several small ground attack aircraft'' on an airfield near Misrata, the MoD said.

Two of the Eurofighter/Typhoons based in Italy have returned to the UK. The Typhoons are not equipped to conduct ground attack operations.

[From the New York Times, Apr. 8, 2011]

KEEPING AHEAD OF QADDAFI

Wars are messy business, and the international effort to keep Col. Muammar el-Qaddafi's forces from slaughtering Libyan rebels and civilians is proving no exception. In recent days, the colonel has thwarted NATO airstrikes by regrouping his forces into densely populated areas. That has left NATO with a seemingly impossible choice: leave some of the regime's most deadly weapons unmolested, or target them and risk possibly heavy civilian casualties.

There is a much better option: the American A–10 and AC–130 aircraft used earlier in the Libya fighting and still on standby status. President Obama should authorize these planes to fly again under NATO command. Unlike the highflying supersonic French and British jets now carrying the main burden of the air war, these American planes can fly slow enough and low enough to let them see and target Colonel Qaddafi's weapons without unduly endangering nearby populations.

Mr. Obama was right to insist that other participating nations should step up and that the operation be quickly transferred to non-American NATO command. United States forces are already overstretched—and bearing much of the burden in Iraq and Afghanistan—and Libya's uprising is unfolding on Europe's doorstep.

European commanders are fully capable of running the show, and European jet fighters can certainly destroy military targets on desert roads and sparsely populated areas. But no other country has aircraft comparable to America's A–10, which is known as the Warthog, designed to attack tanks and other armored vehicles, or to the AC–130 ground-attack gunship, which is ideally suited for carefully sorting out targets in populated areas.

In a war where rebel ground forces are struggling to train and organize themselves, and foreign ground forces are out of the question, these specialized American planes provide a unique and needed asset. Mr. Obama should make them available to NATO commanders now.

The PRESIDING OFFICER. The Senator from North Carolina.

BUDGET NEGOTIATIONS

Mrs. HAGAN. Mr. President, I rise again today to urge my colleagues on both sides of the aisle and on both sides of the Capitol to move beyond the unnecessary and distracting partisan bickering and come together to fund our government through the remainder of the current fiscal year, including our military, our early-childhood programs, and our essential health services for our seniors and children.

Six months into the 2011 fiscal year and less than 12 hours before a government shutdown would close off many of the important services to millions of Americans, Congress has yet to fulfill its most basic responsibility and pass a budget.

I know the people of North Carolina or any State did not send us to Washington to point fingers or blame other people for the challenges our country faces. They sent us here to work with our colleagues on commonsense solutions. During my time as budget co-chair in the North Carolina State Senate, I learned two things: First, it is never easy to craft a budget, there are always tough choices to make; and second, our fiscal challenges can only be met if Republicans and Democrats have that commitment to work together.

Despite the impression the American people may have based on what they have seen in recent weeks, I know we can work this out. We have to work together because after we come to an agreement on this year's budget, we must buckle down and chart out a comprehensive bipartisan path to rein in our nearly $14 trillion national debt.

I believe we all share the common goal of reducing this year's deficit, but the national debt will not disappear with one bill or in 1 year alone. It will take a comprehensive and long-term approach that moves beyond a singular focus on domestic discretionary spending.

That is why I remain concerned by some of the cuts passed by the House and especially by the dozens of divisive policy riders that are disrupting our ability to chart a pragmatic and responsible fiscal course for our country.

It is why I remain concerned that we are holding up government funding with threats to take away vital health care to millions of American women who could not otherwise afford it. These health services include Pap tests, breast cancer screenings, birth control, and STD testing and treatment. These services, which are funded through title X, were signed into law by President Nixon and supported by George H.W. Bush. According to independent, nonpartisan studies, every $1 spent on these family planning services saves $4. Is that not what we are supposed to be working on—reducing the amount of our government spending?

These proposals are the only things standing between a reasonable, bipartisan compromise and an irresponsible government shutdown. If such a shutdown does occur, we risk delivering a crippling blow now to our already fragile economic recovery.

More than 1,000 American small business owners, who were already facing difficulties securing the borrowing they need to expand and add jobs, could see their SBA-backed loans delayed.

We have 368 national parks in our country. Millions of dollars will be lost to the businesses surrounding those parks if we shut down the government. In April of 2010 alone, in North Carolina, more than 1.3 million people visited the national parks and spent millions of dollars. These parks include the Great Smoky Mountains, the Blue Ridge Parkway, and Cape Hatteras National Seashore and others. Tourism in North Carolina is one of our State's largest industries. In 2010, tourists spent $17 billion across our State, and the tourism industry supports 185,000 jobs for North Carolinians. More than 40,000 businesses in North Carolina provide direct services to travelers. If we close our national parks, these small businesses are at risk of losing customers, losing money, which will make it much more difficult for my State to recover from this tough economy.

We risk putting even more pressure on our already shaky mortgage market by preventing thousands of homeowners from receiving a loan to buy a new house.

As for North Carolina, I am particularly alarmed about the impact a government shutdown would have on our courageous military personnel and

their families who have dedicated their lives to this country. Two weeks ago marines from North Carolina rescued with amazing speed and skill the American F–15 pilot who went down east of Benghazi in Libya. Last week, I spoke with Marine Corps Commandant General Amos on the amazing work of these North Carolina marines. He told me it took only 90 minutes from start to finish to rescue the F–15 pilot.

These warriors are heroes, as are the 120,000 active-duty troops in North Carolina and the approximately 400,000 American troops who are deployed overseas, including 90,000 troops in Afghanistan and 45,000 troops in Iraq. These heroes and their families do not deserve to have partisan bickering jeopardize their financial stability.

More than a third of the people in my State are either in the military, a veteran, or have an immediate family member who is in the military or a veteran. So if the government shuts down and we delay paychecks to our military personnel, it is not just our courageous service men and women whose lives are affected but those of their spouses and their children. I know nobody in this body wants to see that happen. Whether you represent a State with a large military population or not, we are all incredibly grateful for the sacrifices our military personnel and their families give this country every day.

Earlier this week, I cosponsored the bipartisan Ensuring Pay for Our Military, sponsored by my Republican colleague from Texas, Senator HUTCHISON, which would prevent an interruption in the pay for members of the military if there is a government shutdown. This is an important bill—a must-do bill—but I sincerely hope it is an unnecessary bill.

The American people want Members of Congress to work across party lines, avoid an irresponsible government shutdown, and move forward on a sound, comprehensive, and bipartisan plan to put our fiscal house in order. The American people don't care if it is a Republican plan or a Democratic plan, they just want it to be a good plan for our country. That is why this week I signed on to the biennial budgeting bill which is being led by my Republican colleague, Senator ISAKSON, and my Democratic colleague, Senator SHAHEEN. This bill, which will move the Federal budget from an every year to every two-year funding process, is a commonsense, bipartisan approach which will hopefully improve the partisan political bickering.

I urge my colleagues to come together now and fund our service men and women, our VA doctors, our Head Start Programs, and our women's health care so we can move on to the Nation's No. 1 priority, which is tackling our unsustainable national debt.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I rose yesterday to talk about the consequences of a budget shutdown, and I rise again today—hours away from facing that reality.

What I cannot understand for the life of me is after having agreed to $78 billion in cuts, more than almost 80 percent of the way of where our Republican colleagues originally stated they wanted to be—the last time I checked on a negotiation, when someone comes 80 percent of the way to where you are, you have done rather well. Yet, even in the face of having made those very deep cuts—some of which will clearly affect major services delivered to individuals in this country, but coming together for the understanding of what is necessary to both get this budget year done and being able to begin to significantly reduce the deficit—it is still not enough. Why? Because of a driving force in the House of Representatives on the Republican side that insists on social issues that have nothing to do with the budget and keeping the Nation's business open and making sure this economy stays on track, and growing jobs, and putting families back to work.

I will talk about that issue in a minute. But, again, I wish to revisit that this isn't about some museums closing on The Mall, even though that in and of itself has a tourism and dollar effect on our economy to all those places throughout the country that would be closed down. This is about businesses here in America.

Today the New York Times gave examples of that. It talked about the manufacturing executive whose company supplies goods to Federal agencies; the bank loan officers who make mortgages guaranteed by the FHA, which is one of the single greatest block drivers of mortgages to be done for middle-class working families; the Wall Street analyst who depends on a steady flow of government data. The Federal Government is in and of itself a major driver of the economy and a ripple effect to businesses across the spectrum in our country, and pulls the plug on the other businesses in America that at the end of the day means jobs and at the end of the jobs means a consequence to this fragile economic recovery.

That is why the Chamber of Commerce has come out against a shutdown. That is why the Business Roundtable has talked about it. These are voices of those entities that clearly speak with a one-vision business sense, and they say a shutdown does not make good business sense for America—all, however, risked for some social issues. When the government shut down in 1995, the last time Republicans shut down the U.S. Government—let's not forget that. I was there in the House of Representatives when that happened. The last time Republicans shut the government down for their ideological views, the Nation's economic growth was slowed by as much as 1 percent in that quarter—a full percent.

In an economy that is in recovery—and a recovery, I would remind people, from where we were to where we are—I think there is a little history we need to remember. I remember in the Clinton years when Democrats balanced the budget for the first time in a generation and created record surpluses, lower unemployment, low interest rates, and the greatest peacetime economy in over a generation. We had surpluses. The CBO, the Congressional Budget Office, said, We are looking at a 10-year outlook that is bright. We were actually years ahead for not only balancing the budget but from ending debt. And here we are. What happened in between? Tax cuts for the wealthiest people in the country under President Bush, two wars unpaid for, a Medicare prescription drug benefit unpaid for, Wall Street allowed to run wild, and we went from a surplus with projections of $5.6 trillion in 2011 to the challenges we have today. So I know people want to forget the past, but the past is, in part, the reality of our present challenges.

At a time in this fragile economic recovery, where we are ultimately meeting the challenges of global events that also affect us here at home—the unrest in the Middle East, the driving up of oil prices which drives up gasoline prices which drives up commodity prices which drives up food prices, and, therefore, has a consequence not only to every American at the pump but also at the supermarket and in their lives—it has a collective consequence to our economy. What is happening in Japan and whether they will be able to send supplies for some of the most critical elements of our economy in the technology field; the millions of Americans still looking for work, and we are going to give a domestic body blow, all because of social issues—all because of social issues, that doesn't make sense, and it is not necessary. We could have consequences to the markets, the Asian markets. If we close down this government, don't open, the Asian markets on Sunday will begin and that begins setting a trend throughout the globe. This has real consequence to our economy here at home.

It is amazing to me that we have those who wear the uniform of the United States fighting halfway around the globe and they will continue to fight for their country, but they would not be paid. They will earn the pay and eventually they will get it, but while they are in the field they wouldn't get the pay. How about their families here at home who are already suffering not having them with them? All because we are driven by the Republican voices in the House of Representatives over a program called title X. What is title X? Title X is a law signed by President Nixon and ultimately had, as one of its strongest supporters when he was in

the House of Representatives former President Bush, to provide lifesaving health care services for women.

Some voices continue to falsely say this is about abortion. The Federal law is very clear: No Federal dollars can go for abortion services. No Federal dollars can go for abortion services. This is about an array of confidential preventive health services from pregnancy testing to screening for cervical and breast cancer, to screening for high blood pressure, anemia, diabetes, screening for STDs, including HIV, basic infertility services, health education. This is about the very essence of a woman's ability to get health care if she does not have the wherewithal on her own financial condition to be able to go to a doctor. There are many institutions—by the way, including Catholic and religious institutions—that receive title X money. I am sure no one would claim they are providing abortion services.

Why, when we are looking at the very essence of whether it be my daughter or anyone else's daughter in America, or anybody's wife or mother, why is it we must have an ideologically driven issue in the midst of a budget debate? A budget debate is about numbers and it is about making sure services are continued, and it is about making sure the economy continues to prosper and it is about getting people back to work, but it certainly isn't about using an ideological view that this program which ultimately helps women have preventive health care services is somehow an abortion issue when the law clearly says it cannot be under any circumstances. Why would we deny women in this country the ability to have the health care they need so they can be healthy, so they can continue to prosper, so their families can continue to have that mother, that breadwinner, the person who holds that family together, be healthy? I cannot imagine for the life of me that we will shut the government down based on those issues. But that is, in fact, where we are.

When I look at that and when I look at the other elements of what has recently been discussed as a prelude—this is just the opening salvo of a debate that will continue on. Hopefully, we will have a vote. I am ready to vote to keep this government open. I am ready to vote to make sure those who wear the uniform of the United States are paid when they are committing the ultimate sacrifice on behalf of their country. But, more importantly, I wish to be able to vote to have $78 billion worth of cuts and, at the same time, make sure this economy continues to move forward, continues to grow, continues to put people back to work.

I hope cooler minds can prevail in the House and that the ideological views can be told it is not for a budget debate; have that debate some other time—have those votes, if you want, another time. That is fine. But do not hold the Nation hostage to that issue. But I see that as only the beginning of what is a broader plan, and that broader plan is another reason why we need to get this budget done so we can move to that other plan in the next fiscal year.

I commend to my colleagues, as we look at that plan, the column written today by Paul Krugman, a Nobel Prize recipient, entitled ''Ludicrous and Cruel.'' Basically, he talks about the Ryan plan that privatizes Medicare, that has large tax cuts for the wealthiest people in the country, that ultimately doesn't do either one of the things that they suggest, in this column, which I commend to my colleagues. He says:

> In past, Mr. RYAN has talked a good game about taking care of those in need, like Medicare and seniors and Medicaid for children, but as the Center on Budget and Policy priorities points out, of the $4 trillion in spending cuts he proposes over the next decade, two-thirds involve cutting programs that mainly serve low-income Americans.

Then he goes on to say that it is a continuation of the voodoo economics of the tax cuts for the wealthiest people in the country that supposedly are going to create prosperity, and we saw that simply wasn't the case. What it did do is a big part of unraveling the surpluses that Democrats helped to create and drive an enormous amount of the debt that we are realizing and debating today.

Mr. President, I ask unanimous consent that that column be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 7, 2011]

LUDICROUS AND CRUEL

(By Paul Krugman)

Many commentators swooned earlier this week after House Republicans, led by the Budget Committee chairman, Paul Ryan, unveiled their budget proposals. They lavished praise on Mr. Ryan, asserting that his plan set a new standard of fiscal seriousness.

Well, they should have waited until people who know how to read budget numbers had a chance to study the proposal. For the G.O.P. plan turns out not to be serious at all. Instead, it's simultaneously ridiculous and heartless.

How ridiculous is it? Let me count the ways—or rather a few of the ways, because there are more howlers in the plan than I can cover in one column.

First, Republicans have once again gone all in for voodoo economics—the claim, refuted by experience, that tax cuts pay for themselves.

Specifically, the Ryan proposal trumpets the results of an economic projection from the Heritage Foundation, which claims that the plan's tax cuts would set off a gigantic boom. Indeed, the foundation initially predicted that the G.O.P. plan would bring the unemployment rate down to 2.8 percent—a number we haven't achieved since the Korean War. After widespread jeering, the unemployment projection vanished from the Heritage Foundation's Web site, but voodoo still permeates the rest of the analysis.

In particular, the original voodoo proposition—the claim that lower taxes mean higher revenue—is still very much there. The Heritage Foundation projection has large tax cuts actually increasing revenue by almost $600 billion over the next 10 years.

A more sober assessment from the nonpartisan Congressional Budget Office tells a different story. It finds that a large part of the supposed savings from spending cuts would go, not to reduce the deficit, but to pay for tax cuts. In fact, the budget office finds that over the next decade the plan would lead to bigger deficits and more debt than current law.

And about those spending cuts: leave health care on one side for a moment and focus on the rest of the proposal. It turns out that Mr. Ryan and his colleagues are assuming drastic cuts in nonhealth spending without explaining how that is supposed to happen.

How drastic? According to the budget office, which analyzed the plan using assumptions dictated by House Republicans, the proposal calls for spending on items other than Social Security, Medicare and Medicaid—but including defense—to fall from 12 percent of G.D.P. last year to 6 percent of G.D.P. in 2022, and just 3.5 percent of G.D.P. in the long run.

That last number is less than we currently spend on defense alone; it's not much bigger than federal spending when Calvin Coolidge was president, and the United States, among other things, had only a tiny military establishment. How could such a drastic shrinking of government take place without crippling essential public functions? The plan doesn't say.

And then there's the much-ballyhooed proposal to abolish Medicare and replace it with vouchers that can be used to buy private health insurance.

The point here is that privatizing Medicare does nothing, in itself, to limit health-care costs. In fact, it almost surely raises them by adding a layer of middlemen. Yet the House plan assumes that we can cut health-care spending as a percentage of G.D.P. despite an aging population and rising health care costs.

The only way that can happen is if those vouchers are worth much less than the cost of health insurance. In fact, the Congressional Budget Office estimates that by 2030 the value of a voucher would cover only a third of the cost of a private insurance policy equivalent to Medicare as we know it. So the plan would deprive many and probably most seniors of adequate health care.

And that neither should nor will happen. Mr. Ryan and his colleagues can write down whatever numbers they like, but seniors vote. And when they find that their health-care vouchers are grossly inadequate, they'll demand and get bigger vouchers—wiping out the plan's supposed savings.

In short, this plan isn't remotely serious; on the contrary, it's ludicrous.

And it's also cruel.

In the past, Mr. Ryan has talked a good game about taking care of those in need. But as the Center on Budget and Policy Priorities points out, of the $4 trillion in spending cuts he proposes over the next decade, two-thirds involve cutting programs that mainly serve low-income Americans. And by repealing last year's health reform, without any replacement, the plan would also deprive an estimated 34 million nonelderly Americans of health insurance.

So the pundits who praised this proposal when it was released were punked. The G.O.P. budget plan isn't a good-faith effort to put America's fiscal house in order; it's voodoo economics, with an extra dose of fantasy, and a large helping of mean-spiritedness.

Mr. MENENDEZ. Mr. President, this is a time to make sure there is a vote

on this Senate floor on a budget that ends the fiscal year, that encapsulates the $78 billion in cuts, that strips out social riders that have nothing to do with the budget, that preserves a woman's preventive health care services and moves the country forward in terms of its economic advancement, creating jobs and making sure we don't get thrust back into a recession.

That is what this debate is about. That is what the vote should be about today. I and other members of the Democratic Caucus stand ready to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I can only imagine that the American people who are watching this drama unfold in Washington, DC, are scratching their heads and are confused, and are wondering why it is that Congress can't perform one of its most basic functions, which is to make sure that the government continues to operate.

I am reminded of an adage from the days I practiced law, and then presided as a judge in the courtroom: If you can't convince them, confuse them.

Whether it is inadvertently or intentionally or by mistake, I think there is a lot of confusion being encouraged and propagated on the floor. The fact of the matter is, there are three things we are talking about. One is the continuing resolution that the House of Representatives passed and sent over here some time ago, which would fund the Federal Government through the end of the fiscal year. That is one thing.

There is a second thing, which is a bill sent over yesterday that would fund the government for 1 more week and the Department of Defense for the remainder of the fiscal year, which the majority leader has the power to bring to the floor today and have us vote on this afternoon or tonight. But the President of the United States has sent out a veto message saying he would veto it.

Then, the third thing that is being discussed—and it may be the most confusing of all—is when Speaker BOEHNER says it is all about the money, and Majority Leader REID says, no, it is about the policy riders—well, I submit that it is about the money. It is not about objections to policy, which 49 of our Democratic friends have voted for in the past, which has been signed into law by President Clinton and signed into law by President Obama himself.

The real casualties of this dysfunction here, and the inability of Congress to get its work done, unfortunately, fall on men and women in uniform. In my State, a large Army installation, as the Presiding Officer knows, is located in Killeen, TX, at Fort Hood. On November 5, 2009, a tragedy hit Fort Hood when Major Hassan killed 13 people in what could only be described as a domestic act of terrorism. Shortly after that, a number of our military who were deployed to Iraq and Afghanistan are now in the process of returning. The three corps soldiers are finally returning from Iraq and individuals such as SPC Kevin Gallagher of Tiger Squadron Calvary Regiment, who is a Purple Heart recipient, is just coming back from Iraq. Soldiers of the 20th Engineer Battalion and the 36th Engineer Brigade are returning to Fort Hood from Afghanistan.

I wonder what they are thinking now, along with their families, when, as a result of the Federal Government dealing with its most basic responsibilities, they are not going to get paid—starting tomorrow—unless the majority leader takes up the temporary bill that was passed yesterday in the House and sent over here and we vote on it today to make sure our troops and their families continue to get funded, and get the pay they so richly have earned and deserve.

We have heard, as I said, a lot of talk about riders. The only thing that is contained in this bill that could be called a policy rider, about which there appears to be confusion, is one that 49 Senate Democrats have voted on in the past—a spending bill with regard to abortion funding in the District of Columbia. President Obama has signed it into law, President Clinton signed that into law, and 49 Senate Democrats voted for it in the past. Yet this becomes somehow the obstacle to paying our troops what they have earned.

The argument sounds as if we will not fund our troops like we can't fund abortions in the District of Columbia. I think it is a terrible shame and I think it galvanizes public opinion about everyone in Washington.

I think the President and his advisers are wrong if they think a government shutdown will help Democrats and help him get reelected and hurt Republicans. I think people are saying: a pox on all your houses. You need to work together to solve problems, to cut spending, to cut the deficit, deal with the unsustainable debt, and you need to get on with it now.

The fact of the matter is, we continue to spend 40 cents out of every dollar in Washington as borrowed money. We know that the debt held by the public—and this is under the President's own budget proposal—would double in 5 years, and it would triple in 10 years, because the President himself, who is obligated under the Budget Act to send over his requested budget, does nothing to deal with the debt crisis that is threatening our Nation, threatening our prosperity and our freedom.

As China continues to loan us money, we are subject to the tender mercies of a country that I submit we do not want to be subject to the tender mercies of. We need to deal with this.

Unfortunately, the President and some of my friends across the aisle have been very critical of the proposed budget of PAUL RYAN in the House. At least he tries to deal with the reality of the hand we have been dealt, or which some of us have created. The President himself ignores his own fiscal commission report that came out in December of 2010.

On this chart, here is what the wall of debt looks like, unless we deal with this problem. According to the President's own budget, it gets worse and worse. In 1997, it was roughly $5 trillion. Now we are looking at about a $14 trillion debt. If we don't do anything about it, if we continue business as usual in Washington and don't cut spending and deal with the structural and systemic problems facing us and our debt crisis, it will continue to get worse and worse.

This is another sobering chart. This shows when we borrow the money, we have to pay interest to the people who buy that debt. This chart shows that the interest paid by 2021—the last year of the President's proposed budget—that the amount of money paid in interest, at assumed rates, which are now very low, is $931 billion, which is more than transportation, more than defense, and more than Medicare.

We have been told by the experts that if interest rates were to go up—if, for example, we incur a period of inflation, this number could explode into multiples of this figure, putting us into a death spiral—economically speaking—and we could end up like Greece or Portugal. The only problem is that there is nobody out there to bail out the United States of America. The only one that can stop this is us.

Secretary Geithner said the debt limit ceiling has to be raised sometime in the period between middle May and July. That is the big event. What we are talking about now is a preliminary skirmish, albeit very important. I will tell you, I do not intend to vote to increase the credit card limit of the Federal Government, unless we can get systemic reform that will deal with this very real problem.

One of those ways to do that would be to pass a balanced budget amendment. All 47 Senators on our side have now agreed to a constitutional amendment provision that would require a balanced budget. We hope our friends across the aisle will join us in passing it. The last time this was considered, we came within one vote—in 1997—of passing a balanced budget amendment. The deficit was $107 billion. Now it is $1.5 trillion. The debt was around $5 trillion and now it is $14 trillion. So if it was compelling enough that it came that close to passage in 1997, how much more compelling now is the evidence that we need to pass a balanced budget amendment to the Constitution?

In closing, I hope cooler heads will prevail tonight, that those who seek political advantage via the game of ''gotcha''—a world class sport in Washington, DC—will forbear and allow us to get on with the big fights, which are dealing with this unsustainable debt, these huge deficits, and not threaten the paycheck of the men and women who wear the uniform of the United States, who are fighting three wars

around the world, and whose families are calling my office.

Mr. President, I guess they are calling your office and that of the Senator from Michigan and New York also, saying: What are you doing, and why can't you get this taken care of so that we don't have to add this to our list of burdens while our loved ones are away fighting America's wars.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Ms. STABENOW. Mr. President, first, I ask unanimous consent that at 4 p.m. the majority leader be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I agree with my colleague and friend from Texas about the fact that people are scratching their heads. People in Michigan are wondering what in the world is going on right now. We are still trying to recover from a recession and we have a long way to go for most Americans—even though the unemployment rate has come down substantially in Michigan. At one point, we were at 15.7 percent, and that is just what you count, in terms of unemployment. Now it is 10.7 percent and going down. Still, it is way too high. Families are under water, their houses are under water, and they are trying to recover in terms of their incomes and hold it together and look for new work or job training. And what about the kids in college and all that comes with that? Some in the middle class may be struggling to stay in the middle class, or just get into the middle class.

Small businesses are wondering what the heck is going on around here when they are trying to, hopefully—folks who held on through the recession and trying to come back, trying to invest, keep the doors open, hire more people—they are wondering what in the world is going on here.

We are in a situation where these negotiations have now just become so political and the discussion so unrelated to what the budget is about and, most importantly, to what people care about. The political piece of this now, about pulling in issues around women's health care, is distracting us from getting a 6-month budget done, which is distracting us from what we ought to be talking about, which is jobs and the economy and putting people back to work and supporting small businesses to get the capital they need to grow. We are in a situation now where the whole process has been politicized to the point where it is extremely disappointing to me and extremely concerning.

What the bottom line ends up being is that middle-class families, veterans concerned about their disability claims, or seniors concerned about their Social Security or Medicare claims, or small businesses that are putting together loan applications or somebody trying to close on their house with FHA is being held hostage to politics that have nothing to do with the budget.

This latest distraction over breast cancer screenings and cervical cancer screenings for women and girls is just another in a long list of distractions from the budget crisis and, most importantly, from the focus that we need to have on creating jobs.

We have all agreed that Washington, just like every family, has to change the way it does business, has to focus on cutting the items that are not important, to focus on what is important. Every dollar that is being paid, every taxpayer giving a dollar has found it is a lot harder to earn that dollar than to give that dollar. We better be taking care of that dollar, stretching it as far as possible and focusing it on the things that are most important because those dollars are hard to come by these days. That is the reality.

We have come together. It has been a long time in coming, but we have come together. We have agreed on significant spending cuts, changes, while keeping a focus on education, innovation, and growth of the future. Now, at the eleventh hour, all of a sudden what was agreed to in terms of significant spending cuts to allow us to bring the budget together and focus on deficit reduction, somehow that is gone and we are now talking about whether women's health care will be funded in this country, whether women are going to be able to receive blood pressure checks, cancer screenings, and other preventive care efforts.

Is that really what this is about? Are we really going to hold middle-class families, small businesses, and veterans hostage over blood pressure checks for women and cancer screenings for women? Really? Is that what this is about? Stunning. This is absolutely stunning.

In the great State of Michigan, women's health clinics that at this point are proposed for elimination provided 55,000 cancer screenings last year, and there were 3,800 abnormal results. Women who found out those results early were able to detect their cancers early and get the treatment they needed to save their lives. It could be your mom, your grandmother, your daughter, your friend, your neighbor, somebody at church.

Is this really about telling women in communities across Michigan—in Marquette, Muskegon, Burton, Owosso, Three Rivers—that they cannot get their breast cancer screenings; telling women in Flint, Grand Rapids, Ypsilanti, and Sturgis that they cannot get their cervical cancer screenings; telling women in Warren, Brighton, Big Rapids, and Battle Creek that they cannot get their blood pressure checked or their cholesterol tested? Are Republicans really planning to shut down the government and hold middle-class families and veterans hostage in order to stop breast cancer screenings and cholesterol checks? Unbelievable. I think it is shameful.

It is time to come together and get this budget done. As I understand it, there was an agreement last night on the level of spending cuts. We need to get this done and move on to the real focus and debate we need to be having about how we grow the economy and compete in a global economy.

There could be a lesson learned from what people in my State have gone through and done in the last couple of years. We did not give up on the American automobile industry. With the support and help of our President and Members here, despite some incredibly tough times and difficulties in terms of cutting back that had to take place, we did not give up. Workers sacrificed cutting starting pay in half; retirees, the companies, the shareholders, communities, everybody got together and said: We know there is a big problem, and we are going to get this fixed, and we are going to sacrifice together.

Then we did an important thing with the support of people here, and I am very grateful for it. We said: We are going to invest like crazy in innovation. Because we did that, that combination of resetting the budget and the finances for the auto industry and then investing in innovation with the great help of our wonderful engineers and skilled labor force and a whole lot of smart people who came together with battery investments and retooling loans and are bringing jobs back from Mexico now and investments in new advanced manufacturing, we are not only growing and for the first time since 1999 the American companies are making a profit, but we are winning the awards. We are winning all the awards for top quality, the great vehicles of the future.

I suggest that would be a good model for us: Come together on what we need to do, push the reset button, come together and get our arms around spending, balance the budget, tackle the deficit, and then invest like crazy in the future, in innovation and education and rebuilding America.

Where we are today is extremely concerning to me because instead of talking about how we compete in a global economy, instead of talking about the United States vs. China, which is what we should be talking about, or Germany, India, or Korea, we are at a place where we are talking about whether the Federal budget and middle-class families will be held hostage in order to stop cancer screenings and research for women in this country.

The PRESIDING OFFICER (Mr. REED). The Senator's time has expired.

Ms. STABENOW. I urge we come together.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, I rise to speak on the budget issues we are facing, the continuing resolution—all the issues that have been talked about over the last week or so. Oftentimes when I speak on the Senate floor, I talk about what it is like back home in

Nebraska. I do so because I am enormously proud of my State. It just seems our State does so many things right. Again today I am going to take a moment or two to get started and talk a little bit about that and my experience in dealing with budget issues.

I had the great honor at one point to serve a couple terms as mayor of a great city, the community of Lincoln, NE. It was a strong mayoral form of government. Each year I would have the responsibility of preparing a budget and submitting it to a seven-person city council that would take it apart and put it back together. I would work with them to get a budget done.

It never occurred to me that as mayor of that city I had the ability not to do a budget. I cannot imagine walking into a state of the city address and saying to the good people of Lincoln that after giving it some thought, I decided that it was going to be a situation where I would not be submitting a budget for consideration of the city council. It just never occurred to me.

I look at that community today led by a mayor who is very capable. It happens to be of the other political party than I am. That community has the lowest unemployment rate of any community in the United States. Why? Because people take a pretty conservative view of things. In fact, in preparing that budget, we would literally go item by item, police cars, police salaries, fire engines, whatever, and literally list them item by item and then the amount. At some point there would be a line drawn through the page where we had spent all of the money we had, all of the money available that year was spent. Everything below that line was not funded. If I went below that line or a council member did and said: We want more done here, we want to fund that item, then we had to go above the line and find the money in another program or we had to raise taxes. Those were the choices we had.

After that, I had the great honor of serving the State of Nebraska as its Governor for two terms. Actually, the budget process did not differ that much. Each year as Governor I would submit at the start of the year a budget to our Nebraska unicameral. I would deliver a state of the State address where I would talk about priorities or budget issues, whatever I chose to talk about as Governor.

There were three things I could guarantee the citizens each year: No. 1, that a budget would be submitted and it would be approved; No. 2, we would not borrow any money—any money—to balance that budget because our constitution essentially prohibits elected officials at the State level from borrowing money; and No. 3 was that the budget would, in fact, be balanced.

We did not have the option of going out to the bond market and issuing debt to mask the lack of discipline to get the spending under control. We, again, had just a few choices: Choice No. 1 was we could cut spending; choice No. 2 was we could raise taxes; and choice No. 3 was we could do some of both. I always favored the cut spending piece because if revenues were down, it told me that people were earning less and they were spending less, and because of that, less money was coming into the State treasury. Why should I as Governor go out and beat them up some more by raising their taxes?

I, as you know, spent a 3-year period of time as Secretary of Agriculture. I was given a budget by the Congress, and it never occurred to me I should spend more than what was allocated to me. I would always tell my subcabinet and my cabinet, when I was Governor: Look, this isn't magic, it is math. If the math doesn't work, then we have to come to grips with this.

With all due respect to my colleagues who have come to the floor throughout the day and have talked about what this process is or isn't, and whether funding is going to be done for this program or what rider is there, all I want to say is this: What we are finally focused on in this great Nation is what we should have been focused on decades ago; that is, we are spending more than is coming in. Every dollar overspent is put on a credit card, and it doesn't go away. It won't be canceled at my death.

I have been going across our State with charts and graphs to try to illustrate this point. I turned 60 this year. When I was a 20-year-old man, our government owed $380 billion. Now, I am sure at that point in time many argued that was way too much debt. The projections now are—under President Obama's plan—by the end of this decade, on my 65th birthday, we will owe $20 trillion. So in the span of one lifetime—one lifetime—we have gone from $380 billion to $20 trillion.

Mr. President, that has consequences. Now, maybe that doesn't have consequences for a man who is 60 years old—maybe it does; I believe it does—but beyond the shadow of a doubt, no matter which side you want to be on, it has consequences for our children and grandchildren.

So you see, it isn't about an individual rider, an individual program. It is about the fact that we are spending this great Nation into an absolutely hopeless abyss. If we don't come to grips with that, if we don't come to grips with this, this won't turn out, and it won't turn out for anybody.

When I came here 2 years ago, I was stuck. Every conversation was, how do we spend more? I thought there would be a stimulus package when I was elected to the Senate. I thought maybe it would even be a package that I would support. Then somebody said it had to be a $500 billion package, all borrowed money, and I started getting real squeamish about that. Then somebody outbid them and said: No, I think it has to be a $750 billion package. Then I really got squeamish, and I knew I couldn't support that. Then someone raised the ante, and by the time this was all done, with interest, we borrowed from China and other places $1 trillion. And I thought, my goodness, will we take a breather at some point? But there was no breather. There was a health care bill with more gimmicks and scoring than you can possibly imagine.

So here we are today, fighting over whether this continuing resolution should be $30 billion in cuts or $60 billion in cuts. Quite honestly, in the grand scheme of what our Nation is facing, that is pitiful. It is almost tragic. If we don't come to grips with this soon, the big picture, this absolutely is going to destroy any future that our kids and grandkids might have hoped for in the United States of America.

But hope springs eternal. I look at the glass as half full all the time. I think we are going to get through this. I think we will deal with the issues before us—maybe in ways some like, some dislike—but if we don't come together somehow, some way, and deal with what the real issue is—that we are spending a great nation into the Stone Age—we are going to be a lesser nation than any of us could have ever imagined, and that affects every priority. That affects Medicaid, Social Security, education, national defense, homeland security—you name your priority, it affects it all.

So today I count myself as one who wants to come down to the floor at some point before the day is out and vote to solve this problem, but then I want to do all I can to work with my colleagues to deal with what is really facing us, which is debt that is out of control, spending that is out of control, with a situation where no budget was submitted and not a single appropriations bill. That is where we find ourselves today, trying to patch this together because we didn't come to grips with the budget process last year. Mr. President, that doesn't seem right to me.

With that, Mr. President, I conclude my remarks, and I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. BEGICH. Mr. President, I rise today to ask a simple question: What are we doing here? What are we doing jeopardizing our economic recovery to score political points?

I happen to agree with my friend and colleague from Nebraska. I am optimistic also in that we have agreed on a $78 billion reduction in the 2011 budget. The glass isn't half full, it is more than three-quarters full. They are grandstanding over the Federal budget when we should be focusing on making sure American families can make their monthly budgets and get back to work.

I am here to downplay the need to cut the Federal deficit. I agree with my colleagues on both sides of the aisle—we need to make real cuts now. We have already committed to the deepest cuts in discretionary spending since World War II. Given that we are already halfway through the fiscal year,

these cuts are a good downpayment on even more progress in our fiscal 2012 budget and beyond.

As a member of the Senate Budget Committee, I am already putting forth concrete recommendations for more cuts in future budget years, such as eliminating the ''orphan earmarks,'' saving upwards of $1 billion; cutting subsidies for millionaire farmers, saving, again, billions of dollars; cutting tax loopholes, saving tens of billions of dollars.

Shutting down the government is not going to get us any closer to the real goal of reducing the deficit. We didn't save a single dime during the last shutdown. In fact, it cost the American taxpayers $1.4 billion.

The economic costs will be even more. Dozens of military construction projects are stalled right now, putting at risk hundreds of jobs this summer and needed improvements to Alaska's military bases. I have talked to these contractors, these individuals who are waiting for us to get our work done to provide the certainty they need to get their work done. There is over $¼ billion pending and waiting for the work to be done.

Military families are also caught in the middle. The military will get paid, but the uncertainty of when they will get paid, because they will be waiting on us to pass a bill, is unfair. We should push harder to work out a compromise for them.

At the same time, civilian construction projects and the jobs created by them for docks, housing, and facilities are also at risk. Critical contracts to move forward on the land transfers to the State of Alaska and Alaska Native Corporations will not get done in time for the summer work.

Alaska businesses looking to start new operations won't be able to get the SBA loans, families won't get the FHA or the USDA home loans, and the tax refunds for people who have sent in their taxes by mail won't be processed.

Also, key permits to onshore oil and gas development, which have been painfully slow to move forward, will be stalled even further.

When I was home during this past week, I heard from some of the more than 17,000 Federal workers in Alaska about their concerns. It might be easy for some to criticize public employees, but in Alaska these workers are members of our communities. They contribute to our economy, pay taxes, and they provide critical services all across my State. Many are getting by paycheck to paycheck. A shutdown could mean their rent doesn't get paid, their mortgages are put at risk, and their bank accounts won't balance. We cannot and should not play politics with their jobs just because we are not doing our job.

Americans—Alaskans—are frustrated. They are wondering what the heck we are doing here, and I agree with them. It has only been 3 months since the new Congress convened. Not much to report back home to Alaskans who work every day making progress in our State.

It is past time to get back to work, to roll up our sleeves, finish this budget, and put the 2012 budget on the table and focus on the economy and creating jobs. Our economy is starting to turn the corner. Frankly, the many steps Congress took over the last 2 years to rebuild this economy are working. Unemployment dipped to 8.8 percent, 216,000 jobs were created last month—the largest increase since last May—and TARP, which we all had mixed feelings about, is not only being paid back. It is returning a profit to the Federal Government.

Let's not put a wrench in our economic recovery. These are good data points, but we are far from getting the job done. The economy is still fragile. Rising gas prices make it harder. We need to show voters and the folks back home we can work together on deficit reduction but also tackle energy legislation, tax reform, small business support, and education investment.

I know it will not be easy to get all this done, but this is what folks in my State sent me here to do—to get the work done, balance the budget, reduce spending, and continue to invest in growing our economy. I always tell Alaskans when I get back home that all the easy issues are done. Only the hard ones are left. That is why we are here.

Mr. President, it is time for us to get back to work.

EXTENSION OF MORNING BUSINESS

Mr. BEGICH. Mr. President, I ask unanimous consent that a period for morning business for debate only be extended until 6 p.m., with Senators permitted to speak for up to 10 minutes each, with the majority leader to be recognized at 6 p.m.

The PRESIDING OFFICER. Is there objection?

Hearing no objection, it is so ordered.

Mr. BEGICH. I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I come to the floor today, as so many of my colleagues have, to discuss the situation we find ourselves in. Many ask: What has happened? Why are we here? Why is there so much coverage and concern about a potential shutdown of the United States Government?

I was on a radio station report from Washington by phone to Wyoming earlier this morning with a friend of mine, and he was asking how we got into this situation and what we can do about it.

Well, there are two different situations we are in. One is, we are in this situation because a budget, a responsible budget, that should have been passed 7 months ago—when the Democrats were in charge of the House, in charge of the Senate, and in the White House—was never passed. That is what we are dealing with today in one part.

The bigger part of how we got into this situation is that we are a nation in significant debt. We owe a remarkably large amount of money—$14 trillion is the number that is consistently discussed. Very few people have a concept of exactly how much money that is. Yet we owe that amount of money. People say: Who do we owe it to? I visited with a group of high school students from Douglas, WY, earlier this week, and I asked them: Do you know who we owe the money to? They said: Yeah, we owe a lot of it to China.

That is of great concern to the people of America, people concerned about national security, our financial security, and how we as a nation are viewed in the world, as well as how we view ourselves.

As families across this country, we live within our means. We balance our budgets every year. I am from Wyoming, where, according to our constitution, we must balance our budget every year, and we do. That is why we have money available for scholarships and other opportunities for young people, as we invest the money that we have saved from year to year in our people, in our future, in our communities, and in our land. Yet Washington doesn't seem to learn that lesson, even today.

So here we are with this situation where we are looking at a potential shutdown of the government because this government has maxed out its credit card. Others may decide to no longer extend credit to us, and it has come down to the final hour.

Every day this government spends $4 billion more than it takes in. Last month, Washington spent eight times as much money as it took in. Every American child is now born owing $45,000. This is a travesty. When I take a look at this and say, we know now how we got into this situation: We have overspent. Our problem is not that we are taxed too little, it is that we spend too much. The American people understand that. So what we need to do is get the spending under control. We need to spend less.

We are in a situation where you say, what can we do about it right now, today? Well, for those same high school students who are here from Douglas, WY, they know a bill starts in the House and then goes to the Senate, and is passed by one body, passed by another body, goes to the President for his signature. So here we are. We do have a bill that has been passed by the House of Representatives to keep the government open, to keep the government functioning. I am ready right now to vote for that bill.

What has the President of the United States said about that? The President has threatened to veto that bill. He said he would veto a bill that would temporarily extend and keep the government open for 1 week. So apparently the President is not interested in keeping this government open for the next week through tonight at midnight.

I would wish he would take a different tack and say, let's continue to work on the overall problem but keep the government functioning. You know, families all around this country—and I talk to people every weekend in Wyoming—are worried about the cost and the quality of their own lives. When they look at this incredible debt coming out of Washington, they say, how is this going to continue to impact us? The families all around Wyoming and around the country and the States are finding they are going to pay about $700 more for fuel this year than they did last year because of the pain at the pump.

Of course, I believe that is made worse by the policies of this administration. But for families who have kids and with bills and a mortgage, $700 increased gasoline prices impacts them in the money they have available for other things. So it is a direct impact on the quality of their lives. They are looking back here to Washington saying, what are those people doing?

I had a call yesterday in my office from a man in the military. He said, why are they not going to continue to fund the military? Well, that is part of the bill that has passed the House that will continue to keep the military funded, functioning. He said, you know, I am not worried about me. He said, I am worried about these younger guys, the newer ones in the military, the men and woman who may have a young family. I want to make sure they are taken care of. He said, do not worry about me. Worry about them. Think about each and every one of those young men and women who are in uniform defending our country.

Why would the President say: If you pass what the House has passed—which does cut some spending and keeps the military functioning—I will veto it? That is what the President of the United States said, he would veto it. Rather than keep everything functioning and fund the military, the President has said he would veto it because it was only a 1-week extension, so that all of the other issues could be worked out.

Remember, all we are talking about is this year's budget. We are now at 7 months into the fiscal year. This is something that should have been done last year. But the Democrats have absolutely failed to live up to their obligations of passing a budget. Certainly failed the obligations of living within the budget. But there is a proposal today to keep the government open, to fund the troops, and yet I hear the President of the United States say no.

There has been discussion on this floor about things that are called policy riders. It was interesting because today in Politico, there is a headline: ''Dems Embraced Policy Riders in the Past.''

What sort of policy riders? When I hear on the floor: Oh, no, policy riders are all bad. Well, the repeal of a school voucher program in the District of Colombia. That was a policy rider in the past. Travel to Cuba, that was a policy that Democrats put in in the past. And it mentions a project—they call it a pet project—of the majority leader. It says: Delaying the development of Yucca Mountain as a nuclear waste storage site, as part of a policy rider on a budget bill issue.

So this is something that, to me is not new, to this body is not new. What is new is that the President of the United States has threatened to veto and to shut down the government of this country because he will not deal with a bill that will fund our troops, and will make cuts in spending because it is for a time-limited issue, and at a time when we ought to say, let's keep the government open and let us fund the military.

Who, in fact, would be wanting for there to be a shutdown? I am not looking for that sort of thing. And then I see there is someone who has actually been rooting for a shutdown. It is the former chairman of the Democratic National Committee, Howard Dean. These are the things that he said about a shutdown. He said: ''If I was head of the Democratic National Committee, I would be quietly rooting for it.''

He went on to say: ''From a partisan point of view, I think it would be best thing in the world to have a shutdown.'' Is that what we need, a partisan point of view? What we need are solutions for America.

I see that there are colleagues on the floor ready to speak. So with that, I ask that we come to a solution, deal with the issues of the incredible amount of debt, keep the government going, pass what has passed the House, fund the troops, cut the spending and get this to the President to sign.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I wanted to take the floor for a few minutes to talk about where I was supposed to be today, which is Denver, CO, not on this floor, because we were hosting a townhall meeting in Denver, MARK UDALL and I were, to discuss our long-term deficit and debt problems.

We had invited Senator Simpson from Wyoming—my colleague from Wyoming just spoke—a great Republican Senator, the co-chair of the President's Deficit and Debt Commission, to Denver for this session. He agreed to come.

The former head of the Office and Management and Budget got on a plane, flew to Denver, they agreed to come, and some others. More important than that, we put this out to the public, and it was almost immediately oversubscribed so many people wanted to get in, to have a real conversation, an authentic conversation, about what we were going to do finally to dig out from underneath this incredible deficit and debt we face.

I inconvenienced a lot of people inviting them to Denver. But they are happy to do it anyway because they are so committed to this set of issues, and they think having a conversation in the center of our country, in our Rocky Mountain West about these issues may allow some common sense to prevail.

But the inconvenience they suffered by traveling to Denver is nothing, nothing compared to the inconvenience, to say the least, that the American people are going to suffer if this government shuts down. It is not just 850,000 Federal employees. The fact that we have got troops deployed all across the globe, small businesses trying to get loans from the SBA, homeowners, or people who hope to become homeowners, trying to get a mortgage through the FHA, all of that will shut down if this government shuts down. Not to mention the fact we have been told that the shutdown will cost our economy at least $8 billion a week, if this government is shut down, and .2 percent of GDP growth for every week this government is shut down, just at a time when our economy is starting to show some sign of life.

I have said on the floor over the last couple of days that no local government official in my State, none, zero, Republican or Democrat, would ever say, we are going to close the government. We have decided that we cannot get along, we cannot agree, we cannot figure it out, so the city and County of Denver is going to close, the city of Grand Junction will close, or the school district is going to close. No one in Colorado would think to say that to their constituents and we should not think about it either. But some people say, wow, there must be some incredibly significant disagreement that is keeping the House and the Senate from working together to get this done, Republicans and Democrats from working together, to get this done.

Last night I brought a slide to show what that disagreement looks like. This was yesterday. I have heard some people say that there is agreement on the number of cuts we are going to make today and last night. But yesterday, the parties were several billion dollars apart. That is what was said. So I made a chart that showed the American people what that meant, and $7 billion is what I assigned to the difference. That is probably more than the difference was. It is certainly more than it is today. That is a lot of money, by the way. But we have a $3.5 trillion operating budget, and a $1.6 trillion deficit.

I wanted to show what the dispute looked like compared to our deficit, and compared to our operating budget. And, sorry, but I could not fit it on one chart. It actually is on two charts. I could not get it enough charts or hold them together, because this is the operating budget over here. I would need two more of these posters on top of this to be able to show you the relationship between the so-called dispute and our operating budget.

I have spent half my life in business and half my life working in local government. I can tell you that this is a meaningless dispute, utterly meaningless. Look at it. It has nothing to do with our long-term deficit and debt problem. It has nothing to do with what the good people in Colorado are talking about today at the forum that I am not going to be able to attend.

So in view of that, it seems to me that taking the risk of closing our government down, charging our economy an $8 billion note every week, and concerning our troops, who should not be worried about whether they are going to get a paycheck, makes no sense at all.

My hope is this—I see other colleagues on the floor—that the leadership of both parties in the Senate and the House and our President, in the next several hours, will seal a deal that makes sure our government stays open.

But beyond that, to all of my colleagues in this body, looking forward to the negotiation we are going to have on the debt ceiling, looking forward to the negotiation we are going to have on our deficit and our debt, I hope we can come together and agree on a process and a structure that actually leads us to agreement rather than one that leads us in the direction we have been in over the last 2 or 3 weeks.

Our country simply cannot afford for us not to get our job done and be distracted by disagreements that are meaningless to people in their daily lives. I know we can do better. I know we can do better as Democrats and Republicans. And once we get through this, I want to say, I will do absolutely everything I can to build bipartisan support for a solution to our fiscal problems.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Alabama.

Mr. SESSIONS. Mr. President, if the differences are meaningless maybe our Democratic colleague would agree and we would have an agreement if it is so insignificant. But it is not totally insignificant.

If you take $61 billion in spending down from the baseline as the House legislation that they have passed and sent here does, it reduces spending by $61 billion. If you do that, it reduces the baseline $61 billion. My staff on the Budget Committee has calculated that would save $860 billion over 10 years. Those numbers have not been disputed.

In fact, it does make a difference. We are on the wrong trajectory. We need to get on the right trajectory. Our Democratic colleagues, it seems, have to be dragged, kicking and screaming out of denial and into the reality that we are spending too much. We are running up too much debt.

I am pleased to see they have agreed to consider these proposals and have passed a couple of continuing resolutions to fund the government at a slightly lower level. That is progress.

We have avoided shutdowns to this date. Hopefully we can avoid another one. But if we have another short-term agreement today, it is nowhere close to what is needed to put our country on a sound financial course. We have been warned we are facing another recessions if we do not change. That is what we have got to do. This spasm has come about because our Democratic colleagues' failed to pass a budget last year. They did not even bring a budget to the floor.

They passed not a single appropriations bill last year on the floor of the Senate and still have not brought to the floor any legislation to even begin to form a budget for this year and to propose any funding for the last 6 months of this fiscal year. We haven't seen legislation about that. They want to meet in secret and talk and negotiate.

The House has passed legislation that funds the government, that funds the military through the end of the year, reduces $61 billion. They have also sent legislation over that says: OK, we will do 1 more week with a small reduction of $12 billion, and we will fund the military. And let's do that if you don't want to agree to the full agreement for the rest of the year.

The lack of action is only in one Chamber; that is, this Chamber. Has the Senate proposed any new legislation? No. I am saying this really not quite as critically as it probably sounds; our colleagues just have not comprehended the plain fact that business as usual is over. They think this country can continue to spend the way we have been doing. They think these huge deficits can be funded out of thin air without consequence, that we can borrow unlimited amounts—$1.6 trillion to fund the government this year, borrow that without consequence. They think the American people will not support and will defeat Members of Congress who tell the truth about the condition we are in and who have the gumption to take real steps to reduce spending. They think it is inconceivable that our government spending levels can actually be reduced. They think if they plan a 3-percent increase in spending and it gets increased only 1 percent, the government has suffered a 2-percent cut. That is the way they talk about it. That is why we are broke, that kind of accounting. They think the government can create money, create wealth out of nothing. We can just pass a law, and it becomes so. They ignore the fact that debts must be paid and interest on our debt has to be paid.

Expert after expert has told the Congress, has written papers and articles and op-eds, that we are on an unsustainable path. There is not one expert I know of who would deny that the budget submitted to the Congress just a few weeks ago by the President is sound. Indeed, President Obama's choice to head the debt commission, Erskine Bowles, when the budget was first announced, said it is nowhere close to what is needed to avoid our fiscal nightmare. This is a man he appointed to head the debt commission who has spent weeks and months taking testimony about the financial condition of America, the man he asked to sum up the kind of problem we have and how to get out of it.

The American people understand it. They have been shocked by the irresponsibility shown by Congress. They have been shocked by what we have been doing. Four years ago, our deficit was $162 billion. It jumped to 450. Then the next year it was $1.3 trillion; the next year, $1.2 trillion. The next year, this year, on September 30, it is projected to be $1.5 or $1.6 trillion. We are on a completely unsustainable course. President Obama's budget, as scored by the CBO, shows that in the 10th year the projected deficit would be $1.2 trillion. This year, we take in $2.2 trillion and we spend $3.7 trillion. Forty percent of what we are spending this year is borrowed. That is why this is an unsustainable course. There is no other alternative than to acknowledge that.

The American people have sent letters, e-mails, telegrams, phone calls, attended town meetings, had conferences to try to save this country we love from the fiscal nightmare Chairman Bowles said awaits us if we don't take real action. Is there something wrong with that? Should they not be upset with Congress going down a path without any attempt to get off it, with the most reckless debts we have ever seen in the history of America and with no end in sight?

These concerned Americans, many of whom have not been active politically before, did one more thing: They went to the polls and voted. They voted for new candidates they felt would take the action necessary to protect America from financial disaster and to defend the bedrock of our legal system—the Constitution. The result was a colossal and historic shellacking from the big spenders.

Those who said: Things are fine. We in Washington will take care of you. Don't question us. We will pass a Federal takeover of health care. I know you don't want it, but we know better. Isn't that what they said? We are progressives. We are smart. We are educated, more than you. We know deficits don't really matter. Countries have deficits all the time. While you don't understand, we know we have to bail out these bankers and these financiers, these Wall Street big shots, because principles of responsibility and accountability don't really apply because we know better. We are smarter. Your old principles are fuddy-duddy. Following the rules is not important. Rules don't have fixed meanings. The Constitution doesn't really apply. It is old. It is out of date. Just leave us alone with your money and the power to borrow, and we will take care of you. Trust us. That didn't sit well with the American people this last election.

They sent a message, in my opinion, that was crystal clear.

So should anybody be surprised, should there be any surprise that 64 new Members of Congress who had run and won elections promising to do something about reckless spending didn't rubberstamp the Senate and the President's proposal to fund increased funding for the rest of the fiscal year, that they insisted that reductions occur and sent over a $61 billion reduction, which, out of a $3,700 billion budget, is not much, about 1 percent? States are reducing spending far more than that.

We have a choice, don't we? What is the choice? Business as usual or taking the tough steps like Governors, mayors, counties commissioners, and families are making this very moment. Our Governor in Alabama announced a 15-percent reduction in spending.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SESSIONS. This $61 billion doesn't come close to that. It is 1 or 2 percent of total government spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise to speak about decisions we need to make about cutting spending, decisions we need to make now.

The Congress and the White House have not agreed on how much spending needs to be cut or where the cuts need to come from, but at least we can all agree that spending does need to be cut. Republican and Democratic administrations and Congresses for decades have continually increased Federal spending. Change is hard. It can be painful. That is because we have lots of ideas for great programs that would really help people out. But it is absolutely essential that our spending habits take a 180-degree turn starting right now.

Tonight at midnight, the government will shut down if Congress does not pass a continuing resolution. This situation can be avoided if decisions are made in the next several hours.

The House approved a temporary plan yesterday to fund the government for another week while a longer term deal was worked out. That plan also funds our military through September. It includes language the Democrats have approved in the past and the President has signed. But the full Senate—all Senators, Democrats and Republicans alike—has not been allowed a chance to vote on it.

In the Senate, we don't always agree on every line included in a given bill, and we don't get a chance to vote on every line included in a given bill, but I will venture to say most of us can agree on some of them. We can all agree that a government shutdown is not an outcome anyone wants.

The bottom line is that talk is cheap, and it is time to stop talking about passing a continuing resolution and take action. Actually, it is action that should have happened last September. Then we could be working on the next year instead of the last year. The House-passed bill gives us such an opportunity. It is the only bill that provides funding for the troops, funds the government, and continues the practice of cutting spending.

We are in this position because we do not have a budget from last year, and we do not have completed funding bills for the current fiscal year. The current fiscal year started last October 1—not January 1, last October 1. We were supposed to get that finished up in September so that agencies know what they are going to be spending for the next fiscal year beginning October 1. Without action, the agencies get to spend a proportionate amount of what they spent the previous year.

This year, we haven't had nearly the pressure to get a budget done that we have had in previous years. But it is easy to know why. The previous year, the spending increased by 18 percent. So agencies get to continue spending at 18 percent above previous levels until we do something about it.

It is far too late to do what we should have done last September, which is make drastic cuts. We have already had 6 months of additional spending, which makes it a little tougher at this time of year because any spending cuts have to be taken out of the total year's revenue beginning now. So a 50-percent decrease in an overall budget now is tough because it is taken from funding for the remainder of the fiscal year. I am an accountant, so I like to explain how funding cuts work.

I am especially concerned about our men and women in uniform who are putting their lives on the line for this country. They will be paid despite the shutdown, but their compensation should not have to be delayed. They don't hesitate to defend this country, and we should not hesitate to return that loyalty. I strongly support efforts to make sure military personnel and their families are paid without delay if the government shuts down.

I am hearing from servicemembers and their families in Wyoming. They are worried about paying the rent, paying the bills, feeding their children. Some have recently been transferred and are dealing with the expense of moving their families across country or, in some cases, back to the United States. They do not know where the backpay will come from and are not sure what to tell their landlords or their banks. They want and deserve answers.

For some time, we have been talking about reining in spending and making sure our grandchildren are not saddled with the enormous debt this country is facing. What we need to do in Washington is live within our means. We have not been doing that, and it shows. We have a $14 trillion debt, and it is growing daily. Does anybody know what 1 trillion is? I will tell you a good start: Write the number ''14'' and put 12 zeros after it. It is a whole different number than 1,000 or 1 million or 1 billion. I saw a kid with a T-shirt that said: Please don't tell them what comes after a trillion. They are worried about it, and they should be. We should all be worried about it.

This year we are going to take in $2.2 trillion. That is a lot of money. Unfortunately, we are going to spend $3.7 trillion. Imagine if you are a person who makes about $67,000 a year, and you spend $100,000 a year, each and every year. Where are you going to get the money? Well, for a while you could probably borrow it. That is what we have been doing. We are borrowing 40 cents of every $1 we spend. That is the only way we can stay afloat—by borrowing 40 cents of every $1.

That means the interest on what we owe is $616 million a day—a day. We are haggling over $61 billion in cuts. That would fund the government's interest for 100 days—a drop in the bucket. But we have to start sometime, and the best time to start is now.

Yesterday, Britain raised their interest rates one-quarter of a percent. That is not much. Do you know what happens if our bonds go up one-quarter of a percent? We are spending $240 billion—with a B—a year on interest. If it goes up by 1 percent, we are going to spend another $140 billion a year on interest. Interest payments do not buy military equipment. They do not build schools. Interest payments go to other parts of the world, some of which are not our friends. If our interest rates increased by one quarter of one percent, that would be an additional $35 billion owed—$35 billion just in increased interest. If it goes up a whole percent, it is $140 billion.

So what we have been talking about is going back to 2008 levels of spending, plus inflation. I have been talking to Wyoming folks who have come out here. March is a big month for people to come to Washington because they all come out for their special programs to make sure we know how important they are. Of course, one disappointment I always have is they think each one of those programs gets a vote. They do not. By the time it gets here, what we get to do is vote for a package that cuts spending or sometimes a package that increases spending. We do not even get to vote on one that keeps spending neutral. In the condition we are in, we have to be voting for the one that cuts spending—whatever one it is that happens to get to us. Yes, cutting spending is going to inflict some pain on some programs that each of us feels is extremely important.

It will affect families. It will affect people. But that is what happens when you get so delayed in outlining what you are going to pay that you are 6 months late. If you were paying your own bills and you were 6 months late paying them, what would your creditors say? They would be a little upset. That is where we are. We are that far behind. It is a dilemma, how to fund

the government so it spends within its means. But we are going to have to do that.

When I explain where we are and what we have to do and talk about going back to 2008 levels, I have been real pleased that the Wyoming people say: Well, we can live with that. Hopefully, we don't have to go below the 2008 levels. Well, if we were being serious about it, we would. But that is where we are talking about going, the 2008 levels. So that is what we are facing today. The budget forecast for the future is troubling if we make changes now and dire if we do not. With Americans across the county tightening their belts, it is time for the Federal Government to do the same.

Folks in Wyoming do understand this concept. Our State is required—and many States are required—to operate under a balanced budget, and that does not mean borrowing money in order to balance the budget. That means spending less than the revenues you get in any given year. Wyoming is one of the few States that are still operating in the black.

We noticed there was a problem, and I want to congratulate Senator CONRAD and Senator Gregg for getting together the deficit commission bill. We got a lot of cosponsors on it, and we had a vote on it. We did not have the 60 votes that were necessary to do it. But I applaud the President for picking that up and appointing a deficit commission. I think he had two great cochairs. He had Alan Simpson, a former Senator, and Erskine Bowles, who was the Chief of Staff for President Clinton. They joined with 16 other people to figure out how to get out of this morass. They came up with a plan, a good plan.

Their 18-member Commission had to have 14 members in favor of it before they could actually put it into a forced vote for us. They did not get that. They came close, but they did not get that. Of course, I would have liked them to have broken that down, promised they would do all six parts but break it down into six different parts because different people objected to different parts, and there would have been enough support to pass each part. We may have to do that in order to get the same thing done on the Senate floor. I hope we will pursue that. We need to pursue that. It is an absolute must.

The President did the right thing appointing the Commission. But we had the State of the Union speech this year, and I thought he would take what the Commission said and make it clear to the United States that we must follow the Commission's recommendations. The President is very good at making things clear, and they gave him a blueprint to make clear. I think everybody in the United States would have understood. In fact, I think a lot of people in the United States understand, even without the explanation. They know if you spend more than you take in, you are going broke. We have been doing it so long we are $14.6 trillion broke.

President Obama had another opportunity, which was the budget, and I hoped his budget would reflect what the deficit commission said. One of the things I found was he took some of the savings in tax expenditures that could have resulted in some lower tax rates to increase our international competitiveness and he spent it on new programs. As I mentioned before, everybody has ideas for new programs, and a lot of them are good ideas, and they would have an impact. But we are not even able to afford the programs we already have.

I wish to laud Senator COBURN for joining me in asking for a review of duplicative programs. In one department, we found $10 billion worth of duplicative programs. That is not fraud, waste, and abuse. That is people doing the same things as everybody else. I know from working on education that in preschool we have 69 different preschool programs that receive almost as much money as all of kindergarten through high school from the Federal Government. There is a review on which ones are effective and which ones are not, but we do not ever do anything with the ones that are not. We are going to have to start eliminating ineffective programs.

Several of my colleagues and I have suggested going back to funding levels enacted in 2008 before the economic stimulus bill became the baseline for government spending.

It is time to start making tough choices. If we do not make cuts now, all the scenarios down the road are worse than what we are facing today.

Let's stop the partisan banter and concentrate on the job we are here to do. The current discussions between the Congress and the White House are the beginning of America's journey back from the brink of financial ruin. This is the first of many budget engagements. Democrats and Republicans are playing chicken and neither is swerving. There may be a collision tonight, but in the end, amongst the wreckage, smoke, and scattered debris, I know America has to be the one left standing.

We can make it easy or we can make it hard. We do need to focus on getting a long-term funding bill passed for the remainder of the fiscal year—not just the next 5 days, the remainder of the fiscal year. Time is running out in that year.

If we can get this done, we can start doing the real work; that is, focusing on the Nation's solvency for future generations. Senator CONRAD, who is the chairman of the Budget Committee, has said he is not going to start on the next year's budget until we finish this year's appropriations. I think that probably makes sense so you know how much money there is left over. But, wait a minute, there is not any money left over. We are overspending.

As a grandpa, I do want to get this done so my grandchildren and other children across the State of Wyoming and across the Nation are not stuck with the consequences of our inaction. I hope everyone here hopes they never have to answer to any of their grandchildren why they had a chance to fix the problem and they did not. I do not think that will happen. I think we will reach an agreement. I hope it is done tonight.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, I will share a few thoughts, and if any of my colleagues come to the floor, I would be pleased to yield to them.

I indicated earlier, pretty firmly, that I thought our Democratic colleagues did not recognize the severity of the crisis we are facing and were unwilling to confront the reality that we have to change what we are doing. We do not have the money. When you are spending $3.7 trillion and taking in $2.2 trillion and there is no real prospect of any alteration of that trajectory, something has to change, just like everybody in the States are doing.

But one of the things that is galling to me is that not only are they resisting taking any action to change the trajectory in any significant way, they are going about to savage, criticize good and decent people who are calling for change, people who pay their salaries. They are labeling the millions of Americans who took to the streets during the last election, went door to door, or had town meetings or rallies or protests, who wrote letters to Congress, wrote letters to the newspaper, called in to radio programs and said, We don't like what is going on in Washington—they are labeling those people who participated, many of them in politics for the first time in their lives because they were worried about America, as extremists, radicals, blind ideologues, basically with no common sense. I don't think that is accurate. I don't think that is fair. I think every expert we have had testify before the Budget Committee has said the same thing: You are spending this country into oblivion. Mr. President, you need to submit a budget that gets us off this path. It needs short-term spending reductions and long-term plans to deal with the surging instability in our large entitlement programs. You need to get busy now, and if you don't get busy now, things will be worse.

Chairman Bernanke of the Federal Reserve said to the Budget Committee, regarding the debts over 10 years from now: Don't worry, it is not going to get there, because you are going to have a debt crisis before you get there, and you are going to have to make changes

in the midst of a financial crisis—the worst possible time to make those choices.

These men and women who expressed their concerns about America are good people. They have been using the phrase I thought was interesting, that Pete Domenici, the former Senator from New Mexico and former chairman of the Budget Committee said: ''I have never been more afraid for my country.'' I have never been more afraid for my country. That is the heart and soul of the people who stood up in this last election who are concerned about their country. It is the establishment—the go-along, the no-change, the people in denial, we can't cut spending, it will never work, no matter what we do it won't make any difference.

I thank the Chair. I see my colleagues here. I will be pleased to yield the floor.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The Senator from Delaware.

Mr. COONS. 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. COONS. Mr. President, I rise today to add my voice to those who have spoken on this Chamber floor this afternoon to express frustration and concern about where we are as our Federal Government seems to be moving inexorably toward a shutdown this evening.

As I have worked hard with my staff here in Washington and at home to help them prepare for and explain to the people whom I represent what is going on here and why, I have struggled. I have genuinely struggled to understand why this impasse is leading, I think now inevitably, toward a government shutdown. I still remain hopeful we will be able to find some resolution in these last few hours. But I think it is critical the people of the United States understand the consequences of a government shutdown.

This isn't just about sending home Federal employees. This is going to have a significant impact on our economy, on our recovery, on working families all over this country, and I think on our reputation around the world. At a time when many of us are standing up and saying the United States and our system of democratic capitalism is a model other nations should follow, our inability as a Congress—the House and Senate working together—to reach a responsible consensus on what we all agree is one of our top priorities is profoundly frustrating to me.

I was elected by the people of Delaware and sent here to deal with three things: to try and get our private sector going again, creating high-quality, good jobs for the people of Delaware and our country; to deal with our significant deficit and our dramatic national debt and the very real challenge to our future posed by them; and to try and do it in a responsible and balanced and bipartisan way. In my view, at this point in this budget fight, from everything I have been able to hear from the press and from the leadership of my party here in this body, it has stopped being about cutting the deficit and has instead turned into a fight about ideology. If I understand correctly, as of last night at the end of the negotiations, they moved from having 60 riders, so-called, on the bill that would fund the Federal Government for the rest of the year, to down to just 1 or 2.

I thought one of the good things that came out of the 2010 election was a broad-based focus—particularly by some of the tea party, but lots of folks in our country who were upset with how Washington works—a broad-based focus to stop having bills that were loaded up with lots of riders and lots of extraneous things and to try and have commonsense legislation that is easy to understand and that does what it is meant to do. This, as I understand it, is no longer about the deficit and about the budget. We are not being asked to consider whether we should cut $70 billion or $72 billion or $78 billion; we are instead being asked to agree to defunding title X.

Title X, a program that goes back to 1970, was enacted and signed into law by President Nixon and provides a remarkable range of health services to women all across this country. In my State of Delaware, there are 26 community health centers that are funded by title X. Just five of them are affiliated in some way with Planned Parenthood.

I wanted to come to the floor and take a moment to focus on what title X funds: preventive health services, contraceptive services, pregnancy testing, but also screening for cervical and breast cancer, screening for blood pressure, anemia, diabetes, basic infertility, health education, and referrals for other health and social services. I know and have visited several of these health centers in my State. They provide services to folks who otherwise have no access to basic health care. If I understand correctly, what has happened in this body is that we have come down to being willing to shut down the entire Federal Government over this one issue of ideology. I am embarrassed and ashamed on some level that we can't get this resolved.

As I understand it, the folks who came to Washington seeking aggressive deficit reduction and spending cuts in this fiscal year have achieved virtually all of their objectives. I think the initial goal was $100 billion. My understanding, as the Presiding Officer heard as well in our caucus lunch, is that we have agreed to up to $78 billion in cuts in this fiscal year across the board in lots of different sources of discretionary as well as other programs that can be cut this year. That is a hard concession for folks who support government action in our community and in our society to accept.

But I think one of our challenges is for the folks who may be on the other side of this debate to hear ''yes,'' to accept that we have come almost 80 percent of the way to meeting their initial goal, and to instead recognize that I think this has long since turned into a fight over ideology—over the narrow issue of women's health.

Let me give one last example, if I can, of what this means in my hometown. My Senate office in Delaware and I have been working hard for several months to follow on the example of my predecessor in this seat, Senator Ted Kaufman of Delaware, and host a job fair on Monday, from 9 to 4, at the single biggest public space in Delaware, the Riverfront Arts Center. We are going to host a job fair. We have 50 employers lined up ready to interview people. We expect more than 1,000 out-of-work Delawareans to show up, resumes in hand, ready to interview and, hopefully, to be hired. If I understand the rules right, if the Federal Government shuts down tonight, my staff can't carry out this job fair on Monday.

Job one for me, and I think job one for all of us in this Chamber, is helping our private sector, helping small businesses, helping our communities connect good jobs with the folks who are out of work and seeking employment. Fortunately, in our case, we have scrambled and worked hard the last few days. The Governor of Delaware, our Department of Labor, the Delaware economic office, and other volunteers have worked hard and stepped up to make sure this job fair comes off on Monday just fine without interruption.

We need to be focused on reining in the deficit and the debt, dealing with our long-term budget, and getting folks back to work.

In conclusion, it is my hope that as a body we can come together in a commonsense way. If we need to have a vote on the floor, if we need to have a fight about access to health care for women in title X, let's have that debate, but this should be a discussion today about the deficit and about funding the operations of the Federal Government for the year ahead. I look forward and hope we can turn back to that very real work and not instead have a fight about ideology and access to women's health.

Thank you very much, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

COTE D'IVOIRE

Mr. INHOFE. Mr. President, first of all, I wish to compliment my good friend, Senator COONS from Delaware, for something he has done recently along with Senator ISAKSON as the chairman and the ranking member of the African Subcommittee of the Senate Foreign Relations Committee. They have responded to my request to have a hearing on the tragedies and

what is taking place right now in Cote d'Ivoire.

Let me mention, there is only one thing I take issue with in the letter that has gone out to make the request. One sentence says:

> Mr. Gbagbo has sought to forcefully thwart the will of the Ouattaran people and his forces, reportedly, including mercenaries, who have targeted innocent civilians, including women, as well as United Nations missions.

I only want to get into the RECORD—I have already done this. I have given three very lengthy speeches about what is happening over there. I have been there, I am sure, more than any other Member of the Senate. I would say that if you read the Guardian, the British Guardian, in their—I am quoting now—two big slaughters have taken place, one in a small western town called Duekoue and another in Abidjan, the capital. The article says:

> The UN mission said traditional hunters, known as Dozos, fought alongside Ouattara's forces.

Let's keep in mind who we are talking about here. The President, who has been now for the last 10 years, has been President Gbagbo, Laurent Gbagbo, and the person who had run against him 10 years ago, and then this time, and who was declared to be winning the election, is Alassane Ouattara. Anyway, they are talking about Ouattara in this case.

> The UN mission said traditional hunters, known as Dozos, fought alongside Ouattara's forces and took part in killing 330 people in the western town of Duekoue.

Then the Red Cross weighed in and they came in with a new count. They said they are responsible for 800 who have been killed. Recently—and I certainly want my friend from Delaware to know this—I have talked to close friends of mine who are in Abidjan now. Abidjan is where the bad things are happening. I hope anyone who questions the fact that it is Ouattara's forces that are creating the problems in Abidjan access my Web site and pull up the YouTube video that was taken of what happened on what I call ''Black Monday,'' Monday night, when they went out with helicopters and they mowed down thousands of people. We don't have a death count of how many people have been murdered in the last 5 days.

This could not have been the former President—or maybe he is still the President—in fact, he is, since he has not been replaced, President Gbagbo. It is factual that he had no one in the field, so as of an hour ago, I have had reports that these forces, Ouattara's forces, are going around knocking on doors and murdering people, stealing everything in the houses and then burning them down. Yet no one can go out and even move bodies out of the streets because they will get shot by snipers. Are those President Gbagbo's people? No. He doesn't have anybody. He is hunkered down in the basement trying to save the lives of himself and I think 15 of his relatives along with his wife Simone.

I only want to say while I am very happy we are going to have the hearings, it is going to be necessary—I have witnesses. I have one witness whose name is Mel Phiodore. Mel is actually the head of the opposing party to Gbagbo.

He is the one who actually ran against him for President one time and lost. He is currently a Parliament member. Yet he is defending him, saying he is the one who is right in this case and they stole the election. This needs to come out.

I will make one comment. I am equally troubled. I tried to explain to people in Oklahoma how all these billions and trillions of dollars we talk about really affects the people who pay the taxes. Back during the time we spent on the floor trying to defeat the efforts of the EPA in their cap-and-trade efforts, the costs put on there were between $300 billion and $400 billion. I recommend particularly to some of the new Senators to count the number of tax returns the families file in their States, and then do the math. In that case, that would have cost—if they had been able to continue, and right now they are trying to continue, or if any of the legislation had passed cap and trade, that would have cost each family who files a tax return in Oklahoma $3,100 a year.

When we start equating that to some of the numbers floating around, it is just—I remember so well coming here and standing at this podium in 1995 when Bill Clinton was President. He came out with his budget for fiscal year 1996, I think. It was a $1.5 trillion budget. I was outraged and said we can't do that, it is not sustainable. Yet this last budget from the Obama administration has deficits that are higher than $1.5 trillion. In other words, the deficits are higher than the amount it took to run the entire country of the United States of America in 1996.

It is something that everybody knows is not sustainable. We looked at these large numbers, and we know it will be difficult. My major concern, as second ranking member of the Armed Services Committee, is our troops. We have an opportunity to do something right now with our troops, help them to be funded. I think this offer from the House is good. I opposed the last three that came over. This one I am supporting. Why? Because not only does it have cuts—and it is also only 7 days, and I understand that—but it takes the innocent defense and all of our troops there in harm's way out from under all this foolishness going on on the floor of the Senate now and funds them through the rest of the fiscal year. It funds them at a low level.

With all the high spending coming out of the Obama administration, DOD funding has remained level, while the rest of the funding has averaged an increase of 25 percent. So they have already taken a hit. Let's at least make sure we can make the payroll, that we can support our troops and, to do that, we can take up the House bill and pass it. It is only for 7 days. If somebody doesn't like it, they can try something else. It takes care of our military.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

BUDGET NEGOTIATIONS

Mrs. SHAHEEN. Mr. President, I agree with my colleague from Oklahoma. I don't think there is a single Senator in this Chamber who doesn't recognize that we have to deal with the debt and the deficit this country is facing. But the reality is that we are not going to deal with that on the 12 percent of the budget that is nondefense discretionary spending. We have to look at mandatory spending and tax reform, and we need to do it in a thoughtful way that recognizes that we need to invest in our future and make the cuts where we can do it, without harming the future of this country.

Mr. President, I am really sad that we are here at the eleventh hour on the floor of the Senate looking at a probable government shutdown at midnight tonight. It didn't have to be this way. I was disappointed to read accounts of some of our colleagues in the other Chamber, on the other side of the Capitol, who were literally applauding when they were told that a government shutdown was coming. The people of my State of New Hampshire are not applauding. They don't want a shutdown because they know that a shutdown of the Federal Government is bad for the country, bad for the economy, and it is bad for the people of New Hampshire.

Let me begin by going over some of what is going to happen in New Hampshire if the government shuts down. I have spoken before about companies in my home State of New Hampshire who are affected by our inability to get a budget done—companies such as Velcro USA. I think we all know what Velcro is. I am proud to say it is produced in New Hampshire, and it was invented there. The United States military is a major customer for Velcro. It is a major customer of the company, Velcro USA, because Velcro is used in soldiers' uniforms and equipment. Normally, the government is a steady customer of Velcro USA, but now they have been waiting for months for us in Congress to pass a full-year funding bill for the government. A shutdown will mean increased uncertainty for the company and for the hundreds of employees who work there.

We heard from another company in my home State, a small, innovative, high-tech company which has said even the smallest shutdown is going to have dire effects. They said they would lose 95 percent of their revenue if we have a shutdown. This is a small business that has about 45 employees, but it is a

business that has a lot of growth potential. It is exactly the kind of innovative company that will keep America's economy competitive. They were planning to hire 16 people this year—increasing their workforce by about one-third. But that will be put on hold if we have a government shutdown.

Then there is the housing market. In New Hampshire and across the country, it is still very fragile, probably the slowest to recover sector of our economy. In New Hampshire foreclosure rates are down 12 percent from a year ago, but they are still at historic highs. FHA home loan guarantees have been critical to the recovery in the housing market.

Again, all of that is going to stop in a shutdown. No new FHA loans could be approved. If there is a closing scheduled or someone is trying to buy a foreclosed home or any home, with FHA help, the deal is off—or at least it will be on hold.

With all of the problems that have been caused by the housing crisis, we should not be hamstringing one of the most effective programs we have for assisting homeowners; and that is what we are going to do if there is a government shutdown.

A shutdown would also close the Small Business Administration's lending programs. We all know how important working capital is for small businesses, which is still a problem.

Then, of course, there are the 7,400 Federal workers in New Hampshire. That makes the Federal Government one of our State's largest employers. They don't know when paychecks are going to start again or if they are going to get backpay. Their salary just isn't important for them and their families, but these 7,400 hard-working New Hampshire citizens are critical to their local economy. When their pay stops, they stop making their mortgage payments, they stop paying their utility bills, they stop shopping at local stores. These are just some of the effects of a shutdown on the economy in my State of New Hampshire.

New Hampshire is a small State, but if we multiply these economic impacts across our entire country, this shutdown carries the real risk of undermining our fragile economic recovery. Why is this happening? We have an agreement, pretty much, on how much we are going to cut in spending. In fact, the Senate has gone more than 50 percent toward meeting the House in the cuts they want to make in the budget.

This is not about how much money we are going to cut from the budget; this is happening because we have a small minority in Congress who wants to use the Federal budget to prevent women from having access to family planning and other reproductive health care services.

My colleague, Senator COONS, talked very eloquently about what title X does. Title X funding provides reproductive health services to women who otherwise could not access those services. That includes contraceptives, screening for sexually transmitted diseases, screening for breast and cervical cancer. It provides preventive care for women who, in so many cases, in New Hampshire and across the country would not be able to get access to that health care.

In New Hampshire we have 28 clinics that receive title X funds, including community health centers, health department clinics and hospitals, outpatient clinics, as well as Planned Parenthood.

This fight is not about reducing our debt. It is time now to put ideology aside, to work together in a bipartisan way, to get this budget back on track and passed so the people of this country can be confident that we are going to continue the economic recovery that has started and make sure we can put people back to work and support the small businesses and the people of this country who depend on the work we do in Washington.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, before the distinguished Senator from New Hampshire leaves the floor, I want to commend her on a number of things, but most important is her hard work with me and many others on the biennial budget bill, which we hope will come to the floor in the future.

I want to comment, because this potential shutdown, which I hope doesn't happen—we have been speculating or asking the agencies to speculate on what this means. If you read yesterday's Washington Post, you saw that the only agency of the government that will work seamlessly through a shutdown, without any shortcoming or deficiencies, is veterans health care. That is because we biennially appropriate for that. The one thing that will be open during the shutdown is the one thing we do in the 2-year process rather than a hit-or-miss process like the current appropriations act.

So the distinguished Senator, who was Governor of her State that has a biennial appropriations process and has worked with it, knows what I know. If you can plan and make things predictable, you will save money and improve the quality of your service. I hope we can get this country to a position where we do biennially appropriate and can spend 1 of every 2 years doing oversight and find waste and find ways to do things better and less expensively.

Mrs. SHAHEEN. Will my colleague yield for a question?

Mr. ISAKSON. Yes.

Mrs. SHAHEEN. I appreciate the Senator's kind remarks. Doesn't the Senator think if we had that biennial budget process in place now, we would not be on the floor debating whether we are going to have a shutdown, and that we would have a budget process that was going forward? As he points out, we have next year to provide oversight and accountability on that budget, and we would have the dependability and certainty that businesses and the people of this country are looking for; isn't that right?

Mr. ISAKSON. There is no question that the Senator is correct. We are predictably unpredictable here. We need to be predictably predictable when it comes to the efficiencies we can bring about and how we spend our money. We need to do what people do, which is sit around their kitchen tables and prioritize what comes in and what goes out. And they balance their budgets. They have to. It is about time we have the same discipline the American people have.

I thank the distinguished Senator.

Mrs. SHAHEEN. I thank the Senator from Georgia.

Mr. ISAKSON. Mr. President, in the South we have an old saying: If you find yourself at the bottom of a hole, stop digging.

We are at that point. We accomplished some amazing things in the last 3, 4 weeks. I commend the House on the cuts that have taken place, but we ought to remember we are focusing on the minnow, when the big fish is on the horizon. There is only so much we can cut when 50 percent of a fiscal year is gone. People are talking about how little we are cutting out of small areas. That is because it is all there is to cut from. The cuts have demonstrated that we can begin to get our house in order. The big enchilada is coming up with the big 2012 budget.

I did a little research on what we have done in the last 3, 4 years. In the last 3 years, we spent all our money on omnibus appropriations, except one Defense appropriations act. In doing the research, we spent on average 4 days of debate on those three bills. We have had the small business bill on the floor for 12 days, and we haven't finished it yet. We spent 12 days on the small business reform bill, and we only spent an average of 4 days on spending over $10 trillion. It is time that we got the current agreement—and I understand there is one—on how much we cut done. If we have differences on policy, we can reserve them for debates on the 2012 appropriations act.

Let's get moving. Everybody here knows we have two big votes on the horizon. One is the pending debt ceiling vote at some time in May or June, and the other is the fiscal year 2012 appropriations. We will not get a second chance on those. The world markets are not going to give us another year to spend our money in a helter-skelter manner. We have the ability and the brain power, and we need the commitment in this body to spend money like the American people have to spend theirs. That is all they ask of us. We don't need to be extravagant, frivolous, and wasteful.

Another thing on the current, pending, looming possible shutdown is that it is absolutely crazy, when we have committed our sons and daughters to

harm's way—right now, they are in three countries: Libya by the Air Force, Iraq, and Afghanistan. To put them in a position of accruing their income because we have shut down the government is just not right. It is not the right thing to do. We ought to debate these matters on the Senate floor with the government functioning.

I hope all of my colleagues will recognize that we are about to take defeat from the jaws of victory. We have won the battle on the short term with the cuts we needed. Let's get this short-term cut done, let's get the CR done, and then let's get to the kitchen table of the American people and get it done for fiscal year 2012 and the years ahead. We have to find out how to pay back over time $14 trillion. That is going to take a lot of commitment, work, and time. Let's get to it. Let's get the CR done. Let's come back next week and finish dotting the i's and crossing the t's and commit ourselves that the rest of the year is about America's future, it is about our children and grandchildren; it is about beginning to rein in expenses and spend our money accountably and predictably so the American people can expect of us what we always demand of them.

I yield the floor.

The PRESIDING OFFICER (Mr. LEVIN). The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank the Senator from Georgia for those very moving and powerful remarks. I differ with him only in recognizing that the saying about digging a hole is not only a southern saying, but I think by now it is a national saying, thanks to my southern colleagues and others.

Let me just say about this debate that it has been very eloquent on both sides, but there is an unreality to it. In the real world, Americans are struggling to find jobs or keep them, striving to stay in their homes, working hard to keep their families together. In the real world, economic growth has to be a priority.

We are on the verge of a failure of action that threatens the fragile economic recovery that right now is a priority for most Americans, and it is unnecessary. We are truly in danger of distracting ourselves from what should be the main task and the central reason we should be seeking a budget, which is to fund the Federal Government for the remainder of this year and ensure that we continue economic growth and provide more jobs for the American people.

There is agreement on the numbers, on the dollars, on the figures for spending the remainder of this year. My colleague from Georgia has just confirmed what others have said on this floor repeatedly, what the majority leader said this morning. There is agreement on the cuts and the savings. The distraction is on an ideological war on women's health. A small minority—a very small minority—is holding this budget and this Nation hostage in this ideological war on women's health. That is a disservice to the American people who want us to go back to basics: jobs and the economy, get a budget done, avoid a shutdown that threatens that fragile recovery.

Again and again on this floor, my colleagues have made the point that uncertainty and unpredictability are enemies to small businesses and large in this country and elsewhere in the globe that count on American leadership, count on our leadership in achieving a budget.

This war on women's health care cannot be allowed to succeed. I have spoken about it, along with other Senators who have spoken on this floor, most recently the Senator from New Hampshire, who has been a leader on this issue, along with the Senator from California, BARBARA BOXER, Senator GILLIBRAND, Senator FRANKEN, Senator LAUTENBERG, Senator MIKULSKI, and others who have spoken out in favor of title X and Planned Parenthood funding.

The unreality of this debate reflects a failure to appreciate what these dollars mean to the women who depend on these services. They are women who cannot afford the kinds of screenings for cancer and cholesterol and other problems that are so vital to preventing those problems that cost us all larger dollars if they go untreated. These services are vital to the testing for other kinds of problems that may be more expensive to treat if they are not dealt with and, of course, contraception that prevents exactly the kinds of problems or issues on which many in this body have focused. In Connecticut alone, we are talking about more than 60,000 patients served by Planned Parenthood, including 30,000 title X patients, 18 health centers that are imperiled by this rider or the conditions that would be attached, and almost 100,000 preventive screenings that are vitally important to low-income women and men who need access—the key is access—to contraceptive services and preventive screenings, vital health care.

There is a silver lining to this cloud. This moment is teaching us something. In reality, it is a teaching moment. I think it will alert a lot of Americans to the importance of preventive services—testing, screening. If it draws one more woman or man to seek these kinds of testing services, it will have accomplished something.

The debate over these social issues will not be resolved in this budget and should not be resolved in the remaining few hours we have left. There will be other occasions when we can debate and resolve these social issues, the ideological divides that have been with us for decades and will remain after this budget, hopefully, is resolved in the next few hours.

My hope is that there will be other teaching moments but, most importantly, not only about health care but about the way the democratic process works.

In the short months I have been privileged—and I deeply mean privileged—to be part of this body and sometimes to preside in the very chair where the Presiding Officer is now, I have often looked around this Chamber and have seen the students and others who come to visit us and thought of the millions of Americans who are watching us and who hope that we will recognize we have more in common than in conflict as Americans; recognize that a shutdown of this government cannot happen consistent with our duties to seek what we have in common over what we have in conflict; that it would be devastating not only to American leadership around the globe but to the military men and women who are depending on our judgment and leadership, to the veterans, to the folks out there searching for jobs, trying to stay in their homes, keep their families together; recognize that the reason they sent us here is to do what is right for this economy now and to reach agreement and to do the kinds of things Americans do in their homes over that kitchen table when they disagree. They come together. They see what they have in common. They do not walk out of the house. They do not shut off the lights. They stay together, and they do what they think will best serve the common interest, which for us is to recognize that we have an agreement on the budget numbers, that we cannot be distracted by the ideological war on women's health, and that we should stay true to our principles.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise because obviously we are talking a lot today about—and really the eyes of our Nation are looking at what Congress is doing because there is so much negotiating going on. I am one who wants to have a long-term continuing resolution to the end of our fiscal year that makes the responsible budget cuts, that funds our troops and gets us on to the next item of business, which is the one we really must address; that is, the huge debt that is facing our country. That is what we should be doing.

We are now in the throes—and I am told there are serious negotiations going on that we hope still will have a result before the midnight deadline. But if everything breaks down, I have a bill that now has 74 cosponsors in the Senate out of 100. That bill is very simple. It says that if everything else falls through, even though everyone I am talking to wants us to have that agreement that will not shut down the government, that does fund our Army, our Navy, our Air Force, our Marines, our Coast Guard, all of those in the Transportation Security Administration, all of those personnel who are waiting to see if their financial lives are going to be disrupted—I want to make the deadline so it will not be.

However, I do have a simple bill because there are some people who are

not in the United States right now, who are overseas protecting our freedom. They are serving in Iraq. They are serving in Afghanistan. Their loved ones are mostly at home watching what is going on.

I have been looking at the comments of the wives of the personnel, who are worried about what effect this is going to have on them because they have actually gotten notices that their pay is going to be cut, that it is going to be less than their full pay on the 15th because they are accommodating a potential government shutdown. We cannot let that happen.

I have introduced S. 724. I have 74 cosponsors. Senator INHOFE and Senator CASEY stepped up right from the beginning, and now we have 74 Senators ready to ensure that if things break down, we will fix this problem.

I am very moved by a Web site that was created by one individual today—early this morning, I think—and her name is Hope Gwen Bradley. I did not know her name earlier today when I spoke. She said: I am going to do something. I am one person, and I am going to do something.

I do not know Ms. Bradley. I do not know if she has a connection to the military, but she opened a Facebook with the name of my bill, ''Ensuring Pay for Our Military Act of 2011.'' As of when I left the office to come to the floor, there were 906,412 people on this Web site who agreed with her that we must at all costs alleviate any fears of our military families when they are doing so much for our country and fighting for what we are trying to do right here.

I commend Hope Gwen Bradley—and I surely hope I can meet her some day—for this kind of grassroots groundswell to support our troops with a simple bill that says if there is a government shutdown, our troops will be paid on time, full pay. That is what the bill does. It has 74 cosponsors.

I will say that Senator ROCKEFELLER, my esteemed colleague, the chairman of the Commerce, Science, and Transportation Committee, is on the floor, and I am going to stop in just a minute because I am sure he is here for his time in morning business.

We now have the support of the Military Officers Association, which has 377,000 members who sent me a letter supporting S. 724. We have the letter from the National Association for Uniformed Services, with 180,000 members and supporters, signed by Richard Jones, their legislative director, in support of this bill. We have just received the Iraq and Afghanistan Veterans of America letter saying they strongly support S. 724.

Here is what they say in the letter:

> This bill ensures that all members of the Armed Forces will continue to receive the pay and allowances they have earned despite any lack of interim or full-year appropriations. Our men and women in uniform protect our Nation and continue to do so despite budget disagreements in Washington. The members of our Armed Forces are essential to the defense of our Nation and must be treated as such. Many young servicemembers and their families—

Remember, so many of those over there are young. They are in their twenties. So they are not in the high levels of compensation. Continuing with what this letter says, and this is the Iraq and Afghanistan Veterans of America, so they know what they are talking about; they have been there—

> Many young servicemembers and their families are dealing with multiple deployments and often live paycheck to paycheck. Military families should not be asked to bear further financial stress in addition to fighting the war on terrorism. This legislation protects the men and women who protect us.

The letter is signed by Paul Rieckhoff, the executive director of Iraq and Afghanistan Veterans of America. They are the ones who have most recently come back, and they are too coming forward and saying we must do this.

I am for the bills that would come through. I think the House bill is a good bill. The 1-week continuing resolution does take care of the military. But the chances of it passing here are probably nil. I think if the other body was to have a clean continuing resolution, I would support that too. But I don't think that is going to have a chance either. So the only thing that is going to have a chance is if we get a real agreement between Senator REID, Speaker BOEHNER, and the White House that we can do a long-term continuing resolution that will truly fund our troops and that will have the necessary cuts to show we are serious about this budget deficit and we are going to correct the course of our country financially. That is what we all hope for.

But if we don't get that, my bill, 724, has 73 cosponsors, our Members speaking in large numbers, saying this is the right thing to do. I hope we can pass this bill as soon as it is clear we are not going to have a real agreement. We can do no less.

Mr. President, I ask unanimous consent to add Senator FEINSTEIN to our bill as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia is recognized.

Mr. ROCKEFELLER. Mr. President, it is quite an honor to speak while the Presiding Officer is in the Chair. I think I have not seen him there before, so I will have to give a good speech. I will probably have to give a little longer speech simply by virtue of his presence.

I think most people who choose a career in public life do so because they have a genuine, huge feeling in their heart that they want to help people. It is kind of simple. I know I have spent the better part of my career in West Virginia and in Congress looking for any way I possibly could—succeeding in some cases, failing in some cases—in trying always to make life better for West Virginians and for the American people as a whole. Perhaps it is a simple idea, but I can say with some pride that over the years we have made a lot of strides.

It is popular, these days, I know, to beat up on the government. It always has been. That goes back to George Washington's time. But the truth is, the government does an incredible amount to help people in their lives every single day. The benefits of government are not always visible. They do not usually make the evening news, but they are enormously important and specific and make a large difference.

This government looks after veterans; otherwise, they wouldn't be looked after. The private sector wouldn't do it. The private sector is sometimes very reluctant, actually, to participate in helping them. But when they come home from battle, the government is there with an expanded Veterans' Administration system and superb medical health care to take care of them.

The government takes care of seniors with Medicare and our Social Security programs. We also have Medicaid and the Children's Health Insurance Program, which is vastly important in a State such as my own or anybody's State because it provides comprehensive health coverage to our most vulnerable populations, including children. We passed this because it is morally right. It is the right thing to do and in the best interest of our Nation to be sure children get a decent start in life—in health care, maybe even before education, because the health care part starts very early with early tests.

The government builds the roads, the bridges, and other infrastructure that connects small towns and communities and helps make us a larger community. It is the fabric that links families and businesses all across this country.

Federal agencies also make sure the food we eat is safe and the water we drink is clean. They help communities pay for public safety and all kinds of law enforcement to help keep our streets safe.

People don't generally know where money comes from. That is pretty understandable. They just need to know, if they are sitting out in the evening on a summer's night, that the streets they live on are being patrolled or being watched, et cetera. I could go on and on. There are literally thousands of things government has done over the years to improve the quality of life for every single man, woman, and child in this country. It is indisputable, and there is a glorious tale in all that.

But in recent weeks, we have seen the discussion about the role and the purpose of government take what seems to be a very nasty turn. Some of my colleagues on the other side have lately taken up the call to arms to do whatever it takes to slash, to close or to shut down the government. We are faced with that, and we may get that. They want to hold the American people

hostage with a ransom note that keeps getting higher and higher every time negotiations go on.

There is no question we must get our growing deficit under control, and Democrats have taken responsible steps to do that. In fact, in the larger scheme of things, we have gone 75 to 80 percent toward the Republican position. But at every turn, Republicans have blocked reasonable attempts to rein in government spending. They say they want it to happen, but if there are reasonable attempts to do that, they stop it. Instead, they make unreasonable demands and they change the goalposts on a repeated basis.

Last December, Democrats produced an Omnibus appropriations bill to fund the government for 2011 that would have reduced spending by $20 billion, a level endorsed by a bipartisan group of Senators. Incoming Speaker JOHN BOEHNER, however, launched a campaign to oppose that bill. Republicans ramped up their opposition to the bill and, instead, all we were able to pass was a short-term extension of funding to 2011, which was very frustrating.

In February, Republicans offered a long-term proposal to fund the government through the end of fiscal year 2011 with $32 billion in cuts. But tea party Republicans, who are in control, rejected the $32 billion and, instead, insisted on deeper cuts of $61 billion that Republicans knew and openly admitted were both dangerous to the economy and totally unlikely to pass the Senate.

In the meantime, Democrats have fought to keep our government operating. We have passed $10 billion in cuts since March. It is harder for Democrats to make cuts than Republicans because we believe in doing things that help people directly, that keep them safe—such as the Consumer Product Safety Commission. Who knows about that? Senator BOXER does and I do. They make sure our toys and other products people use are safe. Somebody has to always be watching over what goes on.

We have passed $10 billion in cuts since March and offered another $20 billion in cuts to the Republicans so we can end this standoff and not shut down government. Just when we thought we had finally reached an agreement on $33 billion in additional cuts below the 2010 enacted levels—which is $73 billion below the President's 2011 budget proposal—not interesting, all these statistics but profoundly important in the function and the possibilities of government. So this was at the end of March. But Republicans then changed the rules again. They demanded $40 billion in cuts to appease the far right—the tea partiers.

Some of my colleagues on the other side have lately taken up a call to arms to do whatever it takes to close the government. Despite a previous commitment from the Speaker, middle-ground funding cuts of $33 billion are no longer good enough.

Then, as the final bomb, they passed the seventh short-term spending measure that is loaded with $12 billion in spending cuts—which, by the way, is six times more than the agreed-upon rate of $2 billion a week, which includes the Department of Defense appropriations bill and all those 66 riders that have absolutely no place on any appropriations bill.

What is required is less concern about the tea party messaging and total attention to the well-being of the American people and the health of our Nation. The tea party cry—delivered in gleeful shouts and rants on the floor of the House, in the Senate, and frequently in rallies outside these buildings—is nothing like I have ever seen before. I have been here 25 years—something like that—and I have never seen anything like it. But they want to close the government down, and they love the theater of it.

Recently, we watched as an extremist crowd, standing on the lawn outside, waved flags with snakes on them and shouted: Shut it down, shut it down, shut it down, as if this is a sporting event—you know, the Roman Coliseum. Let the gladiators compete, the heck with the people. Let the Roman Senate take care of that. Even the leadership on the other side has joined in—with one Republican Member telling the crowds and people everywhere, therefore, because it was televised, that he wants to see the government shut down. He flatout said that.

I believe they want that. I believe they want that. So really? You have such disdain for our constitutional government, you so disrespect our fellow citizens—the people who sent us and who count on us to help and protect them—that you want a government shutdown? That is the deal, I guess.

Has anyone else noticed that in many parts of the world today there are protests in the streets about basic freedoms? Here, where we are privileged already to enjoy these freedoms, we are stuck in the middle of a political debate with extreme positions and Members of Congress who seem not to care what happens as long as they win or score points for the next election—a cynical thing to say, but it happens to be true.

Frankly, this cynical posturing from the other side has not only brought us to the brink of a government shutdown—only a few hours from now, perhaps, though I hope not—it has taken us to a point where we are forgetting what it is we are arguing about in the first place. What should be a serious, thoughtful debate about finding reasonable ways to cut the budget and scale back our deficit has, for some, instead, turned into a game. I say that because what we are hearing from the other side is that they want mostly to move in an extreme agenda. They care about that. They have their markers. They have to meet those markers; no matter the effect on the people, they have to meet the markers.

They ran, some of them without any intention—many of them without any intention of running again so they can't be held accountable, so they can work on shutting down government which they do not like for various reasons. So it is no longer on agreeing on a dollar figure to cuts from the budget. It is about turning the government into a boogeyman and closing its doors.

Let me tell you why I think that is unacceptable. It is because this is not a game at all, this is real life and the decisions we make here have real world implications for the people of West Virginia and every other State and all over the world.

Let's consider what would happen if the extremist wing of the Republican party gets its way and the government does in fact shut down. Soldiers would not get their paychecks if there is a shutdown, if we cannot pass something. That is right, the service men and women who risk their lives so we may live in freedom might not get paid. You can talk, maybe someday they will be repaid, but in the meantime they are living week to week, and their families are, and they don't get paid. That doesn't sound like a sane policy.

In my State of West Virginia there are more than 6,500 people serving in the National Guard. Nationally, about half of the young men and women in the military are 25 years old or younger, and about 40 percent of them have children. Many of the families are on one income and some are living paycheck to paycheck. They don't know what they are going to do. That is one more thing they should not be thinking about. They should be thinking about surviving and carrying out their mission.

The chair has indicated that I have gone on a little bit too long so I am going to beg for 1½ more pages. That being granted, I will proceed.

There is so much more on the chopping block if the extremists in Congress get their way. The Federal Housing Administration wouldn't be able to process mortgage loans. Social Security claims would freeze. I am not sure that Medicare could take in any new members, several thousand people every day who qualify for Medicare. I am not sure they could be taken in.

We remember that during the 4 days of the 1995 shutdown, 112,000 claims for Social Security retirement and disability benefits were not taken, they were not received, they were not processed, they were not dealt with, and 800,000 callers were denied service on the Social Security Administration's phone.

I am going to stop with that. I think you get the drift of my feeling, and what I feel. But I do not consider it a game if the IRS could, would, stop refund checks. More than 235,000 West Virginians will file their taxes using paper forms this year. Computers are not all the rage in all parts of West Virginia. So they will wait longer for their returns to be completed.

I could go on with small business and the National Institutes of Health and all the rest of it. Federal mine safety inspection will shut down. The mines will continue to run but there will be no Federal inspectors. I respect the State inspectors but I have a lot more respect for Federal inspectors. Mines operating with nobody inspecting? It is a horrifying thought.

I hope somehow this will come out to be a good result. There are reasons why it could be, and there are reasons both to be pessimistic and to be a little bit optimistic. I cannot at this time call it either way.

We would turn the lights off on the NIH—and tell scientists working on developing life-saving treatments or finding a cure for cancer, that their work will have to wait. And they will have to turn away patients whose best or only hope is to join a clinical trial for new treatments or medicines.

We would shutter the agency responsible for regular Federal mine safety and health inspections—should I remind my colleagues here that this month marks 1 year since the worst mining accident in recent history at Upper Big Branch?

Inspections of stock brokers and routine oversight of financial markets by Federal agencies would cease. Enforcement actions would be postponed. Do we need to review where that might get us?

West Virginia is set to receive $416,590 in Low Income Heating and Energy Assistance Program—LIHEAP. But that stops in a shutdown.

Some of the FEMA flood mitigation and flood insurance operations would stop. Have we forgotten the lessons of Katrina so quickly? In West Virginia, spring storms often brings torrential and devastating floods that can wipe out entire communities.

Most veterans' benefits services would stop; we know the last time that extremists on the other side closed the government more than 400,000 veterans saw their disability, pension or educational benefits delayed.

I could go on.

What is more ridiculous is that even the leaders on the other side have conceded that the vast ''shutdown'' movement is not even sound fiscal policy.

The Speaker of the House, who is not as extreme as others in his party, said recently that if you shut the government down, it will end up costing more than you will save.

A new study from Goldman Sachs said that a Federal shutdown would cost $8 billion a week. And the economist Mark Zandi predicted that a shutdown would have a detrimental impact on our recovery.

Why? Because many of the contracts and other services that are interrupted do not go away—they just get delayed. So you often end up paying more in the long run.

It is tempting to wonder if the other side is interested in anything more than finding clever new ways to attack the White House and score political points. We started this debate earlier in the year with a mutual agreement that we need to find ways to pay down the deficit and make some cuts and somewhere along the way we went off the rails.

During the last couple of weeks, as extremists on the other side have prevented us from arriving at a deal, Congress has resorted to short stop-gap funding measures that cut billions of dollars from Federal programs as part of a deal to buy more time.

Instead of just tossing out a claim that we must cut $33 billion more from the budget without any distinction on what is valuable, wouldn't we be better off having a conversation about reforming the Tax Code to end the disgraceful tax breaks for the rich at the expense of the middle class?

I have tried for years to work towards a tax policy that would do less for corporate America and more for Main Street America; less for offshore operations and more for seniors and families; and less for big oil companies and more for investment, infrastructure and innovation.

Does the other side realize that at a certain point we are mocking the American people, we are mocking the legislative process and we are mocking the entire Congress by turning this issue into a game of chicken where the other side just doesn't care about consequences?

To the cynics who recklessly argue that the government should ''shut down'' I ask: Do you realize the impact of your words? Do you see what would happen to the people of West Virginia or any other State in this great Nation, if we just tell everyone that the government can't function right now?

I want to make a point here. The other side likes to go on and on about how important it is for us to get the economy back on track and keep the recovery going.

Have any of them who keep crying that we should ''shut it down'' stopped and thought about the economic impact on families of sending home thousands of hard working Americans without a pay check?

During the two government shutdowns in 1995–1996, about 800,000 Federal employees were unable to work. Is cheering for a repeat a good path towards prosperity?

Is the best way to curb spending really to just tell people go home and sit? To tell them that they may have a job at some point but for now we are closing programs, parks, grants, inspectors and everything else they can think of?

With workers facing frozen wages struggling to pay their mortgages, coping with trade deficits, and closed factories—is this really the best we can do for them?

Shutting down the government is a simple and easy way to pander to the tea party and the extremist elements of the far right. By insisting on their way or no way, the tea partiers are squandering precious time and resources. The best part of what we do here is working together. Finding the best ideas and working until we have a solution.

This squabble should be settled by a reasoned discussion and a thoughtful exchange of ideas between Democrats and Republicans.

I call upon the other side to show some leadership and bring us back from the brink.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I rise to speak on the important issue of the day. Sometimes complex challenges present clear and compelling choices. That is the case for the fiscal challenge before us today. We have a choice between delay and disruption or progress and accord. The Nation's eyes are upon us. We need to vote to keep our government running, to pay our military, and at the same time take essential steps to tame our uncontrolled spending and deficit. Most important, we need to ensure that our men and women in uniform continue to receive their well-earned pay while we undertake the work of balancing America's books and they undertake the vital work of defending our Nation, both here at home and abroad.

In that regard, I am proud to be one of the sponsors of a bill introduced by Senator KAY BAILEY HUTCHISON that will make sure that happens, even after the work of the 111th Congress is finished. I am also pleased to report that we are now up to 74 cosponsors.

But in the final analysis we need to reduce our overall spending, which Americans recognize is necessary, necessary because every day we delay we are spending ourselves $4 billion deeper into debt. Right now, this fiscal year, we are on a path to spend $3.7 trillion, but we are taking in only $2.2 trillion in revenue, leaving a deficit of more than $1.5 trillion. To make up for that shortfall the Federal Government is borrowing 40 cents out of every dollar that we spend, with a national debt of more than $14 trillion. Our largest lender is China, which now holds more than $1 trillion in American bonds.

No American family would practice that kind of fiscal management, and neither should our country. Reducing our debt and deficit is something the American people understand and support because the American people are the ones suffering the impacts. Nearly 14 million of our country men and women are out of work and another 8 million are underemployed because they have had their hours cut back or they cannot find a full-time job. Sadly, 1 million more have stopped looking.

As private investment has plummeted, unemployment has climbed sharply to levels we have not seen in decades. For those who are fortunate enough to be working, the American dream is getting more and more difficult to achieve. In response to growing inflationary pressure, the Federal

Reserve Bank now says that interest rates are likely to rise at the end of the year to tighten our money supply. Every percent increase in interest rates adds $140 billion to our debt. Higher interest rates will erode the income of every American and make it harder to buy a home, a car, or a college education. Spending more will not help them. In fact, spending more will prolong the problem.

In the 1990s, when government spending as a share of GDP shrank, employment grew. Despite the surge in government spending over the past 2 years, unemployment still hovers stubbornly at about 9 percent. We do not need more public spending. What we need is more private investment. When private investment grows, unemployment shrinks. The American people understand all of this and that is why they want us to arrive at a plan that keeps our government running, that respects the sacrifices of our military in real terms, and puts us back on the road to fiscal health.

We owe it to these hard-working men and women to bring the 2011 budget to a reasonable and realistic conclusion and then move on to the important matters that still lie before us, including the 2012 budget. That is where we can address all of the substantive and urgent issues that we must resolve to get America's financial house in order; issues such as making sure we have a prudent level of spending, reforming our Tax Code, and making entitlement programs such as Social Security and Medicare solvent and more secure for our seniors, both now and long into the future. We owe that not just to our current constituents but to future generations of Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

EXTENSION OF MORNING BUSINESS

Mrs. BOXER. I ask unanimous consent the period for morning business for debate only be extended until 8 p.m., with Senators permitted to speak for up to 10 minutes each, and the majority leader to be recognized at 8 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I came over here at this very precarious moment, hours away from a possible shutdown, to basically say there is absolutely no reason to shut this government down, absolutely no reason. Why? Because both sides agree that we need to cut the budget. Both sides agree that we need to reduce the deficit. When the debate got started, the Republicans put out a number and, guess what. We came to their number. We came all the way to their number.

Then they said, whoops, no, we don't like that, we are going to go to a bigger number. We said we are worried because, as my friend from North Dakota said, we care about job creation, and Mark Zandi, the key economic adviser to JOHN MCCAIN's campaign, said if you do what the Republicans want to do, that is the Republicans in the House on H.R. 1, that will cost 700,000 jobs. Can you believe that? After we are finally coming out of this recession—thank the Lord God we had a quarter of a million new jobs last month—and here they are going to take a meat axe to this budget and according to outside experts going to destroy the economic recovery and set us right back into a recession.

So we said hold off here, we believe we need to be wise about this. We went to your number that you originally put out there. Why do you keep moving the goal posts?

They said: Well, that is the way it is. We moved the goal posts. Take it or leave it.

We said all right, we are going to go back and we are going to go as far in your direction as we possibly can do and not jeopardize jobs. We went back and here is where we are. We went 78 percent of the way to the Republican new number.

Here is the deal. I want the American people to be the judge of this. There was an election in 2010. The Republicans won big in the House and they took it over, so they run the House. The Democrats retained control of the Senate. I know very much about it because I was one of those seats that was being watched. We kept control of the Senate and of course the President is a Democrat and he is there for a couple of years. Of course some of us hope for a lot longer, but here is the deal: Out of the three parties to the negotiations, Republicans control one-third of the government and Democrats two-thirds. We did not look at our Republican friends and say we control much more than you do, so we will only go a third of the way to you. We were willing to give and give and to look at expenditures that we believe are key, and we said we are willing to give some of this up, and we marched over to their side 78 percent of the way.

If I stopped someone in the street, a person who maybe did not have much experience about beltway politics, and I said if you were negotiating with two of your friends and they saw something their way and you saw it your way and they came 78 percent of the way to what you wanted, what would you do? I think the average person would say: Hurray, let's get this done.

Well, that is what I say tonight. Let's get this done. There is no reason to shut down the Federal Government when we have come—the Democrats have come, by way of cuts, 78 percent of the way to our Republican friends.

But let me tell you the bad news. It turns out this is not what the fight is about at all. At the eleventh hour, our Republican friends are holding this country hostage to an agenda which is about cutting women's health care.

Now, you may say: Could you say that again, Senator BOXER. What?

Yes, this debate over the budget, where we have come 78 percent of the way and made painful cuts, is not about budget cutting; it is about women's health. Let me tell you specifically what it is about. It is about a women's health care program known as title X.

I am sure people are saying: What is that?

It is very simple. In 1970, a Republican President named Richard Nixon signed this bill. And do you know who voted for it in the House? President George Herbert Walker Bush. We are talking about a bipartisan bill to give women the health care they need. And the Republicans, to date, have moved so far away from their own legacy, from their own history, that they are off the charts in extreme land somewhere.

I want to share one reason women use these title X clinics as their first line of health. And by the way, millions of women do—and men—because they get help for high blood pressure, diabetes checks, they get help for breast cancer screening, they get help for pelvic exams, they get help for sexually transmitted diseases, HIV/AIDS testing, referrals for additional medical screening and diagnostic testing, blood screening, smoking cessation, cholesterol screening, infertility counseling, and, if asked for, birth control, which, when it is counseled in the right way, birth control will prevent unwanted pregnancies and therefore bring down the number of abortions.

Somebody explain to me how our country is better off when our American families are shut out of health care, health care that is so cost-effective, that for every dollar that is spent through the title X health care program, which goes to local clinics—and 75 percent of the funding does not go to Planned Parenthood. Can we be clear here? Planned Parenthood gets 25 percent and does a fabulous job. But the fact is, not one penny can ever be used for abortion or people could go to jail. There is no money in here for abortion, period, end of quote. It is because of the Hyde amendment—I know this because I was in the House of Representatives when we dealt with the Hyde amendment. We said there ought to be an exception for rape and incest, OK? So I personally know the Hyde amendment is the law of the land. So if anyone tells you they are closing down the government because of abortion, it has nothing to do with abortion. It has to do with mainstream health care for women and their families.

So here we are. We have come 78 percent of the way to them on cuts. By the way, they announced last night that was it. We agreed that was fine. But now we don't have an agreement.

I have my fingers crossed that at 8 o'clock, the majority leader will say that we have overcome our problems; that he will say we go back to agreeing on the number that was agreed to last night. It is well above $70 billion. Remember, we cut that out in just the

next 5 months or so. That is a big bite, but we all know we have to reduce the deficit. But I hope our Republican friends have backed off from this, backed off of them completely shutting down and eliminating a women's health care program used by their families, and men, 5 million of them. It is cost-effective. It provides $4 of benefits for every dollar invested. Mr. President, 4,500 clinics, 75 percent of them non-Planned Parenthood, 25 percent of them Planned Parenthood; none used for abortion, all used for health care. I hope they will back off and say: You know what, we have reflected on this. We have read this. We know the health care our people are getting at home. We checked it out. We called our district. We called our State. And we have decided to come off of this crazy idea, and we will stand with Richard Nixon and we will stand with George Herbert Walker Bush, who supported title X.

I can't imagine how our Republican friends would rather shut down the government than to continue this health care program. I cannot imagine why they would rather take paychecks away from our hard-working men and women in uniform and others who are cleaning up Superfund sites, who are working to deliver veterans' benefits, who are working to keep our parks open. Why would they take paychecks away from those people because they do not want to continue breast cancer screening to women?

Speaking of paychecks, you have to know that the Senate unanimously passed a bill that said that if we fail to keep the government open, we do not get paid because, guess what, Members of Congress get paid by a special statute. Everybody else does not get their paycheck, but we get our paycheck. We sent this offer to Speaker BOEHNER. Do you know what happened to it? I do not know what happened to it. I do not know what happened to it. It would take him 2 minutes right now to bring it up. So if he is watching this—I guess he is not, but if he were, I would say: Just take 5 minutes and go to your Rules Committee and bring this bill up and let America know that you, Mr. BOEHNER, and your colleagues who are ready to shut this government down will not get a paycheck.

I am so tired of the hypocrisy around this place. I really am. One of the comments from a Congressman over there—he was complaining. He said: I do not make enough. Mr. President, $174,000. He does not make enough. I cried for him. But I have to say this: Where are his tears for his staffers? Where are his tears for the military who are not going to get paid? Where are his tears for his people cleaning up Superfund sites and for the guy out here on the Mall?

There is the biggest day for our national park, the biggest week, the biggest month—April. Some 800,000 people come from all over the world to go to our national park, many for the Cherry Blossom Festival. Some people already may be here for that—kids, families. These hotels are booked. The restaurants are booked. Where are this Congressman's tears for the people whose family vacations were destroyed? Maybe they can't get back their airfare. Neighborhood restaurants here may lose money this week, and the hotels.

In my State, we have Yosemite National Park. If you go there, you will be transformed into another world and another place. I tell you, the first time I ever stepped out there in that valley, my heart almost dropped from the beauty from what God has given us. That experience could be shut down in this shutdown.

I am not making a choice between Yosemite and the 46 clinics in the Central Valley who get title X funding, 46 clinics that see hundreds and hundreds of patients in need of health care. I am not going to choose. I am going to say: Keep this government open. What is your problem with women? What is your problem with giving women the health care they deserve? What happened in your life that you do not understand that a woman who gets an early breast cancer screening can have her life saved? What is wrong with you over there? A Pap smear. I am sure that if it were your daughter, if it were your wife, oh my God, you would do anything to get them to the doctor to make sure they were healthy. Where is your voice for these 5 million women? I have to say that I am baffled on this one. This is not about abortion. I already said that. Not one dollar goes to abortion.

I have to say that the Republicans would rather close all of our national parks and they would rather suspend tax refunds for hard-working Americans than give cervical screenings to women and provide HIV and STD testing for men and women.

You know, they are going to close the Small Business Administration, and that hurts our small businesses and that hurts jobs.

They are going to close down the mortgages from FHA, which backs about a third of new mortgages. So if you are finally coming out of this mess and you have bought a house, about a third of new mortgages are backed by them, so you are stuck in your tracks. If you are trying to sell a house and you thought you had it done, you now have to put it off. I have to say that to do this at any time is ridiculous, but to do this because you do not want women to get health care is a sin. To do this in a time of three wars makes no sense at all.

Food and drug inspections. We know what happens when particularly our kids get sick because there is some kind of foodborne illness. No more inspections. Closed down.

So I am saying once again, to sum it up in the best way I can, yes, no question, we had an election, and the Republicans won the House. And there are three parties to this agreement: the Senate, controlled by Democrats; the White House, controlled by Democrats; and a Republican House. So the Republicans control one-third of the government that is making this decision. We have come 78 percent their way because we know we have to make painful cuts. We are mindful of that. We are not standing in our corner with our blankie and our teddy bear with our finger in our mouth saying: Please, leave us alone. We are willing. We are willing to go their way. And they have not—well, they have moved the other way. In other words, we met their number, and then they made a new number. We met that number, and then they made a new number. Now we are 78 percent to the new number.

Please, we do not have to shut down this government. What a waste. What a ridiculous waste. In my State, I would urge my Republican friends who want to shut down the title X women's health program, visit the St. Johns Well Child and Family Center in Los Angeles. Find out about their work. Find out about the good work they do for the people there. Call Our Savior Center in El Monte, CA. They receive title X funds too. Find out about the work they do. Call the Good Samaritan Family Resources Center in San Francisco. Find out about the good work they do with title X funding.

Think about your legacy as a Republican—Richard Nixon signing this proudly, George H.W. Bush voting for it in the House. This is a bipartisan women's health care program. There is no need to shut down the government because you want to stop funding a program that helps our people, that is cost-effective, that stops the spread of disease. How they could do this is beyond me.

I ask the people of America who may be watching this debate and hearing about these issues—it is time now. There are a few hours. Let's flood Speaker BOEHNER's phones. Let's e-mail all the leaders, Democratic and Republican, and say: OK. It is time to end this standoff.

The last thing I want to bring up is this: I have been in politics a long time. I love public service. It is in my bones. I have watched sometimes what I call an overreach. It sometimes happens by Republicans and sometimes by Democrats. What I am seeing across this country is an overreach by the far right of the Republican Party which is driving the Republican Party agenda. We saw it in Wisconsin. There we had a Governor who came to the microphone with tremendous support, newly elected. He said: We have a budget problem, and we are going to have to make some tough decisions.

Everyone nodded and said: Yes.

He said: These unions that represent the workers, they better come to the table because if they don't, I am going to have to take some steps to reduce their salaries and all the rest.

The unions said: OK. We will come to the table.

The unions came to the table. Guess what they said. We will give up on every dollar you have asked us to do.

The Governor said: Really? Really? Then he said: Fine. I will make those cuts, and I am taking away your bargaining rights forever.

That was an overreach. What we are doing is responding to Republicans who said: We have a deficit problem, and we need your help.

We said: Yes. And we came to the table. We met them at their number. Then they increased their number. We said: OK, we will come a little more. As of last night, we came 78 percent of the way. They agreed last night. Now it turns out, just like in Wisconsin, it wasn't about the numbers. It was about some kind of an agenda that would throw women under the bus.

I am here to say that isn't going to happen. There isn't one Democrat in our Democratic caucus, male or female, from one side of our party to the other—and, believe me, we have a big range of philosophies—not one of them is willing to say this program ought to go because they know it is saving women's lives.

As HARRY REID, our leader, said today at a press conference: Someday I may not be around to help my kids and my grandkids. I will not be here forever to help them. What if things go wrong and they have to go to a clinic and they have to get that mammogram. There is only one clinic that does it, though, and that is the one in Texas. But they have screenings. What if you have to have that Pap smear. What if you need that referral for further testing? What if you need to get help because you have diabetes and you don't have health insurance and you go to that clinic and they help you.

HARRY REID said: We are here today not only about today but about tomorrow.

Here is a program that has lasted since 1970. Count the decades, folks. We are not going to end a program that has its roots in bipartisanship, that has its roots in caring about our fellow human beings. It isn't necessary. A budget is about a budget is about a budget. It isn't about somebody's political vendetta.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. ROBERTS. Mr. President, I ask unanimous consent to proceed for 12 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTS. Mr. President, still at this late date, I want to remain optimistic that we will reach a final deal on Federal spending. At least the dueling press conferences are continuing as I speak. I hope the negotiations are continuing by someone somewhere. Hope springs eternal. Under the banner of hope and change, I would hope the majority leader would change his mind and at the very least bring the House-passed measure to the floor for a vote to fund the military through the end of the fiscal year and avert a shutdown of the federal government, and make a significant reduction in spending. Anything less is irresponsible.

Kansans are now calling my office. They have been all day, all week, all year. Their message is clear. It is time to stop spending money we don't have. The House-passed measure is but a small step in this direction and would keep the government from shutting down, a goal I think everybody would like to see happen.

Let's clarify the facts. The national debt is over $14 trillion and growing daily. Some now say it is $14.6 trillion. We are fast approaching the debt ceiling and another very serious decision. I know the majority leadership remembers the last time the debt ceiling was raised. It was four times in the last 2 years.

By the way, the majority spent twice as much in 2 years as was spent the last 4 years of the previous administration. If this continues, then by the year 2014 interest payments on the debt alone will be greater than all discretionary spending outside of defense. The debate or fuss about which programs must not be cut will not be debated on the floor of this distinguished body because they will all be cut. There won't be any money. The money will go to pay interest on the debt.

The House of Representatives is doing what its majority pledged to do, what it was elected to do—reduce Washington spending.

As a logical consequence—and it should not be a surprise to any member of the majority of this body or the minority in the other—the House passed a bill to bring government spending back down to 2008 levels. That is what they said they would do, and that is what they are doing.

In March the majority in this Chamber rejected these modest cuts in spending, and we have been operating under a series of short-term continuing resolutions ever since. All of us know that government by CR is no way to govern. The leadership of the previous Congress failed to pass a budget last year, failed to pass even a single appropriations bill. We are still dealing with that abdication of responsibility.

But we are where we are. The House passed another measure to keep the Federal Government open for another week, funded our military men and women and their families for the next 6 months, and cut government spending by $12 billion while we negotiate a long-term solution. Hopefully, we could continue to negotiate a long-term solution.

I know tempers are frayed. What is bothersome is that the leadership refuses to bring this measure to a vote. They have the votes to defeat it. They also refuse to put forth an alternative proposal to cut spending. It is one thing to blame the majority in the other body and say you simply can't support it. If that is the case, bring it to the floor. Let's vote on it, and let's see what kind of an alternative the leadership here offers.

The media is referring to this impasse as a shutdown of the Federal Government, but we need to be careful before we call this a government shutdown. The people of Kansas and all of America are rightly outraged that funding for our troops and their families is at risk, funding for most customer service support at the VA is at risk, and that funding for a wide range of economic development and agriculture programs is at risk. But that is not true with regard to one segment of our government. Just as the Army sings ''as these caissons keep rolling along,'' so does the perpetual motion machine of Federal regulation. The Federal regulation machine is such that even a government shutdown can't stop it.

Earlier this week, I came to the floor to talk about the concerns I am hearing from our community bankers in Kansas. According to a summary of the Dodd-Frank act by Davis Polk, the act mandates that 11 different agencies create at least 243 more regulations, issue 67 one-time reports or studies, and 22 new periodic reports. Financial regulators have already issued more than 1,400 pages of regulatory proposals, and 5,000 pages of regulations are expected. These will create additional and significant compliance costs that will impact the ability of every bank to serve its community. They come on top of existing regulation, including 1,700 pages of consumer regulations and hundreds of pages of regulations regarding lending practices and operations that banks are already required to comply with, and they do in good faith.

Some folks might think—and naturally so—if the government is shut down, regulators won't be on the job either. Wrong. Apparently nothing, absolutely nothing can or will stop regulators from regulating. In the case of some financial regulators, agencies not funded by taxpayer dollars, they will be on the job, and we can anticipate that the burdensome regulations will continue.

Well, what about implementing the costly and controversial health care reform bill? Will a government shutdown slow this hugely unpopular program chock-full of regulations? Well, the answer, of course, is no.

In the Secretary's contingency plans for HHS, under a list of what will remain open during this shutdown, she believes that ''operations of the Center for Consumer Information and Insurance Oversight''—its a mouthful, Center for Consumer Information and Insurance Oversight, the regulating agency under the Department of Health and Human Services that is working to issue regulations to implement health care reform—''could continue as funding was provided through the Affordable Care Act.''

Well, this is just another example of full steam ahead with ObamaCare, just

like during the health care reform debate. The regulatory overreach that has become a hallmark of this administration is not stopped by even a shutdown of the Federal Government. For example, regulations like the one issued just recently, days ago, by the Department of Health and Human Services on something called accountable care organizations, also known as ACOs—ACOs used to be HMOs; didn't like HMOs too much, so we have something like HMOs, but now we call them ACOs—turned 6 pages of ObamaCare into 429 pages of regulations—429 pages in just 1 regulation. These new regulations empower Dr. Berwick, the man in charge, and CMS, the Centers for Medicare & Medicaid Services, to make decisions about how medical care will be delivered in this country.

So a government shutdown or not, under a cowering business community, the incredible Federal regulation machine goes on like a giant creature from a video game, belching fire, smoke, fines, and regulations. Nothing, not even a shutdown of the Federal Government, can slay the regulating dragon.

This debate should not be about party politics. It should not even be about regulation, except I discovered the regulation is going on despite the government shutdown, which I think is most unusual, to say the least. This is really about reducing spending and finally trying to tighten our Federal belt. We are borrowing 40 cents of every dollar we spend. I said that by 2014 all discretionary funds would be used to pay off the interest on the national debt.

The House has now passed a bill to keep our military families whole and the government running at 2008 levels while we try to work out a long-term solution. A Federal shutdown does not benefit anyone except regulators who under a shutdown will continue to regulate, now unchecked.

I urge the majority leader to at least bring the House-passed bill to the floor for a vote. I thank all the people who have worked so terribly hard on the negotiations. I hope they are successful, even though ''tempus is fugiting''—time is running out.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, well, we are less than 6 hours away from a potential government shutdown. I take this time to sort of bring people up to date in Maryland as to where we are. I say that because in Maryland we have about 150,000 civilian active Federal employees. Obviously, they are directly affected if we have a government shutdown. They will not get a paycheck. Whether they work or not, they will not be getting their paychecks. I just want everyone to think about what that means. If you have a car payment that is due and you do not have a paycheck or a full paycheck, you still have to make that car payment. You might not have the money to do it. If you have certain responsibilities on a student loan, you may not be able to come up with the money to deal with it. So it is going to cause real problems for those Federal workers who had nothing at all to do with the problems we are confronting in passing a budget. They are not at fault. But yet they will be the first ones who will be suffering as a result of a government shutdown.

But it does not end with the Federal workforce because the Federal workforce, with their salaries, buys goods and services. Literally thousands of small businesses in Maryland are going to be adversely affected, and many around the country, because of the impact of the Federal workforce being on furlough, not getting their checks, the impact that is going to have on our businesses and on our economy.

But it does not end there. Federal contractors who depend upon the Federal contracts, whether to help us with national security or homeland security or to deal with health care issues, are going to be affected also because these contracts are not going to go forward.

So I really want to continue to underscore that a government shutdown will have a major negative impact, not just on our Federal workforce, not just on the businesses that are going to be hurt as a result of it, but on our entire economy. All of us will suffer.

But I really take this time to try to bring people up to date on where we are on the negotiations because I have heard many of my colleagues on the other side of the aisle say: Gee, if we could only balance the budget, if we could only bring up a short-term CR. That is not the problem. It is not the problem we are confronting right now because, quite frankly, the negotiators have agreed on the dollar amount of a budget from now to the end of the year. That number has been agreed to. So this is not about the Federal deficit any longer. It is about whether we can reach an agreement on a budget for the remainder of this year—not the dollar amount.

We are now tied up on what we call the policy riders. But we are not even talking about all the policy riders; we are talking about one policy rider which my colleague from California, Senator BOXER, I think outlined very clearly.

I wish to take this time on behalf of my wife, on behalf of my daughter, on behalf of my two little granddaughters, because it is about women's health care issues. That is what we are talking about, and we are talking about whether we are going to be able to allow those programs to move forward during the next 6 months. It does not affect the dollars, the types of programs that we allow. So to make it clear, we are talking about women's health care issues that deal principally with preventive health care—the cancer screenings to keep women healthy. Not one dollar of those funds can be used for abortions. So let's make that clear from the beginning. This is not part of the abortion debate. This is talking about whether we should allow this type of policy rider to be on this bill. It is not appropriate. I think all of us understand it is not appropriate.

But I even go further than that. I am not even sure it is about that. It appears to many of us that you have an element in the House of Representatives on the Republican side that really wants to see a government shutdown. They have said that. They applauded the Speaker when the Speaker said: Let's get prepared for a government shutdown. They gave him a standing ovation. They said, over and over again, maybe a government shutdown will be good. Well, a government shutdown will not be good. I think we all can agree on that. If this is about the budget, as it should be, a government shutdown costs more money.

Then I hear a lot of my colleagues come to the floor and say: Look, we have to get rid of all this red ink and all these deficits. We could go back to the fact that we did balance the budget in the 1990s. We did it without a single Republican vote. We took a deficit and we balanced the budget.

When George W. Bush became President, he had a large surplus—only to see the policies of that administration, which went to war and did not pay for it, and we ended up with large deficits and an economy that was losing 700,000 jobs a month when Barack Obama became President.

We could go back and start talking about how we got here, but the question is, How are we going to get the budget back into balance? There, I agree with my colleagues on the other side of the aisle. We need to do that. But remember, the debate tonight on preventing the government from shutting down has nothing to do with that. The dollar amounts are in agreement. It is the policy issues concerning women's health care or whether, in fact, there is a group on the other side that represents the tea party that does not want to enter into an agreement. Remember, they said: Don't compromise at all. ''No compromise'' was their position, where they controlled the day.

But I must tell you, we have to come together and deal with the budget deficit. There are 64 of us—32 Democrats, 32 Republicans—who have signed a letter saying we are prepared to consider all the issues of balancing the budget, whether it is domestic spending, military spending, mandatory spending, or revenues. That is what we are going to have to do. We are going to have to get together and put the Nation's interests first. I believe we can do that. I believe we can get this budget into balance.

But it starts with a little good-faith effort here tonight, a good-faith effort. When we have already reached the agreement on the dollar amount, let's not let a minority in the House of Representatives prevent us from keeping the government operating—that is

what it comes down to—so the Federal worker in Maryland or that person who happens to be in Rhode Island tonight, and tomorrow recognizes he needs his passport renewed in order to take a trip, can find the passport office open or whether it is that potential homeowner who is going to need an FHA loan and is told that if there is a government shutdown, that loan cannot go forward or whether it is that family who was planning to come to the Nation's Capital and enjoy the Smithsonian and is going to be told the Smithsonian is now going to be closed. Let's not use those individuals as a target for the extreme actions in the other body.

I am convinced we still have time to get this done. We know offers have been made in good faith. We know we have the dollar amounts. So I hope that within the next couple hours we can prevent a government shutdown because it absolutely makes no sense.

My constituents are angry about this, and so am I. I hope we will see reason prevail, and then we can move on and deal with the real budget problems of this country. We cannot deal with it in only 12 percent of the budget, and that is all we are talking about here in this budget for the rest of this year. Hopefully, we will be able to get together and figure out how we can move forward. But it starts with keeping government functioning. It starts with honoring the types of commitments we have all talked about here to negotiate in good faith.

I have said this many times: It is not going to be the budget the Democrats want. It will not be the budget the Republicans want. That is what negotiations are about. But when you have some on the other side who say: Look, it is going to be our way or no way, that is not the way the process works.

I hope the majority in the House of Representatives is listening to this debate and listening to the American people and will act in the best interests of the American people and allow the process to move forward so we can keep government functioning.

With that, Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President we have come to the end of a long process that has had some signal moments to it. Clearly, one signal moment was a few days ago when the tea party activists came to the Capitol—came to this building—gathered outside, and were led by Republican House Members in chanting about the U.S. Government: ''Shut it down! Shut it down! Shut it down!'' Shortly after that, there was a discussion between the Republican Speaker and the Members of the Republican caucus in which the Speaker indicated that they were to prepare for a government shutdown, and the response was a standing ovation, as reported by the Washington Post.

As the distinguished Senator from Maryland knows, we sit through our caucus meetings, and there has never been anything like an ovation on our side for the concept of a government shutdown. There is silence, maybe an occasional groan of disappointment, when we have heard about how the goal posts have been moved yet again to keep an agreement from being reached.

Recent polling shows there is a reason for this difference between the parties here, or the different attitudes and desires with respect to a government shutdown. Democratic voters prefer compromise to a shutdown by better than 3 to 1. By better than 3 to 1, Democratic voters would prefer us to work this out than to shut down the U.S. Government. On the other side, Republican voters actually favor shutting down the government. So it should come as no surprise that these public demonstrations demanding ''shut it down'' take place; that the Republican caucus on the House side gives standing ovations to the notion of shutting down the U.S. Government, and that we are now at the brink of a U.S. Government shutdown as a result.

There was a time when this appeared to be about the deficit. Clearly, we have had to make progress on the deficit, and we have made significant progress on the deficit, as was announced from last night's meeting between the Senate leaders, the President of the United States, and the House leaders that they had agreed on a $78 billion number out of the $100 billion number that had been the Republican goal. It is hard to say that we have not gone the extra mile when we are settling on a point of $78 billion out of the $100 billion that was requested.

As we have looked at the actual cuts that the other side has pushed for, there has appeared to be a pretty strong overlay between the cuts themselves and the political agenda of the other party. Things such as focusing 100 percent of their cost-cutting energy on only the spending side of the budget and only 12 percent of the pie. A slice of the pie that is only 12 percent was where they focused 100 percent of their attention. A tax on programs such as Head Start that help poor children get a head start in life and prove exceptional outcomes, to the point where the mayor of our capital city, Providence, RI, is a child who got his start in life in a Head Start Program. From there he went through the public school system and ended up at Harvard University. He became a lawyer, and he is now the mayor of Rhode Island's capital city. That is the kind of story that Head Start starts. Yet it was the focus of terrible cuts.

City Year and Teach For America—programs that take bright young Americans and put them into our schools to help younger kids learn to be better students and have more productive futures—catastrophic wipeout cuts were driven at those programs.

National Public Radio: Catastrophic wipeout cuts.

The Environmental Protection Agency was singled out for the worst treatment of all, reflecting the long relationship that has existed between the other party and corporate interests that do considerable damage to our air and water.

So if we look at what they are doing there, there were a number of people who became suspicious and concerned that the Republican cost-cutting agenda was a Trojan horse. We remember the Trojan horse. Troy was in its walls, the Greeks were outside. They couldn't get through the walls of Troy, so they built a horse. The Trojans thought it was a gift and they allowed it in, but the Trojan horse contained within it Greek soldiers who came out in the night and were able to open the gates and the attack came on Troy. That is the legend of the Trojan horse.

So there is a pretty good case I think some of us could make that a lot of what these cuts were was a Trojan horse to bring in, through the deficit-cutting agenda that we all agree on, a different ideological agenda that has long been associated with the Republican Party and that is not very popular. Indeed, at this stage, the tea party has less than one-third public support. So the notion of driving their agenda through isn't fair play. But if you know you are that unpopular, you want to attach yourself to something essential. You want to force your ideological agenda. I think that is where we are right now. It has been made clear by what has happened. Because once a number has been agreed to in a budget, clearly, the fight is no longer about the budget. A number has been agreed to: $78 billion. Yet, the fight persists and the fight persists over women's health care.

I wish to share a few stories from Rhode Island, first about the title X family planning program, which is the target here. It was signed into law in 1970 by President Richard Milhous Nixon, a Republican. He said at the time that ''no American woman should be denied access to family planning assistance because of her economic condition.'' Representative George H.W. Bush strongly supported the enactment of the program.

Title X clinics provide reproductive health services to low-income women and young adults. It is an essential element in our American strategy to reduce unintended pregnancies. Notably, Federal law prohibits any title X funds under the Hyde amendment from being used for abortion services—none, zero, not permitted.

So the effort to zero out funding for title X is not about Federal funding

being used to support abortion services. It just isn't. Instead, it is about denying access to health care programs that serve over 5 million low-income individuals every year, and it is available to them because no one can be refused service based on the fact that they don't have the ability to pay.

We have a medical student who wrote in from Rhode Island who works at a community health center. He said he has been able to perform cervical cancer screenings and prescribe birth control for hundreds of women who would otherwise not have had access to these services, all thanks to title X. He described his patients: ''Most of my patients worked hard at low-wage jobs that did not provide adequate health coverage.'' Indeed, they may not have provided any benefits at all. He concluded: ''These women would not have been able to afford such vital health care without the support of Title X.''

In Rhode Island, title X goes to 17 different community health centers and clinics, from the Northwest Community Health Center up in Pascoag, RI, to the Chaffee Health Center in Providence, to the Tri-Town Community Health Center in the Johnston area. It is across the State. One of those recipients is Planned Parenthood. Planned Parenthood would appear to be the real reason—although they take the whole program out, it is probably because Planned Parenthood is in it. They have overtargeted here.

The proposed budget would also prohibit Planned Parenthood from receiving any Federal funding. It is remarkable, because Planned Parenthood provides primary and preventive health care to 3 million Americans each year, and in rural or medically underserved areas, Planned Parenthood health care providers are often the only source of health care in the community. They are often the only source of health care for women in the community. Ninety percent of the care that is provided at Planned Parenthood health centers is primary and preventive health care: cancer screenings, Pap tests to identify women at risk of developing cervical cancer, mammograms to help detect breast cancer, routine gynecological exams and annual physicals, immunizations, and tests and treatments for STDs. They are cost effective and accessible.

Let me read some of the things that have come in from Rhode Island. Here is Rebecca from Cranston, RI, telling her story:

> After I graduated college, I found myself without health insurance for the first time in my life. While uninsured and job hunting, I had no doctor or gynecologist, and I turned to Planned Parenthood for my basic health care needs.
>
> This lasted for almost 4 years because I couldn't get a job with health insurance. If Planned Parenthood had not been there while I was getting on my feet, I would not have received cancer screening, breast exams, or have had a health care professional to answer my questions.
>
> My mother had breast cancer twice and Planned Parenthood providers gave me peace of mind. If the Federal funding is cut from Planned Parenthood, other young women will find themselves with nowhere to go and put off lifesaving tests. I plan on doing everything I can for this amazing, caring facility that stood by me when I needed them.

This is Nora who wrote to me from Warwick, RI:

> Please do not let the loss of funding happen to Planned Parenthood. This health care agency has been a boon to myself and my two daughters for decades. If not for the availability of low-cost health care screenings through Planned Parenthood, we would not be able to afford regular checkups or things like cervical cancer and HPV because we cannot afford health insurance. Planned Parenthood provides us the opportunity to have these tests done at a price we can afford. I hope you will take my message to heart and vote to keep the funding in place for this wonderful organization.

Yes, Nora, I will take your message to heart.

Saren from Coventry, RI, wrote in to tell her story:

> In 2004, I went to Planned Parenthood for a pap smear test. I didn't have a regular gynecologist or even a primary care doctor. Further testing revealed I had the beginnings of cervical cancer. I was stunned. Never in a million years did I ever expect to be told I had cancer, especially at the age of 24. The doctors at Planned Parenthood told me that the cancer was found early and formulated a course of action, but I was always worried that my chances of having children were low because of the surgery to remove the cancer.
>
> Seven years later, I am happy to say I have not had an abnormal pap smear and I have two beautiful, healthy children. I can only wonder where I would be had I not gone to Planned Parenthood and had that pap smear. Those doctors saved my life and gave me the chance to become a mother.

It is getting rid of that, that is what is motivating our Republican colleagues to push this country into a government shutdown, and the price of that government shutdown is going to be high.

We are just in the beginning of our recovery. We are still deep in unemployment. In my State of Rhode Island, we are at 12 percent in the Providence metropolitan area, over 11 percent statewide. We are just beginning to recover. A government shutdown would cut off funding for Federal employees; it would stop their paychecks, it would shut down government projects as their funding ran out and they ground to a halt; it would shut down the private businesses, the corporations, the consultants who are working on government contracts as that funding ran out and their work ground to a halt; around the country, 800,000 people will be off the payroll.

That is not good for America. If we pass H.R. 1, the folks at Goldman Sachs—and we can say a lot of things about them, but I don't think anybody in this room will say they are not good with numbers about the economy—they have said it will drastically knock down our recovery 2 full percentage points out of the 3-percentage point growth we are predicting. That is about the same number of jobs. If we were to pass H.R. 1, our recovery is basically gone at that point. We will be back to where we started when President Obama took office and turned around the 700,000 job-a-month crash we were in—losing 700,000 jobs every month. So it will slowly go back in a painful way.

We don't want to knock that down with H.R. 1—the extreme House bill—and with a government shutdown that takes all that money out of the economy. Even more, we don't want to do it over a dispute that is now no longer about the budget, about the deficit, but only about trying to punish the program that allowed Saren from Coventry to discover her cervical cancer in time to be treated so she could survive that dangerous illness and have her dream of becoming a mother come true and have two beautiful children.

I urge us to get through this moment. I hope my colleagues will, frankly, declare victory, gloat a little, and say: We wanted $100 billion and we got $78 billion. We got way more than halfway.

But don't knock this country down, don't knock our government into a shutdown in order to score a political point about an organization that is so important to women's health care.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. AYOTTE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. AYOTTE. Mr. President, I have been carefully listening to the speeches of my colleagues, including the statements of my colleagues on the other side of the aisle. I feel compelled to come to the floor to speak about what I believe is a red herring and a political ploy.

This debate is not about women. As the mother of two children, one of them being my 6-year-old daughter, I believe it is unfair and inaccurate to say this is about women and their health.

Let's be clear on how we got to this point. Last year, even though they had majorities in both Houses, the Democrats failed to pass a budget for 2011 or even a single appropriations bill. Now the House has passed full funding for our military for the rest of this fiscal year and funding for the rest of our government for 1 week to allow us to resolve the remaining issues. That proposal does not even cut title X funding. Yet we have heard from speaker after speaker from the other side come to this floor and mischaracterize the potential shutdown of our government as being about women's health.

Let's talk about what we know to be true. We can end this potential government shutdown right now if the majority allows us to vote on the proposal that the House has already passed that

fully funds our military for the rest of this fiscal year and gives us a week to resolve the remaining issues and to resolve this once and for all. Then we can move on to the bigger issues we face in addressing the $14 trillion debt that threatens our economic strength, threatens our national security, as our Chairman of the Joint Chiefs of Staff has told us.

As a military spouse, I think we owe it to our men and women in uniform and their families who are right now making sacrifices for us overseas and around the world to immediately pass funding for our military for the remainder of this fiscal year, to pass the proposal the House has made. Our military deserves better than political ploys and red herrings.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. 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. GRASSLEY. Mr. President, before I speak, is there a time limit in morning business?

The PRESIDING OFFICER. Ten minutes.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that I may speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, usually by this time on a Friday, or even a little earlier, I have had the pleasure of going back to Iowa on the weekend. I would much rather be doing that. Obviously, we have problems that have to be worked out, and there is reason for staying around this weekend, particularly for those of us who do not miss votes, and we do not want to miss a vote, hopefully, to keep government functioning.

There is one advantage of not being on an airplane going back to Iowa on a Friday when I do not have committee meetings and constituent meetings: I have been able to listen to a lot of the speeches today. We do not get that opportunity Monday through Thursday very often. It is quite a pleasure to be able to hear my colleagues speak, as they have on both sides of the aisle, so strongly about differently held views in this body about the budget issues and subsidiary issues that are being discussed at this time.

Listening to the debate, I have come to the conclusion that it was one big mistake that we did not get appropriations bills passed last year. I hope people on the other side of the aisle realize if those appropriations bills had been passed, we would not be here today worrying about shutting down government and reaching some gigantic compromise.

I suppose on the other side of the aisle there is a lot of ill feeling about not taking advantage of the fact that last year there were 59 Democrats and only 41 Republicans in this body. The majority party could do just about anything it wanted to do. Of course, in the House of Representatives it was overwhelmingly controlled by the other political party, and that control particularly where appropriations bills pass.

Looking back now, I realize there was not any attempt to bring up any appropriations bills, which obviously is not a good way to run the government. I did listen to some excuses from the other side of the aisle when people were asked: How come no appropriations bills were passed? The answer from one Senator: We only had 59 votes, and Republicans would not let us bring it up.

Then I was in a quandary. There was not anything stopping the overwhelming majority of the Democratic Party in the other body from passing almost anything they wanted to because it is just a political fact of life, whether you have a Republican majority in the House of Representatives or a Democratic majority in the House of Representatives, as long as they stick together they can get anything done they want to get done. They can ignore the minority. They may not have been able to ignore the minority in the Senate, if 41 Republicans would stick together, but they hardly ever do. What a mistake it now must be for the Democratic Party not to have passed appropriations bills last year so we wouldn't be going through this. But it wasn't done.

I think, now, looking back, it was probably because they didn't want discussion of budget issues before the election. They didn't want the public being reminded about the $1.5 trillion deficit. In other words, we borrow about 42 cents out of every $1 we spend, and we take in about $2.2 trillion and spend $3.7 trillion. That is in the neighborhood of a $1.5 trillion deficit. They probably didn't want that talked about. So come October 1, they passed a continuing resolution until December to get through the election, and then, when they got through the election, they would take care of it when we got back here.

But the elections are supposed to have consequences, and they do have consequences. If they do not have consequences, representative government and democracy doesn't mean much. So as the President himself said, he took a shellacking and they couldn't get it passed before Christmas. So the new people came in and took over—and it was the biggest turnover in Congress since 1938—and with a lot of new people there were a lot of new things to learn and it didn't get done by March 4. It was extended before Christmas until March 4, then 2 weeks, until March 18, and then 3 weeks, until this very day.

But what a mistake, with overwhelming majorities, this didn't get done in the usual time when we pass 12 appropriations bills to get things funded. It was very clear in the election that people wanted to stop this deficit spending, get the spending down, and get the size of government down. With the biggest turnover in Congress since 1938, they are going to expect some changes to be made, and that is what is going on right now with the level of expenditures.

We are led to believe by people on the other side that money is not the issue; that it is some social policy that is being debated and holding this up from happening. But I know this. The only possibility of not shutting down government, at least that is partly through the Congress, the Republicans are the only ones who have put forward legislation to reduce spending and to keep government open. It is kind of a commonsense approach that is used by the other body in sending us a bill that will fund Defense through the end of the year, and it will give more time for negotiation on the rest of the budget.

In funding Defense through the end of the year, we can't fight a war from week to week with how much money we have to spend. When we voted to put our men and women in danger in fighting this war on terror—with our men and women in danger, we should give them as much certainty as we can. Even now, with the possibility of not being paid—or the possibility their families are not going to get the support they are entitled to—it is just a terrible sin, when we have asked people to defend the country.

So that is the bill we ought to be taking up. But here we are, and there isn't any desire here to take it up, and the President says he is going to veto the bill. Why would the President be vetoing a bill that is going to give certainty to the military, the Defense Department, and what they can have to spend to do the job they are supposed to do, which is the No. 1 function of the Federal Government, our national security, and particularly for the families who are standing behind them?

So here we are trying to preempt, as far as domestic expenditures are concerned, the 22-percent increase that took place in 2009 and 2010. When we only have economic growth of 2½ to 3 percent, we can't be spending money at 22 percent increases, and that is on top of the $814 billion stimulus bill that was passed that was supposed to keep unemployment under 8 percent—and which, obviously, hasn't kept unemployment under 8 percent. So preempt that and go back to the 2008 level of expenditures.

I never heard people complaining in 2008 that there wasn't enough money appropriated to perform the functions of government. It is very necessary that we do that. But we can't incorporate that 22 percent up here and build that into the base over a 10-year budget window. There are hundreds of billions of dollars in difference between the 2008 level of expenditures and the 2010 levels of expenditures, and that is what it is going to take. We have to be

looking ahead for the next 60 years, not just the next 6 months.

We need to take this gradual step toward the reduction of spending so government stops spending money it does not have. We have to start making decisions that are necessary about the future of our country. To a great extent, Washington is responsible for some of this. We have to reduce wasteful government spending. We have to tighten our belt in Washington, as families do at home. When you have dug yourself into a hole, the No. 1 rule is, stop digging. This bill, sent over from the House, will be the first step toward doing that. But for sure the public has a right to know the facts. They do not want us, with the facts they know, leaving our children in a bankrupt situation, which is what we will do if we don't immediately intervene and do something about it.

Also, this discussion about getting government spending down has something to do with simply creating an environment of certainty for our private sector. We have uncertainty in taxes, we have uncertainty in EPA regulations, and we have uncertainty from the standpoint of fiscal policy of the Federal Government—how much money are we going to continue to borrow and take away from the private sector. All these things lead to a reluctance of employers, large and small, in this country to hire people. So this debate is about creating jobs and putting in place a fiscal policy, along with a lot of other sensible policies.

But when we use the words ''sensible policy''—people back home might not know this—we have to remember this city is an island surrounded by reality, and the only business in this town is government. People in government, including those of us who are elected, are in the wagon with somebody else pulling the wagon. So we have to go home to our districts and bring back some common sense. That common sense says government ought to live as families live—within their means.

Those are the President's words, not mine. When we put his budget out in early February, he said: Government has to live within its means. Then what sort of a budget does he put out? A 10-year budget window that increases the national debt from $14 trillion to $26 trillion.

I hope we get something agreed to tonight. I hope government does not shut down. It doesn't save money, like people think it should. It actually costs money, and it costs people the services they are entitled to. But if you don't remember anything else this Senator has said tonight, remember this: Elections have consequences, and there were great messages sent in this last election. The people expect us to let them know that we get it and that there aren't any excuses in the process.

I yield the floor.

The PRESIDING OFFICER. The Senator from the great State of Montana.

Mr. TESTER. Mr. President, I rise in support of the Troop Pay Protection Act. It is one of the bipartisan pieces of a very partisan puzzle, and it is common sense.

We owe it to our Nation's troops to avoid their suffering from the consequences if the House of Representatives shuts down this government. If we don't pass this measure, while we still have time, our troops will continue to serve us overseas—they will always be essential to the United States—but they won't get paid. That is unacceptable.

America's troops are America's heroes. They are serving us in difficult, dirty, dangerous conditions. They are away from their families, they are away from their homes and their communities, and they are risking their lives to answer the call of duty. Yet they still have the same financial responsibilities we all have here at home. They have mortgages to pay and car payments to make. They have families to take care of. We do our service men and women right by passing this bill.

The bill simply says: If there is a shutdown, don't make our troops pay the price for the failures of a few extremists in Washington, DC.

Make sure their paychecks come in on time. Delayed pay is the last thing the members of our military and their families should be burdened with.

I know there is talk that the House is trying to push through something similar, in an effort to cover some bases, but their plan isn't as straightforward as this bipartisan bill. Their plan to hold our troops harmless is part of a week-long spending measure loaded with a bunch of extreme provisions this country cannot afford. Because it is part of a temporary bill, if it is passed, we will be right back here making the same arguments next week.

I am always amazed at how dysfunctional this process can be. I have been reminded of that a lot this week. Here is an opportunity to throw some common sense back into the mix. I ask my colleagues to pass this measure and pass it now.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from the great State of Arkansas.

Mr. PRYOR. Mr. President, one thing I would like to say is that I don't want a shutdown, and I don't like where we are tonight—the fact that we are here and our backs are against the wall on a shutdown. I think we, collectively, have done a great disservice to the American people. I think they deserve better than what they are getting right now from Congress.

I know the people I represent are hardworking. They are very sensible, kind of like the hard-working folks from the State of the Presiding Officer. But they are also very patriotic and they believe in this country. They believe in the values and the things that make this country great. They understand, the people of Arkansas, that right now we have 90,000 troops in Afghanistan and we have more than 45,000 in Iraq. They are there to serve this country and to serve the interests of this country.

I can take something local such as the Little Rock Air Force Base, and I can say we have more than 5,600 airmen and about 640 civilian employees who could be affected in one way or another by this shutdown. About 2,000 employees of the Arkansas National Guard will be affected. There are 956 guardsmen on Active Duty who would continue to work without pay; 233 Arkansas Army Reservists are deployed overseas, including 23 who are designated for Libya. The people in my State do not want to see the military affected in any way by the partisan gamesmanship that you see in Washington.

In fact, I would add a note to that. It is unconscionable that we should add stress to our military families right now, especially for those who are deployed. It is just unconscionable that we would do that under the circumstances we find ourselves in tonight.

Let me talk about two leaders who stepped up to try to solve this problem and tried to cut through all the mess that we see in Washington, tried to cut through the politics as usual. That would be Senator HUTCHISON from Texas and Senator CASEY from Pennsylvania. As my colleague from Montana said a moment ago, both of them worked in a very bipartisan way to craft legislation that would make sure, one way or the other, our troops get paid on time without any disruptions.

We have all heard the phrase ''hard-earned pay.'' How does it get any harder earned than by serving in combat for your country? Again, it is hard for me to understand how we are here talking about this tonight, that we have not already addressed it.

I hope whatever bill is offered is a bipartisan bill. I am not quite sure at the moment who is going to be the lead sponsor. As I said, I looked at the legislation offered by the two Senators I mentioned before. In the Senate things can change for various reasons, but however it comes down I hope we will not only consider but that we will pass legislation that will protect our Active-Duty men and women and our Reserve Component and the Coast Guard. We cannot forget the Coast Guard. A lot of times they are an afterthought, but certainly they do great things and they serve our country just like everybody else and they deserve to be included in this.

Also, we need to give the Secretary of Defense the discretion so he can run his department in a way that will not weaken us. He needs that discretion, whatever that may mean. Again, we may have some differences on the details. One Senator may think one thing and another think another, but on the bottom line we need to give him

enough discretion to make sure nothing in that shutdown ends up weakening our ability to perform the missions we need performed or puts our troops in any additional danger.

In conclusion, let me offer an observation. In the last few weeks, on more occasions than I can count, I have witnessed Senators and Congressmen, even those in the blogosphere—the commentators, the talking heads, the so-called experts—doing exactly what, in my view, is wrong with Washington; that is, they are playing the blame game. They are holding a press conference and pointing fingers at everybody but themselves. It is going on all over the place. I am not singling out one person or one party, but we have seen that way too much. The truth is, the folks it is hurting are the American people.

Our democracy is designed in such a way and has a track record where we all know it will work, and it will work great, and it will get the job done. We represent people and we can get in here and debate hard and fight hard and have our differences, but at the end of the process we have votes, we make decisions, and then we move on.

Right now, for whatever reason, this is a problem in both Chambers. It is not just in the Senate. Not just one party is at fault. But for whatever reason we are seeing a breakdown in the system. That is not good for the country. Tonight we are talking about our troops, and certainly it is not good for them.

I could easily spend the next 10 minutes at my desk blaming the Republicans for where we are tonight. I know they have said we had not passed anything. That is not true. We passed extensions six times to keep the government running. But I don't want to get into all that because I could spend 10 minutes talking about how awful and terrible the Republicans are, and then I could turn right back around and spend the next 10 minutes talking about how terrible the Democrats are.

If we would be honest with the American people, both are to blame. I cannot stand here in good conscience and blame just one person or one party. The fault lies with all of us.

Right now, because of the partisan bickering, because of the breakdown, we are using our military as a pawn in this budget fight. That is something we should never do. We are not helping anyone. This is not good government. We are not doing our citizens and our people any favors by doing this.

I hope tonight, before we go out of here, we would pass something—again, whatever bill it is. I am not hung up on who has to be the lead sponsor or what the number of that bill has to be. I hope we will pass something that will make sure our troops get paid on time and that takes care of our Active Duty, the Reserve and the Coast Guard, and it also gives the Secretary of Defense enough discretion to run his department as it needs to be run. Under the circumstances, I think that is not even close to too much to ask. I think that is perfectly within the bounds of reason. I hope and pray tonight before we leave we could all agree to do that.

By the way, if we did put that on the Senate floor and didn't load it up with lots of agenda items, if we put that on the Senate floor in a clean fashion, I think it would sail out of here probably unanimously. I cannot speak for the House, but my guess is we would see the same result down there.

EXTENSION OF MORNING BUSINESS

Mr. PRYOR. My understanding is we have other Senators who may be on the way to speak, so I ask unanimous consent the period for morning business, for debate only, be extended until 9 p.m., with Senators permitted to speak for up to 10 minutes each, with the majority leader to be recognized at 9 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PRYOR. Mr. President, while we are awaiting other Senators, 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. KYL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, throughout this day a lot of our constituents back home have been watching the debate. I wonder maybe if they are a little frustrated. I talked earlier this morning about throwing rotten apples at each other. There has been a lot of that today. I am not going to do that tonight. I suggested this morning one of the things we could do while we are waiting to see whether an agreement can be reached to fund the government over this fiscal year is to try to shed some light on the process which undoubtedly is a bit confusing to people: What exactly is it that we are arguing about, how did we get here, and what do we have in the future.

We talked a little bit this morning, and what we are talking about today, and what we are hoping to achieve tonight, is an agreement that would determine how much we will spend to fund the Federal Government for the next approximately 6 months through the end of September, which is the end of the fiscal year that begins each October 1.

That is an important proposition. It is important enough that there has been a lot of very difficult debate about that, as people have seen over the last several days, and certainly today. It appears there is still a bit of a deadlock over exactly how much money should be saved in the last 6 months of this fiscal year.

But when we have concluded this particular debate and determined how much we are going to spend to fund the government through the end of September, we are going to turn to some even more important issues, and they are going to require our concentration, our reaching across the aisle to talk to each other, to the other body, and both bodies of the Congress to speak to the President. We are going to have to listen to the American people and try to reach important understandings because then we are talking about funding the government for the entire fiscal year for 2012 and also trying to figure out what to do with the President's request to extend the debt ceiling.

As I mentioned this morning briefly, extending the debt ceiling is a little bit like going to your credit card company and saying: All right, I have used up all of my available credit, but I want to buy something else. Will you let me spend a little more on the credit card? That is what the President has asked Congress to do, to extend the debt ceiling. We will have a robust debate about that.

Let me see if I can put what we are doing here in this context. At least for the year 2011, which we are halfway through, we will have reduced spending by a pretty dramatic amount, somewhere in the neighborhood of $40 and $50 billion. I don't know exactly how much until we are done, but when we add that to what we call around here the baseline, and multiply it by 10 years, we get substantial savings. Just on the $10 billion we saved earlier this morning, over 10 years that $10 billion equates to $140 billion saved over the 10-year period. So we are talking about substantial money.

But that probably pales in comparison to what we are going to need to save in the entire budget for the fiscal year 2012. There is no shortage of problems that have attracted our attention—for example, the trillions of dollars in unfunded liabilities coming from the mandatory spending side of our ledger, in addition to the way that we are trying to save money just to keep the government running. By mandatory we mean the programs such as Medicare, Medicaid, Social Security, some veterans spending, and so on.

I talked about the estimate of hitting our debt limit. The Treasury Secretary estimates we will hit that debt limit—in other words, the amount we borrowed on our credit card and cannot exceed; that is the total amount of the U.S. legal debt—no later than May 16 of this year. So May 16, the President says we need to address the debt ceiling. If you are not keeping track, the current debt limit is about $14.3 trillion. So we are going to be pressing up against $14.3, in other words, and we are going to have to borrow more money if we are going to spend more in the next year.

Republicans have offered a variety of ideas. I want to alert my colleagues to what some of these ideas are so we can begin thinking about them and hopefully acting on them in the runup to

the debate about what to do about the debt ceiling.

There is very little enthusiasm around here for increasing the debt ceiling if we do not also do something to constrain future spending, because we do not want to come up against the debt ceiling every few years or months. We need to decide this is going to be it, we are not going to incur any more debt. In fact, we are going to begin to lower the debt. But to do that, we will have to constrain ourselves in some ways to rein in our appetite for spending.

One of the ways to do that almost passed about—well, a few years ago in the Senate here; I have forgotten the year. But it failed by one vote. That is the balanced budget amendment. A lot of people think that would be a good way for Congress to tie our hands so we cannot spend more than we take in. Every single Republican has cosponsored a balanced budget amendment. We hope we will get a lot of support from our friends on the other side of the aisle as well, because it clearly would require the Federal Government to live within its means each year, as most American families have to do.

There is also something that I believe is also a very good idea, and that is a constitutional spending limit. In other words, you do not have to require that the budget is balanced if you limit spending to, in this case, 18 percent of the gross domestic product. The advantage of that is there will be a desire on the part of everyone who wants to spend more money to have a more robust economy, because every percentage of growth or every dollar of growth in the gross domestic product means more money you can spend at the Federal Government level. So I would imagine if we wanted to spend more money at the Federal Government level, we will be supporting regulatory policies that do not wipe out whole industries such as the coal industry, we will support tax policies that promote growth, that try to keep tax rates at a lower level, and do not punish companies here in the United States so they have to move operations abroad, and so on.

In other words, these are things we can do to promote economic growth that mean we have a bigger GDP. If you have a bigger GDP, then you can spend more money at the Federal Government level. But if you do not have a bigger GDP, then you cannot; we can only spend 18 percent of the GDP under this proposal.

And that, by the way, is about the historic average of what we have spent. In the last year and a half, unfortunately, we have gone way above that. We are spending around 22 percent of GDP. It is going up to 24 or 25 percent. That is not sustainable, and almost everyone agrees.

Another idea that is sponsored by Senators CORKER and MCCASKILL, a Republican and a Democrat, is the—they call it the CAP Act. That CAP Act would cap both mandatory and discretionary spending. It would put all government spending, in other words, on the table. It would not just take the discretionary spending we are talking about tonight to keep the government funded, we would also include all of the other spending.

Beginning in the year 2013, the CAP Act would establish Federal spending limits that, over 10 years, would reduce spending to 20.6 of the gross domestic product. Calculated a little differently, that is an average of the last 40 years of spending. What it would do is create a glide path by which we could gradually reduce the spending so you do not have to do it all at once.

I mean the reality is, if we try to be too strong here in the way we are going to reduce spending, we are not going to be successful because people will not stand for it. Have you already seen the debate yesterday and today: Oh, my goodness, you are going to cut money from this and that? We cannot do that.

There will always be resistance to reducing spending.

So it has got to be done, in my view—I think both Senators CORKER and MCCASKILL agree—it has to be done in a way that Members also agree to each year, rather than simply deciding this is too hard, we are going to give up. And, of course, since it is only statutory, we could give up. We can waive it by 60 votes and say: Too hard. We are going to give up. So it has to be at levels that are tough, but over a 10-year period gradually we can reduce.

It is a little bit like going on a diet. You did not get the weight you have overnight, and you are not going to lose it overnight. It makes more sense to do it in a way that keeps you healthy, keeps a consensus around here, but for sure gets us to the goal we want to achieve so that our kids and grandkids do not have to pay for all of the things we have purchased.

This CAP Act, by the way, has a lot of good provisions, such as a definition of emergency spending so we cannot game it every year when we decide we want to spend more. If we just say, well, this is emergency spending, then we do not have to count it in our calculations.

I would like to see more dramatic reductions. I know other people would too. But, as I said, this is the kind of Main Street proposal that should attract a lot of attention on both sides of the aisle.

These are three ideas: the balanced budget amendment, the constitutional spending limit, and the statutory CAP Act. There are a lot of other good ideas. And we, frankly, are going to have to have a good debate about these ideas, because I will predict there is no way the debt ceiling will be increased without Congress adopting some of these constraints and the President signing those into law so we will know that in the future we do not have to keep raising the debt ceiling.

The last point I wish to make is there are two big reasons why we are trying to reduce the deficit. First, we all know we cannot keep spending what we are spending. The interest on the national debt, in a little over 10 years, is going to approach $1 trillion a year. It is over $200 billion this year. It will be close to $250 billion next year. It keeps going up about $60, $80 billion a year, to the point that in the tenth year, it is $900 some billion. Think about that. You want to spend money on education. You want to spend money on health care. You want to spend money on defense. Sorry, we have to spend it on interest on our national debt. This is money we are paying to the Chinese or to anybody else who happened to purchase American debt. But it is going to crowd out spending in other areas that we want to spend money on. That is not good. And as a result, we have got to get this spending under control while we still have an opportunity.

But there is a second reason it is so important, and that is, the more money, in effect, that is sucked up by governments—that includes the Federal Government—the more money out of the economy the Federal Government demands, the less money there is for private sector growth and investment. And it is, of course, in the private sector where most of the new jobs are created. That is why we need to leave more money in the private sector. We are not reducing Federal spending in order to engage in some big austerity program to try to punish people by providing less for them, and so on. We are doing it to create more prosperity. The whole idea is prosperity.

I ask unanimous consent for a couple more minutes of time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. In other words, the idea here is to spend less money at the Federal Government level, thereby allowing more for the private sector to invest in job creation, thereby growing the economy, making us a more wealthy nation, and helping our families and job creators in the process.

I have cited a Wall Street journal op-ed many times. I will close with this: It is an op-ed that was written by Gary Becker, George P. Schultz—he was Secretary of three things including Treasury—and John Taylor, who is a Stanford economics professor. The three wrote an op-ed in the Wall Street Journal. I will quote two short paragraphs. They start out by saying:

> Wanted: A strategy for economic growth, full employment, and deficit reduction—all without inflation. Experience shows how to get there. Credible actions that reduce the rapid growth of Federal spending and debt will raise economic growth and lower the unemployment rate. Higher private investment, not more government purchases, is the surest way to increase prosperity. When private investment is high, unemployment is low.
>
> Above all, the federal government needs a credible and transparent budget strategy. It's time for a game-changer—a budget action that will stop the recent discretionary

spending binge before it gets entrenched in government agencies.

And they conclude by saying:

We need to lay out a path for total Federal Government spending growth for the next year and later years that will gradually bring spending into balance with the amount of tax revenues generated in later years by the current tax system. Assurance that the current tax system will remain in place—pending genuine reform in corporate and personal income taxes—will be an immediate stimulus.

I think this is an excellent strategy for a long-term growth policy. It is predicated on the fact that Congress will work in the short term, i.e. tonight, to reduce the spending for the remaining 6 months of this fiscal year.

We will then begin work on a budget that will reduce spending over the course of the next 12 months and, in the context of the debt ceiling debate, will also act on other programs to constrain government spending. It could be a balanced budget amendment, a constitutional spending limit, the CAP Act I talked about, or any other idea people can bring to the Senate and House floors and get passed here, to begin to constrain the spending, not just so we will have the money to spend in the government on the things we want to do, but also so we can free up the great energy of the private sector so investment can once again flow, people can be hired, we can have economic growth and a real sense of prosperity in this country in the years to come.

That is the challenge we face after the agreement is reached tonight. I know you share my hope that an agreement will soon be announced and we can then move on to the other items I am talking about here this evening.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. UDALL of Colorado. Mr. President, I rise tonight, as so many of my colleagues have through this long day, to urge all of us to join to prevent a government shutdown.

We have all expressed a growing amount of frustration here with what I would characterize as politics as usual under the dome of this great Capitol, in which we are so fortunate to serve. But it sure seems like these are the kind of politics where the goal posts get continually moved, and no amount of civility can seemingly overcome the impasse that is unfolding down the corridors in the House of Representatives.

I know the Presiding Officer operates in this way, and the American public operates in this way, and they expect us to work together. They expect us to pass an appropriations bill that funds our government. But it appears as though some unrelated policy riders that are not about appropriating money but are about setting policy are leading to an impasse that could lead to an unnecessary and costly shutdown of government operations and services.

Last night—I do not know where the Presiding Officer was—my colleague Senator BENNET was down here. He highlighted how petty the situation has become. He pointed out if you and I went to Applebee's for dinner tonight, and we had a $20 dinner for two, and then we had a fight over the bill, we would be fighting over 4 cents.

Well, I have some news. It looks like today we got an agreement that we reached on the actual numbers, but now the House wants to add some controversial policy riders into the mix. It is as if that same check arrived when we were at Applebee's and after finally agreed on who is going to pay the 4 cents, but we are now arguing over whether the waitress, who is a hard-working American, should receive health care.

I have to say, I think people watching this are scratching their heads. I sure am. We all are facing an impending government shutdown. As I have said, some Members seem to want to inject very controversial policy issues into the debate. These issues have divided us for too many years.

We ought to have that debate elsewhere. It is forcing this shutdown on the American people. Some people who are standing their ground think they are doing something about the deficit. I am often the one highlighting how disturbing our long-range fiscal picture has become.

But what is equally frustrating is the disservice being done to the American public by the current debate. Not only are we taken off the beat from addressing our real fiscal imbalances, which would be the debate we need to have on the 2012 budget or on the longer term challenges the Simpson-Bowles commission pointed out, but we are now focusing on women's health issues. I don't understand. We have a tentative agreement to cut billions from current spending levels, but the Speaker of the House seems to continue to demand that we ought to focus on nonbudget issues. These are hot-button issues. Why we would insert them into an unrelated budget debate when there is so much at stake is beyond me.

I understand we want to show the American people we are serious about deficit reduction. I am, I know the Presiding Officer is, and I know the American people are. But in Colorado, people see straight through this latest ploy to inject nonbudgetary issues into the debate. It is politics as usual.

I know we have felt a little better recently. We have had 13 straight months of private sector growth. We have added 1.8 million jobs during that time. But our economy is still very fragile. Way too many Americans, way too many West Virginians, and way too many Coloradans are struggling.

I have no doubt that a government shutdown at this time would have a counterproductive effect on our recovery.

Don't take my word for it. Listen to what top business leaders of all political persuasions are saying. The Business Roundtable president, John Engler, former Governor of Michigan, a Republican Governor, said businesses would face the dangerous ''unintended consequences,'' where interest rates could rise because of a shutdown and we would have turmoil in our financial markets. Forecasters at Goldman Sachs have warned that a shutdown could shave off growth in our GDP every single week. CEOs of all stripes all over the country have warned about a shutdown's impact on confidence in the U.S. economic recovery. The Presiding Officer and I know that confidence is what we need. That is what is really lacking in many respects.

A shutdown would actually prevent what we need to address our long-term growth and fiscal balance. In other words, if we get the economy growing again, we would have more tax revenue, and we would see that gap between what we are spending and bringing in narrow.

I can't help but think in the context of this debate about my uncle Stewart Udall. I have talked to the Presiding Officer about the effect men like his father had on his upbringing and his values, his public service commitment. But Stewart Udall, my uncle, father of my cousin, Senator TOM UDALL, wrote a book called ''The Forgotten Founders'' that focused on the settling of the West. I bet it would apply as well to West Virginia. The theme of the book was on how the West was settled, how it was built. He made a strong case in his book that the people who came out West were not looking to get into gunfights or range wars, regardless of what the Hollywood movies suggest. They wanted to start a new life and in a new country, pursuing what we now call the American dream.

My uncle Stewart pointed out that when we watched those Hollywood movies, it was the people standing on the sidewalks watching the mythical gunfight who were really the people who built the West. They were looking to work together. They weren't looking to get into fights. They were looking out for each other. It didn't matter what one's political party was.

To me, the American people today are standing on those board sidewalks watching the same senseless gunfights and range wars. These are the people who matter. These are the people who will ultimately be hurt and affected by a shutdown.

I know I was hired by the people of Colorado and sent to the Senate to come here and work together and solve some very difficult challenges facing this country. That is why today I introduced the Preventing a Government Shutdown Act of 2011. This bill was originally a Republican idea. It is meant to ensure that the American people are not unfairly subjected to the effects of a government shutdown simply because some Members of Congress want to make a political point and pursue persistent squabbling over the budget. The bill would ensure that Federal appropriations continue at last year's funding levels as a bridge to

keep the government running until a compromise could be reached for the remainder of the fiscal year. Once Congress is able to reach a bipartisan agreement to fund the government for that fiscal year, then the automatic funding under my proposal would stop and it would be replaced by the enacted bill.

I know there are some who say: Wait a minute, the Congress is charged with passing appropriations bills that reflect strategic planning, current functional needs, and create stability. What I am suggesting is that the Preventing a Government Shutdown Act would create a safety valve that would ensure that partisan shutdown politics don't punish the American people and destabilize the economy going forward.

It seems as though a vocal minority wants to be combative, almost for the sake of being combative—let's fight for the sake of fighting. But in this case, in these delicate and fragile economic times, that is not a helpful thing to do, to put it mildly. I think the mature thing to do would be to have a piece of legislation in place that would eliminate that kind of irresponsible behavior moving forward.

As I come to a close, I have to think the American people are amazed at this, if they have time because they are busy providing for their families. We have to settle down here. We have to act as adults. We need to work collaboratively toward a budget solution. We have to reduce the debt and the deficit. The Presiding Officer has been on point on that as well as on this. But you won't find anyone more committed than I to that cause. Let's reach it in a way that protects our senior citizens, veterans, students, and border security—I could go on with a long list of important functions the Federal Government provides—and let's do it in a way that slashes spending but doesn't harm our fragile economic recovery or divert our attention on divisive social issues.

We can't afford a government shutdown. We just flatout can't afford a government shutdown. I will be disappointed, to say the least, if the bipartisan deal that is before us—it is in our hands—is undercut by contentious, unrelated issues that only serve to divide us rather than to bring us together.

One thing we can agree on is that our military personnel deserve better than this. We have young people fighting in two wars as I speak. We have young men and women serving all over the globe in over 50 countries. The last thing our soldiers, sailors, airmen, and marines need is to worry about whether they will be able to pay their bills. Military families have already done more than their share. Now we are asking them to do even more. That is simply unacceptable.

I know we can find a solution to this particular situation. We worked together in the Senate with Senator HUTCHISON and a bipartisan group of Senators to introduce the bipartisan Ensuring Pay for Our Military Act. This bill, S. 724, would ensure that our military servicemembers would not have interrupted pay in the event of a shutdown. We need to pass that bill if we don't get the job done tonight.

Three days ago, I wrote a letter, joined by close to 18 of my colleagues, including the Presiding Officer, to Mr. BOEHNER. I know Speaker BOEHNER well. He and I served in the House together. I urged him to work with all of us to avoid a shutdown. I will stay here the rest of this day, all night, whatever it takes. I am here to urge all of us, both Chambers, let's sit down together. Let's reason together. Let's use common sense together. Let's find a compromise. That is the American way. I know that is why I was elected to the Senate. People in Colorado know I work across party lines. The Senate could set that example right here tonight. We have numerous examples of us working together across party lines.

I had to come to the floor tonight. I know the night is growing on. I had to come down here and urge Senators in this great body, the world's greatest deliberative body, to find a commonsense compromise to keep our government funded, keep our economy focused upon, and move our country forward. That is job 1.

I thank the Chair for his attention and his willingness to work with me and the spirit with which he serves West Virginia.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, when I was Governor of West Virginia, we grappled over the budget like every State, every Governor and every legislature, every senator and every delegate. But when the deadline arrived, people came together and we did our job—Democrats and Republicans, business and labor, progressives and conservatives—and we enacted a balanced budget every year without failure. It is part of our constitution. It is who we are.

I have only been in the Senate for 5 months, and I have never seen anything quite like this. I never could have imagined anything quite like this. But I see so much opportunity if we start talking and working together. We are outspending our revenues by hundreds of billions of dollars every month. They tell us our revenue estimates will be about $2.2 trillion this year, but our expenditures are expected to be over $3.7 trillion.

I believe everybody we speak to, and everyone who is listening to us, can understand we have a problem. But yet we are grappling over this tonight: a budget that should have been done 6 months ago.

This is a budget crisis. It is not a social crisis. And to put all of this into the mix right now is wrong. Instead of all of us coming together, Republicans and Democrats, with a commonsense budget compromise, we face a shutdown of the government not over how much to cut but over what social issues we agree or disagree on.

On many of these social issues, I will be the first to admit I am probably more conservative than most on my side of the aisle. I am pro-life, and I am proud of it. But this is a budget crisis, and I have said that. This is not the place or the time for that. There will be a time and a place to vote on these issues, but not when they jeopardize the paychecks of our brave men and women in uniform, which the Presiding Officer so eloquently explained is what is at risk. That is wrong. The Presiding Officer knows it is wrong, and we all know it is wrong, no matter what side of the aisle.

Our dear friend, the Senator from Arkansas, was speaking about the cooperation we all should have reaching out across the aisle, not putting blame, because we are all at fault and we will all be looked at as the culprits. The bottom line is, we need to come together and fix this. The American people expect that from us. The people back home in Colorado and also in West Virginia expect that from the Presiding Officer and me, and it is what is right for the Nation.

That is one of the reasons I and so many of my colleagues here have said we are going to give up our salary. We call it the no work, no pay pledge. That no work, no play pledge is pretty much universally understood. In West Virginia, when you do not have a good day's work, you should not expect a payday.

I can say it is not my fault, and the Presiding Officer can say it is not his fault, and everybody could, but we are all part of this, and we have to put the pressure on. But I have to tell you, as my father would tell me all the time, he said: Joe, whatever your problems are, try it without a paycheck and you will compound them rapidly.

I am going to be sending my paycheck back to the U.S. Treasury to pay down our debt. Many others will be donating them to charity. We will be standing with the American people, our military men and women, who will pay a heavy price for their elected government's failure to finish a budget, unless a commonsense agreement is reached tonight. And I believe it will be. As we have a few precious hours left, I still am a very optimistic person.

With that, there are some of our colleagues who have talked tonight about passing a piece of legislation, even if we do not come to an agreement, that our brave men and women, who are serving all over the world to protect us to live in freedom, will be paid.

To my friends on the Republican side of the aisle, I want to say, there are many instances where we might agree on social issues and some where we might disagree. That is the healthy part of our democracy. It is what makes us so unique. I assure you, there is a time and a place for everything. There is a time and a place for those votes. But not tonight. Today is not that time. Our deadline is here and rapidly approaching, as you can see.

My hope and prayer is that tonight we will do what is right, we will come together as Americans, and we will agree to a commonsense budget that is the first step to putting our fiscal house back in order. That is why the people of West Virginia sent me here. I took that oath of office not just to represent the Democrats on my side of the party or the Democrats in West Virginia, I took that oath of office to represent everybody in West Virginia: Democrats, Republicans, all different walks of life. I am going to do everything I can to make sure they understand I am here for them.

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.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Ms. STABENOW. Mr. President, I ask unanimous consent that the period for morning business for debate only be extended until 10:30 p.m., with Senators permitted to speak for up to 10 minutes each, with the majority leader to be recognized at 10:30 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to add Senators LEAHY, MERKLEY, and BOXER as cosponsors to S. 724.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, this brings to 77, out of 100 Senators, who are now sponsoring this bill. Our bill, S. 724, is very simple. It just says if there is a government shutdown, our military will be paid their full pay on time.

This bill is the very least we can do to assure every military family that they do not have to worry for one minute whether their mortgage is going to be paid, whether their car payments will be paid, or whether they will be able to get over this hump without thinking that there might be a halving of their pay, or that it might be delayed.

I am especially concerned, of course, about those who are overseas, but their families are at home, because if the mom or dad is overseas and there is a glitch somewhere, they are not here to help. I think it would be unthinkable that we would go to midnight and not have taken care of these families and assured them that everything is going to be fine.

I want to say that I hope there is an agreement, and I have heard the rumor that there is an agreement. If there is one, I know that it will include military pay. I believe that. If, for any reason, that agreement does not happen in the next 3 hours, or if the agreement doesn't include military pay—which I don't think will happen—I think both Houses of Congress want to serve our soldiers and their families, but I will be here until midnight, and I am going to make sure that whatever happens, either S. 724, with 77 sponsors in the Senate, is passed, or that we have an agreement that both Houses have before them that will assure that the military pay is handled in that other agreement.

So we are going to be here for 3 more hours and make sure that the will of the Senate, which is very clear with 77 sponsors, is met.

I want to just mention again that there was a Web site put up early this morning by just one woman who was very concerned about this issue and heard about my bill in the news. Her name is Hope Guinn Bradley. She is from Hawaii. I do not know her. She has started a social media network like I have never witnessed in my life. We now have over 1 million support hits on her Web site, called Ensuring Pay for our Military Act of 2011. In one day, she has accumulated 1 million support sentences, or messages, for what she is doing.

If you would go to that Web site and do nothing else but read those comments by people who are supporting our military and who are clearly in the support of our military—you know, I would like for the military people to see it just so they understand how much America appreciates them and what they do because they are saying to the people here in Washington, DC: You take care of our young men and women who are fighting for us. You better do it or there will be consequences.

Are they right? Absolutely. I have spoken a couple of times today. I want to make sure that we have the letters from the military organizations that have been written in support of S. 724. There is one from the Iraq and Afghanistan Veterans of America that wrote a wonderful letter. I ask unanimous consent that it be printed in the RECORD along with two other letters to which I will refer.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IRAQ AND AFGHANISTAN VETERANS OF AMERICA,
Washington, DC, April 7, 2011.

Hon. KAY BAILEY HUTCHISON,
248 Russell Senate Office Building, Washington, DC.

DEAR SENATOR HUTCHISON: Iraq and Afghanistan Veterans of America (IAVA) strongly supports S. 724, the Ensuring Pay for Our Military Act of 2011. This bill ensures that all members of the Armed Forces will continue to receive the pay and allowances they have earned despite any lack of interim or full-year appropriations.

Our men and women in uniform protect our nation and continue to do so despite budget disagreements in Washington. The members of our Armed Forces are essential to the defense of our nation and must be treated as such.

Many young service members and their families are dealing with multiple deployments and often live paycheck to paycheck. Military families should not be asked to bear further financial stress in addition to fighting the war on terrorism. This legislation protects the men and women who protect us.

If we can be of any help in advancing S. 724 please contact Tim Embree at (202) 544–7692 or tim@iava.org. We look forward to working with you.

Sincerely,

PAUL RIECKHOFF,
Executive Director.

NATIONAL ASSOCIATION FOR UNIFORMED SERVICES,
Springfield, VA, April 7, 2011.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of the more than 180,000 members and supporters of the National Association for Uniformed Services (NAUS), I would like to offer our full support for your legislation S. 724, the Ensuring Pay for Our Military Act of 2011, a bill to assure that, in the event of a federal government shutdown, our nation's men and women in uniform would continue to receive their military pay and allowances.

The Ensuring Pay for Our Military Act would make available the necessary funds to prevent an interruption in pay for members of the military if there is a funding gap resulting from a government shutdown. The bill also includes a provision to authorize the Secretary of Defense to allow those who serve as DOD civilians or contractors in support of our men and women in uniform to continue to be paid as well.

The National Association for Uniformed Services thanks you for introducing legislation that demonstrates our nation's appreciation for those who serve in our Armed Forces. We look forward to working with you and your staff and deeply appreciate your continued support of the American soldier and their families.

Sincerely,

RICHARD A. JONES,
Legislative Director.

MILITARY OFFICERS ASSOCIATION OF AMERICA,
April 8, 2011.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of the 377,000 members of the Military Officers Association of America (MOAA), I am writing to urge you to cosponsor S. 724, the ''Ensuring Pay For Our Military Act of 2011,'' recently introduced by Senators Bob Casey and Kay Bailey Hutchison.

Recent media stories stating servicemembers may not be paid in the event

of a government shutdown are only adding to unfair pressures on already over-stressed troops and families.

With loved ones involved in three separate combat operations and humanitarian relief in Japan, military families should not have to wonder if they will be able to cover house and car payments and other bills.

S. 724 would continue pay and allowances for active and reserve component forces in the event of a failure to enact interim or full-year appropriations for the Armed Forces. Absent any assurance that pay will continue, MOAA believes this legislation is essential to provide fair treatment for military members and families.

We respectfully request that you cosponsor and support immediate passage of S. 724 to ensure this situation never arises again in the future.

Sincerely,

VADM NORBERT RYAN, Jr.,
President, MOAA.

Mrs. HUTCHISON. The Iraq and Afghanistan Veterans of America understand better than anybody what it is like to serve there and to not have any other stresses that would add to what they are already doing for our country. They say pass S. 724.

The National Association for Uniformed Services, with more than 180,000 members, sent a letter in support.

The Military Officers Association of America has also added its support with 377,000 members.

We have the grassroots support. Everyone understands this. I will read a couple of the messages that have been on this wonderful Web site, but, first, here is one that came to my Web site:

Dear Senator Hutchison: My husband serves as a Captain in the United States Army. As the wife of a currently deployed soldier and mother to our two-year-old son, I find it outrageous that our government is debating whether or not to continue to pay our troops.

While my husband and I are very fiscally responsible, many of his junior soldiers simply cannot handle the implication of what it would mean to not receive their paychecks. We worry for these soldiers' families. How will they afford groceries? How will they afford diapers for their babies? Will they be able to pay their rent or mortgages? These are not questions that we should have to ask. Money should not be a worry on these soldiers' minds. My husband and the soldiers in his unit do incredibly dangerous missions and quite frankly it frightens me that this could split their focus in a very negative way.

My husband and his fellow soldiers risk their lives on a daily basis. They miss holidays and their children's birthdays. They deserve to know that the same government that sent them over to fight is looking out for them. They deserve to know that our government would not send them over to a war zone and then deny them their pay. My husband does not have the luxury to ''walk off the job.'' He stays there until the mission is complete, and the Senate has a mission as well: to pass the Ensuring Pay for Our Military Act of 2011, S. 724.

Here is another hit that was found on the Ensuring Pay for Our Military Act of 2011 Web site:

As a military wife who is expecting our first child in June, my husband and I recently PCS'd overseas and are already on a tight budget to pay our new bills in Euros and our bills stateside in dollars. Now we have to worry that we will not have enough money to pay our bills and our credit might be harmed, there is no safety net to help catch us when we fall behind, no interest on the back pay that we will be missing, or the late fees waived when we can't pay all of our bills. We would have to tell our German landlords that we cannot afford to give them money, how are they supposed to understand? They are not in this situation, we as Americans are. I am not complaining of being a military spouse; I chose this life. I knew of the hardships of deployments (my husband has served in both Afghanistan and Iraq), and I love what my family does. I hope and pray that this issue will be resolved soon.

Mr. President, really—I mean really, we have 3 hours until midnight. Can we tell these people that they might get half their paycheck on April 15? We can't.

Here is another letter. I am obviously not reading the names, although they are on here. I don't want to in any way harm them:

As a veteran of OEF (Operation Enduring Freedom), I stand behind you 100 percent and so do many others. This will tear morale from the troops and their families, which can be a dangerous thing. The mental and financial balance soldiers and their families are on, as it is, is a delicate one. They live month to month. Most are enlisted and make scratch as it is. Cutting more pay will put these families on the chopping block, and when a soldier's family is put in that position, that soldier is no longer fighting for his country but is now fighting for his family against his country. This would destroy the basic foundation of all our forces from the core.

There are 1 million hits on this Web site. So many of them are touching, many are pleading, some are angry. I just want to say I do have faith that in the next 3 hours, we will ensure that these people are taken care of. I do have that faith. But we only have 3 more hours. I want to ensure that we are going to be here. If it starts getting to 11 o'clock and we have 1 more hour to ensure that not 1 more hour passes after midnight that this cannot be taken care of, I am going to be here, and we are going to do it. And I am so proud that so far we have 77 cosponsors of this bill. I think we will have unanimous support for it. I do. But 77 people have made sure they called to be a cosponsor of this bill. I am proud we have something very bipartisan in a very partisan atmosphere. That is maybe a ray of hope that this is going to be done in the right way.

I want the people of this country to know and I want it to be in the CONGRESSIONAL RECORD the overwhelming support that has now come because of the debate, what people are seeing and their support for the military.

The Presiding Officer is a cosponsor of the bill. The Senator who is taking his place right now is also a supporter of this bill—Senator MERKLEY, Senator UDALL, Senator DURBIN, Senator KERRY. We have very strong bipartisan support. It is my faith that we are going to do what is right for our military because we can do no less.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank the Senator from Texas and her cosponsor, the Senator from Pennsylvania, Mr. CASEY. They expressed the deep-felt sentiments of all of us. I am happy to be a cosponsor of this legislation.

I can assure the Senator from Texas that we have discussed this at length in our caucus, and there will be ample opportunity for all Members to join in an effort to make certain our men and women in uniform, who are risking their lives, will not be in any way disadvantaged by what is going on on Capitol Hill.

I share her frustration and anxiety. I have been listening and watching these negotiations now for weeks. I cannot believe we have reached this point—less than 3 hours from a government shutdown—when the differences are so minor, when there are so few things in disagreement. It is time, literally, for the Speaker of the House to come forward and accept the dollar amount he agreed to last night in the White House Oval Office, to accept that amount which dramatically cuts spending to help reduce our deficit.

I do not know why we have literally wasted this entire day in negotiations back and forth. Part of it was wasted, I am afraid, on this whole question of funding the access of women and families across America to health care. I understand that has been worked out now during the course of the day. The Speaker has considered a different approach to it, thank goodness.

Now is the time to close the deal. Now is the time to get our job done. Now is the time to not only stand up for the men and women in uniform—and they should be our first obligation—but stand up for so many others deserving of our help too. They are not covered by this bill. Right now, there are FBI agents in America risking their lives tracking drug dealers and terrorists who are about to learn at midnight that their jobs are in jeopardy, if not closed down, until Congress relents. The same thing is true about those in our intelligence community around the world. They may not wear a uniform, but they are literally risking their lives as well for the security of the United States in countries far and wide across this globe. The list just goes on and on.

We first think of our military, as we should, but they are not the only ones who are making great sacrifice for the safety of this country. When I think of their valor and courage, I wonder whether our leaders can summon the courage, particularly at this point I hope the Speaker can summon the courage to bring his caucus together and to vote, to avert this embarrassing—embarrassing—shutdown which will occur in less than 3 hours unless something happens.

I still believe it will. I still believe we have that chance, and I hope Senator

HUTCHISON, who has been a leader on this issue, does not have to come to the floor again. I can assure her, before anything happens to disadvantage our troops, we will stand together in a bipartisan way, maybe on her bill, maybe on another bill, but we will stand in a bipartisan way to protect these troops. I thank her again for her leadership. There is evidence between her and Senator CASEY that there is a strong bipartisan feeling that we need to get this job done before the Senate shuts down.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I appreciate very much what the leader has said. I know this has been arduous, and I know the negotiations have been arduous. That is why I believe that in the next 3 hours, we will do the right thing on this issue. I hope we do the right thing for all of our country.

We have not talked about the other Federal employees who are essential and those who are going to be furloughed. There are so many people in this country who are going to be affected in so many ways if there is a government shutdown. I am focusing on the ones who cannot help themselves right now because they are overseas protecting our freedom, but there are many people who are going to have hardships that are unnecessary.

I do appreciate what Senator DURBIN has said.

There is one other person I want to mention; that is, Congressman LOUIE GOHMERT. He started on the House side with the same bill I have introduced on the Senate side. He has gained large support on the House side for this legislation. I commend Congressman GOHMERT for assuring, as we were watching this week the very spirited debate that has gone on about the possibility of having a government shutdown—LOUIE GOHMERT stepped up first. I give him credit for saying there is one group we cannot leave behind no matter what happens. Our bills are virtually the same. Whichever House can pass it first is fine with me because whatever we do, we have to do it together and we have to do it before midnight.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I just wandered onto the floor hoping we were coming close to some type of an agreement. I very much regret that we have to careen from week to week, from period to period funding our government on a temporary basis. I think all of us were hoping we could get this resolved. I still hold out some hope. There is 2 hours and 50 minutes or so of negotiations still to go.

I commend the Senator from Texas, Mrs. HUTCHISON, for her efforts. She has been relentless in reminding us for several days, if not more, that we cannot leave our troops in the field and those who are wearing the uniform serving our country in a situation where they are not paid. This, of course, affects drug enforcement agents and many others across the Federal spectrum. But these troops overseas are bearing hardship enough to not be caught up in a debate here which is necessary, a debate that needs to be resolved.

As I said earlier when I spoke this morning or early afternoon, this is just a small little brushfire, as dramatic as the press has made it, and it does have consequences—serious consequences. But compared to the size of the problem our Nation faces from a fiscal standpoint relative to what we need to do and what we need to be debating, this is a small part, just talking about funding for the next 6 months to fill a gap that was left when no budget was passed and no action was taken on it in the last Congress, the last fiscal year, to put us in a position where we can move into and debate the real issue that is before us; that is, how do we make decisions that will affect the long-term spending of this country, affect our budget and our deficit, and bring us back to a fiscally responsible place?

I hope as negotiations continue to go forward that we can resolve this today so that we can begin that important debate. But if we cannot, at the very least, I believe it is important that we extend this for a small amount of time—I regret we have to do it—so we can bring it to its final conclusion. But the most important point is that before midnight, we have to make sure we pass legislation which will ensure that our people in uniform are paid their rightful due for the service they are providing. Again, I commend the Senator from Texas for reminding us of that and being vigilant in making sure we absolutely address that issue before this time runs out.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent to add Senator LANDRIEU as a cosponsor of Senate bill 724.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, that makes 78 Members of the Senate who are now sponsoring this bill for our military.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. 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.

EXTENSION OF MORNING BUSINESS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the period for morning business for debate only be extended until 11:15 p.m., with Senators permitted to speak for up to 10 minutes each, with the majority leader to be recognized at 11:15 p.m.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011

Mr. REID. Mr. President, I will read a statement that was issued by Speaker BOEHNER and myself a few minutes ago. This is the statement:

> We have agreed to an historic amount of cuts for the remainder of this fiscal year, as well as a short-term bridge that will give us time to avoid a shutdown while we get that agreement through both houses and to the President. We will cut $78.5 billion below the President's 2011 budget proposal, and we have reached an agreement on the policy riders. In the meantime, we will pass a short-term resolution to keep the government running through Thursday. That short-term bridge will cut the first $2 billion of the total savings.

I, first of all, express my appreciation to the Speaker and his office. It has been a grueling process. We did not do it at this late hour for drama. We did it because it has been very hard to arrive at this point.

I also express my appreciation to my counterpart, Senator MCCONNELL. We have talked during this process on a number of occasions. We have, as we say here, on many occasions it has turned out to be we have a terrific relationship. We do our best to protect each caucus. We have our battles here. But he is a pleasure to work with. I admire and appreciate his work for the people of Kentucky and the country.

This has been a long process. It has not been an easy process. Both sides have had to make tough choices, but tough choices are what this job is all

about. I think it is important to note, as we said in this statement, that this is historic, what we have done—$78.5 billion below the 2011 budget we have been working off of. We worked on many riders. What we have done has been difficult but important for the country. We all agree there are many cuts that have to take place in the future. We understand that. We must get this country's fiscal house in order. But if the American people have to make tough choices—and they are doing it every day—so should their leaders. That is our responsibility—all 100 of us and 435 Members of the House.

The Speaker and I reached an agreement that I have read that will cut spending and keep the country running. We have agreed to a historic level of cuts for the remainder of this fiscal year, as well as a short-term bridge that will give us time to avoid a shutdown while we get this agreement through both Houses and to the President.

I repeat, we will cut $78.5 billion, and we have reached an agreement—I repeat for the second time—on the policy riders. I do that because that has not been easy. In the meantime, we will pass a short-term resolution to keep the government running through this coming Friday. That short-term bridge will cut the first $2 billion of the total savings we have already talked to, the $78.5 billion.

Mr. President, with the permission of the Republican leader, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 28, H.R. 1363; that a Reid-McConnell substitute amendment, a 7-day continuing resolution, which is at the desk, be agreed to, the bill, as amended, be read a third time and the Senate proceed to vote on passage of the bill, as amended; that the motions to reconsider be considered made and laid upon the table, with all the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, I thank my friend, the majority leader, and Speaker BOEHNER for their outstanding work during this difficult negotiation. We had an opportunity tonight to decide whether we wanted to repeat history or make history. Had we chosen to repeat history, we would have allowed a government shutdown. Instead, we decided to make history by implementing in the middle of this fiscal year, as the majority leader indicated, substantial reductions in spending. These reductions are in the billions. Once we get through this process, by the end of next week we will move on to a much larger discussion about how we save trillions by enacting, hopefully, on a bipartisan basis, a budget that genuinely begins to get on top of this problem. The problem, as we all know, is $14 trillion in debt and over $53 trillion in unfunded liabilities.

The President has asked us to raise the debt ceiling, and Senate Republicans and House Republicans—and I hope many Democrats as well—are going to say: Mr. President, in order to raise the debt ceiling, we need to do something significant about the debt. My definition of significant is that the markets view it as significant, the American people view it as significant, and foreign countries view it as significant.

So for tonight, again, I congratulate the majority leader and the Speaker. This is an important first step but just the beginning of what we need to do to get our fiscal house in order.

Mr. REID. The Republican leader is right. We have a lot of work to do.

The one thing I want to mention is how much I appreciate the support of the American people. Of course, they knew we needed to get this done, but also the business community of our country.

I had a conversation earlier today with Tom Donohue, the President of the Chamber of Commerce. It was so important to his organization that we complete this. The Business Roundtable and organizations all over America understand how important this is.

I want to mention one more person—I know the night is late—who is always an unsung hero, but really a hero among heroes, and that is the chairman of the Appropriations Committee, DAN INOUYE, who is here behind me tonight. He has been, with his tireless staff, working so hard. I applaud his person, Charlie Houy, who has a fantastic knowledge of what goes on in this country as it relates to money. He came to the Senate in 1983. He has been here all these years working in the Appropriations Committee.

I am not going to go through all the staff, but it is important to mention my chief of staff, David Krone, who has worked so very hard. I want to mention one other American. I never met him until we started this—and what we have been through—and I hope I don't get him in trouble—and that is JOHN BOEHNER's chief of staff, Barry Jackson. He is a real professional. It has been very difficult to work through all this stuff, but I admire his professionalism. Of course, the White House staff has been indispensable.

Mr. President, I would hope we could have the consent agreement approved at this time.

The PRESIDING OFFICER. Is there objection to the majority leader's request?

Without objection, it is so ordered.

The amendment (No. 291) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. The Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended—

(1) by striking the date specified in section 106(3) and inserting ''April 15, 2011'';

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (section 1 of Public Law 112–6), the following new sections:

''SEC. 295. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development' at a rate for operations of $9,800,000.

''SEC. 296. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Facilities and Equipment' at a rate for operations of $2,927,500,000.

''SEC. 297. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development' at a rate for operations of $187,000,000.

''SEC. 298. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service' at a rate for operations of $1,000,000,000.

''SEC. 299. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Railroad Research and Development' at a rate for operations of $35,100,000.

''SEC. 300. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Capital Investment Grants' at a rate for operations of $1,720,000,000.

''SEC. 301. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Research and University Research Centers' at a rate for operations of $64,200,000.

''SEC. 302. Notwithstanding section 101, amounts are provided for 'Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund' at a rate for operations of $4,626,000,000.

''SEC. 303. Notwithstanding sections 101 and 226, amounts are provided for 'Department of Housing and Urban Development—Community Planning and Development—Community Development Fund' at a rate for operations of $4,230,068,480, of which $0 shall be for grants for the Economic Development Initiative (EDI), $0 shall be for neighborhood initiatives, and $0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111–117: *Provided*, That the second and third paragraphs under such heading in title II of division A of Public Law 111–117 shall not apply to funds appropriated by this Act.''.

This Act may be cited as the ''Further Additional Continuing Appropriations Amendments, 2011''.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill, as amended, was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill, as amended, pass?

The bill (H.R. 1363), as amended, was passed.

Mr. PAUL. Mr. President, I voted against this short-term continuing resolution for the same reason I voted against the last one and the one before that—because it does not set us on a

path to fixing the spending and debt problems our country is facing. As I have said before, there is not much of a difference between a $1.5 trillion deficit and a $1.6 trillion deficit—both will lead us to a debt crisis from which we may not recover.

Mr. DURBIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING LAUREL COUNTY, KENTUCKY

Mr. MCCONNELL. Mr. President, I rise today to give recognition to one of the Commonwealth's most unique and historic areas, Laurel County, KY, which celebrated its 185th birthday on March 5, 2011. Located in Kentucky's eastern coal country, Laurel County was named after the trees that grow along the banks of the Laurel River. A county full of rich history and tradition dating back before the Civil War years, Laurel County first established their government and began business in 1826. Organized through a general assembly, it was the 18th county created in the Commonwealth.

London, the largest town in Laurel County, also celebrated its 185th birthday this year on March 6. Although named after London, England, the town's festive characteristics gave it a name in its own light. In proximity to beautiful landscapes which were explored by the likes of Daniel Boone and Levi Jackson, the two parks that bear their names, the Daniel Boone National Park and the Levi Jackson Wilderness Road State Park, have been hailed as two of the most sought-after vacation spots in the country. Cumberland Falls State Resort Park as well as numerous hiking and bike trails also showcase some of the best scenery the Bluegrass State has to offer. Well-known names such as national best-selling author Silas House, former University of Kentucky star and NBA basketball player Jeff Sheppard, and the infamous Kentucky Fried Chicken founder Colonel Harland David Sanders have all called Laurel County home.

Whether you are sampling a taste of fried chicken at the World Chicken Festival, enjoying a country music show at the Renfro Valley Entertainment Center on a Friday night, or taking in the scenery of the challenging Redbud Ride bike trail, Laurel County has a little something for everyone. Maybe it is a combination of these one-of-a-kind attractions, the pristine beauty of its natural landscape, and its strong sense of southern Kentucky hospitality that makes Laurel County so welcoming and intriguing. Whatever it is, it keeps people coming back for more.

Mr. President, 185 years later, these vacation crossroads still tell a story. Atop the peaks overlooking the Cumberland Gap where the small, yet crucial Battle of Wildcat Mountain was fought in the Civil War to the crystal clear waters of Laurel Lake, I am sure there will be many more stories to tell in the future.

I ask that my colleagues join me in celebrating Laurel County, Kentucky's 185th birthday. This is an exciting time for the people of Laurel County and the Commonwealth, and I send them my congratulations and best wishes for the future.

SBIR/STTR

Mrs. HUTCHISON. Mr. President, today, I rise to speak to an amendment I believe addresses three underlying issues in S. 493, the Small Business Innovation Research Program, SBIR, and the Small Business Technology Transfer Program, STTR, Reauthorization Act.

First, this amendment reduces the reauthorization of these programs from 8 years down to 3 years. This reauthorization bill, S. 493, makes substantial changes to the SBIR and STTR programs, and it is important for the reauthorization timeline to reflect that. The changes could dramatically improve the program, but in case there are additional changes that need to be to ensure they remain successful and effective, it is in the best interest of the participating agencies and the participants in the programs that there is an opportunity to make adjustments after a few years.

Second, my amendment strikes the mandatory increase agencies must set aside from their budgets to fund both the SBIR and STTR programs. Currently, these programs are funded through the participating agencies setting aside 2.5 percent of their total research budgets for the SBIR program and 0.3 percent for the STTR program. S. 493 would require this set aside be increased to 3.5 percent and 0.6 percent over a period of time for the SBIR and STTR programs, respectively.

In this current budget environment, when all agency budgets are feeling the pinch, increasing this mandatory set aside will mean fewer dollars are available for other research. These programs focus on commercialization of cutting edge innovation, which is critical to our country's global competitiveness. However, this mandatory increase would mean funding cuts to other life saving research. For the National Institutes of Health this 1 percent increase to fund the SBIR program would mean there would be about $300 million less for other NIH research, research focused on finding new cures. For example, NIH spends about $300 million per year on prostate cancer, a little less than that on lymphoma research and spends only half of that on autism research every year.

There is no evidence that agencies must turn away high-quality applicants or underfund them because there is a lack of funding. In fact, agencies that participate in these programs currently have the discretion to spend more on the SBIR or STTR programs if they deem it appropriate. The current set aside is a floor, not a ceiling. This amendment does nothing to change that. However, I believe mandating the increase, especially in this current budget environment, especially for 8 years, could greatly disrupt Federal funding for other critical research.

The third provision of my amendment addresses the reality that bringing an idea to market is a complex process that often requires several rounds of financing. This amendment ensures that all small businesses are given an opportunity to compete for these grants regardless of their financial makeup, as long as they are a small business. Years ago there was an administrative change made to the eligibility criteria for these programs that has severely restricted the ability of quality applicants to compete for funding. That change has unilaterally excluded companies solely due to their financial structure and not due to the size of their company. Small businesses are small businesses because of the number of people they employ, not because they have received their start up money through a venture capitalist, or an angel investor or from winning the lottery. This sentiment was echoed by the Director of the Office of Science and Technology Policy, John Holdren, in a letter sent to Chairman LANDRIEU in 2009. Mr. Holdren stated that ''it is critical for the U.S. economy and global competitiveness that the very best companies are sustained and the most promising small companies are not arbitrarily restricted or excluded because of their capital structure.''

Arbitrary exclusion from these programs has affected small businesses all over the country. Too many times it has become a defining part of the story of too many promising small businesses. One such story is that of ActaCell, Inc. It is a company started with leading research in the lithium ion materials field from the University of Texas in 2007. When ActaCell applied for an SBIR grant through the Department of Defense, it met the new eligibility standards required by the program; both in its size and its financial structure. However, as the application was pending, ActaCell needed to secure additional financing in order to continue its operations and therefore fell

outside of these new arbitrary guidelines. The result was the Federal Government missed out on an opportunity to fund promising research, solely due to this arbitrary financial restriction.

The Austin Chamber of Commerce wrote a letter to my office with their many concerns regarding this provision. They stated that the problem is compounded by the fact that the majority venture capitalist-funded companies can house multiple unfunded ideas that are ultimately all excluded from the program. This occurs, even though research shows great promise, only because a business's overall financial structure offends this financial restriction. Their letter states that ''Small businesses should not be forced to choose between the SBIR program and venture capital funding. To accelerate American technological innovation, Federal efforts must promote the importance of both public and private sector sources of capital and partnerships.''

Yesterday, in front of the House Small Business Committee, another Texan told his story of how these restrictions have hurt innovation. Mr. Glenn Norem cofounded Totus Lighting Solutions, a company that manufactures and markets products that integrate surveillance with sensor monitoring on intelligent lighting platforms. Because of these arbitrary financial restrictions in the SBIR program, Mr. Norem had to chose between venture capital funding and Federal grants. When asked what impact that decision has had on his company and other companies similarly situated, he stated, that it delayed commercialization. Allowing companies to partner with all available options enables innovation, which grows companies and creates jobs.

This amendment is supported by the University of Texas, Austin Chamber of Commerce, Rice University, the Association of American Universities and the Association of Public and Land-grant Universities.

I will be proud to offer this amendment that will improve the underlying legislation and help ensure that absolute best research gets funded by American tax dollars, so that innovation can lead to commercialization as quickly as possible. Our country's job creators need us to do our jobs so they can do theirs.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE—S. 627

Mr. LEAHY. Mr. President, I ask unanimous consent that the CBO cost estimate regarding S. 627 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 627—FASTER FOIA ACT OF 2011

S. 627 would establish a commission to identify methods for reducing delays in processing requests under the Freedom of Information Act (FOIA). The commission also would investigate a recent increase in the number of exemptions from FOIA that federal agencies have issued to prevent the release of information. The 12-member commission would have one year to report its findings and recommendations to the Congress. Members would be appointed within 60 days of enactment of the legislation and would serve without pay but would be reimbursed for travel expenses. The commission would terminate 30 days after submitting its final report. The National Archives and Records Administration (NARA) would provide support to the commission, and the General Services Administration would administer any travel expenses.

Assuming appropriation of the necessary amounts, CBO estimates that implementing S. 627 would cost about $1 million, mostly in fiscal year 2012. That estimate includes the cost of preparing the report and paying the salaries and expenses of 10 employees provided by NARA. Enacting the legislation would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

S. 627 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. This estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

APRIL 8, 2011.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 627, the Faster FOIA Act of 2011.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford, who can be reached at 226–2860.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

PACIFIC NORTHWEST NATIONAL LABORATORY

Mrs. MURRAY. Mr. President, I wanted to take a few minutes to share with my colleagues a success story involving the building of a Federal laboratory project with funds from three separate Federal agencies.

Several years ago, as part of the efforts to remediate some of the excess facilities at the Hanford Nuclear Reservation in my home State of Washington, the Department of Energy decided to tear down virtually all of the laboratory facilities in the so-called 300 Area to remediate and make the area available for future industrial uses.

We all shared the goal of cleaning up the 300 Area—it is an important part of the ongoing cleanup work at Hanford. But because the 300 Area was home to approximately 1,000 scientists, engineers and support staff for the Pacific Northwest National Laboratory, PNNL, we know that we would have to find a new place for them to conduct their work.

As I am sure you know, building a replacement laboratory to accommodate 1,000 people is no easy task under any set of circumstances. And the broad spectrum of work being done by these scientists—national security, homeland security, science research—both increased the challenge and brought a number of Federal agencies together. This unique situation brought together three agencies—the Department of Energy, the National Nuclear Security Administration and the Department of Homeland Security—to create a unique solution, building the Physical Sciences Facility.

This arrangement—three separate agencies with funding in two separate appropriations bills—isn't common in the Federal Government and isn't easy to accomplish. But with a lot of hard work, the $225 million Physical Sciences Facility was constructed on time and within budget over 5 years' time. It has allowed the unique capabilities at PNNL to continue to be able to support critical missions for several government agencies.

I appreciate the leadership of PNNL Director Len Peters and Mike Lawrence, followed by Director Mike Kluse, who were determined to make the Physical Sciences Facility a reality. I would also like to recognize Carrie Desmond and Doug Clapp, both of whom used to work on my staff, for helping to make this project happen in the face of odds that were unbelievable at times, including budget requests that were not always sufficient to keep the project on schedule.

Unfortunately, I will not be able to attend the dedication of the new laboratory on April 19, but I will be there in spirit. I congratulate all of the people at PNNL, the Department of Energy, the National Nuclear Security Administration and the Department of Homeland Security who have worked to make the Physical Sciences Facility at the Pacific Northwest National Laboratory an important asset for the Federal Government.

REMEMBERING KATYN

Mr. CARDIN. Mr. President, I rise today to commemorate the lives lost in last year's plane crash near Smolensk that killed Polish President Lech Kaczynski, his wife Maria, and 94 others who represented the political, cultural, and religious leadership of Poland. Words alone offer little solace before such awesome tragedy, which is one of the reasons people must gather together before monuments and flowers to add a tangible dimension to our shapeless grief. While eloquent remarks can move the heart, we all know a smile, a gaze, or an embrace can often do more to bring comfort to the sorrowful.

Katyn has become a tragedy in three acts—the crime, the coverup, and now the crash. Surely it is fitting for us to meet, comfort each other, and remember those who died. But what lies beyond our tears? Can good come from this evil?

For the loved ones of those 96 souls who perished nearly a year ago, they

must take comfort in knowing that the final act of their beloved was a noble one—that of remembering those martyrs whom Stalin and his henchmen sought to erase from Poland and, indeed, from history.

As Stanislaw Kot, Poland's wartime Ambassador to Moscow, said, ''People are not like steam; they cannot evaporate.'' He was right and it is written, ''Your brother's blood cries out to me from the ground!'' In a haunting twist of fate, a hungry wolf in the Russian winter would scratch at the snow and uncover the hastily buried bones of Poland's best and brightest. And the truth about this unspeakable crime would one day be known.

We have come a long way—a very long way—from the time when this atrocity was falsely presented as a Nazi crime and from the time when the names of the dead could only be circulated in communist Poland in the form of samizdat publications and whispered around kitchen tables.

Nevertheless, there is still more that must be done to set the record straight. This involves insuring that all the evidence relating to the execution sites, the executioners' identities, the motives for the crime, and the fate of so many Polish families who vanished on the Siberian steppe are publicly available. We must ensure that the fullness of the truth is uncovered and shared for its own sake and for closure. To that end, I welcome recent news of the Kremlin's release of still more documents relating to the massacre.

Further, I believe that finally coming to terms with Katyn is a necessary precondition for a durable Polish-Russian rapprochement, which is itself good insurance for maintaining a Europe, whole, free, and at peace.

Next week Presidents Komorowski and Medvedev will meet before the mass graves at Katyn and, I trust, will continue a dialogue of healing between two great nations that have suffered so much from the elevation of an ideology over a people. I wish them well in their talks and ongoing mission of reconciliation and believe that the only lasting balm for this wound lies in the heart and not in a courtroom or even a legislature.

This is not to say that charges or claims should not be pursued, but to recognize that, in many cases, such actions will fall short and offer little by way of consolation.

It would be most unfortunate for the memory of Katyn to be debased by ideologues of any ilk who would usurp this sacred memory for partisan projects. For too long the truth about Katyn was denied by those on the left who turned a blind eye to the reality of communism and many on the right seemed to view Katyn as just another issue to be exploited in the struggle of ideologies. People and their memory are an end, in and of themselves, and must never be used as a means to advance even a just cause. The only decent relationship to them is that of love and remembrance—our dignity and theirs demands nothing less.

My sincere hope is that Poland and Russia can do better than some countries that have fought bitter diplomatic battles and enacted laws to force or deny recognition of historic crimes. By honestly evaluating a shared past of suffering, Poles and Russians have a real opportunity to build a shared future of friendship and prosperity.

Poland is now free and her traditions support the forgiveness that offers a path out of the valley of this shadow of death. In so many ways, Poland is, and must remain, a light to those nearby who still live in the darkness of oppression and lies.

As we continue to ponder the devastation of last year's catastrophe, I would like to close by putting a couple faces on our sadness; those of Mariusz Handzlik and Andrzej Przewoznik, who both died in last year's crash.

Mariusz was a diplomat and father of three. He was well known and well liked in Washington from the years he spent assigned to the Embassy of Poland. In 2000, he played a fateful game of chess with Polish war hero and Righteous Gentile Jan Karski who narrowly escaped ''liquidation'' at Katyn. Karski would die in a Washington hospital and Handzlik in a gloomy Russian forest.

Andrzej was a historian, a husband, and father of two. He was the principle organizer behind the conference I cohosted as Chairman of the U.S. Helsinki Commission last year at the Library of Congress to mark the 70th anniversary of the Katyn Forest Massacre. Andrzej hoped to spend time at our National Archives sifting through the papers of the Madden Committee and other relevant U.S. Government documents on Katyn.

The memories of Mariusz, Andrzej, and so many other truly exceptional people on that doomed flight offer much by way of virtue and accomplishment that will inspire Poles for generations to come. Let us take comfort in the truth that is, at last, known and bask in the warmth of heroic memories and do this together with our Polish friends who are second to no one in their love of freedom.

TRIBUTE TO MIKE CHAHINIAN

Mr. SESSIONS. Mr. President, today I wish to recognize the good works of a member of my staff who is leaving. Michael Chahinian has served with the Alabama congressional delegation for over 7 years. The first 5 were with Congressman ADERHOLT, and the past 2 have been on my staff.

Michael graduated from Cornell University several years ago with a degree in government and East Asian studies. While at Cornell he learned how to speak Mandarin Chinese. While on my staff, he learned to speak Southern English. During his time on Capitol Hill he enrolled in the Naval War College's master's degree program. Michael graduated last year a with master's in national security and strategic studies with highest distinction. His master's program helped revive a childhood dream to become a naval officer. After making application to enter Officer Candidate School, Michael learned late last year he was accepted and will report for duty in a few weeks.

Michael has worked hard on banking, finance, small business and commerce issues while a member of my staff. Most recently he was instrumental in working on the details and negotiations over our Sessions-McCaskill amendment, which would have imposed multiyear spending caps on the Federal budget. The amendment was carefully crafted to get maximum bipartisan support, and with 59 votes, it received more support than any serious budget reform in the past decade.

Michael has also been instrumental on my behalf in supporting domestic manufacturing through his active role working on trade policy in my office. While on my staff, he has helped the domestic sleeping bag industry deal with unfair competition from a loophole in one of our trade laws, known as GSP. On Congressman ADERHOLT's staff, he became known for his good work on behalf of the local sock industry, dominant in the northeastern part of our State.

In each of these situations, Michael demonstrated hard work and a dogged tenacity. Though we hate to lose him, I am confident our loss will be the Navy's gain. I wish him Godspeed.

TRIBUTE TO LAURA CAPASSO

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Laura Capasso for her hard work as an intern in my Casper office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Laura is a native of Wyoming and graduated from Kelly Walsh High School. She currently attends the University of Wyoming/Casper College Center where she is majoring in psychology. She has demonstrated a strong work ethic which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the time she has been with us.

I thank Laura for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

TRIBUTE TO LAURA CURRAN

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Laura Curran for her hard work as an intern in my Cheyenne office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Laura is a native of Wyoming and graduated from Central High School. She graduated from the University of Wyoming where she majored in English and minored in creative writing. She has demonstrated a strong work ethic which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Laura for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

TRIBUTE TO JONATHAN KNIGHT

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Jonathan Knight for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Jonathan is a native of California and graduated from El Dorado High School. He currently attends the University of Wyoming where he is majoring in political science. Throughout his internship, he has demonstrated a strong work ethic which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Jonathan for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.

TRIBUTE TO KELSEY LINFORD

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Kelsey Linford for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Kelsey Linford is a native of California and graduated from Centennial High School. She currently attends American University, where she is majoring in political communication and minoring in French. Throughout her internship, she has demonstrated a strong work ethic which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Kelsey for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

TRIBUTE TO WELCHIE PATTERSON

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Welchie Patterson for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Welchie is a native of Wyoming and graduated from Sundance High School. He graduated from the University of Wyoming, where he majored in political science. Throughout his internship, he has demonstrated a strong work ethic which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I thank Welchie for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.

TRIBUTE TO MAX WEISS

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Max Weiss for his hard work as an intern with the U.S. Senate Committee on Indian Affairs. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Max is a native of Wyoming and graduated from Rock Springs High School. He graduated from Leiden University in the Netherlands where he received his master of science in clinical psychology. As my intern in Rock Springs and in Washington, DC, he has demonstrated a strong work ethic which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the time he has been with us.

I thank Max for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.

TRIBUTE TO HANNA WINZENRIED

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Hanna Winzenried for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Hanna is a native of Wyoming and graduated from Cody High School. She currently attends Brigham Young University, where she is majoring in French studies. Throughout her internship, she has demonstrated a strong work ethic which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I thank Hanna for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.

ADDITIONAL STATEMENTS

REMEMBERING OFFICER JERMAINE GIBSON

• Mrs. BOXER. Mr. President, I am honored to pay tribute to the life and service of Officer Jermaine Anthony Gibson of the Cathedral City Police Department who was killed in the line of duty on March 19, 2011. Officer Gibson will be remembered for his compassion, valor, bravery, and service in the field; and as a wonderful coworker, friend, and family man.

Jermaine ''Jay'' Gibson was born on August 3, 1982, in New Orleans, LA. He relocated to Richmond, CA, with his mother and brother in 1989. While attending Pinole Valley High School, he began 4 years of service as a police explorer—first with the Richmond Police Department and later with the Vallejo Police Department. After high school graduation in 2001, he continued his education at the Basic Law Enforcement Academy at Napa Valley College and graduated as a member of the academy's class 50 in 2002.

Jermaine Gibson enlisted in the U.S. Marine Corps in 2003, and from 2006–2007 served concurrently as a level 1 police reserve officer with the Desert Hot Springs Police Department. He was honorably discharged from the military as a Marine corporal on June 15, 2007. In recognition of his meritorious service, he was awarded numerous commendations—including a Good Conduct Medal, a Marine Corps martial arts Tan Belt, a pistol expert badge, two rifle expert badges, and two Purple Hearts for injuries sustained during combat in Iraq.

After returning to civilian status, Officer Gibson joined the Rialto Police Department on August 19, 2009, as a full-time sworn officer. Sixteen months later, he joined the Cathedral City Police Department, where he served until the end of his watch on March 19, 2011.

I extend my heartfelt condolences to his family, especially his wife Jessica and their six-week-old son Jermaine Jr.; his mother Cheryl; and his brother Taurean.•

RECOGNIZING OCEAN FARM TECHNOLOGIES

• Ms. SNOWE. Mr. President, for the past month, the U.S. Senate has been considering legislation to reauthorize the critical Small Business Innovation Research, or SBIR, program. SBIR fosters an environment of innovative entrepreneurship by directing more than $2 billion annually in Federal research and development funding to the nation's small firms most likely to create

jobs and commercialize their products. I wish to recognize the achievements of Ocean Farm Technologies, a small business in Searsmont, ME, which has utilized the SBIR program to revolutionize the aquaculture sector through innovative new products.

Today, aquaculture supplies over 45 percent of the world's fish supply, and Ocean Farm Technologies is at the cutting edge of improving the sector's productive future. The company's founder Steve Page has over 30 years of experience as an organic farmer and entrepreneur. Prior to founding the company in 2005, Mr. Page acted as the environmental compliance officer for Atlantic Salmon of Maine, an aquaculture company that farmed salmon in Machiasport.

One of Ocean Farm Technologies' most creative innovations is the self propelled and eco-friendly ''AquaPod'' containment system that allows for an unprecedented diversity of marine species to be safely and sustainably cultivated at sea. Marine aquaculture has been restricted to calm coastal waters where stationary fish farms can be sheltered from ocean currents and storms. This has limited the variety of cultivatable species and has raised environmental concerns regarding effluent pollution.

Determined to overcome these constraints, Mr. Page obtained a $250,000 grant from the Maine Technology Institute to design a system capable of surviving rough open ocean conditions. The resultant ''AquaPod'' is an award winning and patented spherical fish pen made of reinforced polyethylene, steel, and mesh netting. It is submersible, self-propelled, environmentally friendly, and safe from marine predators.

In 2008, the ''AquaPod'' was successfully tested by researchers from the Massachusetts Institute for Technology off the coast of Culebra, Puerto Rico. It is the first self-propelled open ocean aquaculture pen in the world. Additionally, it is the winner of the Maine Technology Institute's Development Award, and has been deployed in places as divergent as South Korea and Mexico.

Furthermore, Ocean Farm Technologies was the recipient of a Tibbetts Awards from the U.S. Small Business Administration earlier this year. The award is presented to small businesses and individuals judged to exemplify the best in the SBIR program, and promote its mission and goals. It is named for Roland Tibbetts, acknowledged as the father of the SBIR program. This award is a distinguished honor, and I am proud of Ocean Farm Technologies for earning this high recognition.

Ocean Farm Technologies embodies the bright future of aquaculture, which is critical to my home State of Maine, and indeed the true spirit of American entrepreneurship. I wish Steve Page and everyone at Ocean Farm Technologies the very best, and thank them for their ingenuity and considerable accomplishments.●

OREGON AIR NATIONAL GUARD 70TH ANNIVERSARY

● Mr. WYDEN. Mr. President, this month the Oregon Air National Guard is celebrating its 70th anniversary.

''We've got people, we've got a place, and we're ready!'' These were the historic words written in a request by Major G. Robert Dodson, an Oregonian assigned to organize and command the first squadron of Oregon National Guard Air Corps.

Ready as Major Dodson was, it hadn't happened quickly or easily. It took several years to get the squadron assembled. General George A. White, Oregon's Adjutant General, requested a squadron as early as August 1939, but didn't receive official authorization to form the squadron from the National Guard Bureau until August 1, 1940. On April 18, 1941, Major Dodson assembled a group of 117 volunteers to form the 123rd Observation Squadron.

Less than 8 months later, these Airmen were the first to conduct maritime surveillance of the continental United States following the December 7, 1941, attack on Pearl Harbor.

For the most part, their job was to conduct surveillance on the enemy. However, they did on at least one occasion ignore their orders to ''stick to taking pictures'' and dropped ordnance instead. It was not without good reason. It seems that the Japanese they targeted had sunk the ship carrying the unit's beer rations. Their improvised attack wasn't appreciated by their commander, but even back then getting between Oregonians and their beer didn't go unpunished.

After the war, the Air National Guard was established as a separate component of the U.S. Air Force. Since being formally designated the Oregon Air National Guard, our State's aviators have played a vital role in Korea, the cold war, and in military operations throughout the world since the tragic events of 9/11. Seventy years and 15 different aircraft models since their inception, the number of citizen-airmen has increased more than twenty-fold to 2,000.

Today, our Nation relies on F–15s from the Oregon Air National Guard to perform the air sovereignty mission for the entire Pacific Northwest. Our twin-engine, air superiority fighter jets—Eagles—fly upwards of Mach 2 to intercept any threat along our Nation's border. Additionally, the Oregon Air National Guard trains new Air Force pilots at Kingsley Field in Klamath Falls.

They are not only there for our Nation in times of war, but they answer the call of the Governor during natural disasters. When flooding threatened hundreds of lives in Vernonia, OR, in 2007 it was the Oregon Air National Guard's 125th Special Tactics Squadron that was first on the scene. They saved hundreds of people from the rising water.

Today's Oregon Air National Guard units include the 142nd Fighter Wing, 125th Special Tactics Squadron and 123rd Weather Flight in Portland, the 173rd Fighter Wing and 270th Air Traffic Control Squadron in Klamath Falls, Joint Force Headquarter in Salem, and the 116th Air Control Squadron in Warrenton.

As an Oregonian and as their Senator, I could not be more proud of today's Oregon Air National Guard and its rich heritage. It is an honor to serve these heroes; active, retired, and those that have given their lives. I am very appreciative of their 70 years of selfless service and sacrifice. The people of Oregon thank every member of this pillar of freedom.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 11:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 910. An act to amend the Clean Air Act 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, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 910. An act to amend the Clean Air Act 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, and for other purposes; to the Committee on Environment and Public Works.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 768. A bill to provide for continuing operations of Government in a fiscally responsible manner.

H.R. 1255. An act to prevent a shutdown of the government of the United States, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 783. A bill to provide an extension of time for filing individual income tax returns in the case of a Federal Government shutdown.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1277. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64)(Docket No. FEMA–2011–0002)) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–1278. A communication from the Assistant Administrator for Fisheries, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Coastal Commercial Fireworks Displays at Monterey Bay National Marine Sanctuary, CA'' (RIN0648-AT46) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1279. A communication from the Chairman of the Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Solid Waste Rail Transfer Facilities'' (STB Ex Parte No. 684) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Commerce, Science, and Transportation.

EC–1280. A communication from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services; to the Committee on Commerce, Science, and Transportation.

EC–1281. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's 49th Annual Report of the activities of the Federal Maritime Commission for fiscal year 2010; to the Committee on Commerce, Science, and Transportation.

EC–1282. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the disclosure of financial interest and recusal requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Commerce, Science, and Transportation.

EC–1283. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''System Restoration Reliability Standards'' ((RIN1902–AE18)(Docket No. RM10–16–000)) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Energy and Natural Resources.

EC–1284. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Western Electric Coordinating Council Qualified Transfer Path Unscheduled Flow Relief Regional Reliability Standard'' ((RIN1902–AE14)(Docket No. RM09–19–000)) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Energy and Natural Resources.

EC–1285. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Safe Harbor Method of Accounting for Determining the Recovery Periods for Depreciation of Certain Tangible Assets Used by Wireless Telecommunications Carriers'' (Rev. Proc. 2011–28) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Finance.

EC–1286. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Safe Harbor Methods of Accounting for Determining Whether Expenditures to Maintain, Replace, or Improve Wireline Network Assets Must be Capitalized Under Section 263(a)'' (Rev. Proc. 2011–27) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Finance.

EC–1287. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Safe Harbor Method of Accounting for Determining the Recovery Periods for Depreciation of Certain Tangible Assets Used by Wireless Telecommunications Carriers'' (Rev. Proc. 2011–22) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Finance.

EC–1288. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Japan Earthquake and Tsunami Occurring in March 2011 Designated as a Qualified Disaster under Section 139 of the Internal Revenue Code'' (Notice 2011–32) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Finance.

EC–1289. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Reduction of Foreign Tax Credit Limitation Categories under Section 904(d)'' (RIN1545-BG54) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Finance.

EC–1290. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement and Report Concerning Advance Pricing Agreements'' (Rev. Proc. 2011–22) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Finance.

EC–1291. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''The 100-percent Bonus Depreciation Deduction under Section 168(k)(5) of the Internal Revenue Code'' (Rev. Proc. 2011–26) received in the Office of the President of the Senate on April 7, 2011; to the Committee on Finance.

EC–1292. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year 2010''; to the Committee on Finance.

EC–1293. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fourth Report to Congress (RTC) on the Evaluation of the Medicare Coordinated Care Demonstration—Extended''; to the Committee on Finance.

EC–1294. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Status on Medicare Contracting Reform Implementation''; to the Committee on Finance.

EC–1295. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs for Contract Year 2012 and Other Changes'' (RIN0938–AQ00) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Finance.

EC–1296. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Programs: Changes to the End-Stage Renal Disease Perspective Payment System Transition Budget-Neutrality Adjustment'' (RIN0938–AQ94) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Finance.

EC–1297. A communication from the Chairman of the National Endowment for the Arts and a Member of the Federal Council on the Arts and the Humanities, transmitting, pursuant to law, the annual report on the Arts and Artifacts Indemnity Program for fiscal year 2010; to the Committee on Health, Education, Labor, and Pensions.

EC–1298. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Immunology and Microbiology Devices; Classification of Ovarian Adnexal Mass Assessment Score Test System'' (Docket No. FDA–2011–N–0026) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1299. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Certain Other Dosage Form New Animal Drugs; Detomidine; Correction'' ((21 CFR Part 529)(Docket No. FDA–2010–N–0002)) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1300. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''New Animal Drugs for Use in Animal Feeds; Florfenicol; Correction'' ((21 CFR Part 558)(Docket No. FDA–2010–N–0002)) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1301. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Animal Drugs, Feeds, and Related Products; Withdrawal of Approval of New Animal Drug Applications;

Aklomide; Levamisole Hydrochloride; Nitromide and Sulfanitran; Roxarsone; Correction'' ((21 CFR Part 558)(Docket No. FDA–2010–N–0002)) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1302. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''New Animal Drugs; Change of Sponsor's Name and Address; Corrections'' ((21 CFR Parts 510 and 529)(Docket No. FDA–2010–N–0002)) received in the Office of the President of the Senate on April 6, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1303. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted for Direct Addition to Food for Human Consumption; Bacteriophage Preparation'' ((21 CFR Part 172)(Docket No. FDA–2002–F–0198)) received in the Office of the President of the Senate on April 5, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC–1304. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the International Atomic Energy Agency's programs and projects in Burma, North Korea, Cuba, Iran, and Syria; to the Committee on Foreign Relations.

EC–1305. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1306. A communication from the Director of Equal Employment Opportunity, Farm Credit Administration, transmitting, pursuant to law, the Administration's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1307. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to activities carried out by the Family Court during 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–1308. A communication from the General Counsel, the Administrative Conference of the United States, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Records or Information'' (1 CFR Part 304) received in the Office of the President of the Senate on April 7, 2011; to the Committee on the Judiciary.

EC–1309. A communication from the Secretary, Judicial Conference of the United States, transmitting, a report relative to judicial vacancies in federal courts; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–8. A petition from American-International Business Law, Inc. relative to a claim against the United States of America; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 627. A bill to establish the Commission on Freedom of Information Act Processing Delays.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HARKIN (for himself and Mr. ISAKSON):

S. 769. A bill to amend title 38, United States Code, to prevent the Secretary of Veterans Affairs from prohibiting the use of service dogs on Department of Veterans Affairs property; to the Committee on Veterans' Affairs.

By Mr. BROWN of Ohio (for himself, Mr. HARKIN, and Mr. BLUMENTHAL):

S. 770. A bill to amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions .

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. 771. A bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988; to the Committee on Indian Affairs.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. AKAKA):

S. 772. A bill to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself and Mr. HARKIN):

S. 773. A bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom orthotics and benefits for other medical and surgical services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAUCUS:

S. 774. A bill to appropriate funds for pay and allowances and support for members of the Armed Forces, their families, and other personnel critical to national security during a funding gap; to the Committee on Appropriations.

By Mr. CASEY:

S. 775. A bill to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. CARDIN, Ms. MIKULSKI, and Mr. WEBB):

S. 776. A bill to provide for the compensation of furloughed Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. HUTCHISON:

S. 777. A bill to clarify the authority of the Secretary of Defense to provide for the pay of the military of the United States under the Feed and Forage Act of 1861; to the Committee on Armed Services.

By Mr. MORAN:

S. 778. A bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services; to the Committee on Finance.

By Mr. SCHUMER:

S. 779. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 780. A bill to amend title 38, United States Code, to exempt reimbursements of expenses related to accident, theft, loss, or casualty loss from determinations of annual income with respect to pensions for veterans and surviving spouses and children of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE:

S. 781. A bill to amend the Clean Air Act to conform the definition of renewable biomass to the definition given the term in the Farm Security and Rural Investment Act of 2002; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Mr. INHOFE, and Mr. BAUCUS):

S. 782. A bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. THUNE:

S. 783. A bill to provide an extension of time for filing individual income tax returns in the case of a Federal Government shutdown; read the first time.

By Mr. UDALL of Colorado:

S. 784. A bill to prevent the shutdown of the Federal Government; to the Committee on Appropriations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. GILLIBRAND (for herself and Mr. RISCH):

S. Res. 138. A resolution calling on the United Nations to rescind the Goldstone report, and for other purposes; to the Committee on Foreign Relations.

By Mr. LUGAR (for himself, Mr. MCCONNELL, and Mr. INHOFE):

S. Res. 139. A resolution expressing the sense of the Senate that the President should take certain actions with respect to the Government of Burma; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 260

At the request of Mr. NELSON of Florida, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 319

At the request of Ms. SNOWE, the name of the Senator from California

(Mrs. BOXER) was added as a cosponsor of S. 319, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 339

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 339, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 366

At the request of Mrs. GILLIBRAND, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 366, a bill to require disclosure to the Securities and Exchange Commission of certain sanctionable activities, and for other purposes.

S. 388

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 388, a bill to prohibit Members of Congress and the President from receiving pay during Government shutdowns.

S. 398

At the request of Mr. BINGAMAN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor 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. 411

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 411, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with States and nonprofit organizations to collaborate in the provision of case management services associated with certain supported housing programs for veterans, and for other purposes.

S. 462

At the request of Mr. KOHL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 462, a bill to better protect, serve, and advance the rights of victims of elder abuse and exploitation by establishing a program to encourage States and other qualified entities to create jobs designed to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act.

S. 463

At the request of Mr. BEGICH, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 463, a bill to amend part B of title II of the Elementary and Secondary Education Act of 1965 to promote effective STEM teaching and learning.

S. 483

At the request of Ms. SNOWE, the names of the Senator from Maine (Ms. COLLINS), the Senator from Hawaii (Mr. INOUYE) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 483, a bill to amend title XVIII of the Social Security Act to provide for the treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 528

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 528, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 565

At the request of Mr. KERRY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 565, a bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States.

S. 570

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. RUBIO) 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. 623

At the request of Mr. KOHL, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 623, a bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes.

S. 706

At the request of Mr. VITTER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 706, a bill to stimulate the economy, produce domestic energy, and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

S. 724

At the request of Mrs. HUTCHISON, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Colorado (Mr. BENNET), the Senator from Montana (Mr. BAUCUS), the Senator from Georgia (Mr. ISAKSON), the Senator from Illinois (Mr. KIRK), the Senator from South Dakota (Mr. JOHNSON), the Senator from California (Mrs. FEINSTEIN), the Senator from Mississippi (Mr. WICKER), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Arizona (Mr. MCCAIN), the Senator from Wisconsin (Mr. KOHL), the Senator from Mississippi (Mr. COCHRAN), the Senator from Delaware (Mr. COONS), the Senator from Florida (Mr. NELSON), the Senator from Ohio (Mr. BROWN), the Senator from North Dakota (Mr. CONRAD), the Senator from Oklahoma (Mr. COBURN), the Senator from Vermont (Mr. LEAHY), the Senator from Oregon (Mr. MERKLEY), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Kentucky (Mr. PAUL) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 724, a bill to appropriate such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, and supporting civilian and contractor personnel continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full—year appropriations for the Armed Forces occurs, which results in the furlough of non—emergency personnel and the curtailment of Government activities and services.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 724, supra.

At the request of Mr. WARNER, his name was added as a cosponsor of S. 724, supra.

At the request of Mr. KERRY, his name was added as a cosponsor of S. 724, supra.

At the request of Mr. FRANKEN, his name was added as a cosponsor of S. 724, supra.

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 724, supra.

S. 737

At the request of Mr. MORAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 737, a bill to replace the Director of the Bureau of Consumer Financial Protection with a 5-person Commission, to bring the Bureau into the regular appropriations process, and for other purposes.

S. 740

At the request of Mr. REED, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Nebraska (Mr. JOHANNS) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 135

At the request of Mr. LUGAR, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 135, a resolution remembering the 1 year anniversary of

the April 10, 2010, plane crash that claimed the lives of the President of Poland Lech Kaczynski, his wife, and 94 others, while they were en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union in 1940.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN (for himself and Mr. ISAKSON):

S. 769. A bill amend title 38, United States Code, to prevent the Secretary of Veterans Affairs from prohibiting the use of service dogs on Department of Veterans Affairs property; to the Committee on Veterans' Affairs.

Mr. HARKIN. Mr. President, along with Senator ISAKSON, today I am introducing a bill to allow veterans with disabilities who utilize service dogs the same access to VA health care and facilities as those using guide dogs. Right now, a vet who has a seeing-eye dog can go into any VA hospital to get services, but it is at the discretion of each facility whether or not to allow a vet to bring a service dog, which they use for mobility, assistance with living with hearing loss, comfort for those experiencing PTSD, and to alert others if they have a seizure.

This bill will provide for full access to all veterans at every VA facility, without exception. There should not be a variation in policy from one VA facility to another. It is a small but laudable goal to promote the access of persons with disabilities at VA facilities and guarantee all veterans, regardless of their disability, receive the care and services they need and are entitled to through their selfless service to our Nation.

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. 771. A bill to amend the Indian Gaming Regulatory Act to modify a provision relating to gaming on land acquired after October 17, 1988; to the Committee on Indian Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Tribal Gaming Eligibility Act with my friend and colleague from Arizona, Senator JON KYL.

This bill requires that Indian tribes demonstrate both an aboriginal and a modern connection to the land before it can be used for gaming.

The bill responds to growing concerns and frustrations about the number of ''off-reservation'' casinos proposals in California and across the nation.

As of May 2010, the U.S. Department of Interior was considering 35 of these proposals. Eleven of them are in my home State.

Casinos strain local governments, increase violent crime, and increase bankruptcies. Gambling regulations are poorly enforced, largely because deficit-plagued state governments have cut enforcement staff down to the bone. Even when enforcement officials are present, highly protective ''State Compacts,'' protect tribal casinos from true scrutiny and legitimate oversight.

The fact is that some tribes have abused their unique right to operate casinos by taking land into trust miles away from their historical lands and miles away from where any tribal member resides. This is done to produce the most profitable casino, often with little regard to what is most beneficial to tribal members.

This unbridled reservation shopping is occurring with little to no input from local governments or neighboring tribes.

The result: 58 casinos in California; 11 more in the approval process; and a very real potential for an additional 50 casinos in the coming years.

That is why I am introducing the Tribal Gaming Eligibility Act. This legislation addresses the problems that arise from off-reservation casinos by requiring that tribes meet two simple conditions if they wish to game on lands acquired after the passage of the 1988 Indian Gaming Regulatory Act.

First the tribe must demonstrate a ''substantial direct modern connection to the land.''

Second, the tribe must demonstrate a ''substantial direct aboriginal connection to the land.''

Simply put, tribes must demonstrate that both they and their ancestors have a connection to the land in question.

In 2000, California voters thought they settled the question of casino gaming when they passed Proposition 1A. This proposition authorized the governor to negotiate gambling compacts that would make Nevada-style casinos possible for ''federally recognized Indian tribes on Indian lands.''

The words ''on Indian lands'' were key to Proposition 1A. This made it clear that gaming is appropriate only on a tribe's historical lands, and voters endorsed this bargain with 65 percent of the vote.

But fast-forward 10 years and this agreement is being put to the test. In the last decade, the Department of the Interior has received dozens of gaming applications; some for casinos nowhere near a tribe's historic lands. Many of these requests have been granted and California has become ground zero for tribal casinos. We have 58 Las Vegas style casinos all across the State—from within miles of the Mexican border, to within miles of the Oregon border.

The problem is only going to get worse. There are 67 tribes currently seeking Federal recognition in California who will have the ability to take ''initial lands'' into trust for gaming. This ''initial lands'' exemption gives landless tribes carte blanche when it comes to picking a spot for their casino—urban areas, environmentally sensitive areas, you name it! That is a real concern to me and my constituents.

As of May 2010, there were 11 applications for off-reservation or restored lands casinos in California pending at the Department of the Interior. These include projects near San Francisco, Barstow, and Sacramento.

It also includes applications for casinos in San Diego and Riverside Counties, where there are already 21 existing casinos.

By seeking to open casinos in urban areas close to the greatest number of potential gamblers, instead of on historical lands, these tribes are ignoring the will of California voters and the intent of Congress when it passed the Indian Gaming Regulatory Act.

Unfortunately, without a legislative fix such as the Tribal Gaming Eligibility Act, Californians have no power to stop these tribes from opening unwanted casinos in their back yards.

But voters are still trying to make their voices heard, rejecting the idea of reservation shopping. At one location, in Richmond, CA, a city of nearly 100,000 in the middle of the Bay Area—a tribe proposed taking land into trust to open a 4,000-slot-machine casino. Proponents tout it as a major economic engine for a depressed area.

On November 2, Richmond voters made it clear how they feel: by a margin of 58 to 42 percent, voters overwhelmingly rejected the advisory Measure U on the Richmond casino and they elected two new city council members who strongly oppose the casino. It was an unambiguous rejection of this off-reservation gaming proposal.

Some people have tried to tell me that this is just a California problem, and that we just need a California-solution. I am afraid this is not the case.

The Department of the Interior is considering gaming applications for tribes in Washington, Oregon, Mississippi, Nevada, and Massachusetts just to name a few. I urge my colleagues to ask your constituents and your community leaders if they have were consulted about these proposals. Did they have any input? Were the needs of the cities, counties, and neighboring tribes considered?

As a former mayor, I know the financial pressures that local governments face, especially in these tough times. The temptation to support large casinos can be strong. But I also know the heavy price that society pays for the siren song of gambling. This price includes addiction and crime, strained public services and increased traffic congestion.

Some Indian gaming proponents, often backed by rich out-of-state investors and gambling syndicates, would have us believe that these off-reservation gaming establishments are a sign of growth and economic development.

In 2006 the California Research Bureau compiled research on the effects of casinos on communities, and they released a report entitled Gambling in the Golden State. The results were staggering.

The development of new casinos is associated with a 10 percent increase in violent crime and a 10 percent increase in bankruptcy rates.

New casinos are also associated with an increase in law enforcement expenditures of $15.34 per person.

California already spends an estimated $1 billion to deal with problem-gamblers and pathological-gamblers, 75 percent of which identify Indian casinos as their primary gambling preference.

This report confirmed what many local elected officials and community activists already knew: casinos may create a few jobs, but they come with a tremendous cost.

One reason for the high costs casinos is the woefully inadequate oversight at Indian gambling facilities.

In California, gaming oversight officials are responsible for over twice as much economic activity per inspector compared to their counterparts in states with legalized commercial gambling. Using the most recent data available from 2006:

California employed 180 gambling oversight officials to regulate $5.2 billion dollars in economic activity.

This means the State only employed 1 official for every $28.9 million dollars of economic activity in the gambling industry.

By comparison, the 11 States that had legalized commercial gambling averaged 1 oversight official per $12.1 million dollars of activity.

Furthermore, closed-door gaming compacts limit what little power these investigators actually have. They cannot conduct unannounced visits, they have little discretion on what penalties to enact, and they cannot enforce their punishments when they are handed down. Quite simply, it is a broken system.

I know that some may try to mischaracterize my legislation and say that I am trying to limit the sovereignty of Native American tribes or destroy their ability to undertake much needed economic development.

But I am here today to say that nothing could be farther from the truth.

The fact of the matter is that most casinos are appropriately placed—on historical tribal lands—and there is no need to argue about the legitimacy of these establishments.

My legislation only deals with those proposals that are truly beyond the scope of Congressional intent when the Indian Gaming Regulatory Act was passed in 1988.

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. 771

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 ''Tribal Gaming Eligibility Act''.

SEC. 2. GAMING ON LAND ACQUIRED AFTER OCTOBER 17, 1988.

Section 20 of the Indian Gaming Regulatory Act (25 U.S.C. 2719) is amended—

(1) by striking the section designation and heading and all that follows through ''(a) Except'' and inserting the following:

''SEC. 20. GAMING ON LAND ACQUIRED AFTER OCTOBER 17, 1988.

''(a) IN GENERAL.—Except''; and

(2) in subsection (b)—

(A) in paragraph (1)(B), in the matter preceding clause (i), by inserting ''subject to paragraph (2),'' before ''lands are taken'';

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(C) by inserting after paragraph (1) the following:

''(2) APPLICABILITY TO CERTAIN LAND.—

''(A) IN GENERAL.—Except as provided in subparagraph (D), effective beginning on the date of enactment of the Tribal Gaming Eligibility Act, in addition to any other requirements under applicable Federal law, gaming conducted pursuant to an exception under paragraph (1)(B) shall not be conducted on land taken into trust after October 17, 1988, by the United States for the benefit of an Indian tribe unless the Secretary determines, on the date the land is taken into trust, that the Indian tribe—

''(i) has received a written determination by the Secretary that the land is eligible to be used for gaming under this section; and

''(ii) demonstrates—

''(I) in accordance with subparagraph (B), a substantial, direct, modern connection to the land taken into trust, as of October 17, 1988; and

''(II) in accordance with subparagraph (C), a substantial, direct, aboriginal connection to the land taken into trust.

''(B) SUBSTANTIAL, DIRECT, MODERN CONNECTION.—In making a determination under subparagraph (A)(ii)(I) that an Indian tribe demonstrates a substantial, direct, modern connection to land taken into trust as of October 17, 1988, the Secretary shall certify that—

''(i) if the Indian tribe has a reservation—

''(I) the land is located within a 25-mile radius of the tribal headquarters or other tribal governmental facilities of the Indian tribe on the reservation;

''(II) the Indian tribe has demonstrated a temporal connection to, or routine presence on, the land during the period beginning on October 17, 1988, and ending on the date of the certification; and

''(III) the Indian tribe has not been recognized or restored to Federal recognition status during the 5-year period preceding the date of the certification; or

''(ii) if the Indian tribe does not have a reservation—

''(I) the land is located within a 25-mile radius of an area in which a significant number of members of the Indian tribe reside;

''(II) the Indian tribe has demonstrated a temporal connection to, or routine presence on, the land during the period beginning on October 17, 1988, and ending on the date of the certification; and

''(III)(aa) the land was included in the first-submitted request of the Indian tribe for newly acquired land since the date on which the Indian tribe was recognized or restored to Federal recognition; or

''(bb)(AA) the application to take the land into trust was received by the Secretary during the 5-year period beginning on the date on which the Indian tribe was recognized or restored to Federal recognition; and

''(BB) the Indian tribe is not conducting any gaming activity on any other land.

''(C) SUBSTANTIAL, DIRECT, ABORIGINAL CONNECTION.—In making a determination under subparagraph (A)(ii)(II) that an Indian tribe demonstrates a substantial, direct, aboriginal connection to land, the Secretary shall take into consideration some or all of the following factors:

''(i) The historical presence of the Indian tribe on the land, including any land to which the Indian tribe was relocated pursuant to the forcible removal of tribal members from land as a result of acts of violence, an Act of Congress, a Federal or State administrative action, or a judicial order.

''(ii) Whether the membership of the tribe can demonstrate lineal descendent or cultural affiliation, in accordance with section 10.14 of title 43, Code of Federal Regulations (or a successor regulation).

''(iii) The area in which the unique language of the Indian tribe has been used.

''(iv) The proximity of the land to culturally significant sites of the Indian tribe.

''(v) The forcible removal of tribal members from land as a result of acts of violence, an Act of Congress, a Federal or State administrative action, or a judicial order.

''(vi) Other factors that demonstrate a temporal presence of the Indian tribe on the land prior to the first interactions of the Indian tribe with nonnative individuals, the Federal Government, or any other sovereign entity.

''(D) EXCEPTIONS.—

''(i) IN GENERAL.—Subparagraphs (A) through (C) shall not apply—

''(I) to any land on which gaming regulated by this Act will not take place;

''(II) to any land located within, or contiguous to, the boundaries of the reservation of an Indian tribe, as of October 17, 1988;

''(III) if—

''(aa) the relevant Indian tribe did not have a reservation on October 17, 1988; and

''(bb) the land is located—

''(AA) in the State of Oklahoma and within the boundaries of the former reservation of the Indian tribe, as defined by the Secretary, or contiguous to other land held in trust or restricted status by the United States for the Indian tribe in the State of Oklahoma; or

''(BB) in a State other than Oklahoma and within the last recognized reservation of the Indian tribe in any State in which the Indian tribe is presently located; or

''(IV) if the relevant Indian tribe has—

''(aa) taken land into trust during the period beginning on October 17, 1988, and ending on the date of enactment of the Tribal Gaming Eligibility Act; and

''(bb) has received a written determination by the Secretary that the land is eligible to be used for gaming under this section.

''(ii) CERTAIN DECISIONS.—

''(I) IN GENERAL.—Subject to subclause (II), subparagraphs (A) through (C) shall not apply to a final agency decision issued before the date of enactment of the Tribal Gaming Eligibility Act.

''(II) PENDING APPLICATIONS.—Subparagraphs (A) through (C) shall apply to an application that is pending, but for which a final agency decision has not been made, as of the date of enactment of the Tribal Gaming Eligibility Act.

''(E) ADMINISTRATION.—An action under this paragraph shall be considered a final administrative action for purposes of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act').''; and

(D) in paragraph (4) (as redesignated by subparagraph (B)), by striking ''paragraph (2)(B)'' and inserting ''paragraph (3)(B),''.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. AKAKA):

S. 772. A bill to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service; to the Committee on Homeland Security and Governmental Affairs.

Mr. LIEBERMAN. Mr. President, I am pleased to join with Senators COLLINS and AKAKA today to introduce the bipartisan SECURE Facilities Act of 2011 to modernize and transform an important but often overlooked agency within the Department of Homeland Security, DHS, responsible for protecting 9,000 Federal buildings across the country.

The agency I refer to is the Federal Protective Service, FPS, where 1,200 full time employees and about 15,000 contract guards safeguard not just the buildings, but the one million people who work at and visit these buildings each year.

Unfortunately, the threat to government workers and property is all too real. In 1995, a massive bomb decimated the Alfred P. Murrah Federal Building in Oklahoma City, killing 168 people. The Pentagon was one of the targets of the 9/11 terrorists. A wing of the building was leveled and 184 people died. Last year, a man flew a small plane into a building in Austin, TX, that housed an IRS and other government offices. An IRS manager was killed. Earlier this year, our friend and colleague, Congresswoman GABRIELLE GIFFORDS was critically shot at a public forum. Most recently, a man planted an improvised explosive device outside the McNamara Federal building in Detroit. A dozen or so other violent incidents have occurred at federal buildings in the last 3 years. Protecting the people who work and visit federal buildings is critical to maintaining the integrity of our democracy.

Security at these buildings, however, is not where it should be. Poor management, serious budget shortfalls, and operational challenges have diminished FPS' effectiveness and undermined public trust. FPS guards were famously caught sleeping on the job, putting an infant in its carrier through an X-ray machine, and failing to detect bomb-making materials on investigators who passed through security.

The Federal Protective Service must be turned around, which is why we are introducing this legislation to strengthen the agency's management, provide it with the necessary resources to fulfill its mission, and help it function at a higher level.

I want to single out for praise the Government Accountability Office, GAO, whose excellent work has significantly informed our legislation.

At a July 8, 2009, hearing before the Homeland Security and Governmental Affairs Committee, GAO unveiled the results of a year-long investigation conducted at the Committee's request. GAO visited 6 of 11 FPS regions throughout the country and observed the guard inspection process; interviewed managers, inspectors, and guards; analyzed guard contracts, training and certification requirements, and instruction documents. GAO's special investigations unit conducted its own covert tests at 10 high security Federal facilities in several different cities, some of which house district offices of our House and Senate colleagues.

What did GAO find? A seriously dysfunctional agency. FPS lacks focus and strategies for accomplishing its mission; contract guards don't have adequate training; FPS personnel suffer from low morale; oversight of contract guards is poor; and many standards that guide federal building security are outdated.

GAO revealed that some guards lacked basic security or x-ray machine training. The FPS was hard pressed to identify which guards were qualified or effective. One guard used a government computer to run an adult website during his shift, while another allowed a baby in a carrier to pass through an x-ray machine. A third guard was photographed asleep at his station.

GAO investigators smuggled through security at one building readily available components to make a liquid-based improvised explosive device. The investigators then made a bomb in a public restroom and moved throughout the federal building undetected. I note that while the components of the IED were real, the actual explosive liquids were diluted to ensure the bomb was not functional.

FPS didn't come to this point overnight. In fact, its problems multiplied when it was folded into DHS in 2003. At that point, the agency lost access to supplemental funding from its previous parent agency—the General Services Administration, GSA, and because of that, immediately ran into trouble. FPS fell behind in paying its bills, budget cuts hurt employee training and other functions, and personnel cuts diminished the agency's overall performance. At the same time, FPS was given more responsibilities, and the previous administration was working to downsize the agency workforce by 1/3.

Reform legislation is very clearly needed, and the SECURE Facilities Act of 2011 addresses many of the shortcomings detailed by GAO.

In particular, our legislation addresses four major challenges:

First, the bill would help the FPS carry out its mission by adding almost 150 law enforcements and support personnel. The agency has assumed increased responsibilities since it joined DHS but has done so with fewer personnel, and that is unsustainable.

Second, our legislation would tackle deficiencies within the contract guard program. FPS contract guards are the first line of defense at Federal facilities, so we must ensure they are held to high standards and are prepared and equipped to face the varied threats to which federal buildings are vulnerable.

Third, the bill would ensure the FPS is prepared to address the threat of explosives. The bombing of the Alfred P. Murrah Federal Building in Oklahoma City occurred 16 years ago, but FPS has been slow to deploy sufficient countermeasures to detect and deter that type of attack.

Fourth, our bill would recognize the delicate balance between public access and security. We have worked to put the emphasis on securing Federal facilities but we also support avenues of appeal if a building tenant believes a security measure unduly hinders public access. If the Federal Protective Service is to be held accountable—by Congress, the administration, and the American people—it should no longer be forced to defend federal agencies that choose less costly and potentially less effective security for their buildings.

On the question of resources, our bill, for the first time, would formally authorize the FPS and the interagency government body responsible for establishing security standards for all federal facilities, the Interagency Security Committee. We would provide additional funding for the agency by directing OMB to increase the building security fees paid by other agencies. We would provide resources for FPS to hire 146 full time employees. We would ensure that FPS employs 1,200 full time employees or more at all times—a conservative number that may require future increases.

Many of the additional employees would be law enforcement officers, but FPS would also have the flexibility to hire administrative and support personnel to improve its overall management, strengthen its oversight of contract guards, monitor contractor performance, and share contract assessments throughout the agency. The legislation also would provide retirement benefits to FPS officers to help the agency recruit and retain quality personnel.

Recognizing that the nation's fiscal health and our unsustainable deficits demand budget tightening, it is especially critical that we make wise budget decisions. I believe the evidence clearly demonstrates the need for additional spending for FPS.

With regard to improved standards, our legislation would require FPS to conduct overt and covert testing to assess guard training, test the security of Federal facilities, and establish procedures for retraining or terminating poor performing guards. The bill would also require that basic documents and manuals describing the responsibilities of security guards are up to date and periodically reviewed.

On explosives, we would require DHS to establish performance-based standards for checkpoint detection technologies for explosives and other threats at Federal facilities. Our bill would also allow FPS officers to carry firearms off duty, as most other Federal law enforcement officers can, allowing them to respond to incidents more quickly. And, finally, the bill includes several reporting requirements—on agency personnel needs, retention rates of contract guards, the feasibility of federalizing the contract guard workforce, and additional methods for preventing and detecting explosives in federal facilities.

Based on the Committee's and GAO's oversight work over the past several years, it is clear that Congress must move quickly to address the remaining security vulnerabilities associated with our Federal buildings.

I am confident that this comprehensive, bipartisan legislation will foster meaningful reform, modernize the Federal Protective Service, and improve the security of our Federal facilities across the country. I urge my colleagues to support the bill and I thank Senator COLLINS, Senator AKAKA, former Senator Voinovich, and their dedicated staffs for helping to get this bill introduced today.

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. 772

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011'' or the ''SECURE Facilities Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Homeland Security of the House of Representatives;

(D) the Committee on Transportation and Infrastructure of the House of Representatives; and

(E) the Committee on Appropriations of the House of Representatives.

(2) DIRECTOR.—The term ''Director'' means the Director of the Federal Protective Service.

(3) FACILITY USED FOR ACTIVITIES COVERED UNDER THE ATOMIC ENERGY ACT OF 1954.—The term ''facility used for activities covered under the Atomic Energy Act of 1954'' means—

(A) the Albuquerque National Nuclear Security Administration Service Center;

(B) the Brookhaven National Laboratory and Brookhaven Site Office;

(C) the Argonne National Laboratory, the Argonne Site Office and the Chicago Service Center;

(D) the Department of Energy Office of Secure Transportation, and associated field locations;

(E) the Idaho National Laboratory and the Idaho Site Office;

(F) the Kansas City Plant and the Kansas City Site Office;

(G) the Pittsburgh Naval Reactors Office, Bettis Atomic Power Laboratory, Idaho Naval Reactors Facility, and the Knolls Atomic Power Laboratory;

(H) the Nevada Site Office and the Nevada National Security Site;

(I) the Los Alamos National Laboratory and the Los Alamos Site Office;

(J) the Lawrence Livermore National Laboratory and Lawrence Livermore Site Office;

(K) the National Energy Technology Laboratory;

(L) the Oak Ridge National Laboratory, Department of Energy Oak Ridge Office, and the Department of Energy East Tennessee Technology Park;

(M) the Pantex Plant and Pantex Site Office;

(N) the Portsmouth Gaseous Diffusion Plant and Paducah Gaseous Diffusion Plant;

(O) the Richland Operations Office and Hanford Site;

(P) the Sandia National Laboratories and Sandia Site Office;

(Q) the Strategic Petroleum Reserve Project Office and the Strategic Petroleum Reserve Sites;

(R) the Savannah River Plant and the Department of Energy Office of Environmental Management's Savannah River Site Office;

(S) the Savannah River National Laboratory;

(T) the National Nuclear Security Administration's National Savannah River Site Office, the Tritium Extraction Facility and Mixed Oxide Fuel Fabrication Facility;

(U) the Waste Isolation Pilot Plant; and

(V) the National Nuclear Security Administration's Y–12 Site Office and the Y–12 National Security Complex.

(4) FEDERAL FACILITY.—The term ''Federal facility''—

(A) means any building and grounds and all property located in or on that building and grounds, that are owned, occupied or secured by the Federal Government, including any agency, instrumentality or wholly owned or mixed-ownership corporation of the Federal Government; and

(B) does not include—

(i) any building, grounds, or property used for military activities; or

(ii) any facility used for activities covered under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

(5) FEDERAL PROTECTIVE SERVICE OFFICER.—The term ''Federal protective service officer''—

(A) has the meaning given under sections 8331 and 8401 of title 5, United States Code; and

(B) includes any other employee of the Federal Protective Service designated as a Federal protective service officer authorized to carry firearms and make arrests by the Secretary.

(6) QUALIFIED CONSULTANT.—The term ''qualified consultant'' means a non-Federal entity with experience in homeland security, infrastructure protection and physical security, Government workforce issues, and Federal human capital policies.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SEC. 3. FEDERAL PROTECTIVE SERVICE.

(a) IN GENERAL.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

''Subtitle E—Federal Protective Service

''SEC. 241. DEFINITIONS.

''In this subtitle:

''(1) AGENCY.—The term 'agency' means an executive agency.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the Committee on Appropriations of the Senate;

''(C) the Committee on Homeland Security of the House of Representatives;

''(D) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(E) the Committee on Appropriations of the House of Representatives.

''(3) DIRECTOR.—The term 'Director' means the Director of the Federal Protective Service.

''(4) FACILITY SECURITY LEVEL.—The term 'facility security level'—

''(A) means a rating of each Federal facility based on the analysis of several facility factors that provides a basis for that facility's attractiveness as a target and potential effects or consequences of a criminal or terrorist attack, which then serves as a basis for the implementation of certain levels of security protection; and

''(B) is determined by the Federal Protective Service, the United States Marshals Service under section 566 of title 28, United States Code, or another agency authorized to provide all protective services for a facility under the provisions of section 263 and guided by Interagency Security Committee standards.

''(5) FACILITY USED FOR ACTIVITIES COVERED UNDER THE ATOMIC ENERGY ACT OF 1954.—The term 'facility used for activities covered under the Atomic Energy Act of 1954' means—

''(A) the Albuquerque National Nuclear Security Administration Service Center;

''(B) the Brookhaven National Laboratory and Brookhaven Site Office;

''(C) the Argonne National Laboratory, the Argonne Site Office and the Chicago Service Center;

''(D) the Department of Energy Office of Secure Transportation, and associated field locations;

''(E) the Idaho National Laboratory and the Idaho Site Office;

''(F) the Kansas City Plant and the Kansas City Site Office;

''(G) the Pittsburgh Naval Reactors Office, Bettis Atomic Power Laboratory, Idaho Naval Reactors Facility, and the Knolls Atomic Power Laboratory;

''(H) the Nevada Site Office and the Nevada National Security Site;

''(I) the Los Alamos National Laboratory and the Los Alamos Site Office;

''(J) the Lawrence Livermore National Laboratory and Lawrence Livermore Site Office;

''(K) the National Energy Technology Laboratory;

''(L) the Oak Ridge National Laboratory, Department of Energy Oak Ridge Office, and the Department of Energy East Tennessee Technology Park;

''(M) the Pantex Plant and Pantex Site Office;

''(N) the Portsmouth Gaseous Diffusion Plant and Paducah Gaseous Diffusion Plant;

''(O) the Richland Operations Office and Hanford Site;

''(P) the Sandia National Laboratories and Sandia Site Office;

''(Q) the Strategic Petroleum Reserve Project Office and the Strategic Petroleum Reserve Sites;

''(R) the Savannah River Plant and the Department of Energy Office of Environmental Management's Savannah River Site Office;

''(S) the Savannah River National Laboratory;

''(T) the National Nuclear Security Administration's National Savannah River Site Office, the Tritium Extraction Facility and Mixed Oxide Fuel Fabrication Facility;

''(U) the Waste Isolation Pilot Plant; and

''(V) the National Nuclear Security Administration's Y–12 Site Office and the Y–12 National Security Complex.

''(6) FEDERAL FACILITY.—The term 'Federal facility'—

''(A) means any building and grounds and all property located in or on that building and grounds, that are owned, occupied or secured by the Federal Government, including any agency, instrumentality or wholly owned or mixed-ownership corporation of the Federal Government; and

''(B) does not include—

''(i) any building, grounds, or property used for military activities; or

''(ii) any facility used for activities covered under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

''(7) FEDERAL FACILITY PROTECTED BY THE FEDERAL PROTECTIVE SERVICE.—The term 'Federal facility protected by the Federal Protective Service'—

''(A) means those facilities owned or leased by the General Services Administration, and other facilities at the discretion of the Secretary; and

''(B) does not include any facility, or portion thereof, which the United States Marshals Service is responsible for under section 566 of title 28, United States Code.

''(8) FEDERAL PROTECTIVE SERVICE OFFICER.—The term 'Federal protective service officer'—

''(A) has the meaning given under sections 8331 and 8401 of title 5, United States Code; and

''(B) includes any other employee of the Federal Protective Service designated as a Federal protective service officer authorized to carry firearms and make arrests by the Secretary.

''(9) INFRASTRUCTURE SECURITY CANINE TEAM.—The term 'infrastructure security canine team' means a certified canine and a Federal protective service officer that are trained to detect explosives or other threats as defined by the Secretary.

''(10) IN-SERVICE FIELD STAFF.—The term 'in-service field staff' means Federal Protective Service law enforcement officers who, while working, are directly engaged on a daily basis protecting and enforcing law at Federal facilities, including police officers, inspectors, area commanders and special agents, and such other equivalent positions as designated by the Secretary.

''(11) SECURITY ORGANIZATION.—The term 'security organization' means an agency or an internal agency component responsible for security at a specific Federal facility.

"SEC. 242. ESTABLISHMENT.

''(a) ESTABLISHMENT.—There is established the Federal Protective Service within the Department.

''(b) MISSION.—The mission of the Federal Protective Service is to render Federal facilities protected by the Federal Protective Service safe and secure for Federal employees, contract employees, officers, and visitors.

''(c) DIRECTOR.—The head of the Federal Protective Service shall be the Director of the Federal Protective Service. The Director shall report to the Under Secretary for the National Protection and Programs Directorate.

''(d) DUTIES AND POWERS OF THE DIRECTOR.—

''(1) IN GENERAL.—Subject to the supervision and direction of the Secretary, the Director shall be responsible for the management and administration of the Federal Protective Service and the employees and programs of the Federal Protective Service.

''(2) PROTECTION.—The Director shall secure Federal facilities which are protected by the Federal Protective Service, and safeguard all occupants, including Federal employees, contract employees, officers, and visitors.

''(3) ENFORCEMENT POLICY.—The Director shall establish and direct the policies of the Federal Protective Service, and advise the Under Secretary for the National Protection and Programs Directorate on policy matters relating to the protection of Federal facilities.

''(4) TRAINING.—The Director shall—

''(A) determine the minimum level of training or certification for—

''(i) employees of the Federal Protective Service; and

''(ii) armed contract security guards at Federal facilities protected by the Federal Protective Service; and

''(B) provide training, to members of a Facility Security Committee that meets the standards established by the Interagency Security Committee.

''(5) INVESTIGATIONS.—The Director shall ensure violations of any Federal law affecting the security of Federal facilities protected by the Federal Protective Service are investigated and referred for prosecution as appropriate.

''(6) INSPECTIONS.—The Director shall inspect Federal facilities protected by the Federal Protective Service for the purpose of determining compliance with Federal security standards and making appropriate risk mitigation recommendations.

''(7) PERSONNEL.—The Director shall provide adequate numbers of trained personnel to ensure Federal security standards are met.

''(8) INFORMATION SHARING.—The Director shall provide crime prevention, threat awareness, and intelligence information to the Administrator of General Services and tenants of Federal facilities. The Director shall ensure effective coordination and liaison with other Federal law enforcement agencies and State and local law enforcement agencies.

''(9) PATROL.—The Director shall ensure areas in and around Federal facilities protected by the Federal Protective Service are patrolled by Federal Protective Service officers.

''(10) SECURITY ASSESSMENT.—The Director shall ensure a security risk assessment is conducted for each Federal facility protected by the Federal Protective Service on a recurring basis and in accordance with standards established by the Interagency Security Committee.

''(11) EMERGENCY PLAN ASSISTANCE.—The Director shall—

''(A) ensure each Federal facility protected by the Federal Protective Service has adequate plans for emergency situations;

''(B) provide technical assistance to agencies that are the tenant of a Federal facility protected by the Federal Protective Service in developing plans described in subparagraph (A); and

''(C) ensure plans described in subparagraph (A) are exercised in accordance with standards established by the Interagency Security Committee.

''(12) SECURITY COUNTERMEASURES.—The Director shall ensure and supervise the effective design, procurement, installation, maintenance, and operation of security countermeasures (including armed contract guards, electronic physical security systems, and weapons and explosives screening devices) for Federal facilities protected by the Federal Protective Service.

''(13) SUITABILITY ADJUDICATION OF GUARDS AND BUILDING SERVICE CONTRACTORS.—The Director shall ensure that—

''(A) background investigations are conducted for contract guards and building service contractors; and

''(B) each contract guard and building service contractor is suitable for work in a Federal facility protected by the Federal Protective Service before being granted unescorted or recurring access.

''(14) PROTECTIVE SERVICE GUARD CONTRACTING.—The Director shall be responsible for all protective service guard contracting requirements for those facilities owned or leased by the General Services Administration, and other facilities at the discretion of the Secretary.

''(15) ASSISTANCE TO FACILITY SECURITY COMMITTEES.—The Director shall ensure coordination with and provide assistance to Facility Security Committees on matters relating to facilities, facility vulnerabilities, and potential consequences of an incident.

"SEC. 243. FULL-TIME EQUIVALENT EMPLOYEE REQUIREMENTS.

''(a) IN GENERAL.—The Secretary shall ensure that the Federal Protective Service maintains not fewer than 1,371 full-time equivalent employees, including not fewer than 950 in-service field staff in fiscal year 2012.

''(b) MINIMUM FULL-TIME EQUIVALENT EMPLOYEE LEVEL.—

''(1) IN GENERAL.—The Secretary shall ensure that the Federal Protective Service shall maintain at any time not fewer than 1,200 full-time equivalent employees, including not fewer than 900 in-service field staff.

''(2) REPORT.—In any fiscal year after fiscal year 2012 in which the number of full-time equivalent employees of the Federal Protective Service is fewer than the number of full-time equivalent employees of the Federal Protective Service in the previous fiscal year, the Secretary shall submit a report to the appropriate congressional committees that provides—

''(A) an explanation of the decrease in full-time equivalent employees; and

''(B) a revised model of the number of full-time equivalent employees projected for future fiscal years.

"SEC. 244. OVERSIGHT OF CONTRACT GUARD SERVICES.

''(a) ARMED GUARD TRAINING REQUIREMENTS.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011, the Director shall establish minimum training requirements for all armed guards procured by the Federal Protective Service.

''(2) REQUIREMENTS.—Training requirements under this subsection shall include—

''(A) at least 80 hours of instruction before a guard may be deployed, and at least 16 hours of recurrent training on an annual basis thereafter; and

''(B) Federal Protective Service monitoring or provision of the initial training of armed guards procured by the Federal Protective Service of —

''(i) at least 10 percent of the hours of required instruction in fiscal year 2011;

''(ii) at least 15 percent of the hours of required instruction in fiscal year 2012;

''(iii) at least 20 percent of the hours of required instruction in fiscal year 2013; and

''(iv) at least 25 percent of the hours of required instruction in fiscal year 2014 and each fiscal year thereafter.

''(b) TRAINING AND SECURITY ASSESSMENT PROGRAM.—

''(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011, the Director shall establish a program to periodically assess—

''(A) the training of guards for the security and protection of Federal facilities protected by the Federal Protective Service; and

''(B) the security of Federal facilities protected by the Federal Protective Service.

''(2) PROGRAM.—The program under this subsection shall include an assessment of—

''(A) methods to test the training and certifications of guards;

''(B) a remedial training program for guards;

''(C) procedures for taking personnel actions, including processes for removing individuals who fail to conform to the training or performance requirements of the contract; and

''(D) an overt and covert testing program for the purposes of assessing guard performance and other facility security countermeasures.

''(3) REPORTS.—The Secretary shall annually submit a report to the appropriate congressional committees, in a classified manner, if necessary, on the results of the assessment of the overt and covert testing program of the Federal Protective Service.

''(c) REVISION OF GUARD MANUAL AND POST ORDERS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011, the Director, in consultation with the Administrator of General Services, shall—

''(A) update the Security Guard Information Manual and post orders for each guard post overseen by the Federal Protective Service; or

''(B) certify to the Secretary that the Security Guard Information Manual and post orders described under subparagraph (A) have been updated during the 1-year period preceding the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011.

''(2) REVIEW AND UPDATE.—Beginning with the first calendar year following the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011, and every 2 years thereafter, the Director shall review and update the Security Guard Information Manual and post orders for each guard post overseen by the Federal Protective Service.

''(d) DATABASE OF GUARD SERVICE CONTRACTS.—The Director shall establish a database to monitor all contracts for guard services. The database shall include information relating to contract performance.

''SEC. 245. INFRASTRUCTURE SECURITY CANINE TEAMS.

''(a) IN GENERAL.—

''(1) INCREASED CAPACITY.—Not later than 180 days after the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011, the Director shall—

''(A) begin to increase the number of infrastructure security canine teams certified by the Federal Protective Service for the purposes of infrastructure-related security by up to 15 canine teams in each of fiscal years 2012 through 2015; and

''(B) encourage State and local governments and private owners of high-risk facilities to strengthen security through the use of highly trained infrastructure security canine teams.

''(2) INFRASTRUCTURE SECURITY CANINE TEAMS.—To the extent practicable, the Director shall increase the number of infrastructure security canine teams by—

''(A) partnering with the Customs and Border Protection Canine Enforcement Program and the Canine Training Center Front Royal, the Transportation Security Administration's National Explosives Detection Canine Team Training Center, or other offices or agencies within the Department with established canine training programs;

''(B) partnering with agencies, State or local government agencies, nonprofit organizations, universities, or the private sector to increase the training capacity for canine detection teams; or

''(C) procuring explosives detection canines trained by nonprofit organizations, universities, or the private sector, if the canines are trained in a manner consistent with the standards and requirements developed under subsection (b) or other criteria developed by the Secretary.

''(b) STANDARDS FOR INFRASTRUCTURE SECURITY CANINE TEAMS.—

''(1) IN GENERAL.—The Director, in coordination with the Office of Infrastructure Protection, shall establish criteria, including canine training curricula, performance standards, and other requirements, necessary to ensure that infrastructure security canine teams trained by nonprofit organizations, universities, and private sector entities are adequately trained and maintained.

''(2) EXPANSION.—In developing and implementing the criteria, the Director shall—

''(A) coordinate with key stakeholders, including international, Federal, State, and local government officials, and private sector and academic entities to develop best practice guidelines;

''(B) require that canine teams trained by nonprofit organizations, universities, or private sector entities that are used or made available by the Secretary be trained consistent with the criteria; and

''(C) review the status of the private sector programs on at least an annual basis to ensure compliance with the criteria.

''(c) DEPLOYMENT.—The Director—

''(1) shall use the additional canine teams increased under subsection (a) to enhance security at Federal facilities;

''(2) may use the additional canine teams increased under subsection (a) on a more limited basis to support other homeland security missions; and

''(3) may request canine teams from other agencies within the Department—

''(A) for high-risk areas;

''(B) to address specific threats; or

''(C) on an as-needed basis.

''(d) CANINE PROCUREMENT.—The Director, shall ensure that infrastructure security canine teams are procured as efficiently as possible and at the lowest cost, while maintaining the needed level of quality.

''SEC. 246. CHECKPOINT DETECTION TECHNOLOGY STANDARDS.

''The Secretary, in coordination with the Interagency Security Committee, shall develop performance-based standards for checkpoint detection technologies for explosives and other threats at Federal facilities protected by the Federal Protective Service.

''SEC. 247. COMPLIANCE OF FEDERAL FACILITIES WITH FEDERAL SECURITY STANDARDS.

''(a) IN GENERAL.—The Secretary may assess security charges to an agency that is the owner or the tenant of a Federal facility protected by the Federal Protective Service in addition to any security charge assessed under section 248 for the costs of necessary security countermeasures if—

''(1) the Secretary, in coordination with the Interagency Security Committee, determines a Federal facility to be in noncompliance with Federal security standards established by the Interagency Security Committee or a final determination regarding countermeasures made by the appeals board established under section 262(h); and

''(2) the Interagency Security Committee or the Director—

''(A) provided notice to that agency and the Facility Security Committee of—

''(i) the noncompliance;

''(ii) the actions necessary to be in compliance; and

''(iii) the latest date on which such actions need to be taken; and

''(B) the agency is not in compliance by that date.

''(b) REPORT ON NONCOMPLIANT FACILITIES.—The Secretary shall submit a report to the appropriate congressional committees, in a classified manner if necessary, of any facility determined to be in noncompliance with the Federal security standards established by the Interagency Security Committee.

''SEC. 248. FEES FOR PROTECTIVE SERVICES.

''(a) IN GENERAL.—The Secretary may assess and collect fees and security charges from agencies for the costs of providing protective services.

''(b) DEPOSIT OF FEES.—Any fees or security charges paid under this section shall be deposited in the appropriations account under the heading 'FEDERAL PROTECTIVE SERVICES' under the heading 'NATIONAL PROTECTION AND PROGRAMS DIRECTORATE' of the Department.

''(c) ADJUSTMENT OF FEES.—The Director of the Office of Management and Budget shall adjust fees as necessary to carry out this subtitle.

''Subtitle F—Interagency Security Committee

''SEC. 261. DEFINITIONS.

''In this subtitle, the definitions under section 241 shall apply.

''SEC. 262. INTERAGENCY SECURITY COMMITTEE.

''(a) ESTABLISHMENT.—There is established within the executive branch the Interagency Security Committee (in this subtitle referred to as the 'Committee') responsible for the development of safety and security standards and best practices to mitigate the effects of natural and manmade hazards in Federal facilities.

''(b) CHAIRPERSON.—The Committee shall be chaired by the Secretary, or the designee of the Secretary. The chairperson shall be responsible for the daily operations of the Committee and appeals board, final approval and enforcement of Committee standards, and the promulgation of regulations related to Federal facility security prescribed by the Committee.

''(c) MEMBERSHIP.—

''(1) VOTING MEMBERS.—The Committee shall consist of the following voting members:

''(A) AGENCY REPRESENTATIVES.—Representatives from the following agencies, appointed by the agency heads:

''(i) Department of Homeland Security.

''(ii) Department of State.

''(iii) Department of the Treasury.

''(iv) Department of Defense.

''(v) Department of Justice.

''(vi) Department of the Interior.

''(vii) Department of Agriculture.

''(viii) Department of Commerce.

''(ix) Department of Labor.

''(x) Department of Health and Human Services.

''(xi) Department of Housing and Urban Development.

''(xii) Department of Transportation.

''(xiii) Department of Energy.

''(xiv) Department of Education.

''(xv) Department of Veterans Affairs.

''(xvi) Environmental Protection Agency.

''(xvii) Central Intelligence Agency.

''(xviii) Office of Management and Budget.

''(xix) General Services Administration.

''(B) OTHER OFFICERS.—The following Federal officers or the designees of those officers:

''(i) The Director of the United States Marshals Service.

''(ii) The Director.

''(iii) The Assistant to the President for National Security Affairs.

''(C) JUDICIAL BRANCH REPRESENTATIVES.—A representative from the judicial branch appointed by the Chief Justice of the United States.

''(2) ASSOCIATE MEMBERS.—The Committee shall include as associate members who shall be nonvoting members, representatives from the following agencies, appointed by the agency heads:

''(A) Federal Aviation Administration.

''(B) Federal Bureau of Investigation.

''(C) Federal Deposit Insurance Corporation.

''(D) Federal Emergency Management Agency.

''(E) Federal Reserve Board.

''(F) Internal Revenue Service.

''(G) National Aeronautics and Space Administration.

''(H) National Capital Planning Commission.

''(I) National Institute of Standards & Technology.

''(J) Nuclear Regulatory Commission.

''(K) Office of Personnel Management.

''(L) Securities and Exchange Commission.

''(M) Social Security Administration.

''(N) United States Coast Guard.

''(O) United States Postal Service.

''(P) United States Army Corps of Engineers.

''(Q) Court Services and Offender Supervision Agency.

''(R) Any other Federal officers as the President shall appoint.

''(3) GOVERNMENT ACCOUNTABILITY OFFICE.—The Comptroller General shall designate a representative to act as a liaison to the Committee.

''(d) WORKING GROUPS.—The Committee may establish interagency working groups to perform such tasks as may be directed by the Committee.

''(e) CONSULTATION.—The Committee shall consult with other parties, including the Administrative Office of the United States Courts, to perform its responsibilities, and, at the discretion of the Chairperson of the Committee, such other parties may participate in the working groups.

''(f) MEETINGS.—The Committee shall at a minimum meet quarterly.

''(g) RESPONSIBILITIES.—The Committee shall—

''(1) not later than 1 year after the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011, propose regulations to the Secretary for promulgation under section 1315(c)(1) of title 40, United States Code—

''(A) for determining facility security levels, unless the Committee determines that similar regulations are issued by the Secretary before the end of that 180-day period; and

''(B) to establish risk-based performance standards for the security of Federal facilities, unless the Committee determines that similar regulations are issued by the Secretary before the end of that 1-year period;

''(2) establish protocols for the testing of the compliance of Federal facilities with Federal security standards, including a mechanism for the initial and recurrent testing of Federal facilities;

''(3) prescribe regulations to determine minimum levels of training and certification of contract guards;

''(4) prescribe regulations to establish a list of prohibited items for entry into Federal facilities;

''(5) establish minimum requirements and a process for providing basic security training for members of Facility Security Committees; and

''(6) take such actions as may be necessary to enhance the quality and effectiveness of security and protection of Federal facilities, including—

''(A) encouraging agencies with security responsibilities to share security-related intelligence in a timely and cooperative manner;

''(B) assessing technology and information systems as a means of providing cost-effective improvements to security in Federal facilities;

''(C) developing long-term construction standards for those locations with threat levels or missions that require blast resistant structures or other specialized security requirements;

''(D) evaluating standards for the location of, and special security related to, day care centers in Federal facilities; and

''(E) assisting the Secretary in developing and maintaining a secure centralized security database of all Federal facilities; and

''(7) carry out such other duties as assigned by the President.

''(h) APPEALS BOARD.—

''(1) ESTABLISHMENT.—The Committee shall establish an appeals board to consider appeals from any Facility Security Committee or the Director of a—

''(A) facility security level determination;

''(B) Facility Security Committee decision to disapprove a determination for necessary countermeasures or physical security improvements if the Director considered such a decision a grave risk to the facility or its occupants; or

''(C) determination of noncompliance with Federal facility security standards.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The appeals board shall consist of 7 members of the Committee, of whom—

''(i) 1 shall be designated by the Secretary;

''(ii) 4 shall be selected by the voting members of the Committee; and

''(iii) 2 shall be selected by the voting members of the Committee to serve as alternates in the case of recusal by a member of the appeals board.

''(B) RECUSAL.—An appeals board member shall recuse himself or herself from any appeal from an agency which that member represents.

''(3) FINAL APPEAL.—A decision of the appeals board is final and shall not be subject to administrative or judicial review.

''(i) AGENCY SUPPORT AND COOPERATION.—

''(1) ADMINISTRATIVE SUPPORT.—

''(A) IN GENERAL.—To the extent permitted by law and subject to the availability of appropriations, the Secretary shall provide the Committee such administrative services, funds, facilities, staff and other support services as may be necessary for the performance of the functions of the Committee under this subtitle.

''(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department such sums as necessary to carry out the provisions of this paragraph.

''(2) COOPERATION AND COMPLIANCE.—

''(A) IN GENERAL.—Each agency shall cooperate and comply with the policies, standards, and determinations of the Committee.

''(B) SUPPORT.—To the extent permitted by law and subject to the availability of appropriations, agencies shall provide such support as may be necessary to enable the Committee to perform the duties and responsibilities of the Committee.

''(3) COMPLIANCE.—The Secretary shall be responsible for monitoring agency compliance with the policies and determinations of the Committee.

''(j) AUTHORIZATION.—There are authorized to be appropriated to the Department such sums as necessary to carry out the provisions of this section.

''SEC. 263. AUTHORIZATION OF AGENCIES TO PROVIDE PROTECTIVE SERVICES.

''(a) IN GENERAL.—The Secretary, in consultation with the Committee, shall establish a process to authorize an agency to provide protective services for a Federal facility instead of the Federal Protective Service.

''(b) LAW ENFORCEMENT AUTHORITY.—The Federal Protective Service shall retain the law enforcement authorities of the Federal Protective Service at any Federal facilities where an exemption is approved under subsection (a).

''(c) REQUIREMENTS.—Except as provided under subsection (d), the process under subsection (a) shall—

''(1) provide that—

''(A) an agency may submit an application to the Secretary for an authorization;

''(B) an authorization shall be for a 2-year period;

''(C) an authorization may be renewed; and

''(D) not later than 60 days after an agency submits an application to the Secretary for an authorization, the Secretary shall respond to the agency; and

''(2) require an agency to—

''(A) demonstrate security expertise;

''(B) possess law enforcement authority;

''(C) provide sufficient information through a security plan that the agency shall be in compliance with the Federal security standards of the Committee; and

''(D) submit a cost benefit analysis demonstrating savings to be realized.

''(d) AUTHORIZATION FOR CERTAIN DEPARTMENT OF ENERGY FACILITIES.—Nothing in this section shall—

''(1) alter authorizations in effect as of the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011 that have been provided to the Department of Energy for headquarters facilities located in Washington, D.C. and Germantown, Maryland; or

''(2) preclude the Secretary and the Secretary of Energy from renegotiating the terms of the authorizations for the Department of Energy headquarters facilities located in Washington, D.C. and Germantown, Maryland without regard to the requirements of subsection (c).

''SEC. 264. FACILITY SECURITY COMMITTEES.

''(a) IN GENERAL.—

''(1) MAINTENANCE OF FACILITY SECURITY COMMITTEES.—Except as provided under paragraph (2), the agencies that are tenants at each Federal facility shall maintain a Facility Security Committee for that Federal facility. Each agency that is a tenant at a Federal facility shall provide 1 employee to serve as a member of the Facility Security Committee.

''(2) EXEMPTIONS.—The Secretary may exempt a Federal facility from the requirement under paragraph (1), if that Federal facility is authorized under section 263 to provide protective services.

''(b) CHAIRPERSON.—

''(1) IN GENERAL.—Each Facility Security Committee shall be headed by a chairperson, elected by a majority of the members of the Facility Security Committee.

''(2) RESPONSIBILITIES.—The chairperson shall be responsible for—

''(A) maintaining accurate contact information for agency tenants and providing that information, including any updates, to the Federal Protective Service or designated security organization;

''(B) setting the agenda for Facility Security Committee meetings;

''(C) referring Facility Security Committee member questions to Federal Protective Service or designated security organization for response;

''(D) reviewing a security assessment completed by the Federal Protective Service or designated security organization representatives and, if requested by the Federal Protective Service or designated security organization, accompanying the representatives during on-site facility security assessments;

''(E) maintaining an official record of each meeting;

''(F) acknowledging receipt of the facility security assessment from Federal Protective Service or designated security organization;

''(G) maintaining records of training of or waivers for members of the Facility Security Committee; and

''(H) any other duties as determined by the Interagency Security Committee.

''(c) TRAINING FOR MEMBERS.—

''(1) IN GENERAL.—Except as provided under paragraphs (3) and (4), before serving as a member of a Facility Security Committee, an employee shall successfully complete a training course that meets a minimum standard of training as established by the Interagency Security Committee.

''(2) TRAINING.—Training under this subsection shall—

''(A) be provided by the Federal Protective Service or designated security organization, in accordance with standards established by the Interagency Security Committee;

''(B) be commensurate with the security level of the facility; and

''(C) include training relating to—

''(i) familiarity with published standards of the Interagency Security Committee;

''(ii) physical security criteria for Federal facilities;

''(iii) use of physical security performance measures;

''(iv) facility security levels determinations;

''(v) best practices for safe mail handling;

''(vi) knowledge of an occupant emergency plan, the facility security assessment process, and the facility countermeasures plan; and

''(vii) the role of the Federal Protective Service or designated security organization and the General Services Administration.

''(3) WAIVERS.—The training requirement under this subsection may be waived by the Director, the head of a designated security organization, or the Chairperson of the Interagency Security Committee if the Director, the head of the designated security organization, or the Chairperson determines that an employee has related experience in physical security, law enforcement, or infrastructure security disciplines.

''(4) INCUMBENT MEMBERS.—

''(A) IN GENERAL.—This subsection shall apply to any Facility Security Committee established before, on, or after the date of enactment of the Supporting Employee Competency and Updating Readiness Enhancements for Facilities Act of 2011, except that any member of a Facility Security Committee serving on that date shall during the 1-year period following that date—

''(i) successfully complete a training course as required under paragraph (1); or

''(ii) obtain a waiver under paragraph (3).

''(B) COMPLIANCE.—Any member of a Facility Security Committee described under subparagraph (A) who does not comply with that subparagraph may not serve on that Facility Security Committee.

''(d) MEETINGS AND QUORUM.—

''(1) MEETINGS.—Each Facility Security Committee shall meet on a quarterly basis, or more frequently if determined appropriate by the chairperson.

''(2) QUORUM.—A majority of the members of a Facility Security Committee shall be present for a quorum to conduct business.

''(e) APPEAL.—

''(1) IN GENERAL.—If a Facility Security Committee disagrees with a determination of a facility security level or a determination of noncompliance with Federal security standards, the Chairperson of a Facility Security Committee may file an appeal of the determination with the Interagency Security Committee appeals board.

''(2) DECISION TO APPEAL.—The decision to file an appeal shall be agreed to by a majority of the members of a Facility Security Committee

''(3) MATTERS SUBJECT TO APPEAL.—A determination of the Federal Protective Service may be appealed under this subsection, including any determination relating to—

''(A) countermeasure improvements;

''(B) facility security assessment findings; and

''(C) facility security levels.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Homeland Security Act of 2002 is amended by inserting after the matter relating to title II the following:

''Subtitle E—Federal Protective Service

''Sec. 241. Definitions.
''Sec. 242. Establishment.
''Sec. 243. Full-time equivalent employee requirements.
''Sec. 244. Oversight of contract guard services.
''Sec. 245. Infrastructure Security Canine Teams.
''Sec. 246. Checkpoint detection technology standards.
''Sec. 247. Compliance of Federal facilities with Federal security standards.
''Sec. 248. Fees for protective services.

''Subtitle F—Interagency Security Committee

''Sec. 261. Definitions.
''Sec. 262. Interagency Security Committee.
''Sec. 263. Authorization of agencies to provide protective services.
''Sec. 264. Facility security committees.''.

SEC. 4. FEDERAL PROTECTIVE SERVICE OFFICERS OFF-DUTY CARRYING OF FIREARMS.

(a) LAW ENFORCEMENT AUTHORITY OF SECRETARY OF HOMELAND SECURITY.—Section 1315(b)(2) of title 40, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''While engaged in the performance of official duties, an'' and inserting ''An''; and

(2) in subparagraph (B), by striking ''carry firearms;'' and inserting ''carry firearms on or off duty;''.

(b) CARRYING CONCEALED FIREARMS.—Section 926B(f) of title 18, United States Code, is amended by inserting '', a law enforcement officer of the Federal Protective Service'' after ''Federal Reserve,''.

SEC. 5. CIVIL SERVICE RETIREMENT SYSTEM AND FEDERAL EMPLOYEES RETIREMENT SYSTEM.

(a) CIVIL SERVICE RETIREMENT SYSTEM.—

(1) DEFINITION.—Section 8331 of title 5, United States Code is amended—

(A) in paragraph (30), by striking ''and'' at the end;

(B) in paragraph (31), by striking the period and inserting ''and''; and

(C) by adding at the end the following:

''(32) 'Federal protective service officer' means an employee in the Federal Protective Service of the Department of Homeland Security—

''(A) who holds a position within the GS–0083, GS–0080, GS–1801, or GS–1811 job series (determined applying the criteria in effect as of September 1, 2007 or any successor position; and

''(B) who are authorized to carry firearms and empowered to make arrests in the performance of duties related to the protection of buildings, grounds and property that are owned, occupied, or secured by the Federal Government (including any agency, instrumentality or wholly owned or mixed-ownership corporation thereof) and the persons on the property, including any such employee who is transferred directly to a supervisory or administrative position in the Department of Homeland Security after performing such duties in 1 or more positions (as described under subparagraph (A)) for at least 3 years.''.

(2) DEDUCTIONS, CONTRIBUTIONS, AND DEPOSITS.—Section 8334 of title 5, United States Code, is amended—

(A) in subsection (a)(1)(A), by inserting ''Federal protective service officer,'' before ''or customs and border protection officer,''; and

(B) in the table contained in subsection (c), by adding at the end the following:

''Federal Protective Service Officer.	7.5	After June 29, 2011.''.

(3) MANDATORY SEPARATION.—The first sentence of section 8335(b)(1) of title 5, United States Code, is amended by inserting ''Federal protective service officer,'' before ''or customs and border protection officer,''.

(4) IMMEDIATE RETIREMENT.—Section 8336 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by inserting ''Federal protective service officer,'' before ''or customs and border protection officer,''; and

(B) in subsections (m) and (n), by inserting ''as a Federal protective service officer,'' before ''or as a customs and border protection officer,''.

(b) FEDERAL EMPLOYEES RETIREMENT SYSTEM.—

(1) DEFINITION.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (35), by striking ''and'' at the end;

(B) in paragraph (36), by striking the period and inserting ''and''; and

(C) by adding at the end the following:

''(37) 'Federal protective service officer' means an employee in the Federal Protective Service of the Department of Homeland Security—

''(A) who holds a position within the GS–0083, GS–0080, GS–1801, or GS–1811 job series (determined applying the criteria in effect as of September 1, 2007) or any successor position; and

''(B) who are authorized to carry firearms and empowered to make arrests in the performance of duties related to the protection of buildings, grounds and property that are owned, occupied, or secured by the Federal Government (including any agency, instrumentality or wholly owned or mixed-ownership corporation thereof) and the persons on the property, including any such employee who is transferred directly to a supervisory or administrative position in the Department of Homeland Security after performing such duties in 1 or more positions (as described under subparagraph (A)) for at least 3 years.''.

(2) IMMEDIATE RETIREMENT.—Paragraphs (1) and (2) of section 8412(d) of title 5, United States Code, are amended by inserting ''Federal protective service officer,'' before ''or customs and border protection officer,''.

(3) COMPUTATION OF BASIC ANNUITY.—Section 8415(h)(2) of title 5, United States Code, is amended by inserting ''Federal protective service officer,'' before ''or customs and border protection officer,''.

(4) DEDUCTIONS FROM PAY.—The table contained in section 8422(a)(3) of title 5, United States Code, is amended by adding at the end the following:

''Federal Protective Service Officer.	7.5	After June 29, 2011.''.

(5) GOVERNMENT CONTRIBUTIONS.—Paragraphs (1)(B)(i) and (3) of section 8423(a) of title 5, United States Code, are amended by inserting ''Federal protective service officer,'' before ''customs and border protection officer,'' each place that term appears.

(6) MANDATORY SEPARATION.—Section 8425(b)(1) of title 5, United States Code, is amended—

(A) by inserting ''Federal protective service officer,'' before ''or customs and border protection officer,'' the first place that term appears; and

(B) inserting ''Federal protective service officer,'' before ''or customs and border protection officer,'' the second place that term appears.

(c) MAXIMUM AGE FOR ORIGINAL APPOINTMENT.—Section 3307 of title 5, United States Code, is amended by adding at the end the following:

''(h) The Secretary of Homeland Security may determine and fix the maximum age limit for an original appointment to a position as a Federal protective service officer, as defined by section 8401(37).''.

(d) REGULATIONS.—Any regulations necessary to carry out the amendments made by this section shall be prescribed by the Director of the Office of Personnel Management in consultation with the Secretary.

(e) EFFECTIVE DATE; TRANSITION RULES; FUNDING.—

(1) EFFECTIVE DATE.—The amendments made by this section shall become effective on the later of June 30, 2011 or the first day of the first pay period beginning at least 6 months after the date of enactment of this Act.

(2) TRANSITION RULES.—

(A) NONAPPLICABILITY OF MANDATORY SEPARATION PROVISIONS TO CERTAIN INDIVIDUALS.—The amendments made by subsections (a)(3) and (b)(6), respectively, shall not apply to an individual first appointed as a Federal protective service officer before the effective date under paragraph (1).

(B) TREATMENT OF PRIOR FEDERAL PROTECTIVE SERVICE OFFICER SERVICE.—

(i) GENERAL RULE.—Except as provided in clause (ii), nothing in this section shall be considered to apply with respect to any service performed as a Federal protective service officer before the effective date under paragraph (1).

(ii) EXCEPTION.—Service described in section 8331(32) and 8401(37) of title 5, United States Code (as amended by this section) rendered before the effective date under paragraph (1) may be taken into account to determine if an individual who is serving on or after such effective date then qualifies as a Federal protective service officer by virtue of holding a supervisory or administrative position in the Department of Homeland Security.

(C) MINIMUM ANNUITY AMOUNT.—The annuity of an individual serving as a Federal protective service officer on the effective date under paragraph (1) pursuant to an appointment made before that date shall, to the extent that its computation is based on service rendered as a Federal protective service officer on or after that date, be at least equal to the amount that would be payable to the extent that such service is subject to the Civil Service Retirement System or Federal Employees Retirement System, as appropriate, by applying section 8339(d) of title 5, United States Code, with respect to such service.

(D) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (c) shall be considered to apply with respect to any appointment made before the effective date under paragraph (1).

(3) FEES AND AUTHORIZATIONS OF APPROPRIATIONS.—

(A) FEES.—The Director of the Office of Management and Budget shall adjust fees as necessary to ensure collections are sufficient to carry out amendments made in this section.

(B) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

(4) ELECTION.—

(A) INCUMBENT DEFINED.—For purposes of this paragraph, the term ''incumbent'' means an individual who is serving as a Federal protective service officer on the date of the enactment of this Act.

(B) NOTICE REQUIREMENT.—Not later than 30 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall take measures reasonably designed to ensure that incumbents are notified as to their election rights under this paragraph, and the effect of making or not making a timely election.

(C) ELECTION AVAILABLE TO INCUMBENTS.—

(i) IN GENERAL.—An incumbent may elect, for all purposes, either—

(I) to be treated in accordance with the amendments made by subsection (a) or (b), as applicable; or

(II) to be treated as if subsections (a) and (b) had never been enacted.

(ii) FAILURE TO MAKE A TIMELY ELECTION.—Failure to make a timely election under clause (i) shall be treated in the same way as an election made under clause (i)(I) on the last day allowable under clause (iii).

(iii) DEADLINE.—An election under this subparagraph shall not be effective unless it is made at least 14 days before the effective date under paragraph (1).

(5) DEFINITION.—For the purposes of this subsection, the term ''Federal protective service officer'' has the meaning given such term by section 8331(32) or 8401(37) of title 5, United States Code (as amended by this section).

(6) EXCLUSION.—Nothing in this section or any amendment made by this section shall be considered to afford any election or to otherwise apply with respect to any individual who, as of the day before the date of the enactment of this Act—

(A) holds a positions within the Federal Protective Service; and

(B) is considered a law enforcement officers for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, by virtue of such position.

SEC. 6. REPORT ON FEDERAL PROTECTIVE SERVICE PERSONNEL NEEDS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on the personnel needs of the Federal Protective Service that includes recommendations on the numbers of Federal protective service officers and the workforce composition of the Federal Protective Service needed to carry out the mission of the Federal Protective Service during the 10-fiscal year period beginning after the date of enactment of this Act.

(b) REVIEW AND COMMENT.—The Secretary shall provide the report prepared under this section to a qualified consultant for review and comment, before submitting the report to the appropriate congressional committees. The Secretary shall provide the comments of the qualified consultant to the appropriate congressional committee with the report.

SEC. 7. REPORT ON RETENTION RATE FEDERAL PROTECTIVE SERVICE CONTRACT GUARD WORKFORCE.

Not later than 90 days after the date of enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on—

(1) retention rates within the Federal Protective Service contract guard workforce; and

(2) how the retention rate affects the costs and operations of the Federal Protective Service and the security of Federal facilities.

SEC. 8. REPORT ON THE FEASIBILITY OF FEDERALIZING THE FEDERAL PROTECTIVE SERVICE CONTRACT GUARD WORKFORCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the feasibility of federalizing the Federal Protective Service contract guard workforce.

(b) REVIEW AND COMMENT.—The Secretary shall provide the report prepared under this section to a qualified consultant for review and comment, before submitting the report to the appropriate congressional committees. The Secretary shall provide the comments of the qualified consultant to the appropriate congressional committee with the report.

(c) CONTENTS.—The report under this section shall include an evaluation of—

(1) converting in its entirety, or in part, the Federal Protective Service contract workforce into full-time Federal employees, including an option to post a full-time equivalent Federal protective service officer at each Federal facility that on the date of enactment of this Act has a contract guard stationed at that facility;

(2) the immediate and projected costs of the conversion;

(3) the immediate and projected costs of maintaining guards under contract status and of maintaining full-time Federal employee guards;

(4) the potential increase in security if converted, including an analysis of using either a Federal security guard, Federal police officer, or Federal protective service officer instead of a contract guard;

(5) the hourly and annual costs of contract guards and the Federal counterparts of those guards, including an assessment of costs associated with all benefits provided to the Federal counterparts; and

(6) a comparison of similar conversions of large groups of contracted workers and potential benefits and challenges.

SEC. 9. REPORT ON AGENCY FUNDING.

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the method of funding for the Federal Protective Service, which shall include recommendations regarding whether the Federal Protective Service should continue to be funded by a collection of fees and security charges, be funded by appropriations, or be funded by a combination of fees, security charges, and appropriations.

SEC. 10. REPORT ON PREVENTING EXPLOSIVES FROM ENTERING FEDERAL FACILITIES.

Not later than 1 year after the date of enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on the feasibility, effectiveness, safety and privacy implications of the use or potential use of available methods to detect or prevent explosives from entering Federal facilities, including the use of additional canine teams, advanced imaging technology, or other technology or methods for detecting explosives.

SEC. 11. SAVINGS CLAUSE.

Nothing in this Act, including the amendments made by this Act, shall be construed to affect—

(1) the authorities under section 566 of title 28, United States Code;

(2) the authority of any Federal law enforcement agency other than the Federal Protective Service; or

(3) any authority of the Federal Protective Service not specifically enumerated by this Act that is in effect on the day before the date of enactment of this Act.

Ms. COLLINS. Mr. President, I rise today to join Senator LIEBERMAN and

Senator AKAKA in introducing the SECURE Facilities Act of 2011—Supporting Employee Competency and Updating Readiness Enhancements. This bill would help to improve inadequate security at too many of our Federal buildings.

As a Nation, we have learned several hard truths. Terrorists are intent on attacking the United States, and their tactics continue to evolve. The early identification of a security gap can save countless lives if we act promptly to close it. There is no substitute for pre-emptive action to detect, disrupt, and defend against terrorist plots.

As we remember the lives lost when terrorists attacked the United States in 2001, we must avoid complacency. Our country's defenses must be nimble, multi-layered, informed by timely intelligence and coordinated across multiple agencies.

This is difficult work, requiring painstaking attention to detail and an unwavering focus. We must remain vigilant about the threats we face. Unfortunately, the evidence indicates there are significant security problems at Federal buildings where thousands of employees serve thousands more of our citizens every work day.

The Federal Protective Service, FPS, is charged with securing nearly 9,000 Federal facilities and protecting the government employees who work in them, and the Americans who use them to access vital services.

But, independent investigations by the Government Accountability Office, at the request of our Committee, and the Department of Homeland Security Inspector General have documented serious and systemic security flaws within the operations of the FPS. These lapses place Federal employees and private citizens at risk.

In April and May of 2009, for example, GAO's undercover investigators smuggled bomb-making materials into 10 Federal office buildings. Every single building GAO targeted was breached—a perfect record of security failure. At each facility, concealed bomb components passed through checkpoints monitored by FPS guards. Once inside, the covert GAO investigators were able to assemble the simulated explosive devices without interruption.

A July 2009 GAO report documented training flaws for FPS contract guards, some of whom failed to receive mandatory training on the operation of metal detectors and x-ray equipment. Other contract guards were deficient in key certifications such as CPR, First Aid, and firearms training. All told, GAO found that 62 percent of the FPS contract guards it reviewed lacked valid certifications in one or more of these areas.

This review also found that FPS did little to ensure compliance with rules and regulations and failed to conduct inspections of guard posts after regular business hours. When GAO investigators tested these posts, they found some guards sleeping on an overnight shift.

In another example, an inattentive guard allowed a baby in a carrier to pass through an x-ray machine on its conveyor belt. That guard was fired, but he ultimately won a lawsuit against the FPS because the agency could not document that he had received required training on the machine.

A few months earlier, in April 2009, the Department of Homeland Security's Inspector General also found critical failings in the FPS contract guard program. The Inspector General's recommendations included many concrete steps to strengthen contract guard performance, such as improving the award and management of contracts and increasing the amount of training and number of compliance inspections.

These reports demonstrate that American taxpayers are simply not receiving the security they have paid for and that they expect FPS to provide. The reports also show the vulnerabilities facing Federal employees and federal infrastructure because of lax security.

While shining a light on these failings in multiple hearings, our Committee pressed FPS to take action to close these security gaps. Although some tentative steps have been taken by FPS, we can no longer wait for OMB and DHS to implement the absolutely critical security measures necessary to help protect our Federal buildings, our Federal employees, and the American public.

The legislation that I introduce today, with Senators LIEBERMAN and AKAKA, would help close these security gaps at our Federal buildings.

First, the bill would codify the Interagency Security Committee, which was established by Executive Order 6 months after the Oklahoma City bombing, to increase security standards at Federal facilities. The ISC, comprised of representatives from agencies across the government, would establish risk-based performance standards for the security of Federal buildings. FPS would then enforce these requirements based on the risk tier assigned the facility by the ISC.

Prior reports clearly demonstrate that FPS lacks authority to require tenant agencies of a Federal facility to comply with recommended security countermeasures.

For example, although FPS may ask tenant agencies to purchase or repair security equipment like cameras and x-ray machines, these tenant agencies can refuse to purchase or repair the equipment based on cost. Since FPS has no enforcement mechanism, these machines are not upgraded, or remain inoperable, and security suffers. With so much at stake, tenant agencies should not be able to effectively overrule the security experts on the ISC and at FPS.

To address this problem, our legislation would provide FPS the authority needed to mandate the implementation of security measures at a facility. FPS also would have the authority to inspect Federal facilities to enforce compliance.

The bill would allow the FPS Director to charge additional fees if tenant agencies fail to comply with applicable security standards. In such cases, the Secretary also must notify Congress of the non-compliant facilities.

Our bill also would require an independent analysis of FPS's long-term staffing needs.

The government has an obligation to protect our Nation's security, and our Federal buildings are targets for violence. This legislation would provide FPS with stronger authority to improve security at our Federal buildings.

The American public that relies on these facilities and the Federal employees who work in them deserve better and more reliable protection.

By Mr. BAUCUS:

S. 774. A bill to appropriate funds for pay and allowances and support for members of the Armed Forces, their families, and other personnel critical to national security during a funding gap; to the Committee on Appropriations.

Mr. BAUCUS. Mr. President, this is a bill to appropriate funds for pay and allowances and support for members of the Armed Forced, their families, and other personnel critical to national security during a funding gap.

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. 774

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 ''Enduring Support for Defenders of Freedom and Their Families Act''.

SEC. 2. APPROPRIATIONS FOR PAY AND ALLOWANCES AND SUPPORT FOR MEMBERS OF THE ARMED FORCES, THEIR FAMILIES, AND CERTAIN OTHER PERSONNEL CRITICAL TO NATIONAL SECURITY DURING A FUNDING GAP.

(a) IN GENERAL.—During a funding gap impacting the Armed Forces and the Department of Homeland Security, the Secretary of the Treasury shall make available to the Secretary of Defense and the Secretary of Homeland Security, out of any amounts in the general fund of the Treasury not otherwise appropriated, amounts as follows:

(1) Such amounts as the Secretary of Defense and the Secretary of Homeland Security determine to be necessary to continue to provide pay and allowances (without interruption) to the following:

(A) Members and dependents of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, including reserve components thereof, and the U.S. Customs and Border Protection, who perform active service during the funding gap.

(B) At the discretion of the Secretary of Defense and the Secretary of Homeland Security, such civilian personnel of the Department of Defense and the Department of

Homeland Security who are providing support to the personnel referred to in paragraph (1) as the Secretaries consider appropriate.

(C) At the discretion of the Secretary of Defense and the Secretary of Homeland Security, such personnel of contractors of the Department of Defense and the Department of Homeland Security who are providing direct support to the personnel referred to in paragraph (1) as the Secretaries consider appropriate.

(2) At the discretion of the Secretary of Defense and the Secretary of Homeland Security, such amounts as the Secretaries determine to be necessary to continue carrying out programs (and the pay and allowances of personnel carrying out such programs) that provide direct support to the members of the Armed Forces and the Department of Homeland Security, including programs as follows:

(A) Programs for the support of families, including child care and family support services.

(B) Such programs of the Department of Defense for the provision of medical treatment as the Secretary of Defense considers appropriate, including programs for the provision of rehabilitative services and counseling for combat injuries (including, but not limited to, Post Traumatic Stress Disorder (PTSD) and Traumatic Brain Injury (TBI)).

(b) FUNDING GAP DEFINED.—In this section, the term ''funding gap'' means any period of time after the beginning of a fiscal year for which interim or full-year appropriations for the personnel and other applicable accounts of the Armed Forces and the Department of Homeland Security for that fiscal year have not been enacted.

By Mr. UDALL of Colorado:

S. 784. A bill to prevent the shutdown of the Federal Government; to the Committee on Appropriations.

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objeciton, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 784

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 ''Preventing a Government Shutdown Act''.

SEC. 2. AMENDMENT TO TITLE 31.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

''§ 1311. Continuing appropriations

''(a)(1) If any regular appropriation bill for a fiscal year (or, if applicable, for each fiscal year in a biennium) does not become law before the beginning of such fiscal year or a joint resolution making continuing appropriations is not in effect, there are appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, excluding any budget authority designated as an emergency or temporary funding for projects or activities that are not part of ongoing operations, to such sums as may be necessary to continue any project or activity for which funds were provided in the preceding fiscal year—

''(A) in the corresponding regular appropriation Act for such preceding fiscal year; or

''(B) if the corresponding regular appropriation bill for such preceding fiscal year did not become law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

''(2) Appropriations and funds made available, and authority granted, for a project or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

''(A) the rate of operations provided for in the regular appropriation Act providing for such project or activity for the preceding fiscal year; or

''(B) in the absence of such an Act, the rate of operations provided for such project or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year.

''(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a project or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the earlier of—

''(A) the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such project or activity) or a continuing resolution making appropriations becomes law, as the case may be; or

''(B) the last day of such fiscal year.

''(4) This section shall not provide funding for a new fiscal year to continue any project or activity which is funded under the provisions of this section at the end of the preceding fiscal year until the enactment of a regular appropriation Act or joint resolution making continuing appropriations for such project or activity during such new fiscal year.

''(b) An appropriation or funds made available, or authority granted, for a project or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such project or activity under current law.

''(c) Appropriations and funds made available, and authority granted, for any project or activity for any fiscal year pursuant to this section shall cover all obligations or expenditures incurred for such project or activity during the portion of such fiscal year for which this section applies to such project or activity.

''(d) Expenditures made for a project or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such project or activity for such period becomes law.

''(e) This section shall not apply to a project or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

''(1) makes an appropriation, makes funds available, or grants authority for such project or activity to continue for such period; or

''(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such project or activity to continue for such period.

''(f) For purposes of this section, the term 'regular appropriation bill' means any annual appropriation bill making appropriations, otherwise making funds available, or granting authority, for any of the following categories of projects and activities:

''(1) Agriculture, rural development, Food and Drug Administration, and related agencies programs.

''(2) The Department of Defense.

''(3) Energy and water development, and related agencies.

''(4) State, foreign operations, and related programs.

''(5) The Department of Homeland Security.

''(6) The Department of the Interior, Environmental Protection Agency, and related agencies.

''(7) The Departments of Labor, Health and Human Services, and Education, and related agencies.

''(8) Military construction, veterans affairs, and related agencies.

''(9) Science, the Departments of State, Justice, and Commerce, and related agencies.

''(10) The Departments of Transportation, Housing and Urban Development, and related agencies.

''(11) The Legislative Branch.

''(12) Financial services and general government.''.

(b) CLERICAL AMENDMENT.—The analysis of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

''1311. Continuing appropriations.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to fiscal years beginning fiscal year 2011.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 138—CALLING ON THE UNITED NATIONS TO RESCIND THE GOLDSTONE REPORT, AND FOR OTHER PURPOSES

Mrs. GILLIBRAND (for herself and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 138

Whereas, on January 12, 2009, the United Nations Human Rights Council passed Resolution S-9/1, authorizing a ''fact-finding mission'' regarding the conduct of the Government of Israel during Operation Cast Lead between December 27, 2008, and January 18, 2009;

Whereas that resolution prejudged the outcome of the fact finding mission by mandating that it investigate ''violations of international human rights law and international humanitarian law by the occupying power, Israel, against the Palestinian people'';

Whereas, on September 15, 2009, the ''United Nations Fact Finding Mission on the Gaza Conflict'' released its report, now known as the ''Goldstone report'', named for its chair, South African Jurist Richard Goldstone;

Whereas the report made numerous unsubstantiated assertions against Israel, in particular accusing the Government of Israel of committing war crimes by deliberately targeting civilians during its operations in Gaza;

Whereas the report downplayed the overwhelming evidence that Hamas deliberately used Palestinian civilians and civilian institutions as human shields against Israel and deliberately targeted Israeli civilians with rocket fire for over eight years prior to the operation;

Whereas the United Nations Human Rights Council voted to welcome the report, to endorse its recommendations, and to condemn Israel without mentioning Hamas;

Whereas, as a result of the report, the United Nations General Assembly has passed

two resolutions endorsing the report's findings, the United Nations Secretary-General has been requested to submit several reports on implementation of its recommendations, and the Human Rights Council is scheduled to follow up on implementation of the report during future sessions;

Whereas the findings of the Goldstone report and the subsequent and continued United Nations member state actions following up on those findings have caused and continue to cause extensive harm to Israel's standing in the world and could potentially create legal problems for Israel and its leaders;

Whereas Justice Richard Goldstone publicly retracted the central claims of the report he authored in an op-ed in *The Washington Post* on April 2, 2011;

Whereas Justice Goldstone wrote in that article that if he ''had known then what I know now, the Goldstone Report would have been a different document'';

Whereas Justice Goldstone concluded that, contrary to his report's findings, the Government of Israel did not intentionally target civilians in the Gaza Strip as a matter of policy;

Whereas, in contrast, Justice Goldstone states that the crimes committed by Hamas were clearly intentional, were targeted at civilians, and constitute a violation of international law;

Whereas Justice Goldstone also conceded that the number of civilian casualties in Gaza was far smaller than the report alleged;

Whereas Justice Goldstone admitted that Israel investigated the findings in the report, while expressing disappointment that Hamas has not taken any steps to look into the report's findings; and

Whereas Justice Goldstone concluded that ''Israel, like any other sovereign nation, has the right and obligation to defend itself and its citizens'': Now, therefore, be it

Resolved, That the Senate—

(1) calls on the United Nations Human Rights Council members to reflect the author's repudiation of the Goldstone report's central findings, rescind the report, and reconsider further Council actions with respect to the report's findings;

(2) urges United Nations Secretary-General Ban Ki Moon to work with United Nations member states to reform the United Nations Human Rights Council so that it no longer unfairly, disproportionately, and falsely criticizes Israel on a regular basis;

(3) requests Secretary-General Ban Ki Moon to do all in his power to redress the damage to Israel's reputation caused by the Goldstone report;

(4) asks the Secretary-General to do all he can to urge member states to prevent any further United Nations action on the report's findings; and

(5) urges the United States to take a leadership role in getting the United Nations and its bodies to prevent any further action on the report's findings and limit the damage that this libelous report has caused to our close ally Israel and to the reputation of the United Nations.

SENATE RESOLUTION 139—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD TAKE CERTAIN ACTIONS WITH RESPECT TO THE GOVERNMENT OF BURMA

Mr. LUGAR (for himself, Mr. McCONNELL, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 139

Whereas the ruling junta in Burma, the State Peace and Development Council (SPDC), (recently renamed as the State Supreme Council), did not affirmatively respond to President Barack Obama's initiative to engage with Burma;

Whereas more than 2000 political prisoners continue to be detained in Burma, even after the release of Aung San Suu Kyi;

Whereas the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008 (Public Law 110–286) established the position of Special Representative and Policy Coordinator for Burma, and President Obama delayed for over two years to nominate a person for that position;

Whereas the Government of Burma continues to coerce children, including ethnic minorities, into participating in combat and other military roles;

Whereas the Government of Burma continues to coerce civilians, including ethnic minorities, to serve as human minesweepers;

Whereas the Government of Burma continues to coerce civilians, including ethnic minorities, to serve as porters and assist military personnel;

Whereas the United States Government successfully mounted a vigorous and multilateral strategy pursuant to United Nations Security Council Resolution 1874 (2009) to deter a North Korean ship, the Kang Nam I, from traveling to its alleged destination in Burma in July 2009;

Whereas North Korea and Burma are expanding their bilateral military relationship;

Whereas military and other personnel from North Korea have reportedly been in Burma providing technical and other assistance toward the development of the military capabilities of the Government of Burma;

Whereas the Government of North Korea has reportedly provided radar systems and capabilities to the Government of Burma;

Whereas the Government of North Korea has reportedly provided missiles and missile technology to the Government of Burma;

Whereas the Government of North Korea has reportedly provided underground tunneling technology to the Government of Burma;

Whereas the Government of North Korea has reportedly provided multiple rocket launchers to the Government of Burma;

Whereas there are reports that the Governments of North Korea and Burma are collaborating on matters related to the development of Burma's nuclear program;

Whereas the Governments of Russia and Burma collaborated on the development of Burma's nuclear program;

Whereas hundreds of persons from Burma have gone to Russia for specialized training, including in the area of nuclear technology;

Whereas the Government of Burma is acquiring additional MIG aircraft from the Government of Russia;

Whereas hundreds of thousands of persons have fled Burma since 1988 for safety and to avoid persecution; and

Whereas, since October 1, 1989, approximately 80,000 refugees from Burma have resettled in the United States: Now therefore, be it

Resolved, That it is the sense of the Senate that—

(1) given the growing relationship between the Governments of Burma and North Korea, the President should provide the Congress with an unclassified report as to the volume of ships and planes from North Korea visiting Burma, via China and elsewhere, in 2009, 2010, and through March 2011;

(2) the President should provide leadership by calling for an international investigation into allegations of international crimes against civilians in Burma, including ethnic minorities, by the Government of Burma;

(3) the President should seek the assistance of friends and allies of the United States who actively engage with the Government of Burma and have diplomatic missions in Burma, including Singapore, Japan, and South Korea, to encourage the release of all remaining political prisoners; and

(4) the President should encourage countries neighboring Burma to establish safe havens for Burmese child soldiers fleeing from forced military service by the Government of Burma.

AMENDMENTS SUBMITTED AND PROPOSED

SA 290. Mrs. HUTCHISON 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 291. Mr. REID (for himself and Mr. McCONNELL) proposed an amendment to the bill H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes.

TEXT OF AMENDMENTS

SA 290. Mrs. HUTCHISON 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 4, line 9, strike ''2019'' and insert ''2014''.

On page 4, line 17, strike ''2019'' and insert ''2014''.

On page 5, strike line 18 and all that follows through page 9, line 9.

On page 13, strike line 12 and all that follows through page 27, line 11, and insert the following:

SEC. 108. ENSURING THAT INNOVATIVE SMALL BUSINESSES WITH SUBSTANTIAL INVESTMENT FROM VENTURE CAPITAL OPERATING COMPANIES ARE ABLE TO PARTICIPATE IN THE SBIR AND STTR PROGRAMS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

''(cc) VENTURE CAPITAL OPERATING COMPANIES.—For purposes of the SBIR and STTR programs the following shall apply:

''(1) A business concern that has more than 500 employees shall not qualify as a small business concern.

''(2) In determining whether a business concern is independently owned and operated under section 3(a)(1) or meets the small business size standards established under section 3(a)(2), the Administrator shall not consider a business concern to be affiliated with a venture capital operating company (or with any other business that the venture capital operating company has financed) if—

''(A) the venture capital operating company does not own 50 percent or more of the business concern; and

''(B) employees of the venture capital operating company do not constitute a majority of the board of directors of the business concern.

''(3) A business concern shall be deemed to be independently owned and operated if—

''(A) it is owned in majority part by one or more natural persons or venture capital operating companies;

''(B) there is no single venture capital operating company that owns 50 percent or more of the business concern; and

''(C) there is no single venture capital operating company the employees of which constitute a majority of the board of directors of the business concern.

''(4) If a venture capital operating company controlled by a business with more than 500 employees (in this paragraph referred to as a 'VCOC under large business control') has an ownership interest in a business concern that is owned in majority part by venture capital operating companies, the business concern is eligible to receive an award under the SBIR or STTR program only if—

''(A) not more than two VCOCs under large business control have an ownership interest in the business concern; and

''(B) the VCOCs under large business control do not collectively own more than 20 percent of the business concern.

''(5) The term 'venture capital operating company' means a business concern—

''(A) that—

''(i) is a venture capital operating company, as that term is defined in regulations promulgated by the Secretary of Labor; or

''(ii) is an entity that—

''(I) is registered under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.); or

''(II) is an investment company, as defined in section 3(a)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a–3), that is not registered under such Act because of an exemption under paragraph (1) or (7) of section 3(c) of such Act; and

''(B) that is organized or incorporated and domiciled in the United States, or controlled by a business concern that is incorporated and domiciled in the United States.''.

SA 291. Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. The Continuing Appropriations Act, 2011 (Public Law 111–242) is further amended—

(1) by striking the date specified in section 106(3) and inserting ''April 15, 2011'';

(2) by adding after section 294, as added by the Additional Continuing Appropriations Amendments, 2011 (section 1 of Public Law 112–6), the following new sections:

''SEC. 295. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Office of the Secretary—Transportation Planning, Research, and Development' at a rate for operations of $9,800,000.

''Sec. 296. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Facilities and Equipment' at a rate for operations of $2,927,500,000.

''SEC. 297. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Aviation Administration—Research, Engineering, and Development' at a rate for operations of $187,000,000.

''SEC. 298. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service' at a rate for operations of $1,000,000,000.

''SEC. 299. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Railroad Administration—Railroad Research and Development' at a rate for operations of $35,100,000.

''SEC. 300. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Capital Investment Grants' at a rate for operations of $1,720,000,000.

''SEC. 301. Notwithstanding section 101, amounts are provided for 'Department of Transportation—Federal Transit Administration—Research and University Research Centers' at a rate for operations of $64,200,000.

''SEC. 302. Notwithstanding section 101, amounts are provided for 'Department of Housing and Urban Development—Public and Indian Housing—Public Housing Operating Fund' at a rate for operations of $4,626,000,000.

''SEC. 303. Notwithstanding sections 101 and 226, amounts are provided for 'Department of Housing and Urban Development—Community Planning and Development—Community Development Fund' at a rate for operations of $4,230,068,480, of which $0 shall be for grants for the Economic Development Initiative (EDI), $0 shall be for neighborhood initiatives, and $0 shall be for grants specified in the last proviso of the last paragraph under such heading in title II of division A of Public Law 111–117: *Provided*, That the second and third paragraphs under such heading in title II of division A of Public Law 111–117 shall not apply to funds appropriated by this Act.''.

This Act may be cited as the ''Further Additional Continuing Appropriations Amendments, 2011''.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 14, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct a hearing on S. 636, a bill to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes; S. 703, the Helping Expedite and Advance Responsible Tribal Homeownership Act of 2011; and S. 546, the Little Shell Tribe of Chippewa Indians Restoration Act of 2011.

Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that on Tuesday April 12, 2011, at 11 a.m, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 45 and 46; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of time, Calendar No. 45 be confirmed, and the Senate proceed to vote, without intervening action or debate, on Calendar No. 46; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 783

Mr. DURBIN. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 783) to provide an extension of time for filing individual income tax returns in the case of a Federal Government shutdown.

Mr. DURBIN. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provision of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read the second time on the next legislative day.

SIGNING AUTHORITY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate majority whip be authorized to sign duly enrolled bills or joint resolutions on Friday, April 8, and Saturday, April 9.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, APRIL 12, 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, April 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 11 a.m., 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 second half; further, at 11 a.m., the Senate proceed to executive session to consider Calendar No. 45, the nomination of Vincent Briccetti, of New York, to be U.S. District Judge for the Southern District of New York, and Calendar No. 46, the nomination of John Kronstadt, of California, to be U.S. District Judge for the Central District of California, as provided for under the previous order; finally, I ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, Senators should expect a rollcall vote at approximately 12 noon on the confirmation of the Kronstadt nomination. The Briccetti nomination will be confirmed by consent.

ADJOURNMENT UNTIL TUESDAY, APRIL 12, 2011, at 10 A.M.

Mr. DURBIN. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 11:57 p.m., adjourned until Tuesday, April 12, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

EXPORT—IMPORT BANK OF THE UNITED STATES

WANDA FELTON, OF NEW YORK, TO BE FIRST VICE PRESIDENT OF THE EXPORT—IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2013, VICE LINDA MYSLIWY CONLIN, TERM EXPIRED.

SEAN ROBERT MULVANEY, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE EXPORT—IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2015, VICE BIJAN RAFIEKIAN, TERM EXPIRED.

DEPARTMENT OF THE TREASURY

TIMOTHY G. MASSAD, OF CONNECTICUT, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE HERBERT M. ALLISON, JR., RESIGNED.

UNITED STATES INTERNATIONAL TRADE COMMISSION

DAVID S. JOHANSON, OF TEXAS, TO BE A MEMBER OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION FOR A TERM EXPIRING DECEMBER 16, 2018, VICE CHARLOTTE A. LANE, TERM EXPIRED.

DEPARTMENT OF STATE

JAMES HAROLD THESSIN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PARAGUAY.

NATIONAL SCIENCE FOUNDATION

WILLIAM CARL LINEBERGER, OF COLORADO, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2016, VICE KATHRYN D. SULLIVAN, TERM EXPIRED.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

BARBARA JEANNE ELLS, OF COLORADO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING OCTOBER 18, 2016, VICE LISA GENEVIEVE NASON, TERM EXPIRED.

DEBORAH DOWNING GOODMAN, OF OKLAHOMA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING OCTOBER 18, 2014, VICE JEANNE GIVENS, TERM EXPIRED.

CYNTHIA CHAVEZ LAMAR, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT FOR A TERM EXPIRING MAY 19, 2016. (REAPPOINTMENT)

DEPARTMENT OF JUSTICE

ANUJ CHANG DESAI, OF WISCONSIN, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2011, VICE STEPHEN KING, TERM EXPIRED.

ANUJ CHANG DESAI, OF WISCONSIN, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR THE TERM EXPIRING SEPTEMBER 30, 2014. (REAPPOINTMENT)

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER SECTION 211(A)(2), TITLE 14, U.S. CODE:

To be lieutenant commander

WILLIAM G. DWYER

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICERS IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

JESSICA L. BOHN
THERESA L. BROOKS
LASEANTA E. STAFFORD
REBECCA A. WALTHOUR
JEREMY A. WEISS

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ROSS ELLIS HAGAN, OF CALIFORNIA
SEAN M. JONES, OF FLORIDA
SHEILA M. LUTJENS, OF FLORIDA
MARK A. MEASSICK, OF FLORIDA
THOMAS R. MORRIS, OF VIRGINIA
PAUL ANDREW SABATINE, OF OREGON

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

DANIEL CABET, OF CALIFORNIA
JEFFREY A. COCHRANE, OF TEXAS
FARHAD GHAUSSY, OF CALIFORNIA
STEVEN E. HENDRIX, OF VIRGINIA
KAREN LEE KASAN, OF FLORIDA
GRACE KATHERINE LANG, OF THE DISTRICT OF COLUMBIA
HELEN MARY PATAKI, OF CALIFORNIA
LAWRENCE J. SACKS, OF MISSOURI
ZEMA SEMUNEGUS, OF FLORIDA
TODD D. SLOAN, JR., OF FLORIDA
JENE CLARK THOMAS, OF TEXAS

DEPARTMENT OF STATE

ROBERT J. GREENAN, OF ARIZONA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ARTURO ANTONIO ACOSTA, OF NEW YORK
MARTHA LILIANA APONTE, OF FLORIDA
MOHAMMAD KAMAL AYUB, OF ARIZONA
CHRISTOPHER G. BARRETT, OF MICHIGAN
DANA ELLEN BEEGUN, OF CALIFORNIA
MORGAN J. BRADY, OF PENNSYLVANIA
JEANNE M. BRIGGS, OF MARYLAND
STEPHANIE N. BUDZINA, OF VIRGINIA
MARK JOSEPH CARRATO, OF OREGON
ADAM BRYAN COX, OF THE DISTRICT OF COLUMBIA
JERI DIBLE, OF WASHINGTON
KATIE LINDSAY DONOHOE, OF MICHIGAN
BRIAN MICHAEL DUSZA, OF CONNECTICUT
CHARLINE ASBURY EASTIN, OF FLORIDA
HARVEY A. EICHENFIELD, OF NEVADA
RANDOLPH B. FLAY, OF CALIFORNIA
SACHA FRAITURE, OF MARYLAND
CHRISTOPHER B. FROST, OF GEORGIA
CAMILLE GARCIA, OF TEXAS
ALLYSON L. GARDNER, OF MARYLAND
DEANNA ERIN GORDON, OF VIRGINIA
JAMES GULTRY, OF WISCONSIN
TODD HAMNER, OF CALIFORNIA
WARREN J. HARRITY, OF VIRGINIA
WANDA M. HENRY, OF SOUTH CAROLINA
JOSEPH HIRSCH, OF WASHINGTON
SONILA HYSI, OF MASSACHUSETTS
HUSSAIN WAHEED IMAM, OF VIRGINIA
CAROL JENKINS, OF CALIFORNIA
RONIT S. KIRSHNER—GERARD, OF CALIFORNIA
BRIAN S. LEVEY, OF VIRGINIA
DARREN A. MANNING, OF FLORIDA
MELINDA RAE MANNING, OF WASHINGTON
TERENCE A. MILLER, OF THE DISTRICT OF COLUMBIA
MONICA J. MOORE, OF TENNESSEE
KATHERINE GRACE OSBORNE—VALDEZ, OF TEXAS
LAURA PALMER PAVLOVIC, OF NEW YORK
ANUPAMA SPATIKA RAJARAMAN, OF TEXAS
MATTHEW D. REES, OF NEW JERSEY
CRAIG RIEGLER, OF VIRGINIA
JOHN PATRICK RIORDAN, OF ILLINOIS
RAND ROBINSON, OF TEXAS
DANA H. ROSE, OF COLORADO
BRYN AKEMI SAKAGAWA, OF FLORIDA
ADAM ERIC SCHUMACHER, OF NEW YORK
SUSAN SCOTT—VARGAS, OF TEXAS
CYNTHIA L. SHARTZER, OF CALIFORNIA
RHONDA SHIRE, OF FLORIDA
HEATHER CAROLINE SMITH, OF WASHINGTON
VALERIE ANN SMITH, OF MINNESOTA
V. KATE SOMVONGSIRI, OF TEXAS
SHANDA L. STEIMER, OF MINNESOTA
VICTORIA STEIN, OF WASHINGTON
AARON M. STERN, OF VIRGINIA
GREGORY E. TAITT, OF MARYLAND
PATRICK WESNER, OF MARYLAND

DEPARTMENT OF AGRICULTURE

CHANDA V. BECKMAN, OF VIRGINIA
LEVIN S. FLAKE, OF VIRGINIA
MARK H. FORD, OF TENNESSEE
DWIGHT A. WILDER, OF WEST VIRGINIA
DAVID L. WOLF, OF MARYLAND

DEPARTMENT OF COMMERCE

MARIANNE M. DRAIN, OF WASHINGTON
JANE KITSON, OF MARYLAND

DEPARTMENT OF STATE

MEG E. RIGGS, OF MAINE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

THOMAS CASSIDY, OF NEW HAMPSHIRE
TANYA L. COLE, OF CALIFORNIA
MANOJ S. DESAI, OF FLORIDA
WILLIAM KUTSON, OF MARYLAND
ERIC P. OLSON, OF COLORADO

DEPARTMENT OF STATE

LAURA E. ANDERSON, OF SOUTH CAROLINA
AMBER AURA, OF CALIFORNIA
JASON J. BECK, OF UTAH
JEFFREY D. BOWAN, OF WASHINGTON
LAURA PYEATT BROWN, OF TENNESSEE
MARCY S BROWN, OF NEW YORK
MATTHEW CRANE BUFFINGTON, OF THE DISTRICT OF COLUMBIA
JAMES A. CATTO, OF SOUTH CAROLINA
WILLIAM PERCY COBB, JR., OF FLORIDA
HENRY CLAY CONSTANTINE IV, OF VIRGINIA
ANDREA D. COREY, OF COLORADO
BRIAN F. CORTEVILLE, OF MICHIGAN
WILLIAM EVAN COUCH, OF ALASKA
CORNELIUS C. CREMIN, OF CALIFORNIA
AMY ELIZABETH DAHM, OF TEXAS
ANGELA VERNET DALRYMPLE, OF THE DISTRICT OF COLUMBIA
MEERA DORAISWAMY, OF VIRGINIA
DAVID A. FABRYCKY, OF VIRGINIA
RICHARD ALLEN FISHER, OF VIRGINIA
KHASHAYAR MOHAMMAD GHASHGHAI, OF TEXAS
FONTA J. GILLIAM, OF NORTH CAROLINA
SANDRINE SUSAN GOFFARD, OF VIRGINIA
LESLIE NUNEZ GOODMAN, OF FLORIDA
TERESA L. GRANTHAM, OF TENNESSEE
ANDREW S. HAMRICK, OF GEORGIA
ALISON C. HANNAH, OF WASHINGTON
BRENDAN KYLE HATCHER, OF TENNESSEE
HEIDI S. HATTENBACH, OF OREGON
CRISTIN HEINBECK, OF MICHIGAN
PRASHANT HEMADY, OF PENNSYLVANIA
JACQUELYN E. HENDERSON, OF INDIANA
RALAN LUCAS HILL, OF CALIFORNIA
ROY ARTURO HINES, OF CALIFORNIA
ALICE LADENE HOLDER, OF CALIFORNIA
MATTHEW LANE HORNER, OF OREGON
WILLIAM P. HUMNICKY, OF CALIFORNIA
STEPHANIE J. HUTCHISON, OF MASSACHUSETTS
JOHN CLARK JACOBS, OF TEXAS
AMANDA SCHRADER JACOBSEN, OF WASHINGTON
KIM H. JORDAN, OF CALIFORNIA
JAMES SEAN KENNEDY, OF CALIFORNIA
TAMMY CRITTENDEN KENYATTA, OF VIRGINIA
DENEYSE ANTOINETTE KIRKPATRICK, OF TEXAS
DANIEL A. KRONENFELD, OF CALIFORNIA
RACHEL R KUTZLEY, OF OHIO
LAWRENCE PAUL LANE, OF CALIFORNIA
BRENT AARON MAIER, OF TEXAS
AMANDA JOY MANSOUR, OF THE DISTRICT OF COLUMBIA
SIOBHAN COLBY OAT—JUDGE, OF CONNECTICUT
DANIEL S. ONSTAD, OF NEW JERSEY
STEVEN LYNN OVARD, OF UTAH
NIMESH N. PARIKH, OF WASHINGTON
GARRY PIERROT, OF FLORIDA
KATHRYN E. PORTER, OF ALABAMA
RABIA Y. QURESHI, OF OHIO
CHARLES A. REYNOLDS, OF GEORGIA
DAVID M. REYNOLDS, OF FLORIDA
JUSTIN ELBERT REYNOLDS, OF IOWA
KRISTIN M. ROBERTS, OF VIRGINIA
MICHAEL E. ROSENTHAL, OF FLORIDA
LINDSEY L. ROTHENBERG, OF FLORIDA
SAMUEL F. ROTHENBERG, OF FLORIDA
GEORGE G. SARMIENTO, OF TEXAS
MELISSA SCHUBERT, OF MISSOURI
RHONDA LYNN SLUSHER, OF GEORGIA
ADAM L. SMITH, OF UTAH
KIMBERLY MARLENE STROLLO, OF FLORIDA
ERIN P. SWEENEY, OF NEW JERSEY
JUSTEN ALLEN THOMAS, OF WISCONSIN
HUNTER BARRETT TRESEDER, OF CALIFORNIA
SCOTT VANBEUGE, OF WASHINGTON
NATALIE ANGELA FAIRBANKS VAN DER HORST, OF VIRGINIA
NANCY TAYLOR VAN HORN, OF TEXAS
LILLIAN CATHERINE WAHL—TUCO, OF NEW HAMPSHIRE
GARY W. WESTFALL, OF FLORIDA
DANIEL WALLACE WRIGHT, OF VIRGINIA
MATTHEW WRIGHT, OF TEXAS
CHADWICK JACKSON WYKLE, OF WEST VIRGINIA
MARWA M. ZEINI, OF FLORIDA

THE FOLLOWING—NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

MICHAEL BURNETT, OF VIRGINIA
DANIEL GREEN, OF MARYLAND

DEVIN RAMBO, OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF STATE

JAMES ROBERT ABESHAUS, OF FLORIDA
RACHEL A. AICHER, OF NEW YORK
DANA O. AL—EBRAHIM, OF VIRGINIA
CAROLINE A. AMBERGER, OF NORTH CAROLINA
NATHANIEL F. AUSTIN, OF WASHINGTON
HARVEY LEWIS BEASLEY, JR., OF NORTH CAROLINA
PAUL S. BEIGHLEY, OF FLORIDA
BRIDGET K. BINDER, OF NEW YORK
MATTHEW L. BLEVINS, OF OREGON
LAURA L. BROWN, OF VIRGINIA
MATTHEW J. BRYSON, OF VIRGINIA
REBECCA A. BRYSON, OF VIRGINIA
TIMOTHY JAMES BUGANSKY, OF OHIO
RANDALL THOMAS CALABRESE, OF VIRGINIA
DERRICK D. CANNON, OF MARYLAND
ERICA CECILIA CHIUSANO, OF MARYLAND
DANIEL P. DE ROSA, OF VIRGINIA
STEVEN E. DE VORE, OF VIRGINIA
MICHAEL JOSEPH DURNAN, OF NEW YORK
DAVID A. EDWARDS, OF VIRGINIA
BENJAMIN STUART EMBURY, OF VIRGINIA
RYAN SCOTT ENGEN, OF TEXAS
JACQUES PAUL ETIENNE, OF NEW YORK
JOSEPH D. FAHEY, OF VIRGINIA
DAVID C. FREEMAN, OF VIRGINIA
JASON OTTO FROHNMAYER, OF OREGON
CHES HOBBS GARNER, OF FLORIDA
NICHOLAS B. GEISINGER, OF VIRGINIA
TRACI L. GOINS, OF FLORIDA
THOMAS F. GRAY, JR., OF FLORIDA
CHRISTOPHER T. GREEN, OF VIRGINIA
ANTONIA ELIZABETH HABER, OF FLORIDA
JASON DAMON HALLECK, OF CALIFORNIA
LAUREN BROOKS HALLETT, OF MARYLAND
DERRICK HANSON, OF VIRGINIA
ANTHONY LEE HARVEY, OF VIRGINIA
MARY E. HAYES, OF FLORIDA
ZEHRA HIRJI, OF NEW YORK
LAUREN E. HO, OF VIRGINIA
ALLEN C. HODGES, OF TEXAS
JASON S. HWANG, OF NEW JERSEY
THOMAS B. HWEI, OF CALIFORNIA
JEAN-CLAUDE KHALIFE, OF VIRGINIA
SHIREEN KARIMI, OF THE DISTRICT OF COLUMBIA
JOHN G. KEMMER, JR., OF THE DISTRICT OF COLUMBIA
JUSTIN KIMMONS-GILBERT, OF NEW JERSEY
NOLAN KLEIN, OF NEW YORK
KEVIN J. KOCHER, OF GEORGIA
ROBERT J. KOELLISCH, OF VIRGINIA
MAUREEN FARRELL KOLBE, OF VIRGINIA
CHRISTINE J. KORNMAN, OF VIRGINIA
BRANDON J. KRALLIS, OF VIRGINIA
COLLEEN M. LAMOND, OF THE DISTRICT OF COLUMBIA
ERIK C. LEES, OF VIRGINIA
CHRISTINE M. LOHMANN, OF VIRGINIA
JOHN X. LOUGHRAN, OF MARYLAND
YANG MADSEN, OF MINNESOTA
JULIA MANEVICH, OF VIRGINIA
ROSALYN Y. MARSHALL, OF MARYLAND
THEODORE T. MASSEY, OF VIRGINIA
MOLLY MAYFIELD BARBEE, OF FLORIDA
ROBBIE M. MCANNALLY, OF VIRGINIA
PATRICK CALEY MCCORMICK, OF TEXAS
LAUREN ALEXANDRIA MEEHLING, OF ARIZONA
ROLAND PIERRE MCGREER MINEZ, OF WASHINGTON
LEANNE M. NIELSON, OF MISSOURI
KURRAN PATRICK OCHWAT, OF VIRGINIA
RACHEL MARIE O'HARA, OF MARYLAND
LARA ADRIENNE O'NEILL, OF FLORIDA
DANIEL L. PALMQUIST, OF MINNESOTA
REBECCA L. PATTERSON, OF MAINE
BRENDA M. PERRY, OF VIRGINIA
HILARY J. PETERS, OF WASHINGTON
MATTHEW C. PRINCE, OF VIRGINIA
SABAHAT QAMAR, OF MASSACHUSETTS
SARAH RENEE QUINZIO, OF MINNESOTA
MICHELE L. RAFFINO, OF VIRGINIA
BAHRAM M. RAJAEE, OF DELAWARE
MARK S. RAUSENBERGER, OF MISSOURI
MICHAEL T. REFFETT, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER MAURICE RICHARDSON, OF SOUTH CAROLINA
JEFFREY M. RIDENOUR, OF WASHINGTON
RYAN D. RING, OF VIRGINIA
SEAN WILLIAM ROBINSON, OF VIRGINIA
JULIUS T. ROSE, OF VIRGINIA
SAMUEL J. ROTENBERG, OF NEW YORK
RYAN R. SAWAK, OF VIRGINIA
JAMIE LEIGH SHUFFLEBARGER, OF THE DISTRICT OF COLUMBIA
LEE JAMES SKLUZAK, OF VIRGINIA
JORGE E. SOLARES, OF TEXAS
ALLISON L. SPIDLE, OF MISSOURI
JARED M. STANKOSKY, OF VIRGINIA
JUSTIN JAMES STECKLEY, OF FLORIDA
MATTHEW A. STELMACK, OF PENNSYLVANIA
BRIAN M. STRAIGHT, OF VIRGINIA
ANOOD MEHMOOD TAQUI, OF CALIFORNIA
MARTIN K THOMEN IV, OF TEXAS
JEREMY B. THOMPSON, OF THE DISTRICT OF COLUMBIA
TAYLOR C. TINNEY, OF MARYLAND
JENNY GRAY TRAILLE, OF VIRGINIA
KARL EVAN TRUNK, OF VIRGINIA
THEODORE J. VAN DER MEID, OF VIRGINIA
SHELLY R. WESTEBBE, OF VIRGINIA
KELSEY JAMES WITTENBERGER, OF FLORIDA
ANDREW J. ZVIRZDIN, OF NEW YORK

THE FOLLOWING—NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR, EFFECTIVE JANUARY 16, 2010:

WILLEM H. BRAKEL, OF THE DISTRICT OF COLUMBIA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DAVID M. RODRIGUEZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COLONEL NORVELL V. COOTS
COLONEL DENNIS D. DOYLE
COLONEL BRIAN C. LEIN

THE FOLLOWING NAMED OFFICERS IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

CARLSON A. BRADLEY
BENJAMIN D. GRAVES
NATHAN P. LADA
MONICA M. RYAN
SYLVESTER E. WALLER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

TRACY T. SKIPTON

WITHDRAWAL

Executive Message transmitted by the President to the Senate on April 8, 2011 withdrawing from further Senate consideration the following nomination:

JONATHAN ANDREW HATFIELD, OF VIRGINIA, TO BE INSPECTOR GENERAL, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, VICE GERALD WALPIN, WHICH WAS SENT TO THE SENATE ON JANUARY 26, 2011.

EXTENSIONS OF REMARKS

RECOGNIZING THE CITIZENS OF OAK LAWN FOR INDEPENDENTLY FUNDING THE CONSTRUCTION OF A 9/11 MONUMENT

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize the Village of Oak Lawn and its commitment to honoring the heroes and victims of 9/11 with a monument to be dedicated on September 11, 2011—the ten year anniversary of the terrorist attacks. Located in my district, this community has come together to fund the construction of a monument to be built with four beams from the World Trade Center in memoriam of that tragic day and the brave first responders who made the ultimate sacrifice.

Erik Blome, a Chicago native whose public works projects can be found throughout the nation, has unveiled a design that will include a ''forest of beams'' memorializing the first responders and the resiliency of the American spirit. The symbolism of beams from the World Trade Center coupled with the artistic skill of Mr. Blome will produce a lasting and poignant monument to help Oak Lawn residents remember our national loss and those heroes who responded for generations to come.

Led by the Oak Lawn Rotary Club, the residents of Oak Lawn, Illinois are coming together to raise money to fund construction of the monument. Through community fundraisers and generous donations by Oak Lawn citizens, businesses, and organizations, the local community will independently fund the Oak Lawn 9/11 Monument.

I am proud to recognize the Village of Oak Lawn for its strong history of philanthropy and community involvement. Please join me in celebrating the residents of Oak Lawn and the Oak Lawn Rotary Club for its leadership in ensuring that the lives of the September 11th first responders are not forgotten. I know the project will continue to be a great success and I look forward to visiting the memorial once completed.

RECOGNIZING TRISTAN FISSETTE

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. ROSKAM. Mr. Speaker, I am pleased to rise today to recognize Tristan Fissette, an exceptional and accomplished young man from the Sixth District of Illinois. Tristan is a recent recipient of a grant award from Our Military Kids and was selected as one of four honorary ''Our Military Kids of the Year.''

Serving our country requires an extraordinary sacrifice from service members and their families. Founded in 2004, Our Military Kids has provided grants to children of deployed military personnel to be put towards fine arts activities, sports programs and academic tutoring.

At the early age of eight, Tristan began taking karate lessons. His primary aspiration was to obtain a black belt by the time his father returned from his second deployment to Kuwait. With the help of a grant from Our Military Kids, and personal determination, Tristan was able to reach this goal. Tristan has also been involved in ''Feed My Starving Children,'' a distribution program that prepares bags of food for children in need in developing countries. At home, Tristan has demonstrated an unwavering dedication to his family and community. In his father's absence, Tristan has been diligent about completing household chores and maintains excellent grades in school. As the eldest child, he has set a good example for his younger brother and sister. Tristan possesses great potential, and it will be incredible to see how he applies his talents in the future.

April is the Month of the Military Child, and as such, I would like to take this opportunity to celebrate this special occasion. Mr. Speaker and Distinguished Colleagues, please join me in honoring Tristan for his remarkable achievements.

RECOGNIZING LARRY SHARP

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I stand before you today to honor Mr. Larry Sharp, Executive Director of the International Institute/LACASA—IILC, an organization that specializes in assisting individuals with immigration and citizenship concerns. For over 30 years, Larry has devoted his time and efforts to this organization, touching the lives of countless individuals. Mr. Sharp will be honored for his many years of service at an event hosted by the Gary Historical and Cultural Society, Inc., on Saturday, April 9, 2011, at the Genesis Convention Center in Gary.

Founded in 1919, the International Institute's main purpose was to assist foreign born individuals in their adjustment to American life by providing home visits with bilingual volunteers and workers. Continuing on this path, the organization continued to enhance the services it offered, and the Institute organized the first English classes for the foreign born. In 1945, a major focus of the organization was immigration and naturalization, and in 1958, the International Institute was accredited by the Board of Immigration Appeals to represent individuals before the Department of Homeland Security. In 2002, the International Institute and LACASA, an organization serving the Hispanic community, merged to form what is now known as the International Institute/LACASA and is also known as the International Community Alliance. Today, the organization's mission is to ''serve and advocate for low and moderate-income immigrants and Hispanics in immigration, naturalization, adult education, youth leadership development, food assistance, confronting domestic abuse, promoting cultural diversity, and fatherhood programs.''

Larry Sharp was born in LaPorte, Indiana, and is a graduate of Ball State University. He joined the Peace Corps in 1969 and was stationed in Peru. There, he learned to speak Spanish and met the love of his life, his wife, Taia Caroll. In 1979, Larry became Executive Director of the International Institute. Since 1982, Larry has been accredited by the Board of Immigration Appeals to represent individuals. Mr. Sharp continues to directly assist numerous people with citizenship and immigration issues daily. Through Larry's outstanding leadership and incredible passion, the International Institute/LACASA, has become an effective and compassionate program for all immigrants who need support.

Larry's dedication to the community and his career is exceeded only by his devotion to his amazing family. Larry and his wonderful wife, Taia, have two children, Neil and Taia.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in commending Mr. Larry Sharp as he is honored for his lifetime of service and dedication to foreign born individuals within the communities of Northwest Indiana, Illinois, and beyond. Larry continues to touch the lives of countless people, and for his unselfish, lifelong commitment, he is worthy of the highest praise.

INAUGURAL SPEECH OF PRESIDENT JOE URGO, ST. MARY'S COLLEGE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. HOYER. Mr. Speaker, I submit these inaugural remarks by an outstanding educational leader in Maryland's Fifth District, Joe Urgo, the new President of St. Mary's College.

INAUGURAL ADDRESS AS PRESIDENT OF ST. MARY'S COLLEGE—MARCH 26, 2011

(By Joe Urgo)

Thank you, Madame Chair, for your charge to me, which I accept with pleasure and with full knowledge of the weight of responsibility it entails.

Madame Chair and board of trustees, Congressman Hoyer, elected officials and their representatives, academic delegates, alumni, faculty, staff, students, friends, neighbors and family: I want to welcome each and every one of you and thank you for the honor of your company on this day.

It is traditional at this point in the ceremony for the new president to deliver an inaugural address. We're going to do that, but in a different fashion, which I will explain shortly. I'd like my inaugural address to drive home three linked points, and I'll need some help doing so. First, that our past informs our present—we cannot be effective

agents of progress or change without an awareness of how we came to be, and of what came before us. On the institutional level, we know that the original St. Mary's school was founded as a monument to freedom and inclusiveness. We may be free, but we are not alone. This brings me to my second link, that none of us exists as an island, even if we are surrounded by water. On a personal level, we open our awareness to full recognition of who worked to clear a path for us to arrive here, on this spot, at this time. And third, to reflect on our work over the past twenty-four hours, at yesterday's symposium, work done by people who love this place and this College, and by whose passion and dedication we shall deliver on the promise of the liberal arts as a public trust.

These are the three links: (1) an acceptance of the ongoing challenge of our profound origins; (2) a shared belief that education is a collaboration; and

(3) the conviction that it is passion that will move us forward. Such is the essence of the inaugural, which is, above all else, a readiness—to be prepared, together, in the fullness of the present, inspired by an old verity: that our love for St. Mary's College will move us to accomplish something fine. Today marks a new beginning, and a reaffirmation.

But first, let's talk about me. Why me? Product of what past, and by whose assistance, have I come to this podium this afternoon? To help answer those questions, and to illustrate that none among us stands alone, I have asked the assistance of George Monteiro, professor emeritus at Brown University, and Cecelia Tichi, William R. Kenan, Jr. Professor of English at Vanderbilt University. These scholars have built magnificent careers, about which you may read in the program.

In 1980, two years after my college graduation and two years into post-baccalaureate wandering, Professor Monteiro agreed to be my graduate school advisor and gave me the idea that I might have an academic career. Some of it was spoken but most of it was in temperament, sensibility, and an assumption of inclusion. I would never have conceived of and completed the PhD without George Monteiro's support—he'll deny it, but that's the kind of support I am talking about.

In 1988, I was three years past receiving my PhD, and in the second of two contingent faculty appointments. That year the English department at Vanderbilt University hired Professor Tichi into a senior level, endowed professorship—a signal accomplishment for her career. I was on a three-year non-tenure track fellowship in the department and would be gone in a year or so—a lowly accomplishment in mine. Professor Tichi became a mentor and guide, and for reasons I am not certain I know, took an interest in me, saw me through difficult early career times, and continued as confidante through the next decade of career decisions.

I have asked George and Cecelia to help me once more, by each taking a portion of the time allotted for this inaugural. They are but two individuals who have made it possible for me to be here today, as St. Mary's president; many others are in the audience. My undergraduate thesis advisor is one—Haverford professor of political science, emeritus, Harvey Glickman; my collaborator from Bryant University, Roger Anderson, professor of management; my Fulbright host from León, Spain, Professor Manuel Broncano—qué tal estas, Manolo?; my former colleagues and good friends from Hamilton College, Art Massolo, Susan Skerritt (of Kirkland College) Karen Leach, Dick Tantillo, Pat Reynolds, Dave Smallen, Ellie Wertimer, William Billiter, and Mary Lyons and Ed Bradley. These kind spirits inform my own—I have them with me all the time; it is an honor to share this installation with them today. I also note the love and support of my parents, Joe & Rose Urgo—although not with us physically, they accompany me today.

I also share this day with my lover, my partner, and my best friend, Lesley Dretar Urgo, as we have shared 28 years of marriage, six job changes for me, at least that many for her, nine household moves—and throughout the day-to-dayness of our marriage, truly a partnership of mind, body, and spirit.

That 28-year partnership produced our son, George Urgo. As every parent knows, we are also the products of our children, who supplant our childhood and replace it with renewed life as a parent. George has been a good friend since 1986, when he was born in Syracuse one day before our health insurance was to expire. His timing has always been dramatic and he has been able to masterfully infuse that quality into his life's passion. It is with a father's pride that I ask his assistance this afternoon. And I could not ask for a more suitable blues rendition on my behalf, as both a representative of my love and of my confidence in the future.

Professor Monteiro will speak first; followed without further introduction by Professor Tichi. Once George has us ready, I'll come back to the podium with my inaugural remarks to follow.

[Remarks were made by George Monteiro, Cecelia Tichi, followed by a musical performance by George Urgo]

[Joe returned to the podium]

To borrow from the cadences of our students, ''I do, I do believe, I do believe I am ready to be the president of St. Mary's College''—and yes, I hope you are ready for me!

In the past nine months there has gestated in me a love for this college and a passion for its mission. And now I am ready to talk to you about it.

In the middle of William Faulkner's great novel, Absalom, Absalom!, after repeated failures on the part of college students Quentin and Shreve to understand the human motivations behind events they seek to comprehend, Shreve says, ''And now we're going to talk about love.'' At that point, the roommates begin to realize that understanding, unlike regurgitation, demands emotional investment, and more, requires interpersonal, collaborative creativity. Yes, we need data; yes, we need technical skills; yes, we need assessment measures. But none of these processes and admonitions will move us forward without emotionally invested human beings. You have heard from individuals whom I have loved, depended upon, learned from, and in turn, influenced. As the president of St. Mary's College, I pledge to take this model of personal interaction, of investment in collaboration and influence, and make of it the the core value of what we do here—in learning, in teaching, in research and creativity, in daily work and in the responsibilities we share.

''And now we're going to talk about love.'' I speak to all lovers of learning, lovers of creativity, and to those who simply love this place. Above all, the liberal arts is about love: human passion, the engine of human emotion behind all of human history. St. Mary's College of Maryland exists in the public trust, offering the love of liberal learning—an impassioned, dedicated, humanistic endeavor—to all segments of society, supported by enlightened individuals in the great state of Maryland. Where many of our nation's finest liberal arts colleges were established as exclusive, private institutions, this one was founded on the principles of freedom and inclusiveness. As St. Mary's College trustee emeritus J. Frank Raley has reminded me, our mission is to provide an elite education that is not elitist. Our classes are for all classes. Please join me in a salute to Mr. J. Frank Raley.

I am cognizant of the work of St. Mary's presidents and principals who have preceded me, visionaries who have guided us from 19th & 20th century seminary to 1960s junior college to 1970s public four-year college—and to today's glimpse into the future, of what will become an ''elite'' liberal arts education, where ''elite'' refers to brainpower, not family wealth. I follow men and women of remarkable dedication and courage, and am humbled by their accomplishments. With us today is the man whose vision of a public liberal arts college animates us now as it has for forty years—please help me acknowledge former St. Mary's College President Renwick Jackson.

My goal is to make the academic rigor of an elite residential liberal arts education available to all members of the coming generation who possess the will and the capacity to meet its challenge. At St. Mary's College we do not make class-distinctions for education deemed as ''appropriate'' to the wealthy as apart from that ''appropriate'' to the general population. Our mission is to combine the two greatest educational accomplishments of American civilization: public education, and the residential liberal arts college. We seek to be an engine of class mobility, helping to end the cycle of educational deprivation that afflicts too many American families.

Can we do this? Can we sustain this ambition in the face of forces that will urge us to mediocrity, urge us to do something cheaper, easier, something that in the name of efficiency devalues the collaborative, humanistic educational model of the residential liberal arts college? Former trustee, U.S. ambassador, and friend of St. Mary's, Paul Nitze, reflecting on his career, remarked, ''I have been around at a time when important things needed to be done.'' Embedded in that simple, humble statement is an attitude of mind toward one's circumstances. ''I have been around at a time when important things needed to be done.'' Students, faculty, staff members, alumni and friends of the College, there is important work to be done, right here, right now.

With passion and a belief in the rightness of our charge, we find there are important things to be done, and we are around to do them—I feel within me a sense that this College and this community are READY, ready for greatness. At St. Mary's College we are the beneficiaries of one of the world's most beautiful campus locations. Our natural surroundings inspire our quest for sustainable living, ordered by a responsiveness to the future of the land we occupy and the waters that surround us. In months since arriving here, Lesley and the College community have answered this beauty with human hands, working to create an arboretum on campus, further marking this site as a destination.

The historical project of St. Mary's City reminds us of the significant work done here in the past, and at the same time, warns us with mortality. As well as live and thrive, things die: they perish, they are conquered, they come to an end. Our mission above all else is to embed our ambitions into sustainable systems, so that the future is indebted to us, and not in debt because of us.

At a liberal arts college, ''education'' is the name we give to intellectual endeavor, to creative expression, and to the perpetuation of these impulses across generations. And now we're going to talk about love. In Faulkner's novel there is a concern that we are too quick to assign to human motivation overtly rational, design-driven origins. One character observes:

Have you noticed how so often when we try to reconstruct the causes which lead up to the actions of men and women, how with a sort of astonishment we find ourselves now and then reduced to the belief, the only possible belief, that they stemmed from some of the old virtues? (Ch 4)

Faulkner called these the old virtues—love, passion, sacrifice—the human qualities that produce what matters to humanity, from the forging of a peace agreement between contending nations, to the assistance offered a stranger in need, to the mentoring of a student, a new colleague, or to the simple preparation for class by professor and student alike.

At St. Mary's College, embedded in our mission and purpose, is the premise that great things will come of following the heart's desire. Learning to love what you do is a signal achievement of a lifetime. Finding the important thing that needs to be done, and investing yourself in that significance, sacrificing for it, and loving where it leads—this is the essence of a liberal arts education. Once immersed in poetry, in history, in science and mathematics, you'll find that passion transferable to careers and communities that will depend upon like-minded, invested human hearts and minds for their perpetuation. And in that process, forty years ahead, the community of 2051 will look back on us and say, ''our way was made by the commitments of 2011, and we inherit a college that was loved, nurtured, and cared for by men and women of passion.''

It is in this spirit that I ask all of us who work to maintain and advance this college community on the banks of the St. Mary's River to renew our commitment—to providing an academically elite, liberal arts education that is inclusive, public, and accessible; to fostering an egalitarian spirit on campus characterized by collaboration and cooperation, seeking methods of compromise over conquest; to installing procedures and systems, as well as bricks and mortar, that are sustainable beyond our lifetime; to considering future generations to be our partners, not our creditors; to maintaining the liberal arts in the public trust, dedicated to the young people who seek the rigors of a liberal arts education, in whose creative spirit and intellectual audacity we entrust the future of this state, this nation, and the world.

I ask you, gathered here today: Are you ready? Because I am ready—ready for the future of St. Mary's College of Maryland.

RECOGNIZING THE 2010–2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—BRANDON ROSS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council, CYAC, from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

This year 46 students from public, private, and home schools in grades 10 through 12 made their voices heard by joining CYAC. As the Third District's young ambassadors to Congress, these bright high school students met with me on a quarterly basis to discuss current events and public policy. These impressive young people recognize an important truth: the heart of public service is found when giving back to the community. CYAC students volunteered their time and talents with over 30 organizations including Adopt-A-Highway, Habitat for Humanity, Meals on Wheels, Teen Court, and the USO, to name a few. As one student shared, ''CYAC in the Community has allowed me to realize my calling to serve those in the U.S. Armed Forces.'' I am beyond thrilled that CYAC has helped students unleash their full potential and chase their dreams.

President George H.W. Bush once said, ''A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization.''

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work! I salute you!

A copy of each submitted student summary follows:

I serve as an Assistant Scoutmaster for Troop 235 in Plano, Texas. On December 27th through December 31st, I volunteered at Camp Preston Hunt, a Boy Scout winter camp held in Texarkana, Arkansas. I was one of four adults supervising sixteen scouts from my troop. Before we left for camp, I taught the younger scouts how to pack for the week. During the week, one of my duties was to make sure our cabin was neat and organized. I also had to make sure that all scouts attended their merit badge classes. Each morning I was responsible to make sure that they all were dressed and ready for the flag raising ceremony. I taught two different hour long classes fulfilling the requirements and lessons necessary to fulfill the emergency preparedness merit badge. During free time I assisted the scouts with ''homework'' that was assigned to them in their various merit badge classes. One of my challenges was to keep the scouts busy during their free time. In order to be an Assistant Scoutmaster I had to complete a course in Youth Protection. The course is designed to spot abuse and to help protect adults who assist in scouting, to protect them from being accused of any misdeeds.

—Brandon Ross

RECOGNIZING PAUL HARDING OF ANNANDALE, VA, FOR RECEIVING AAA PRESIDENTIAL LIFESAVING MEDAL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize an exceptional young man in my community who has demonstrated wisdom and maturity beyond his years. Paul Hardin of Annandale, Va., is receiving the Presidential Lifesaving Medal, one of only seven being awarded this year, in honor of his duties with the AAA School Safety Patrol program. This award is given annually to patrollers whose brave and selfless actions helped save the life of another person.

Paul is 11 years old and is a fifth grader at Canterbury Woods Elementary School, where his safety patrol post involves two-way vehicle and pedestrian traffic. On February 2, 2011, Paul physically stopped the parent of another student who was about to walk into oncoming traffic with a car within 5 to 8 feet of the crosswalk. His swift, heroic actions prevented a possible tragedy. Paul's family and his safety patrol team at Canterbury Woods Elementary should be proud of his actions and this achievement.

The AAA School Safety Patrol program is a nationwide program active in 31,000 schools with more than 600,000 students who volunteer to keep their fellow students safe before and after school. Through their duties, these students exhibit citizenship, leadership skills, and civic engagement. The AAA School Safety Patrol program pays tribute every year to patrollers who have saved someone's life during the school year. The Presidential Lifesaving Medal is the highest honor a student can receive, and it has been awarded to 392 students since 1949.

Mr. Speaker, I ask that my colleagues join me in recognizing Paul Hardin on receiving the Presidential Lifesaving Medal. I extend my congratulations to Paul, his family and his fellow safety patrollers, and as we say to others in the public safety community, ''Stay Safe.''

THANKING THE ENGINEER MAINTENANCE COMPANY, 4TH MAINTENANCE BATTALION 4TH MARINE LOGISTICS GROUP

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. TERRY. Mr. Speaker, I rise today to honor the Engineer Maintenance Company, 4th Maintenance Battalion 4th Marine Logistics Group of the United States Marine Corps for their hard work and dedication—both for defending our freedom, and to the Omaha running community.

The Omaha Marathon, in its 30th year, is an institution dedicated to not only health and fitness, but also to helping numerous charities and improving our environment through recycling. On September 26th, 2010, 40 Marines volunteered at the Omaha Marathon, the Half Marathon, and the Ten Kilometer road race.

The Marines lived up to their reputation—going above and beyond what they were asked to do. Prior to the day of the race, the Marine volunteers stuffed packets for the runners, helped set up the course, and prepared a pasta dinner for the competitors.

On race day, the Marines were available for help starting at 3 a.m. and staying until after the race had ended. The Marines provided a color guard presenting the National Colors, set up and tore down hydration stations, and presented medals to the finishers of the races. They truly made a positive impact on the success of the races.

Today, I want to recognize not only the service and sacrifices these brave Marines have given to our country, but their unfailing dedication to the betterment of the Omaha community.

PERSONAL EXPLANATION

HON. KURT SCHRADER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. SCHRADER. Mr. Speaker, on Thursday, April 7, 2011, I voted to support final passage of H.R. 1363 in error. I do not support the policies or funding levels contained within this piece of legislation, and request that the record reflect my opposition.

DISTINGUISHED HOOSIER TOM ANDERSON

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. VISCLOSKY. Mr. Speaker, I am honored to stand before you and my colleagues today to recognize Tom Anderson. Governor Mitch Daniels recently named Tom a Distinguished Hoosier, an annual award given to Indiana residents who have excelled in their chosen fields. Tom was selected to receive this high honor due to his many years of exceptional work with Save the Dunes Council. For his outstanding efforts, Tom will be presented with this award on Saturday, April 9, 2011, at Barker House in Michigan City, Indiana.

Save the Dunes Council was founded in 1952 with the mission to preserve, protect, and restore the Indiana Dunes and all natural resources in Northwest Indiana's Lake Michigan Watershed for an enhanced quality of life. It is one of the most knowledgeable, involved, and valued organizations in Northwest Indiana and beyond. The members of this respected organization continue to devote their time and unrelenting efforts to serve their community through the preservation of the Indiana Dunes National Lakeshore. Tom Anderson has demonstrated an enduring dedication to this organization and its ideals and for his lifelong commitment he is worthy of the highest praise.

From 1992 through 2010, Tom acted as the Executive Director of Save the Dunes Council. A major focus of Save the Dunes Council is to protect the Indiana Dunes through advocacy, education, and lobbying. During his career with Save the Dunes Council, Tom lobbied tirelessly for land protection and resources to fulfill the organization's mission of protecting and restoring natural resources within the Lake Michigan Basin. From 1994 through 2010, Tom acted as the Executive Director of the Save the Dunes Conservation Fund. The Fund protects natural resources through land protection, restoration, watershed implementations, and education. Impressively, Tom helped to increase the Fund's budget from less than $80,000 in 2005 to over $1 million by 2009. Presently, Tom continues his efforts with Save the Dunes Council as a member of the Save the Dunes Conservation Fund Land Committee. Tom's undying dedication to conservation has led to him to found Conservation Connections, LLC, a company that strives to implement community-based conservation solutions.

Tom's dedication to the environment, conservation, and his career is exceeded only by his devotion to his amazing family. He is happily married to attorney Joan Wiseman Anderson, and is the proud stepfather of four children who, following his inspirational example, all have become involved with conservation, public service, and resource protection. Tom and Joan have five grandchildren and reside in Michigan City.

Mr. Speaker, Tom Anderson has selflessly dedicated his time and effort to serve his community though his work with Save the Dunes Council. His passionate commitment to improving the quality of life for countless individuals is truly inspirational, and he is deserving of the high honor which has been bestowed upon him. I respectfully ask that you and my other distinguished colleagues join me in commending Tom Anderson on being recognized as a Distinguished Hoosier.

PAYING TRIBUTE TO SERGEANT EDDIE RYAN

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. HINCHEY. Mr. Speaker, I rise today to pay tribute to Sergeant Edward (Eddie) Ryan, on the occasion of his retirement from the United States Marine Corps. Sergeant Ryan is an American hero. Eddie, as I have come to know him, personifies the core principles of the Marine Corps—honor, integrity and courage in the face of adversity. In fact, Sergeant Ryan has more courage than I can express through words.

Eddie Ryan started thinking about being a Marine when he was twelve years old. After the terrorist attacks of September 11, 2001, while he was still a senior in high school, his desire to be a Marine became the driving force in his life. Eddie joined the Marines immediately after graduating high school in June 2002. Within a month, he was undergoing basic training, and by September he had begun his first tour of duty in Iraq. After his first tour ended, Eddie came home and began training to be a Marine sniper. He went on to graduate third in his class and soon became a member of Reaper 6, a team of snipers assigned to the 3rd Battalion, 2nd Marine Division. In March 2005, Eddie began his second deployment to Iraq and, only weeks after arriving in that country, tragedy struck. On April 13, 2005, while positioned on a rooftop in Husaybah, the team came under heavy fire. Sergeant Ryan was struck by two rounds and gravely wounded. His fellow Marines rushed to his side and performed life saving first aid.

When the Ryan family was notified of their son's life threatening injuries, they flew to his side in Germany only to be told that it would be a miracle if Eddie survived, let alone talk or remember his family. Eddie proved them all wrong. He not only enjoys his memories but looks forward to creating new ones. He embraces new challenges, like ''running'' the Marine Corps Marathon, with anticipation. Angela Ryan calls her son the ''Miracle Marine'' and we all understand why. Eddie not only survived, but for the last five years has worked with determination to be the best he could be—a decorated Marine who still understands honor and integrity; a Marine who has faced adversity and come out a winner.

Mr. Speaker, it gives me great pleasure to recognize the outstanding achievements of Sergeant Eddie Ryan. His courage and determination are an inspiration to us all. The Marine Corps was fortunate to have him among their ranks and we are fortunate to have him in our community. Semper Fi Sergeant Ryan, Semper Fi.

A TRIBUTE TO LESLIE LEWIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. TOWNS. Mr. Speaker, I rise today to pay honor and tribute to Leslie Lewis, who has been a resident of Brooklyn since 1982 and has served as the President of the 84th Precinct Community Council for nearly two decades.

Mr. Lewis's current duties are to serve as a liaison between his local NYPD Precinct and the Brooklyn community. Every day, Leslie Lewis works tirelessly to communicate the concerns and complaints of my constituents to the district attorney's office and the police. Without his efforts, the people of my district would lack a critical element in the fight against crime and for a better quality of life.

In addition to his recent work in Brooklyn, Mr. Lewis played a behind the scenes role in one of the most iconic events of the Cold War. In the 1950s and 1960s, drawing on his experience in the exposition business, Leslie Lewis set up the famous U.S.-Soviet cultural exchange programs with the assistance of the U.S. Information Agency. This project included the famous ''Kitchen Debate'' between Richard Nixon and Nikita Khrushchev inside a model of a ''typical'' American kitchen.

Leslie Lewis is also responsible for the concept of ''Job Power,'' developed as a way to bring employers and urban minorities together. His plan was pitched to the Department of Labor, and he received the thanks of President Nixon for his ideas. Mr. Lewis's concept evolved into the modern day job fair, a now commonly used method to bring job seekers and employers together.

Mr. Speaker, I would like to recognize Leslie Lewis for his extraordinary accomplishments and his commitment.

Mr. Speaker, I urge my colleagues to join me in paying tribute to Leslie Lewis.

IN HONOR OF RIDGE FIRE COMPANY'S 75TH ANNIVERSARY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Ridge Fire Company on its 75th anniversary of selfless dedication and commitment to its community.

This is a great milestone and a considerable accomplishment and I take great pleasure in being able to honor the men and women of the Ridge Fire Company for their dedication and outstanding service.

For 75 years the officers, firefighters, and fire police of Ridge Fire Company have proudly and capably served and protected the thousands of citizens of northern Chester County, including the Townships of East Coventry, South Coventry, East Vincent, Warwick and West Vincent. They have always answered the call to help their neighbors in distress, whether it is putting out a fire, aiding those whose homes have flooded, or rescuing animals.

Mr. Speaker, I ask that my colleagues join me today in recognizing Ridge Fire Company on its 75th anniversary and to honor this exemplary organization for its commitment, dedication, and outstanding history of service to its community.

IN HONOR OF COLONEL DALE ANDERSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. KUCINICH. Mr. Speaker, I stand today in honor of retired U.S. Air Force Colonel Dale Anderson, for his multi-faceted combat tour during WWII and his ongoing dedication to the development of aircraft in the decades that followed.

Mr. Anderson spent the early part of WWII as a test pilot. In 1944, he was deployed to England with, and operated tactically, the first squadron of B–17 aircraft that were developed specifically for use against German V–1 and V–2 rocket launching sites in Normandy. Mr. Anderson personally trained all flight crews of the Eighth Air Force. In 1945, he was assigned to the 99th Bomb Group in Italy, serving as Commander of the 346th Squadron and later as Deputy Group Commander. All told, Mr. Anderson has flown near 40 missions and served to advance the technology that protects our nation and pilots to this day.

Mr. Speaker and colleagues, please join me in honoring Dale Anderson for his valiant service and dedication to advancing aeronautical technology. Lastly, it is no small feat that in addition to his life of service, Mr. Anderson will turn 101 in November, and is still flying!

ENERGY TAX PREVENTION ACT OF 2011

SPEECH OF

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 6, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 910) to amend the Clean Air Act 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, and for other purposes:

Mr. BURGESS. Mr. Chair, I rise today to discuss my unwavering support for legislation this body considered on this week, and passed by large margin yesterday on this floor. Unfortunately I was detained during the final passage vote for H.R. 910, and was unable to record my support for this legislation. I wish to do so now.

For the last two years, Lisa Jackson's Environmental Protection Agency, EPA, has waged a war on the state of Texas that is destroying jobs and hampering economic growth. Texas was one of the last states hit by the recession in 2008, in large part due to its robust energy industry, with thousands of jobs connected to oil and gas exploration and production. Since taking office in 2009, President Obama has made it clear that he will do everything he can to interfere with any state using its own initiative to grow the economy and create jobs. In Mr. Obama's America, only the federal government can create jobs. We know this to be a failed experiment, yet he is still intent on doing all he can to continue to hamper the efforts of Texans to create jobs and grow the economy.

From the "flex-permitting" plan that Texas' Council on Environmental Quality (TCEQ) has had implemented for over two decades, to greenhouse gas permitting, which will destroy industry all over the state and the country, the EPA is holding up permits and stifling growth at every turn.

For these reasons, and many others, I wholeheartedly support H.R. 910. I was a cosponsor of this legislation from the very beginning. Twice during its consideration in the House Energy & Commerce Committee, I voiced my support, and was pleased to vote to pass it out of committee and have it considered on the House floor.

I regret circumstances detained me from the vote on final passage yesterday evening. I hope, however, there is no doubt that, had I been able to be present during the vote, I would have voted in the affirmative, and continue to support his legislation without reservation.

RECOGNIZING THE 2010–2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—MITCHELL POWELL

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. SAM JOHNSON. of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council, CYAC, from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far surpassing the requirements of their assigned CYAC in the Community service project.

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A copy of each submitted student summary follows:

For my CYAC project, I volunteered at two places around my TAMS community: the TAMS Tournament and Calhoun Middle School. Through my volunteering for TAMS Tournament, I learned a great deal about the level of responsibility and coordination that is required to run a large event. I donated 9 hours of time to proctor, run, grade, and guide at the event. I met many new people from across the state, and proudly represented my community. Through my volunteering experience at Calhoun Middle School, I learned a great deal about people who do not live under such fortunate circumstances as I have been blessed with. I got the opportunity to meet and work with children who come from rougher areas, and to help these children grow and provide a good example for their future. I also got to give the teachers at Calhoun a hand in their administrative activities. I learned to appreciate my own economical safety, and the lifestyle that that safety implies. These volunteering experiences have helped me become a more active and aware member of my community. I found them both instructive and thoroughly enjoyable.

—Mitchell Powell

INTRODUCTION OF FAMILY MEDICAL LEAVE ENHANCEMENT ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mrs. MALONEY. Mr. Speaker, at a time when the American people are asking Congress to help create more jobs, it is equally important to put in place policies that create a positive workplace environment. That is why today I am introducing the Family Medical Leave Enhancement Act.

Eighteen years ago, President Clinton signed into law the Family and Medical Leave Act (FMLA, P.L. 103–3), legislation that allows employees to take time off from work to care

for a new baby or sick family member. Federal workplace policies have not kept pace with the growing need to fit work commitments with the sometimes conflicting needs of children and elderly parents. This is especially so given the continued increase of women in the workforce. It's time to enhance this landmark legislation.

In our current economic recovery, many families are finding both their budgets and their time strained. The legislation I introduced today would enhance the FMLA by providing up to 24 hours of unpaid Parental Involvement and Family Wellness leave (during any 12-month period), which will allow parents and grandparents to go to parent-teacher conferences or to take their children, grandchildren or other family members to the doctor for regular medical or dental appointments. The bill also expands coverage to allow employees in companies with more than 25 employees to take family and medical leave.

If we as a country truly value families, then we need new policies and investments that support our working families. I urge my colleagues to support this legislation.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. BILIRAKIS. Mr. Speaker, on rollcall No. 249, I was inadvertently detained. I have been a strong opponent of the EPA's push to regulate emissions—a move that would effectively impose an energy tax on already struggling families. I am pleased that H.R. 910 passed the U.S. House decisively and I look forward to its passage in the U.S. Senate. Had I been present, I would have voted ''yea.''

HONORING THE CARTERSVILLE PURPLE HURRICANES BASEBALL CLUB

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GINGREY of Georgia. Mr. Speaker, I am proud to rise today to honor the Cartersville Purple Hurricanes baseball club, which has been named the Program of the Decade by the Georgia Dugout Club and is being honored as such on Monday, April 11th.

Having won 8 Region titles and 5 State Championship titles, what a decade it has been for the Purple Hurricanes. Throughout their reign of dominance, this team has consistently performed at an extraordinarily high level. The Purple Hurricanes won 60 consecutive Region games from 2005–2010, 33 consecutive playoff games from 2001–2004, and 76 playoff games in the decade. They finished the 2007 season ranked number 9 in the Nation by Baseball America, and in 2009 finished ranked number 7 by the USA Today. Many players from this program have gone on to excel at the next level, and 7 Cartersville players have been selected in the Major League Draft during this tenure.

Mr. Speaker, I would like to congratulate Coach Stewart Chester, who has been leading the Cartersville program throughout their decade of dominance, and I ask all of my colleagues to join me in congratulating the Cartersville Purple Hurricanes on this momentous occasion.

IN HONOR OF HAROLD S. STRATTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. KUCINICH. Mr. Speaker, I stand in honor of Harold S. Stratton for his service to our country in WWII and for his work with engineering outfits in their effort to rebuild parts of Europe following the war.

Harold served with the 9th Armored Division, Company B, 6th Army Infantry Battalion. After crossing the Rhine River and engaging German resistance, Harold was wounded when mortar shells peppered the trees and landscape around his company. After a month long recovery in Liége, Belgium, Harold returned to his outfit which had moved to Czechoslovakia where he served out the end of the war and then began work rebuilding airfields with the engineering core. He was awarded the Purple Heart and is one of three Stratton brothers to serve in WWII along with 1st Lieutenant Royal Stratton and Sergeant Leighton Stratton.

Mr. Speaker and colleagues, please join me in honoring Harold S. Stratton and the Stratton brothers for their collective service to our country and for embodying the character and mettle that has come to define members of our ''greatest generation.''

THE INTRODUCTION OF THE ''BUSINESS ACTIVITY TAX SIMPLIFICATION ACT''

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce, along with Representative BOBBY SCOTT of Virginia, the Business Activity Tax Simplification Act. This bipartisan legislation will provide a ''bright line'' test to clarify state and local authority to collect business activity taxes from out-of-state entities.

Many states and some local governments levy corporate income, franchise and other taxes on out-of-state companies that conduct business activities within their jurisdictions. While providing revenue for states, these taxes also serve to pay for the privilege of doing business in a state.

However, with the growth of the Internet, companies are increasingly able to conduct transactions without the constraint of geopolitical boundaries. The growth of the technology industry and interstate business-to-business and business-to-consumer transactions raises questions over where multistate companies should be required to pay corporate income and other business activity taxes.

Over the past several years, a growing number of jurisdictions have sought to collect business activity taxes from businesses located in other states, even though those businesses receive no appreciable benefits from the taxing jurisdiction and even though the Supreme Court has ruled that the Constitution prohibits a state from imposing taxes on businesses that lack substantial connections to the state. This has led to unfairness and uncertainty, generated contentious, widespread litigation, and hindered business expansion, as businesses shy away from expanding their presence in other states for fear of exposure to unfair tax burdens.

In order for businesses to continue to become more efficient and expand the scope of their goods and services, it is imperative that clear and easily navigable rules be set forth regarding when an out-of-state business is obliged to pay business activity taxes to a state. Otherwise, the confusion surrounding these taxes will have a chilling effect on e-commerce, interstate commerce generally, and the entire economy as tax burdens, compliance costs, litigation, and uncertainty escalate.

Previous actions by the Supreme Court and Congress have laid the groundwork for a clear, concise and modern ''bright line'' rule in this area. In the landmark case of Quill Corp. v. North Dakota, the Supreme Court declared that a state cannot impose a tax on an out-of-state business unless that business has a ''substantial nexus'' with the taxing state. However, the Court did not define what constituted a ''substantial nexus'' for purposes of imposing business activity taxes.

In addition, over 50 years ago, Congress passed legislation to prohibit jurisdictions from taxing the income of out-of-state corporations whose in-state presence was nominal. Public Law 86–272 set clear, uniform standards for when states could and could not impose such taxes on out-of-state businesses when the businesses' activities involved the solicitation of orders for sales. However, the scope of Public Law 86–272 only extended to tangible personal property. Our nation's economy has changed dramatically over the past 50 years, and this outdated statute needs to be modernized.

The Business Activity Tax Simplification Act both modernizes and provides clarity to an outdated and ambiguous tax environment. First, the legislation updates the protections in P.L. 86–272. This legislation reflects the changing nature of our economy by expanding the scope of the protections in P.L. 86–272 from just tangible personal property to include intangible property and services.

In addition, our legislation sets forth clear, specific standards to govern when businesses should be obliged to pay business activity taxes to a state. Specifically, the legislation establishes a ''physical presence'' test such that an out-of-state company must have a physical presence in a state before the state can impose corporate net income taxes and other types of business activity taxes.

In our current, challenging economic times, it is especially important to eliminate artificial, government-imposed barriers to small businesses. Small businesses are crucial to our economy and account for a significant majority of new product ideas and innovation. Small businesses are also central to the American dream of self-improvement and individual achievement, which is why it is so vital that Congress enact legislation that reduces the

tax burdens that hinder small businesses and ultimately overall economic growth and job creation.

Unfortunately, small businesses are often the hardest hit when aggressive states and localities impose excessive tax burdens on out-of-state companies. These businesses do not have the resources to hire the teams of lawyers that many large corporations devote to tax compliance, and they are more likely to halt expansion to avoid uncertain tax obligations and litigation expenses.

The clarity that the Business Activity Tax Simplification Act will bring will ensure fairness, minimize litigation, and create the kind of legally certain and stable business climate that frees up funds for businesses of all sizes to make investments, expand interstate commerce, grow the economy and create new jobs.

At the same time, this legislation will protect the ability of states to ensure that they are fairly compensated when they provide services to businesses that do have physical presences in the state.

I urge my colleagues to support this important legislation.

IN REMEMBRANCE OF MARY HOLT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mary Holt, who was a dedicated neighbor to her community and a pioneer for many.

Mary was born Asheville, North Carolina and later moved to the Fremont area in Ohio. She began her career working at a record shop and her skills eventually attracted the attention of the radio station WSRS. She jumped to a different radio station in 1952, and by the end of the decade she worked for multiple radio stations and all three local television networks. Eventually her duties entailed news, fashion, and music.

She was also active in her community. She ran for city council, organized the Black Political Women of Cleveland and a Grandmother's club. She also volunteered in many social organizations. It was not uncommon to find her reading to wounded veterans, or teaching reading and writing at community centers. In recognition of her many accomplishments she was honored with the Trail Blazer Award from the Cleveland chapter of the National Council of Negro Women and was named to the short list of the Plain Dealer's leading African-American Clevelanders.

Mr. Speaker and colleagues, please join me in honoring the life of Mary Holt. Her life was marked by dedication to community and pioneering for both women and African Americans. Her devotion and duty to her community should set an example to us all.

ENERGY TAX PREVENTION ACT OF 2011

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 6, 2011

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 910) to amend the Clean Air Act 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, and for other purposes:

Ms. MCCOLLUM. Mr. Chair, I rise today to oppose H.R. 910, the so-called Energy Tax Prevention Act. H.R. 910 would permanently ban the Environmental Protection Agency, EPA, from protecting human health and the environment by enforcing the Clean Air Act and confronting the threat of climate change.

This radical, anti-environmental legislation is a distraction from the number one issue facing Congress: promoting job creation and economic growth. Instead of focusing on the economy, the House Republican majority is trying to legislate science by overriding the established scientific consensus on climate change and the threat posed by greenhouse gases. H.R. 910 endangers public health and will cost American jobs by slowing our economy's transition to cleaner, more secure energy sources. A recent EPA report revealed that reducing greenhouse gas emissions will prevent the early deaths of 230,000 Americans in 2020 and produce $2 trillion in economic benefits by that same year.

I published an editorial with climate science expert John Abraham of the University of St. Thomas to voice my strong opposition to H.R. 910. I ask that a copy of this editorial be included in the CONGRESSIONAL RECORD.

[Published in The Hill blog on Apr. 6, 2011]

CONGRESS ON WRONG SIDE OF HISTORY IN DENYING CLIMATE CHANGE

(By Rep. Betty McCollum (D–MN) and John Abraham)

Right now in our hometown of St. Paul, Minnesota, we are preparing for what might possibly be record-breaking floods due to winter's heavy snowfall and the threat of heavier spring downpours. Minnesota has already experienced two 100-year floods in the Red River Valley within the past 13 years. Local doctors report an increase in cases of children with asthma and other respiratory conditions. Lake Superior has seen record low water levels in recent years, threatening not only drinking water supplies but the Duluth-Superior port that receives more than 1,200 ships and 48 million tons of cargo.

All of these public health, economic, and environmental trends have been strongly linked to climate change. Multiple studies have shown that 97 percent of the most qualified climate scientists are in agreement that humans are causing the planet to warm. If this was an illness, and 97 percent of doctors recommended a certain treatment, we would take appropriate action.

Instead, the majority party in the House of Representatives is choosing to willfully defy the diagnosis and overturn established science by voting on a bill (H.R. 910) that will gut the Clean Air Act and prohibit the Environmental Protection Agency (EPA) from ever protecting the American people from the disastrous impacts of climate change.

During the committee markup of H.R. 910, not a single Republican voted to even acknowledge the validity of EPA's scientific finding that ''warming of the climate system is unequivocal,'' caused by human activities, and a threat to public health. The rejection of those amendments is shocking to scientists who understand the serious risks Americans face from global climate change.

This places the climate deniers on the same side as those fringe extremists who denied the harmful impacts of cigarette smoking and DDT, and the causes of acid rain and ozone depletion. Proponents of H.R. 910 are denying science and dangerously on the wrong side of history.

We believe now is the time to confront climate change. If we act wisely, we can simultaneously protect the environment, create jobs, diversify our energy supplies, and improve national security.

A recent report by Pew Environment Group shows the U.S. has now fallen to number three behind China and Germany for clean energy private investment. Passage of H.R. 910 will guarantee America loses out on the jobs of the future by obstructing efforts to build the new clean energy economy. It will deepen America's dependence on dirty coal and imported oil instead of creating American jobs through investments in renewable resources and energy efficiency.

Our country must turn the problems presented by climate change into an opportunity. Instead of devoting its time to discrediting scientists and undermining the EPA, Congress should put more faith in the genius of the American spirit to protect our environment and human health while creating economic growth. With the right clean energy incentives and framework, we believe America can out-innovate and out-build anyone in the world. The proponents of H.R. 910 not only deny climate change, they undermine America's ability to fmd solutions that benefit consumers, workers and the environment.

Every single member of Congress has a choice: deny the science of climate change or take real steps to confront a changing climate. Congress must accept scientific reality and act on climate change.

THE NECESSITY TO RECOGNIZE BUDGET REDUCTION STRATEGIES THROUGH REORGANIZATION OF THE DEFENSE BUDGET

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. REED. Mr. Speaker, I rise today to speak about the current debt crisis our Nation faces and a strategy to rein in some significant federal spending, while strengthening our national defense initiatives. A paper written by Mallory Factor, published by Forbes on March 9, 2011, identified a strategy intended to reduce the defense budget. As the defense budget represents nineteen percent of the total federal budget, the cuts would have a significant effect on deficit reduction and highlight our commitment, as a Congress, to the American public that we will leave ''no stone unturned'' as we work to reduce the total budget deficit.

Mr. Factor's article does not suggest that we take an undiscerning approach to cutting the

defense budget, rather "Congress must reconsider the military's mission and what activities it should undertake." In this assessment by Mr. Factor, and supported by myself, there is no indication that American military power be restricted in missions concerning American security. Rather, that auxiliary duties performed by the military (e.g., humanitarian missions, peacekeeping, nation building and disaster relief) ought to be separated from the core mission of the military; to provide for the common defense of our great Nation.

Further, by separating and focusing these mission directives, we will produce a Department of Defense budget that clearly defines where our money is being spent. This will allow for a thorough and honest review of the allocation of such dollars and produce the foundation upon which a responsible debate can be held in this chamber on an issue of our generation, spending and debt.

Therefore all options must be on the table as we, the 112th Congress, have committed ourselves to deficit reduction. For our future, and for the future of our children and grandchildren, it is imperative that we undertake this difficult task in the short term to ensure our Nation's viability for the long term.

IN HONOR OF THE ANNIVERSARY OF THE SLOVENIAN WORKMEN'S HOME

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Slovenian Workmen's Home, an establishment that has been very dear to the Cleveland community for well over 85 years.

The idea of this home first came about on November 10, 1916. The original purpose of the home was to accommodate the various fraternal, cultural, social, and civic activities in which more than a dozen Slovenian groups a participated. The building was finally completed in 1926 and consisted of an auditorium, recreation hall, library, business offices, and meeting rooms. As the years passed, the establishment began to expand to include a school in 1931, a gymnastic group in 1932 and a junior chorus in 1934; A year after that a bar was added and by 1939 the building had eight bowling alleys.

When the 1940s arrived, the use of the 'Home' changed due to World War II. It opened its doors to the Red Cross, war bond drives and any other program that assisted America's war effort. By the time 1945 came around, 'Home' changed its charter from a corporation to a non-profit organization.

The Slovenian Workman's Home has always been a welcoming location for workers' unions, at one point providing roof and shelter to any of the 23 unions that met on the premises.

As the years passed, the Slovenian Workmen's Home began to be bought out and other establishments began to move in. However, by the 1990s, efforts were underway to recover and restore the remaining area of the original home.

Mr. Speaker and colleagues, please join in recognition of this phenomenal establishment. It has been a consistent part of the fabric of the Cleveland community for many years, and many years to come.

INTRODUCING THE POST 9/11 GI BILL PAYMENT RESTORATION ACT

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce the Post 9/11 GI Bill Payment Restoration Act.

At the end of the 111th Congress, the Post–9/11 Veterans Educational Assistance Improvements Act of 2010 (P.L. 111–377) made changes to the Post 9/11 GI Bill program.

Most of these changes were positive; however, provisions were included to eliminate certain living stipend "interval payments" for veterans using their education benefits.

These interval payments cover periods between academic terms, such as the winter holiday break, that do not exceed eight weeks. They also cover periods when a student transfers between educational institutions if the period between the consecutive terms does not exceed 30 days.

Interval payments also apply if the school is temporarily closed under an established policy based on an Executive Order of the President or due to an emergency situation.

Stopping the payments will put strain on veterans trying to obtain an education.

The Post 9/11 GI Bill Payment Restoration Act would reinstate these interval payments before the benefit cut becomes effective on August 1, 2011 and help veterans and service members in school.

This preemptive action would help veterans continue to receive the living stipends they need while attending school.

We must strongly support those who have served as they attend college. Our service members earned and deserve their educational benefits. We have a responsibility to keep these benefits worthy of their dedication and sacrifices to the nation.

I urge passage of the Post 9/11 GI Bill Payment Restoration Act.

IN HONOR OF 1ST LIEUTENANT ROYAL A. STRATTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of World War II rescue pilot, 1st Lieutenant Royal A. Stratton, who died on May 29, 1945, after being mortally wounded while saving 9 crewmembers from a downed B–29. Royal hailed from Ellwood City, Pennsylvania. His love of flying led to his enlistment in the Army Air Corps where he excelled to become one of only a few pilots to wear both Army and Navy wings.

Royal joined the 4th Emergency Rescue Squadron and with his crew of six, would fly off of Iwo Jima and police flight paths searching for B–29 bombers in jeopardy. On the 29th of May, 1945, Royal spotted the crew from a downed B–29 from the 444th Bomb Group, 676th Squadron stationed at Tinian. After landing and taking on the survivors, tragedy struck during take off when a swell broke over Royal's PBY Catalina and tore one propeller off, killing him. The entire contingent of servicemen on Royal's plane that day survived the incident and were picked up by the Lifeguard Submarine, USS *Tigrone*. On May 30, 1945, Royal A. Stratton was commissioned to the sea. By the end of the war, the 4th Emergency Rescue Squadron had amassed over 650 rescues and Royal Stratton was posthumously awarded the Distinguished Flying Cross.

Mr. Speaker and colleagues, please join me in honoring Royal A. Stratton for his selflessness and valor, for putting others before himself in his service of saving the lives of his fellow servicemen.

HONORING ALEXANDER M. SPOON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Alexander M. Spoon. 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 180, 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 contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Alexander M. Spoon for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MS. EUBIE ENRIGHT

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Ms. WILSON of Florida. Mr. Speaker, I rise today to pay tribute to Ms. Eubie Enright, a beloved matriarch of the 17th Congressional District, who is celebrating 104 years of life.

Ms. Enright was born to sharecroppers in Metter, Georgia. It was here that she experienced back-breaking work as she planted and raised many crops under the Georgia sun. A young Ms. Enright exuded a tenacity that would later serve her well.

South Florida became home to Ms. Enright more than 50 years ago, when she migrated to Miami with her family. Living and thriving during the civil rights movement, she held several jobs, including housekeeping and cooking in private homes. She said, "I don't care what you have to do, you have to work". Frankly, Ms. Enright understands the investment that must be made for your family and for your community.

Eubie Enright has been a servant of the Lord all of her life. From the time she arrived in Miami she was a Baptist member of a church in Overtown, where she loyally served as an usher for 20 years. In 1960, Ms. Enright became a member of New Providence Missionary Baptist Church, where she joined the choir. She was a choir member for many decades.

We honor Eubie Enright for a legacy of service and inspiration. She credits her Lord and Savior for keeping her well during these last 104 years. Her life is a testimony to each of us. I joyfully celebrate with Ms. Eubie Enright as she continues a purposeful life of love.

DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011

SPEECH OF

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. STEARNS. Madam Speaker, I rise today in strong support of H.R. 1363 because it provides funding for the Department of Defense for the remainder of the current fiscal year and cuts an additional $12 billion in discretionary spending. This bill is just one step in significantly reducing spending and reining in our historic deficits. Unfortunately, President Obama and Senator REID have not made a similar commitment to get our fiscal house in order.

We must remember that the reason we are in this situation in the first place is that the previous Democrat majority never got around to passing a budget for fiscal year 2011. Let's remember that Democrats controlled the House, the Senate and the White House, yet they shirked their duty by not even presenting a budget plan, leaving mountains of debt for others to deal with.

I urge my colleagues to support this important troop funding legislation, and let's continue down the road of fiscal responsibility.

HONORING SAWYER A. HANWAY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Sawyer A. Hanway. Sawyer 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 180, and earning the most prestigious award of Eagle Scout.

Sawyer has been very active with his troop, participating in many scout activities. Over the many years Sawyer 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, Sawyer has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Sawyer A. Hanway for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE WORK OF MS. SHARI B. KAPLAN FOR HER EXTRAORDINARY EFFORTS IN ABUSE TREATMENT FOR CHILDREN AND ADULTS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize Ms. Shari B. Kaplan for her extraordinary efforts in abuse treatment for children and adults. She has worked tirelessly through her "Can't Tell Foundation" to give hope to victims of domestic and sexual abuse and children who are plagued by bullying. Her foundation has been a pioneer in treatment for victims and relies on several methods to allow victims to cope. Such practices include self-defense, music and movement, Qi Gong and yoga, nutrition, mentoring, improvisational work, meditation, individual therapy, family therapy, group therapy and support.

Ms. Kaplan herself was a victim of bullying and has experienced the personal pain of abuse with her closest family. She was in a horrific bike crash when she was young that left her with physical injuries that ultimately lead to bullying when she was in school. Additionally, her children were victims of abuse at the hands of her nanny's 13-year-old son. Using the wisdom she gained from her own pain and experience in helping her children cope, she went on to help others deal with their pain and create prevention policies against abuse in all its forms. Her more recent goal is to raise 6.5 million dollars to help build a treatment facility in Boca Raton, Florida.

Abuse and bullying has become an epidemic in this country. Suicide is the second major cause of death in teens and young adults ages 13–24. In addition, government statistics show that 32 percent of 12- to 18-year-olds say they have been bullied.

Mr. Speaker, I am proud to recognize and stand with a woman who has decided to stand up against abuse and bullying. Ms. Shari B. Kaplan has truly dedicated herself to this important cause and I wish to give her my full support.

HONORING JAMES AND JEAN CANTRELL

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor James and Jean Cantrell, a couple who have dedicated themselves to their community and each other. The Cantrells were married in Lagrange, Georgia on April 8, 1951, and on Friday, April 8th, 2011 they will celebrate their 60th wedding anniversary.

Mr. Cantrell is the son of the late Elonzo and Bessie Cantrell. Mrs. Cantrell is the daughter of the late Douglas and Jewel Wright. They have four children, eight grandchildren and two great grand-children. What a wonderful example of family values they represent.

Mr. and Mrs. Cantrell have proven themselves to be dedicated community servants. Both have been deeply involved in positive civic and social activities over the years. Mr. Cantrell served his country faithfully in the United States Army. Mrs. Cantrell started a movement in the 1960's that was called Housewives for Fair Prices. This movement boycotted stores across Georgia that charged exorbitant prices for milk, resulting in lower costs for families.

The Cantrell's have been active in Georgia politics for almost half a century. Mr. Cantrell served as Third Congressional District Chairman for the Democratic Party of Georgia while Jimmy Carter was President. Mrs. Cantrell served as the chairman of the Muscogee County Democratic Committee and the first woman to run for Mayor of Columbus, Georgia.

However, their pursuits of public service and causes have been not just for themselves, but notably for others. When the Governor of Georgia decided to close the Warm Springs Hospital which was the Georgia rehabilitation site and home for the late President Franklin D. Roosevelt, both Cantrells led a petition drive to stop this action. As a result, the Governor changed his mind and the hospital remained open. They started the first St. Jude Children's radiothon in Columbus, Georgia and for 25 years it has been a stellar event, helping to raise millions of dollars for children with cancer.

Moreover, through all of their family and community involvement, they have managed to build and grow a successful business called Action Buildings and Truck Styles. For over 32 years it has been one of the largest outdoor building manufacturing companies in Georgia and Alabama, with a manufacturing plant and 10 retail store locations. This is truly a family business and over the last few years, their four sons and other family have been involved in this enterprise.

Throughout their lives, James and Jean Cantrell have been devoted Christians, attending Temple Baptist Church for many years. Their kindness and generosity exemplify their faith and their lives are truly God's love in action.

Mr. Speaker, I cannot think of another couple who have given so much of themselves to so many than James and Jean Cantrell. I cherish their friendship and support, without which, my own career in public service may never have begun nor survived. Therefore, on the occasion of their 60th wedding anniversary, I am proud to salute them for their dedication to each other, their family, their church, and their community. We are all blessed that they have touched and enriched us all so fully. May God continue to bless them, as they have blessed us, in the weeks, months and years to come.

HONORING ADAM M. ZIMMERMAN

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Adam M. Zimmerman. Adam 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 180, and earning the most prestigious award of Eagle Scout.

Adam has been very active with his troop, participating in many scout activities. Over the many years Adam 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, Adam has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Adam M. Zimmerman for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING ALETHEIA CHRISTIAN ACADEMY'S BOYS BASKETBALL TEAM AS CHAMPIONS OF THE NATIONAL ASSOCIATION OF CHRISTIAN ATHLETES DIVISION IV

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the Aletheia Christian Academy's Boys Basketball team as Champions of the National Association of Christian Athletes Division IV.

Aletheia Christian Academy is a small school, with a total enrollment of 55 students. While they may be small in number, throughout the course of the tournament, they showed their opponents that hard work, dedication and solid fundamental basketball leads to success.

Along the way, Aletheia Christian Academy faced opponents from larger schools in metropolitan areas. In the semifinals they faced Arthur-Okaw, a perennial powerhouse and 14 time national champion from Chicago. Aletheia's victory in the championship game, against Hamilton Heights, was the school's first National Championship, in its 19th year of existence.

Mr. Speaker, on behalf of the United States Congress, I am privileged to congratulate the players, coaches, students, faculty and staff at Aletheia Christian Academy. I am certain that this impressive victory will remain a cherished moment in each of their lives.

THE BATTLEFIELD EXCELLENCE THROUGH SUPERIOR TRAINING (BEST) PRACTICES ACT

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. FILNER. Mr. Speaker, I recently reintroduced H.R. 1417, the Battlefield Excellence Through Superior Training Practices Act, or BEST Practices Act. This purpose of this bill is protect our troops and our missions overseas by improving combat trauma training courses administered by the Department of Defense (DoD). Currently, the DoD commonly employs the use of "live tissue," or anesthetized animals, for the training of medics, corpsmen, and an increasing number of nonmedical military personnel. This training is suboptimal due to the vast anatomical differences between the animals involved and humans. The BEST Practices Act requires the DoD to phase in the use of human-based methods, such as medical simulation, as a replacement for live tissue training.

It is clear that the DoD is behind the times on this issue. The same procedures taught in combat trauma training courses are taught in the civilian sector almost exclusively without live tissue training. Instead, these trauma centers and medical schools employ superior human-based methods such as high-fidelity medical simulation to teach our top surgeons and other physicians these crucial, life-saving procedures. Studies from civilian hospitals and medical schools demonstrate that simulation is a superior methodology and that physicians who train on simulators make fewer medical errors than those who train on live tissue. Furthermore, institutions that have transitioned to human-based methods have reported a long-term cost savings.

The BEST Practices Act requires the Department of Defense to phase out live tissue training by 2016, which adheres to the agency's own projections regarding available simulation technology. The length of this timeline is crucial—we must ensure that our troops receive the best training possible, but we must not endanger our troops by rushing the transition. That's why this legislation contains a clause requiring an annual report from DoD to Congress on the progress of the transition.

Please join me in supporting the BEST Practices Act—to ensure our military uses the best and most modern training methods available and that our troops are kept safe and able to succeed in their mission and in their lives.

HONORING THE LIFE AND LEGACY OF TENNESSEE GOVERNOR NED RAY MCWHERTER

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. COHEN. Mr. Speaker, I rise today to pay tribute to the life and legacy of the second longest serving Speaker of the Tennessee House of Representatives and the most beloved Tennessee Governor, Ned Ray McWherter. Governor McWherter was born on October 15, 1930 on a small farm in Palmersville, Tennessee. His tenacious work ethic and his ability to understand the problems of working people would lead him to become a revered Tennessee politician and successful entrepreneur as well.

Ned McWherter grew up the son of a sharecropper and went on to work diligently at his family's restaurant, the Hotdog, at a shoe manufacturing company and as a traveling shoe salesman. In 1973, he found Volunteer Express with just two tractors, five trailers and three employees. He grew Volunteer Express to become one of the first LTL niche carriers in the nation by offering second and third day service to and from the East Coast. He also developed the entirety of the state of Tennessee and the surrounding areas into Volunteer Express' marketplace. This coming August, Volunteer Express will celebrate its 38th anniversary.

Although he worked hard throughout his life as a successful businessman, Ned never forgot his rural upbringing nor did he lose his love for everyday working people in Tennessee. McWherter served in the Tennessee National Guard from 1948–1969 and retired with the rank of Captain. In 1968, he ran unopposed to represent the citizens of Weakley County in the Tennessee House of Representatives. After serving only two terms, McWherter challenged the incumbent speaker of the House and won the speakership by one vote in both the Democratic caucus and the full House. He served in that position for 14 years, the longest tenure for a Tennessee Speaker of the House at that time.

In 1986, McWherter ran for governor and unseated Republican Winfield Dunn. Governor McWherter had a progressive agenda that was positively felt across Tennessee and closely watched by governors in neighboring states. As a champion for education and road projects, he put his slogan "Schools plus roads equal jobs" into action. He restructured and grew K–12 public school funding by 49 percent through his "21st Century Schools Program." This program put money directly into classrooms and funded textbooks, computers and more teachers. His "95-County Jobs Program" was the largest road-building program in Tennessee's history. It linked all the counties of Tennessee via four-lane roads and stimulated jobs in rural areas across the state.

Growing up in a lower income family at the height of the Great Depression, Ned understood the challenges hard working families faced when it came to affordable health care. As governor, McWherter revamped Medicaid services in Tennessee to include coverage of more than one million Tennesseans, up from about 800,000. President Bill Clinton noted how Governor McWherter "blazed a trail" with his reform of Tennessee's Medicaid program.

While I served as a Senator in the Tennessee Senate, I was proud to have worked with Governor McWherter on many projects that helped my city, Memphis. Gov. McWherter included funding in the budget he presented to the Tennessee General Assembly for the conversion of the Lorraine Motel, the site of the assassination of Dr. Martin Luther King Jr., to the National Civil Rights Museum. He supported funding for the Memphis Zoo, a place he visited often as a child and of which he had fond memories. Gov. McWherter was also supportive of the arts, requesting

funding for one of the pre-eminent art museums in the Memphis area, the Brooks Museum, where he is memorialized on their wall for his efforts.

Governor McWherter continued his support for education by budgeting money for the University of Memphis to construct a new campus library that provides state-of-the-art access to information technology and is fully accessible to the disabled. In honor of his dedication to their project, the University of Memphis named the library the Ned R. McWherter Library.

During and after his tenure, Governor McWherter served as a confidant to Presidents Jimmy Carter and Bill Clinton. President Carter noted how McWherter was ''one of the most effective and finest public servants'' he had ever known. President Clinton remembered how Gov. McWherter had a way of calming him down when he was excited and how McWherter's ''few blunt words'' were invaluable to him while he was in the White House. I remember how McWherter had a way of calming anyone down by simply telling them to ''ease along.''

Governor Ned McWherter will be remembered for his hard work, his dedication to Tennessee, his many accomplishments and for his down-to-earth nature and ability to connect to with the people he served. He had a charm like no other governor Tennessee has seen. He was blunt and never shied away from the real tasks at hand. He had a witty sense of humor coupled with his own folksy sayings. On the campaign trail, he often joked that all he would need to start the day as Governor was ''four vanilla wafers and a cup of coffee.''

Governor Ned Ray McWherter passed away on April 4, 2011 at the age of 80. He will be missed by his family and friends as well as the many working and middle class Tennesseans he strove to serve and help. He is survived by his son, Michael Ray McWherter; his daughter-in-law, Mary Jane Wooten McWherter; two grandchildren, Walker Ray McWherter and Mary Bess McWherter; a stepdaughter, Linda Ramsey; and two step-grandchildren, Matthew Ramsey and Brett Ramsey. He was predeceased by his beloved wife, Bette Jean Beck McWherter. Gov. McWherter was a great politician, leader, Tennessean and American. We are lucky to have had him come our way. His was a life well lived.

JASON SALAZAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jason Salazar for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jason Salazar is a 12th grader at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jason 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 Jason 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.

ON THE OCCASION OF CONGREGATION B'NAI MOSHE'S 100TH ANNIVERSARY SERVING THE JEWISH COMMUNITY OF SOUTHEAST MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PETERS. Mr. Speaker, I ask my colleagues to rise today to recognize Congregation B'nai Moshe on the occasion of its 100th anniversary of service to the Jewish community of southeast Michigan.

The history of Congregation B'nai Moshe is an excellent example and chapter of the American story. The congregation was founded on September 2, 1911, by nine Hungarian immigrants who came to America to seek new opportunities and to freely practice their beliefs. An integral part of their journey was to form a congregation that allowed them and the 25–30 Hungarian-Jewish families of Detroit to fully practice their traditions and customs. In 1915, after just 4 short years, the Congregation was able to purchase its first shul on Elliot Street near Hastings which served as a house for worship to over 70 families.

Much as America met the call to face unparalleled challenges of the 1930s and 1940s, so did Congregation B'nai Moshe. Shortly after moving to its new home in the Dexter building in 1929, the congregation was faced with the challenge of overcoming the Great Depression. Not only did the congregation survive those economically tumultuous years, it prospered and by 1944 it had paid off the new synagogue's mortgage. Just as the country rose to answer the call to service during World War II, so did the members of B'nai Moshe. Many served in World War II and fought to protect our freedom and liberty.

As the Jewish community in southeast Michigan grew and evolved so did B'nai Moshe; first moving with its members to Oak Park and later to its current home in West Bloomfield. During this period, members of the congregation ensured that the story of the Jewish community in southeast Michigan would forever be set in stone, founding the beginnings of the Jewish Museum of Detroit. Since its arrival at its present location, the congregation has celebrated the construction of many new resources which have enriched the lives of both its members and the greater community.

Mr. Speaker, I am honored to celebrate the 100th anniversary of Congregation B'nai Moshe with its members and it is my hope that the congregation, just as our great country, will continue to endure into the next 100 years and beyond.

IN RECOGNITION OF THE 20TH ANNIVERSARY OF THE CHABAD OF PORT WASHINGTON

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. ACKERMAN. Mr. Speaker, I rise today to congratulate the Chabad of Port Washington for 20 years of exceptional spiritual leadership and community, the Chabad has been an anchor of welcoming faith—a constant source of spiritual support for anyone who seeks it.

An ''unorthodox Orthodox Synagogue,'' the Chabad of Port Washington's membership is a conglomeration of Jews from a wide array of ages, backgrounds, and levels of observance. This diverse membership creates a welcoming atmosphere rich in culture and accessible to every corner of the Jewish community. The Chabad's unrivaled religious and educational experiences provide a forum for individuals of disparate backgrounds to come together as a single, unified congregation.

The Chabad's mission focuses on bringing to life traditional Jewish values to promote spiritual growth in a way that is both enjoyable and easy to understand. It is dedicated to promoting wisdom, comprehension, and knowledge of Judaism to both the membership and the broader community. The Chabad provides not only classes focused on a deep and comprehensive understanding of the Torah, but educational opportunities for young Jews experiencing their first exposure to the joys of Hebrew School. This approach to education allows the Chabad to reach out to a broad swatch of Jews and create the best opportunities for spiritual growth.

Tonight, the Chabad celebrates its 20 years of good works and pays special tribute to some of the individuals who have made it possible. Adam Katz, the President of the Chabad's board of directors, will have a new athletic center dedicated in his honor. The celebration also will recognize John Maura, Jr. with the Community Service Award; Chaim (Bryan) Sherman and Dr. Orly Calderon-Sherman with the Community Builders Award; and Alan Schoenfeld with the Chesed Award. Without the contributions of these extraordinary individuals, as well as many others, the exceptional achievements of the Chabad would not be possible.

Mr. Speaker, since 1991, the Chabad of Port Washington has been working tirelessly to educate, enlighten, and support its local community. I am proud to recognize the extraordinary dedication and accomplishments of the Chabad and I ask my colleagues join me in thanks and gratitude for its two decades of tremendous work supporting the community and promoting Jewish faith.

JACOB CISNEROS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jacob Cisneros for receiving the Arvada Wheat

Ridge Service Ambassadors for Youth award. Jacob Cisneros is a 10th 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 Jacob Cisneros 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 Jacob Cisneros 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.

IN MEMORY OF CAROLYN LEAVENS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GALLEGLY. Mr. Speaker, I rise in memory of Carolyn Leavens, who passed away this week after a lifetime dedicated to her family and friends, the agricultural industry, and her community.

I have known Carolyn, her husband Paul and their family for more than 30 years. Carolyn was a strong and professional woman whose promotion of agriculture on a local, national and international level, and whose love and service to family and community, were seemingly inexhaustible.

Carolyn and Paul were married for 60 years, and for 25 years she played a key role in office and budget management for Leavens Ranches as it grew from 100 acres of beans to 1,100 acres of citrus and avocado orchards. The operation, founded by Paul's grandparents and now managed by the fourth generation of family members, ranks as one of Ventura County's leading citrus and avocado producers and has also expanded into lemon, avocado and wine-grape production in Monterey County.

Carolyn's involvement in one of the county's pioneer family farming operations led her to play a leadership role in the agricultural community, at first locally and later on a statewide and international level.

Her accomplishments are too extensive to list here in their entirety, but they include being the founding president of the Ventura County chapter of California Women for Agriculture and CWA's state president in 1981; a member of the California State Board of Food and Agriculture from 1978 to 1982; a member of the U.S. Department of Agriculture's Agricultural Women's Leadership Network from 1983 to 1999, participating in its European Economic Community Tour as an ambassador of the American agricultural industry; and serving as a board member of Volunteers in Overseas Cooperative Assistance and a delegate to the first International Women in Agriculture Convention.

Although she played a prominent role in agricultural affairs, she was perhaps best known at home for her wide-ranging involvement in civic, cultural and political activities.

Again, Carolyn's civic accomplishments—and the awards bestowed on her to recognize those accomplishments—are too long to list here. But it was her tireless involvement in the decades-long campaign that culminated in establishment of California State University, Channel Islands, that may be her most lasting local legacy. Not only was she integral in establishing the university, her tireless fund-raising and marketing efforts ensured its success. In the words of my friend and former U.S. Representative Robert Lagomarsino when he presented the inaugural CSUCI Lagomarsino Award to Carolyn: "It is hard to think of this campus without thinking of Carolyn Leavens. . . . Today, this University is her hallmark."

In addition to Paul, Carolyn leaves behind her son and daughter-in-law, J. Link and Sally Leavens; and daughters and sons-in-law, Tina and David Cullenberg, Leslie and Harry Crowe, and Heather and Curt August; eight grandchildren; five great-grandchildren and many other loving family members.

Mr. Speaker, Carolyn left an everlasting mark on our community and will be greatly missed. I know my colleagues join me in sending condolences to Paul, the Leavens family, and their many friends, and in remembering Carolyn for her many contributions and for being a role model for all.

DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011

SPEECH OF

HON. MO BROOKS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. BROOKS. Madam Speaker, let's remind everyone why we are here. We are here because we are trying to save our federal government from unsustainable budget deficits. During the regime of NANCY PELOSI as House Speaker, and Senate Majority Leader HARRY REID, we have had four consecutive budget deficits that average $1.2 trillion a year. Those are unsustainable. They threaten our federal government's solvency. We are facing a national bankruptcy.

What are Republicans in the House trying to do today? We are trying to protect our troops who are in Afghanistan and Iraq so they don't have to worry about whether their homes are going to be foreclosed on as they are off doing battle and their kids and spouses are at home. For example, I met a lady from Colony, Alabama who has two young children, twins, age three, and she is fighting on behalf of our country. If our troops are forced to work without pay, then, in addition to everything else, she will have to worry about whether her young children will be financially taken care of at home. I ask that this House and this Senate do what we should do, and that is to protect our troops by funding them adequately. Don't leave them in the position where they are not able to take care of their own people at home.

IAN FAULKNER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ian Faulkner for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Ian Faulkner is a 8th grader at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Ian Faulkner 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 Ian Faulkner 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.

RECOGNIZING THE 2010 HONOREES OF THE DUNN LORING VOLUNTEER FIRE DEPARTMENT AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise in recognition of the Dunn Loring Volunteer Fire Department and the extraordinary men and women who are being recognized for their bravery and service to our community. Every day these individuals along with their colleagues put their very lives on the line to protect our community. These individuals have demonstrated superior dedication to public safety, and it is my honor to announce the recipients of the 2011 Dunn Loring Volunteer Fire Department Awards:

2010 Firefighter of the Year—Dan Sweet.
2010 EMT of the Year—Zyad Qamer.
2010 Officer of the Year—Brad Cochrane.
2010 Suppression Rookie of the Year—Natalie Potell.
2010 EMS Rookie of the Year—Benjamin Bradley.
2010 Distinguished Service Award—Lesley Edgemon.
2010 Training Award—Justin Miller.
2010 Robbie Allen Award—Shannon Marler.
2010 Spirit Award—Richard Roatch.
2010 Robert J.J. Seaone Award—Dan Sweet.

Also being recognized are the following individuals for their years of service to the Department:

35 Years of Service—Alan Caldwell.
30 Years of Service—Richard Morani.
15 Years of Service—Rose-Ellen Eastman.
15 Years of Service—Michael Van Dyke.
5 Years of Service—Jeremy Arnold.
5 Years of Service—Jaime Keith.
5 Years of Service—Dan Sweet.

Mr. Speaker, I would like to take this opportunity to congratulate these honorees and to thank all of the men and women who serve in

the Dunn Loring Volunteer Fire Department. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding these remarkable individuals and saying to them, "Stay safe."

TRIBUTE TO MR. SERGIO SHEARER

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. GONZALEZ. Mr. Speaker, on April 4, 2011, San Antonio lost a great public servant when Sergio Shearer passed away at the age of 71. I ask my colleagues to join me in honoring Sergio Shearer as we celebrate his life, which was highlighted by decades of community service, philanthropy, and leadership.

Sergio Shearer was born on December 4, 1939 to Chita Shearer in Weslaco, Texas. He later married Lucinda S. Leyva and fathered three children, Andrea Rhea Shearer-Lee, Michael Leyva Shearer, and Kara Kristine Shearer.

He graduated from North Texas University with a degree in Psychology, while simultaneously attending cosmetology school in Ft. Worth, Texas. After serving in the United States Army, Sergio opened a successful and prestigious salon in McAllen, Texas which he operated for over 13 years. In 1976, the Shearer family purchased the Magic Valley College in San Juan, Texas. Through his tireless efforts, Sergio expanded Magic Valley College to become the University of Cosmetology Arts and Science. As a result of Sergio's direction and dedication to educating others, he created five campuses in the Rio Grande Valley and San Antonio, Texas. His efforts have touched the lives of many.

As a leader in the cosmetology industry, Sergio was appointed by Governor Ann Richards to the Texas Cosmetology Commission. He also served as the Vice President of the National Association of Cosmetology Schools, Director of the Texas Association of Cosmetology Schools, and Regional Director of the Interstate Council of State Boards. In 1989, he was inducted into the Pivot Hall of Fame.

In addition to his dedication to the cosmetology industry, Sergio was committed to serving his community. He served as the Chairman of the Edinburg Housing Authority, Board Member of the Hidalgo County Special Olympics, Honorary Member of the Confederate Air Force and as a member of the Order of the Alhambra. Sergio was also an active member of the Knights of Columbus, where he achieved the rank of 4th Degree Knight. Following the loss of his daughter, Kara Kristine Shearer, Sergio cofounded the Kara Shearer Learning Center, which partners with the Edinburg Housing Authority to serve underprivileged children.

Upon his retirement, Sergio moved to the San Antonio area to be closer to his family. A lifelong fisherman, hunter, and accomplished golfer, Sergio was always happiest when he was outdoors.

The City of San Antonio and the State of Texas feel a little emptier now, but we have all lived richer, better lives because of the life of Sergio Shearer. His life may have ended, but his contributions will live on and generations shall enjoy the fruits of his labor.

JESSICA CAMOMILE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jessica Camomile for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jessica Camomile is a 12th grader at Arvada High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jessica Camomile 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 Jessica Camomile 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.

U.S.-KOREA FREE TRADE AGREEMENT

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Ms. LORETTA SANCHEZ of California. Mr. Speaker, last month I had the privilege of visiting the Republic of Korea through their Congressional Member Exchange Program, where I was honored to have a one-on-one meeting with Foreign Minister Kim Sung-hwan so that we could discuss our two countries' mutual interests and bilateral relations.

In addition, I was able to meet with Trade Minister Kim Jong-hoon and a number of members of the National Assembly, as well as to travel to Anyang, which is just south of Seoul. Anyang is a sister city of Garden Grove, one of the larger communities in California's 47th congressional district and the home to many Americans of Korean descent and recent immigrants from Korea.

As co-chair of the Congressional Caucus on Korea, I make a point-of paying close attention to the issues that affect U.S.-Korean relations, so making a five-day visit to our ally was productive and informative. I was impressed by how much average Korean citizens know about the United States and how much they care about the continued resilience of the decades-old friendship between our two countries.

If nothing else, I came away more convinced than ever of the importance of ratifying the U.S.-Korea Free Trade Agreement at the earliest opportunity possible. I saw how businesses and consumers in both Korea and the United States will benefit by implementation of the agreement, and it became quite clear that this will take us a long way toward President Obama's goal of doubling U.S. exports by 2014.

What's more, I could see how increasing the already booming trade between the United States and South Korea will enhance our security relationship and improve the stability of the Korean Peninsula and, indeed, of the entire Northeast Asian region.

In the months since the United States and Korea signed their revised and updated Free Trade Agreement last December, the Korean government has approved a similar trade pact with the European Union, which is scheduled to take effect on the first day of July this year. Korea is also negotiating a free trade treaty with Australia, and it already has a volume of trade with China of approximately $200 billion per year.

I realize there are some who argue that this agreement should be passed as part of a package, along with pending agreements with Colombia and Panama. These arguments may have some merit, but they do not persuade me that delaying the Korea-U.S. FTA is a good idea.

Mr. Speaker, I would like to encourage my colleagues to move as quickly as possible to ratify the Korea-U.S. Free Trade Agreement as soon as it comes before us for consideration.

DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011

SPEECH OF

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. THOMPSON of Mississippi. Madam Speaker, I rise in opposition to H.R. 1363, the "Department of Defense and Further Additional Continuing Appropriations Act of 2011," a damaging deflection, even as negotiations are ongoing to prevent a government shutdown. H.R. 1363 would reduce funding for the Department of Homeland Security operations by $1.4 billion. The cuts are far from surgical in nature and diminish the Department's flexibility to respond and recover from known and unknown threats.

Specifically, H.R. 1363 undermines homeland security as follows:

The bill cuts FEMA first responder grants by 20%. This draconian cut will force cash-strapped State, local and tribal governments to roll back critical preparedness activities and is a slap in the face to the men and women who serve and protect.

It cuts funding for next generation border security technology by 28%. This will surely set back efforts at achieving operational control of the Southwest border.

It cuts $57 million in funding for Transportation Security Administration's terrorist watchlist activities. This cut will force TSA to scramble to find the money to undertake this critical screening activity.

It cuts the Science and Technology Directorate operations by $173 million. This cut will most certainly result in significant delays in the development of new and promising homeland security technologies.

Rather than slashing the DHS budget to grand-stand or score political points, we should be dedicating new resources to:

Bolster border security by retaining CBP officers, providing technologies and equipment to front-line officials, and upgrading deteriorating infrastructure at ports of entry;

Expand maritime security by the furthering of the Coast Guard's recapitalization initiative to replace its aging fleet;

Enhance cybersecurity by investing and deploying cyber systems to protect critical cyber infrastructure from all cyber threats.

Strengthen aviation security by making enhancements in the vetting of foreign travelers air-bound for our country, a known threat since well before the Christmas Day plot of 2009.

Playing fast and loose with homeland security is not the way to put our Nation's fiscal house in order. The Republican draconian approach to budgeting will add insult to injury to the Department of Homeland Security that has already struggled for six months without its budget. I urge my colleagues to join me in voting against this damaging deflection of a bill.

JERIT GREENBURG

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jerit Greenburg for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jerit Greenburg is a 8th grader at Moore Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jerit Greenburg 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 Jerit Greenburg 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 DR. HENRY LEWIS III

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Ms. WILSON of Florida. Mr. Speaker. I rise today in support of the groundbreaking achievements of Dr. Henry Lewis III, the twelfth president of Florida Memorial University. Florida Memorial University is South Florida's only Historically Black College and University (HBCU) and the third oldest institution of higher learning in the state of Florida. He has served as Dean and Professor in the College of Pharmacy and Pharmaceutical Sciences at Florida A&M. University (FAMU) for the last 15 years. Dr. Lewis served as Interim President of FAMU from January through June 2002. He also served as Dean of the Texas Southern University College of Pharmacy and Health Sciences for four years.

A native of Tallahassee, Florida, he received his Bachelor of Science Degree in Pharmacy from FAMU and his Doctor of Pharmacy degree from Mercer University. He completed post-doctoral training in the Institute for Education Management at Harvard University, the National Institutes of Health, the Congressional Operations Institute, the American Association of State Colleges and Universities Millennium Presidential Leadership Program and Duke University Directors Program.

President Lewis is an inspiration to many creating history wherever he goes. Dr. Lewis is past president of the Minority Health Professions Foundation. He is also past president of the Foundation's sister agency, the Association of Minority Health Professions Schools. Under his leadership, these two organizations—representing all of the nations historically black medical, dental, pharmaceutical, and veterinary medical programs—have secured over $100 million in support of programs, research and activities that improve the quality of education and the availability of health, care to minority and under-served communities. He has served as president of the National Pharmaceutical Association representing more than 10,000 minority pharmacists in the United States. He is the former Chairman of the Board of the Florida Education Fund, the nation's largest producer of African-American PhDs.

An accomplished biomedical researcher with a focus on sickle cell anemia, Dr. Lewis has been the principal investigator or project director on research/training grants totaling over $95 million. He has served on numerous governmental review committees. He currently serves on the National Center for Research Resources National Advisory Board. He has increased the endowment of the FAMU College of Pharmacy from $1 million to over $22 million under his leadership.

Mr. Speaker, I ask you and my colleagues to join me in celebrating the transformative work of Dr. Henry Lewis III. His life story is an example of overcoming obstacles with integrity and leadership. He now continues his work by leading Florida Memorial University. Dr. Lewis is a national treasure, who is very deserving of this recognition.

CELEBRATING THE 50TH ANNIVERSARY OF HOLLIN HALL AUTOMOTIVE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my great honor to recognize the 50th anniversary of Hollin Hall Automotive, a family-owned automobile service station in Fort Hunt, Virginia, with a record of both excellent service to their customers and substantive involvement in the local community.

Hollin Hall Automotive was founded on May 1, 1961, by Leon Harvey Sr. and his wife Ruth Ann Harvey. The subsequent success of the Harvey business and their community involvement serve as an inspiration to all in our district. Since the initial investment 50 years ago, Hollin Hall Automotive has witnessed Fort Hunt prosper and evolve from rural farmlands to thriving suburb. The service station has survived the 1973 oil crisis, experienced numerous advancements in technology, and stood the test of time while other businesses came and went. The Harveys have hired many high school students over the years and watched as these same students matured and entered into society as adults.

Mr. Leon Harvey, Sr. is no longer with us but he is survived by his seven sons and his wife who continues to run the cash register to this very day. Their son, Tom Harvey, has assumed leadership of Hollin Hall and the business which continues to thrive. Even with the backdrop of Fort Hunt's rapid expansion, the Harvey family and employees of Hollin Hall maintain their personal involvement in their ever-growing community.

Mr. Speaker, I ask my colleagues to join me in recognizing the 50th anniversary of Hollin Hall Automotive and the exceptional service it has provided to the Fort Hunt community. We wish the Harvey family and continued success in maintaining their local business.

JACOB MANION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jacob Manion for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jacob Manion is a 7th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jacob Manion 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 Jacob Manion 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.

FINDING GOD IN THE MIDST OF SUFFERING

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. WOLF. Mr. Speaker, I submit the New York Times obituary of William J. Stuntz, an influential legal scholar, who died last week after a 3-year battle with metastatic colon cancer. He was 52.

I also submit a piece which Mr. Stuntz authored in 2009 for Christianity Today titled "Three Gifts for Hard Times." Christianity Today re-ran the piece this month in honor of Stuntz's passing. In the face of great personal hardship, including chronic pain which plagued him for more than ten years, Mr. Stuntz found tremendous strength in his Christian faith, and wrote of it in ways both compelling and poetic. I commend it to my colleagues.

[From Christianity Today, Aug. 2009]

THREE GIFTS FOR HARD TIMES

(By William J. Stuntz)

Survivors of some horrible plague or battle often find themselves wracked with guilt: Why did I live while so many died? Though I had no battle scars, I used to feel a similar sense of guilt. I married the only woman I've ever loved. We have three terrific children. I have a secure job that I love and that pays well. Sometimes I would ask God: Why have you been so kind to me? Why have I gotten such an easy life?

I don't ask those questions anymore.

A little over nine years ago, while driving home from a family vacation, my car got a flat tire. When I started to change it, something nasty happened at the base of my back. Ever since, my lower back and the top half of my right leg have hurt. After two operations, dozens of injections, physical therapy, psychotherapy, and thousands of pills, my back and right leg hurt every waking moment, and most of those moments, they hurt a lot. Living with chronic pain is like having an alarm clock taped to your ear with the volume turned up—and you can't turn it down. You can't run from it; the pain goes where you go and stays where you stay. Chronic pain is the unwelcome guest who will not leave when the party is over.

A few months after my back turned south, my family and I moved when I accepted a job at Harvard Law School. Our family began to unravel. One of our children suffered a life-threatening disease, and my marriage fell apart.

Those crises faded with time but left deep scars. Early last year, in February 2008, another piece of bad news struck me: Doctors found a large tumor in my colon; a month later, films turned up tumors in both of my lungs. In the past year, I've had two cancer surgeries and six months of intensive chemotherapy. I've been off chemo for a few months, but I'm still nauseous much of the time and exhausted most of the time. Cancer kills, but cancer treatment takes a large bite out of one's pre-diseased life, as though one were dying in stages. Some of that stolen life returns when the treatment stops. But only some.

Today, my back and especially my right leg hurt as much as they ever have, and the odds are overwhelming that they will hurt for as long as this life lasts. Cancer will very probably kill me within the next two years. I'm 50 years old.

Such stories are common, yet widely misunderstood. Two misunderstandings are worth noting here. First, illness does not beget virtue. Cancer and chronic pain make me sick; they don't make me good. I am who I was, only more diseased. Second, though I deserve every bad thing that has ever happened to me, those things didn't happen because I deserve them. Life in a fallen world is more arbitrary than that. Plenty of people deserve better from life than I do, but get much worse. Some deserve worse and get much better. Something important follows: The question we are most prone to ask when hardship strikes—why me?—makes no sense. That question presupposes that pain, disease, and death are distributed according to moral merit. They aren't. We live in a world in which innocent children starve while moral monsters prosper. We may see justice in the next life, but we see little of it in this one.

Thankfully, God gives better and more surprising gifts to those living in hard times. Three gifts are especially sweet.

REDEEMING CURSES

First, God usually doesn't remove life's curses. Instead, he redeems them.

Joseph's story makes this point. Joseph was victimized by two horrible injustices: one at the hands of his brothers who sold him into slavery, the other thanks to Potiphar's wife, who falsely accused him of attempted rape. God did not undo these injustices; they remained real and awful. Instead, God used those wrongs to prevent a much worse one: mass starvation. When Joseph later met with his brothers, he said this about the transaction that started the train rolling: ''You meant it for evil, but God meant it for good.'' That doesn't mean that slavery and unjust imprisonment are good; rather, the point is that they produced good, and the good they produced was larger than the wickedness that was visited upon Joseph. Evil was twisted back on itself, like a gun barrel turned so that it aims at the would-be murderer firing the weapon.

Joseph's story foreshadows the central story of the Gospels. The worst day in human history was the day of Christ's crucifixion, which saw the worst possible punishment inflicted on the One who, in all history, least deserved it. Two more sunrises and the Son rose: the best day in human history, the day God turned death itself against itself—and because he did so, each one of us has the opportunity to share in death's defeat.

That is our God's trademark. Down to go up, life from death, beauty from ugliness: the pattern is everywhere.

That familiar pattern is also a great gift to those who suffer disease and loss—the loss may remain, but good will come from it, and the good will be larger than the suffering it redeems. Our pain is not empty; we do not suffer in vain. When life strikes hard blows, what we do has value. Our God sees it.

A CHANGE IN SUFFERING'S CHARACTER

The second gift is often missed, because it lives in salvation's shadow.

Amazing as the greatest of all gifts is, God the Son does more than save sinners. Jesus' life and death also change the character of suffering, give it dignity and weight and even, sometimes, a measure of beauty. Cancer and chronic pain remain ugly things, but the enterprise of living with them is not an ugly thing. God's Son so decreed it when he gave himself up to torture and death.

Two facts give rise to that conclusion. First, Jesus is beautiful as well as good. Second, suffering is ugly as well as painful. Talk to those who suffer medical conditions like mine and you'll hear this refrain: Even the best-hidden forms of pain and disease have a reality that is almost tactile, as though one could touch or taste them. And those conditions are foul, like the sound of fingernails on a blackboard or the smell of a cornered skunk. Some days, I feel as if I were wearing clothes soaked in sewage.

Some days—but not most days, thanks to the manner of Jesus' life and death. Imagine Barack Obama putting on a bad suit or Angelina Jolie wearing an ugly dress. The suit wouldn't look bad, and that dress wouldn't be ugly. These are incredibly attractive people whose attractiveness spills over onto their clothing, changing its meaning and the way other people respond to it. If Obama or Jolie wear it, it's a good-looking outfit. If they wear it often enough, it becomes a good-looking outfit even when you or I wear it. God's Son did something similar by taking physical pain on his divine yet still-human person. He did not render pain itself beautiful. But his suffering made the enterprise of living with pain and illness larger and better than it had been before. He elevates all he touches. Just as his years of carpentry in Joseph's shop lend dignity and value to all honest work, so too the pain he bore lends dignity and value to every pain-filled day human beings live.

The Shawshank Redemption is about a prisoner convicted of a murder he didn't commit. That prisoner escapes by crawling through a sewer line until he's outside the prison's walls. The narrator describes the transaction this way: ''He crawled through a river of [dung] and came out clean on the other side.'' God the Son did that, and he did it for the likes of me—so that I, too, and many more like me, might come out clean on the other side. That truth doesn't just change my life after after I die. It changes my life here, now.

THE GOD WHO REMEMBERS

The third gift is the most remarkable. Our God remembers even his most forgettable children. But that memory is not the dry, lifeless thing we feel when one or another old friend comes to mind. More like the passion one feels at the sight of a lover. When Jesus was dying, one of the two convicts crucified with him said this: ''Jesus, remember me when you come into your kingdom'' (Luke 23:42). Jesus responded by telling him that he would be in paradise that very day. As we use the word remember, that story sounds off, as though the thief on the cross and the Son of God were talking past each other.

The story sounds off because to us, remembrance merely means ''recall''—I remember when I connect a student's name to her face, or when I can summon up some fact or the image of some past event. That kind of remembrance is a sterile enterprise, lacking both action and commitment.

In the Bible, remembrance usually combines two meanings: first, holding the one who is remembered close in the heart, and second, acting on the memory. When God repeatedly tells the people of Israel to remember that he brought them out of Egypt, he is saying much more than ''get your history right.'' A better paraphrase would go like this: ''Remember that I have loved you passionately. Remember that I have acted on that love. Hold tight to that memory, and act on it too.''

Job understood the concept. Speaking with God about what would follow his own death, Job utters these words: ''You will call and I will answer you; you will long for the creature your hands have made. Surely then you will count my steps but not keep track of my sin'' (14:15–16). Notice how memory and longing are fused. Job longs to be free of his many pains, which occupy his mind like a sea of unwanted memories. God longs for a relationship with Job, and Job knows it: hence, his belief that the Lord of the universe remembers each of his steps. He is the Lover who will not rest until his arms enfold the beloved. To Job, the curses Satan has sent his way are a mighty mountain that cannot be climbed, an enemy army that cannot be beaten. In the shadow of God's love, those curses are at once puny and powerless.

Philosophers and scientists and law professors (my line of work) are not in the best position to understand the Christian story. Musicians and painters and writers of fiction are much better situated—because the Christian story is a story, not a theory or an argument, and definitely not a moral or legal code. Our faith is, to use C.S. Lewis's apt words, the myth that became fact. Our faith is a painting so captivating that you cannot take your eyes off it. Our faith is a love song so achingly beautiful that you weep each time you hear it. At the center of that true myth, that painting, that song stands a God who does vastly more than remember his image in us. He pursues us as lovers pursue one another. It sounds too good to be true, and yet it is true. So I have found, in the midst of pain and heartache and cancer.

[From the New York Times, Mar. 20, 2011]

W.J. STUNTZ, WHO STIMULATED LEGAL MINDS, DIES AT 52

(By Douglas Martin)

William J. Stuntz, an influential legal scholar known for his counterintuitive insights, who blamed liberal judges, conservative legislators and ambitious prosecutors for what he saw as a criminal justice system that imprisons far too many people, died on Tuesday at his home in Belmont, Mass. He was 52.

His family announced the death, which followed three years of treatment for metastatic colon cancer.

Though Mr. Stuntz, a professor at Harvard Law School, advised public officials and wrote often in the popular press, his greatest influence was with legal scholars. After he burst on the scene in the 1980s with a flurry of fresh ideas and interpretations, ''you saw a snowballing of references to him,'' said Daniel C. Richman, a professor at Columbia Law School.

Justice Elena Kagan of the United States Supreme Court said in an interview Friday that Mr. Stuntz's work was ''impossible to pigeonhole,'' despite his self-professed conservative inclinations.

''What was fascinating about him was that everybody read him and listened to him and took seriously what he said,'' said Justice Kagan, who worked with Mr. Stuntz when she was dean of Harvard Law School. Scholars came to call his ideas ''Stuntzian,'' she said.

Mr. Stuntz looked at criminal law as a collection of ''pathologies,'' beginning with the Supreme Court's decisions to give greater protections to people charged with crimes. State legislatures responded to those rulings with laws that toughened sentencing and defined crime more broadly, leading to more jail time and more arrests, disproportionately affecting the poor and minorities.

But Mr. Stuntz said the legislatures neglected to appropriate enough money to deal with the added arrests, particularly for public defenders and others paid by the government to defend the indigent. Adding to the focus on the poor, he said, was prosecutors' reluctance to bring to trial people who could afford lawyers and who could employ the new court-ordered constitutional protections.

Prosecutors then used their discretion to negotiate guilty pleas with public defenders. The prosecutors could sift through the broader array of criminal charges and sentences passed by legislators to make deals, taking many of what Mr. Stuntz called ''easy guilty pleas.''

One result was the sort of paradox he loved to illuminate. ''Ever since the 1960s, the right has argued that criminal procedure frees too many of the guilty,'' he wrote in The Yale Law Journal in 1997. ''The better criticism may be that it helps to imprison too many of the innocent.''

Mr. Richman said Mr. Stuntz believed that an equally worrisome problem was that the essential question of guilt or innocence could get lost. For trials of people who can afford lawyers, questions of procedure can supersede substance. Plea deals made by the poor are often just that—deals—even though the convicted person has to admit guilt.

Mr. Stuntz wrote for newspapers and magazines on issues beyond the law. In an article in The New Republic in 2006, he raised liberal eyebrows by saying that government could be more effective in fighting terrorism if it were less transparent and more concerned with protecting its own privacy than that of its citizens.

Carol Steiker, a Harvard law professor, said Mr. Stuntz was not only ''considerably to the right of your average Harvard law professor'' but also unusual at the university because he was an evangelical Christian. She said he had begun to use the word ''mercy'' among the ''values he thought the criminal justice system should have, but didn't.''

Even when applying Christian principles, he had surprises. In one instance he chided Christian conservatives' demand for ''originalism'' in interpreting the Constitution, wondering why they did not regard this as idolatrous. He said their overwhelming identification with one party, the Republicans, had ''poisoned politics in deep ways.''

William John Stuntz was born in Washington on July 3, 1958, grew up in Annapolis, Md., and graduated from the College of William and Mary and the University of Virginia School of Law. He clerked for Justice Lewis F. Powell Jr. and taught at the University of Virginia for 14 years.

''He leapt to the top of the field in the early days of his entering the law professor world,''said Martha L. Minow, the current dean of Harvard Law School.

Harvard hired him in 2000, and in 2006 he was named the Henry J. Friendly professor. This fall, Harvard University Press will publish his book ''The Collapse of American Criminal Justice.'' Also this fall, Cambridge University Press will publish a book of essays on the implications of his scholarship.

Mr. Stuntz is survived by his wife, Ruth; his children, Sarah Stuntz, Andrew Stuntz and Samuel Cook-Stuntz; his parents, John and Sandy Stuntz; his sister, Linda Adamson; and his brothers, Richard, Michael and David.

Mr. Stuntz wrote extensively about the chronic pain he suffered after a back injury in 1999, saying he felt better after realizing it was futile to dream of being painless. ''Hopelessness turns out to be surprisingly good medicine,'' he wrote.

He kept writing when he was dying of cancer, saying that he found hope in a single passage of the Book of Job. ''You will call and I will answer,'' Job says. ''You will long for the creature your hands have made.''

Mr. Stuntz wrote, ''The concept that God longs for the likes of me is so unbelievably sweet.''

ISAIAH VIALPANDO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Isaiah Vialpando for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Isaiah Vialpando is a 12th grader at Arvada West High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Isaiah Vialpando 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 Isaiah Vialpando 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.

DEPARTMENT OF DEFENSE AND FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2011

SPEECH OF

HON. JARED POLIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 7, 2011

Mr. POLIS. Madam Speaker, I rise in opposition to this bill. This is not a good-faith effort to keeping the government running. Last night in the Rules Committee, Democrats offered an amendment that would have kept the government open for one week at current levels. Instead of allowing for an up-or-down vote on that measure, Republicans are attempting to force through another bloated spending bill.

Under this continuing resolution, critical government services would face draconian cuts—hundreds of millions of dollars—while defense spending would jump 1.5 percent over last year's level. This means drastic cuts to education, law enforcement, and health care. Meanwhile, the greatest source of waste and overspending in the federal government—the Pentagon—gets even more money.

Cuts to discretionary spending alone will never close our budget gap. But leaving defense spending off the table, which comprises roughly half of all discretionary spending, is counterproductive. Those domestic cuts won't balance the budget but they could stymie economic recovery now and harm our ability to compete globally in the years to come.

Even our Defense leaders recognize that Pentagon spending restraint must be part of debt reduction efforts. Joint Chiefs of Staff Chairman Admiral Mullen stated that ''our national debt is our biggest national security threat.'' He also noted that the past decade's doubling of the Department of Defense budget has led to undisciplined spending. Secretary Gates concurs, stating, ''We can't hold ourselves exempt from the belt-tightening. Neither can we allow ourselves to contribute to the very debt that puts our long-term security at risk.''

An array of bi-partisan non-governmental groups analyzing our debt crisis have studied our defense budget and identified reductions in annual defense spending in the $70–100 billion range. The recent bi-partisan National Commission on Fiscal Responsibility and Reform, often called the Simpson-Bowles Commission, called for ''substantial defense reductions over the next 10 years.'' They have recommended various cuts that would lead to $60 billion in savings from security spending in the first year. In fact, if we implemented the Commission's recommendations, we would save $100 billion dollars from defense spending in 2015 alone.

Instead of following the lead of fiscally responsible efforts such as the Commission, Republicans have decided to increase defense spending and slash only domestic discretionary spending. To get a sense of how unbalanced this is, we would have to cut $14.5 billion from defense spending, in order to equal the cuts to domestic spending.

Reasonable military spending reductions can be made without sacrificing national security or undermining our troops. The Department of Defense must be held accountable for ensuring that tax dollars are not wasted and

military spending should be scrutinized to find meaningful reductions in outdated or unworkable programs. Anyone who denies the Defense Department is one of the largest sources of waste, fraud and abuse in the federal government probably thinks the Pentagon has four sides.

It's clear that Republicans are not serious about the deficit. If they were, waste, fraud and abuse at the Pentagon would be as much of a focus as anywhere else in the budget. But rather than holding the line on spending, the Majority is actually feeding the beast. And they're playing political games with this continuing resolution rather working with the president to avert a government shutdown. It's not fiscally responsible or morally responsible, so I will vote no on the bill.

HONORING FORMER U.S. SENATOR AND AMERICAN WAR HERO, MAX CLELAND

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. INSLEE. Mr. Speaker, I rise to honor Max Cleland, my friend, former U.S. Senator and an American war hero. Today marks the 43rd Anniversary of the Battle of Khe Sanh. It was there that at the age of 25, he earned the Silver Star and the Bronze Star for valorous action in combat serving America as a U.S. Army Captain in Vietnam.

On April 8, with a month left in his tour, Captain Cleland was ordered to set up a radio relay station on a nearby hill. A helicopter flew him and two soldiers to the treeless top of Hill 471, east of Khe Sanh. When the helicopter landed, Cleland jumped out and was accidentally struck by a grenade blast. The explosion slammed him backward, shredding both his legs and one arm. Due to the severity of his injuries, doctors amputated both of Cleland's legs above the knee and his right forearm.

Max Cleland only became stronger after this devastating experience, and dedicated himself to a life of public service as a United States Senator where he worked to significantly improve the lives of Veterans returning from war. In these ways, he lived in the essence of one of his favorite quotes from Ernest Hemingway "The world breaks everyone, and afterward, many are strong at the broken places."

Max, we are inspired by your patriotism, spirit, and your great achievements to our nation. We only hope that our nation can follow your example and grow stronger at all the broken places.

HUMBERTO BARRIOS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Humberto Barrios for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Humberto Barrios is an 8th grader at North Arvada Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Humberto Barrios 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 Humberto Barrios 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.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is $14,259,761,986,879.66.

On January 6th, 2009, the start of the 111th Congress, the national debt was $10,638,425,746,293.80.

This means the national debt has increased by $3,625,819,780,017.70 since then.

This debt and its interest payments we are passing to our children and all future Americans.

HONORING PROVIDENCE MISSIONARY BAPTIST CHURCH

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor Providence Missionary Baptist Church in Thomasville, Georgia, which is celebrating its 104th anniversary on April 10, 2011.

The Providence Missionary Baptist Church was born out of a spiritual need in the Thomasville community. In response to a divine revelation from God, the late Mother Mary Lousia Williams along with other believers in Jesus Christ proceeded to "build a house" for the Lord. Providence began as a prayer house, where it was known as the Providence of God.

Reverend Henry Fennell was the first pastor of Providence of God who served from 1907–1908. He was succeeded by Reverend Robert Raymond who served from 1908–1909. Under Reverend Raymond's leadership, the organizational structure of the church grew from a prayer house into a missionary Baptist church. After Reverend Raymond's superior leadership, Providence Missionary Baptist church has been blessed to have several dynamic pastors including Reverend Frank Martin, Reverend Arthur J. Atkinson, Reverend Eddie S. Sheffield, Reverend James Ceasar Vaughn, Jr., and Rev. Dr. Emory C. Virgil.

For the last 104 years, Providence Missionary Baptist Church has expanded its ministry in the Thomasville community. The church broke ground on a new structure in 1957 and moved into the new location on Magnolia Street a year later. When the new sanctuary opened, the members of the church marched from the site of the old church to the new location and Reverend Atkinson ordained nine Deacons.

Providence Missionary Baptist Church furthered its legacy of giving back to the community in 1980 when it helped establish the Providence Plaza, a low-income residential facility in Thomasville. Reverend Sheffield helped secure funding for the building through a Community Development Block Grant, and relied on the leadership of the late Deacon Elijah Hill, Jr. Deacon Hill had a proven track record for rehabilitating condemned or abandoned houses, turning them into livable and affordable dwellings for individuals needing low-income housing.

The Providence Plaza is a living testimony that the church is most capable of providing shelter for the homeless. In Matthew 11:28, Jesus gave an instruction to the church when he said: "come unto me all you ye that labour and are heavy laden and I will give you rest."

The church has lived up to its vision statement, "To glorify God, to magnify Christ, and to help somebody" for the last 104 years, The Thomasville community is a better place because of Providence Baptist Church, and on the occasion of its 104th anniversary, it gives me great honor to recognize the church for all its efforts. I thank the church and its congregation for all their many years of service. I hope Providence Missionary Baptist Church will continue to spread the word of God and continue serving the Thomasville community for many years to come. To God be the glory!

JESSE LUCERO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jesse Lucero for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jesse Lucero is a 10th 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 Jesse Lucero 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 Jesse Lucero 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.

H.R. 658, THE FAA REAUTHORIZATION AND REFORM ACT OF 2011

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Ms. McCOLLUM. Mr. Speaker, reauthorization and reform of the Federal Aviation Administration (FAA) is long overdue, and critical to

our nation's future. Between 2007 and 2010, the Democratic House majority repeatedly passed FAA reauthorization legislation—with my strong support—to modernize America's outdated air traffic control system, improve airline safety for the traveling public, and create jobs by improving our nation's infrastructure. After years of negotiation, the Senate passed a bipartisan reauthorization bill in February 2011 that meets these criteria.

Unfortunately, the House Republican majority chose not to bring the bipartisan Senate legislation to a vote today. Instead, House Republicans introduced H.R. 658, a different version of the FAA authorization that slashes $4 billion from needed aviation infrastructure investments. The $4 billion cut to aviation infrastructure funding would wreak havoc on our nation's aviation industry, which accounts for nearly 11 million jobs and $1.2 trillion in annual economic activity. Economist Mark Zandi—Senator MCCAIN's economic advisor during the 2008 Presidential campaign—estimates that the cuts made in H.R. 658 to aviation infrastructure will result in the loss of 700,000 American jobs.

In addition to the threat of massive job losses, H.R. 658 includes provisions that roll back worker rights and undermine airline safety. One of these provisions would change existing union election laws for aviation and rail workers so that employees who choose not to vote are counted as ''no'' votes. Needless to say, if these rules were applied to congressional elections, not a single sitting Member of the House or Senate would have won election. Some House Republicans have joined Democrats in rejecting this anti-democratic policy. Republican Congressman STEVE LATOURETTE offered a bipartisan amendment with Democratic Representative JERRY COSTELLO to maintain union election rules within the National Mediation Board that uphold a very basic democratic principle: the majority of those who vote will determine the outcome of an election. I voted for this amendment and was extremely disappointed it failed due to strong opposition from the Republican caucus.

Another amendment, offered by Representative BILL SHUSTER, eliminates the commonsense proposal by the FAA to set a single standard for the aviation industry regulating how many hours pilots can fly before they are required to rest. This standard is the result of extensive scientific testing. Rep. SHUSTER's amendment would abandon the scientific basis for pilot rest requirements and instead create different levels of safety depending on the segment of the aviation industry. Fatigue affects pilots the same, regardless of the plane they fly or the cargo they carry. I opposed the Shuster amendment but unfortunately it passed despite unanimous opposition from Democratic Members of the House.

Mr. Speaker, Congress must pass a long-term authorization of the Federal Aviation Administration that will improve safety for passengers and pilots, make critical infrastructure upgrades, and modernize this essential sector of our nation's economy. I am disappointed that the House will not vote on such a bill today. Once again, Republican leaders in the House have decided that scoring political points and protecting special interests is more important than our nation's future.

President Obama has said he will veto any bill that does not protect railroad and airline workers' right to a fair election or one that erodes the safety and efficiency of our air traffic. Unfortunately, this bill fails on both counts, and I cannot support it.

JACK TROETSCHEL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jack Troetschel for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jack Troetschel is an 8th grader at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Jack Troetschel 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 Jack Troetschel 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.

COMMEMORATING THE 100TH ANNIVERSARY OF EXTENSION HOME ECONOMICS IN ALABAMA

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. BACHUS. Mr. Speaker, it is an honor to commemorate the 100th Anniversary of Extension Home Economics in the State of Alabama and the important educational role played by home demonstration and county agents throughout our state. Generations of families in Alabama have led better and more self-sufficient lives as a result of home economics programs, which are based on a foundation of teaching consumer and decision making skills that last a lifetime.

The roots of Extension home economics education in Alabama can be traced to the founding of the first Girls' Tomato Clubs in Pike and Walker counties in 1911. The spread of similar clubs demonstrated the great need for homemaker education. Those modest beginnings provided fertile soil for the creation of a statewide Alabama Cooperative Extension Service, which was established as part of the land grant college system. The original staff included a state home demonstration agent.

The Alabama Cooperative Extension Service is known for a number of impressive firsts, including the development of a model program to teach low-income young homemakers and the appointment of the first Negro demonstration agent in Alabama in 1915. Extension workers and citizens in Alabama participated in the ''food for defense'' program during World War II and their memorable mattress campaign resulted in the completion of more than 500,000 mattresses and 200,000 comforters to support the campaign for liberty.

A hallmark of home economics education in Alabama has been its responsiveness to changing economic and cultural needs. During the challenging years of the Great Depression, instruction in conservation and wise management of scarce resources helped to tide over many families during difficult times. The postwar years brought a new emphasis on consumer education and sound decision making as women entered the workforce in greater numbers. More recently, lifestyle, health, and technology education has assumed heightened importance. In our complex society, home economics now encompasses everything from health, nutrition, and family life to financial, consumer, and employment matters. The end goal remains the same: creating a wise consumer, a strong family unit, and productive citizens in our communities.

The State of Alabama is fortunate to have an extensive network of cooperative extension agents, university professionals, and elementary and secondary educators dedicated to the well-being of our families. Working seamlessly together, they provide an unparalleled service to the State of Alabama that enhances the quality of family life daily. On the occasion of the special celebratory luncheon being held in Montgomery on April 19 to salute the mission of home economics, it is a pleasure to recognize 100 years of achievement and look forward to a second century of service.

CONGRATULATING MATT HOWARD

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PENCE. Mr. Speaker, I rise today to congratulate Matt Howard and the rest of the Butler University men's basketball team. America watched as the Bulldogs demonstrated hard work and personal sacrifice throughout the NCAA tournament and achieved what many said was impossible. The Dawgs epitomize what the word ''team'' is all about, and although they did not take home the trophy, they made their state and fellow Bulldogs across the nation proud. As Andrew Carnegie said, ''teamwork is the fuel that allows common people to obtain uncommon results.''

Matt is one of the Bulldogs I am proud to say is from my district. After leading the state in rebounding his senior year at Connersville high school, Matt chose to attend Butler University. Matt's work-ethic and tenacity on the hardwood translated into the classroom as well where he was named to the Capitol One Academic All-America Team for a school-record 3 years. He was also named NCAA 2010–2011 Division 1 Academic All-American of the year, and he recently received the prestigious Elite 88 Award for the second consecutive year. Matt is a three-time all Horizon League First-Team player, and in 2008–2009 was named Horizon League Player of the Year. He's been named to the Horizon League All-Tournament team for three consecutive years including the tournament's Most Valuable Player in 2010. There is no doubt Matt's talent helped advance the Dawgs to the final game of the NCAA tournament.

What many may not know is the incredible support that Matt Howard has received not

only from his family, but from his community. As one of ten children, Matt grew up in a strong and loving family. When word spread that the Howard family would not be able to attend the Final 4 in Houston, their friends and neighbors donated money to pay for the family's travel expenses. The town raised over $17,000 and the entire Howard family was able to watch Matt play in-person. Acts of kindness like this from a small East-Central Indiana town never cease to amaze me.

Today I echo the pride of Hoosiers across the state on Butler's strong performance. And I especially congratulate Matt for his leadership and strength of character throughout the tournament.

IN RECOGNITION OF COLONEL STEPHANIE E. DAWSON SERVICE AS BRIGADE COMMANDER OF THE 369TH SUSTAINMENT HARLEM HELLFIGHTERS UNIT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. RANGEL. Mr. Speaker, I rise today in recognition of Colonel Stephanie E. Dawson Service as Brigade Commander of the 369th Sustainment Harlem Hellfighters Unit. Col. Stephanie Dawson is the first female officer in New York National Guard history to command a brigade level unit.

Col. Dawson became the Commander of the 369th Sustainment Brigade on October 1st, 2008. Prior to that time, she was the Deputy Commander of the 369th Sustainment Brigade, a position she held for two years. As a Lieutenant Colonel, she commanded the 27th Rear Area Operations Center. Dawson's unit was one of the first New York Army National Guard units to be mobilized in support of Operation Iraqi Freedom in February 2003 and returned in April 2004.

Colonel Dawson also served as Battalion Executive Officer; Support Operations officer; Ammunition Officer; Maintenance Officer; Tank/Automotive Officer; Material Maintenance Management Officer; 42nd Division, Material Management Center; Commander, Headquarters & Light Maintenance Company; Operations Readiness Platoon Leader; and Automotive Maintenance Platoon Leader.

As executive officer for the 369th Corps Support Battalion during the unit's 9–11 activation, she helped spearhead battalion relief, security, supply, transportation, and other logistics support missions for initial Ground Zero operations. Colonel Dawson was credited and acknowledged by her colleagues and company commanders for her quick and decisive response during the 9–11 attacks on the World Trade Center and their aftermath.

Dawson is a 2007 graduate of the Army War College, as well as the Army's Command and General Staff College and the Combined Arms and Services School. She also completed the Support Operations Course; the Senior Transportation Officer Advanced Qualification Course; the Ordnance Advanced Officer Course; the Ordnance Basic Officer Course; and the Academy of Health Sciences (AMEDD) Officer Basic Course.

Colonel Stephanie Dawson's military honors and awards include the Bronze Star, the Meritorious Service Medal, the Army Commendation Medal, the Army Achievement Medal, the National Defense Service Medal, and the Global War on Terrorism Expeditionary Medal.

In civilian life she is a certified Project Management Professional (PMP) and works for the Chief Operating Officer for the Port Authority of New York & New Jersey where she is the Chief of Staff of Operations, and has previously served as the Assistant Director of Capital Programs; General Manager and Program Manager for Security Systems at the Port Authority of New York & New Jersey.

Prior to joining the Port Authority, she was an Operations Manager in banking and then held a number of positions at the Department of General Services in New York City. Col. Dawson's civilian education includes a Masters in Strategic Studies from the U.S. Army War College, a Masters Degree in Public Administration from Marist College, and a Bachelors of Arts in Economics from Cornell University. Dawson is also a life member of her local Veterans of Foreign Wars Post and 369th Historical Society.

Mr. Speaker, on Sunday, April 10 at 1300 hours, Colonel Stephanie E. Dawson will conclude her service as Brigade Commander of the 369th Sustainment Harlem Hellfighters Unit during the Change of Command Ceremony taking place at the 369th Harlem Hellfighters Armory in my 15th Congressional District. Please join me and a very grateful nation in a special House of Representatives salute and thank you to Brigade Commander Colonel Stephanie E. Dawson for her continued distinguished service to the New York Army National Guard and the United States of America.

The 369th Sustainment Brigade is one of nine such support units in the Army National Guard. A Sustainment Brigade provides command and control for combat service and combat service support units which enable the Army's combat teams to fight by providing fuel, ammunition, medical supplies, repair parts, and medical and other services. A Sustainment Brigade can support from one to 10 brigade combat teams depending on the number of service and support units it controls.

The 369th traces its heritage back to the 15th Infantry Regiment of the New York National Guard, an all African-American unit organized in 1916. In 1917 the regiment was sent to France and renumbered as the 369th Infantry, but because American Army officers maintained segregated combat formations, the Soldiers were initially used for supply duties. The French Army, though, was more than happy to have these Soldiers fight for them and in May 1918 the 369th went into the trenches.

Corporal Henry Johnson, a railroad porter from Albany, New York became the first American to win the French Croix de Guerre, when he fought off a German attack on his listening post. During this hand-to-hand combat, Johnson saved another soldier from capture. In tough fighting in France the 369th unit won a regimental Croix de Guerre from the French Army, and 200 individual Croix de Guerre were awarded. The unit also sustained 1,500 casualties and won itself the nickname "Harlem Hell fighters" and the respect of the German opponents and French allies. The 369th saw more frontline service than any other American unit in World War I.

In World War II the unit served as the 369th Anti-aircraft Artillery Regiment, and in the Gulf War of 1991 it served as the 369th Transportation Battalion.

CONGRATULATING CHASE STIGALL

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PENCE. Mr. Speaker, I rise today to congratulate Chase Stigall and the rest of the Butler University men's basketball team. America watched as the Bulldogs demonstrated hard work and personal sacrifice throughout the NCAA tournament and achieved what many said was impossible. The Dawgs epitomize what the word "team" is all about, and although they did not take home the trophy, they made their state and Bulldog fans across the nation extremely proud. As Andrew Carnegie said, "teamwork is the fuel that allows common people to obtain uncommon results."

I am proud to say that many of the Bulldog players hail from my district. One such young man is Chase Stegall. He was a star player at Chrysler High School in New Castle, and he helped lead his team to victory in the Indiana Class 3A state championship. There is no doubt that his talent also helped advance the Dawgs to the final game of the NCAA tournament. I echo the pride of Hoosiers across the state on Butler's strong performance. And I especially congratulate Chase for his leadership and strength of character throughout the tournament.

REMARKS OF CONGRESSMAN JIM MORAN AT HIS 20-YEAR GALA CELEBRATION

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. HOYER. My friend and colleague JIM MORAN gave these insightful remarks at his 20-Year Gala Celebration on March 29th.

CONGRESSMAN JIM MORAN'S SPEECH AT HIS 20-YEAR GALA CELEBRATION—MARCH 29, 2011

I have the best job in the world—representing the best educated, most diverse workforce in the strongest economy in the country.

Of course, there's always going to be a gap between what business can produce and what government can provide. In Northern Virginia much of that gap is filled with the personal generosity of most of you in this room. So, on behalf of the beneficiaries of your generosity, let me thank you again for your unselfishness.

After 65 years of life and 30 years in politics, I've come to realize some things that may have not been as apparent when I started out. First of all, the tragedy of so many lives I've come into contact with, didn't occur when they drew their last breath, but rather when they dreamt their last dream. The tragedy of life is what we let die inside us while we live.

Societies have many of the same organic qualities as individuals and what strikes me

as I speak tonight is that this nation, which our founding fathers intended to serve as the brightest and most moral beacon of hope and enlightenment for all mankind, is in danger of losing its energy and its luster. It's not lights out time, but the light is dimming. Confidence and optimism is giving way to pessimism and cynicism.

The fact that we can't even see our way through to funding the Federal Government is an example of what I'm talking about. Many in today's Congress have said they will not vote to fund our Treasury obligations when we hit our national debt ceiling in a matter of weeks. The seed corn for our future growth—education, Head Start, research and development, roads, rails, clean water infrastructure, environmental preservation, the arts and humanities, are all being cut into the bone in the pending HR1 Appropriations Bill.

I'm in this job because I believe deeply in my heart in the American dream and I believe in the essential role of the Federal Government in the fulfillment of that dream.

Government can't and shouldn't try to solve every problem, right every wrong, or even rectify every inequality. Its job is to be a catalyst and a gap-filler and the option of last resort. To do the things that the private sector can't or won't.

For example, the private sector alone can't afford the kind of basic research that DARPA and the National Science Foundation invested in that produced the internet, GPS, the human genome, and cures for so many of our diseases. And if we want to unravel the mysteries of what lies under the sea and above the sky, if we want to find a permanent cure for Alzheimer's and cancer and autism, and if we're going to secure clean, sustainable sources of energy, then the Federal Government needs to be seen as a partner worth the trust and the investment of the American people and its politicians.

The private sector can't finance all our interstate roads and high-speed rail and mass transit systems. The private sector can't fund the infrastructure to separate storm water from drinking water or salvage Puget Sound or the Chesapeake Bay or the Great Lakes. And neither the private sector nor most of the parents of this country can take on the task of educating our future workforce.

Those are inherently governmental responsibilities and we ought not shrink from them.

If we truly believe in the future of this country then we have to be willing to make the investments necessary to ensure that brighter future. That means you don't cut corners on research opportunities, you don't shortchange your transportation systems, and you don't lay off more than 200,000 teachers, as we've done over the last two years, while the number of students has increased by 750,000.

Of course, we have to reduce the deficit and ultimately balance our budget—but you can't fight two wars, expand Medicare and invest billions in our homeland's security with two deep tax cuts.

We're bringing in revenue today that amounts to 15% of GDP. We've never had a strong, stable, modern economy without investing at least 20% of our GDP in military security and in our domestic physical and human infrastructure. But, as the Bowles/Simpson Commission emphasized, spending at 25% of GDP is just as unsustainable as taxing at 15%.

Our tax code has got to be made simpler and fairer. Warren Buffet is right to ask why his secretary pays 25% of her income while he only pays taxes on 10% of his wealth. And it's fair to ask why Exxon Mobil, GE, NewsCorp, Bank of America, and dozens of other multinational corporations are paying zero taxes to the U.S. during some of their most profitable years, while other corporations with much less profit are paying 35%.

It's not their fault. It's ours in the Congress.

We lose a trillion dollars a year in so-called tax expenditures, much of which can only be justified in a political context. And while I'm an ardent capitalist, I don't think we should be taxing those making $250,000 a year at the same rate as we tax those making $25 million a year.

We also have to rein in health care costs. They're crippling our economy. Medicare and Medicaid spending has doubled over the last 25 years as a percent of GDP. It doesn't make sense that we should be living shorter, less healthy lives, while spending twice what any other country is spending on its health care. The reason is that we reimburse for the quantity of services provided, rather than the quality of care needed. Hopefully, the health care reform bill that was fought over so vehemently will fix that.

A couple other things I have come to realize over the last 20 years is that the best social program is a good job and the key to economic prosperity and social stability is a strong middle class. Neither a survival of the fittest society nor a winner-take-all economy is in anyone's long-term best interest.

Carrying on the theme of societies functioning very much like individuals, I think we all have kind of a burning flame inside of us. Some call it our soul or the human spirit, but it does seem as though when we look the other way from the poor, shut our doors to the homeless, close our consciences to the sick and needy, that flame burns less bright, and eventually goes out. . . I think that can apply to our nation as well.

And in that regard, let me say a word about immigration. I just came from a ten-day trip to Colombia, Panama, Guatemala, and Mexico City. The Chinese, Canadians and Europeans are all filling the gap in Colombia and Panama left by our inability to reach a deal with them—a free trade deal that primarily lowers their tariffs on our goods and services.

But in Guatemala, fully half the population is stunted from malnutrition and crime is so pervasive a young person is more likely to be shot in a crime than to study in a college. In Mexico, 97% of the crimes committed are never prosecuted. The kids go to school for only four hours a day, but only 13% of their teachers can pass a high school equivalency exam.

What would you do as a parent in a situation like that? I think I know what you would do, because it is exactly what I would do for my own children—you would risk everything to pursue your dream of a better life for your kids. And that's exactly what the bravest, boldest and most entrepreneurial do.

And it is because people from all over the world have made that decision to come to America for the same reasons our ancestors did, that we've been able to constantly renew and reinvigorate our population and our workforce. That's why I'm a cosponsor of a bill that makes the highest achieving children of immigrants eligible for college, regardless of their parents' status and why I support the bill that requires English fluency, civics knowledge, paid-up back taxes, and no criminal record to get in the back of the line for citizenship. That's what they say amnesty is all about. I think it's what America is all about.

And finally—Libya. Who among you, if you saw a well-known bully beating up on defenseless people with a tire iron, wouldn't grab that tire iron out of his hands?

Gaddafi is not Mubarack of Egypt or King Hussein of Jordan, or President Saleh of Yemen or the Khalifa family of Bahrain. He's a truly bad guy. He's using foreign mercenaries to torture and kill his people, who I believe just want some semblance of dignity, opportunity and human rights. Human rights that their peers throughout the Middle East are now willing to risk their lives for. President Obama has done the right thing by leveling the playing field.

The reason we've made the extraordinary investments we've made to create the strongest, smartest military in the world is to make this a better, safer world for everyone, and in so doing, to insure a more peaceful world for ourselves.

And when we seize the moral high ground, we will always win not just the battle, but the war of ideals and values. Those same values and ideals motivated my father to serve in World War II and to take advantage of the GI Bill and to save and sacrifice to get all seven of his children through college, and it's why I'm so genuinely humbled by the idea that I've been able to serve in the U.S. Congress for the last 20 years—and why I am so deeply grateful to all of you for affording me that opportunity.

Thank you.

CONGRATULATING EMERSON KAMPEN

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PENCE. Mr. Speaker, I rise today to congratulate Emerson Kampen and the rest of the Butler University men's basketball team. America watched as the Bulldogs demonstrated hard work and personal sacrifice throughout the NCAA tournament and achieved what many said was impossible. The Dawgs epitomize what the word ''team'' is all about, and although they did not take home the trophy, they made their state and Bulldog fans across the nation proud. As Andrew Carnegie said, ''teamwork is the fuel that allows common people to obtain uncommon results.''

Emerson Kampen is one of the Bulldogs I am proud to say is from my district. Emerson starred at Yorktown High School where he was named Honorable-Mention to the Indiana Basketball Coaches Association All-State team as a senior. There is no doubt Emerson's talent helped advance the Dawgs to the final game of the NCAA tournament. I echo the pride of Hoosiers across the state on Butler's strong performance. And I especially congratulate Emerson on his leadership and strength of character throughout the tournament.

HONORING LIEUTENANT GOVERNOR JENNIFER CARROLL

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Ms. WILSON of Florida. Mr. Speaker, I rise today to recognize the impressive accomplishments of Florida's 18th Lieutenant Governor, Jennifer Carroll. Lieutenant Governor Carroll is married to Nolan Carroll of Miami and they have three children, Nolan II, Nyckie and Necho. She was a state legislator for over seven years, a small business owner, former

Executive Director of Florida Department of Veterans' Affairs and a Navy veteran.

Lieutenant Governor Jennifer Carroll was born in Port of Spain, Trinidad West Indies. She emigrated to the United States as a young child and served her adopted nation honorably and with distinction. Lieutenant Governor Caroll has always possessed an adventurous spirit and harbored a desire to expand her horizons and explore the possibilities of the world around her. Lieutenant Governor Carroll enlisted in the United States Navy in 1979 rising from the ranks of an enlisted jet mechanic to retire as a Lieutenant Commander Aviation Maintenance Officer after 20 years. During her time in the Navy she was awarded numerous awards that include: Navy "E" Good Conduct Ribbon, Meritorious Service Medal, two Navy Commendation Medals, two Navy Achievement Medals, two Sea Service Ribbons, National Defense Service Medal, two Coast Guard Special Operation Ribbons, and an Expert Pistol Medal.

In the years that followed, this bright and determined woman worked tirelessly to graduate from the University of New Mexico with a B.A. in Political Science and received her M.B.A. from St. Leo University. Bold and fearless, Lieutenant Governor Carroll moved to Florida in 1986 and started a business named 3N. & J.C. Corp. She ran for the Florida House of Representatives in 2003 and after winning she became the first African American female Republican elected in the Florida Legislature's history. A documented trailblazer, she was appointed Deputy Majority Leader from 2003–2004 and served as Majority Whip from 2004–2006. She chaired the Finance Committee from 2006–2008 and chaired the Economic and Development from 2008–2010. She was awarded the Florida Chamber of Commerce Honor Roll consecutively since 2004, Faith and Family Award from the Christian Coalition of Florida Committee, 2005 and 2008, Florida Veterans Service Officers Association, Legislator of the year 2009 and Federated Retail Association Representative of the Year 2010.

It is unquestionable that Lieutenant Governor Caroll's career successes, including her recent ascension have come with much sacrifice, but have been well-deserved. I ask my colleagues to join me in recognizing the accomplishments of Lieutenant Governor Jennifer Carroll. I wish Lieutenant Governor Jennifer Carroll continued success for the future.

HONORING JOHN C. KOSTOLANSKY, SR.

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. REED. Mr. Speaker, I rise today to honor the life of former Corning Mayor John C. Kostolansky, Sr., who passed away on March 27.

John began working at Corning Glass Works in 1940, a company with whom he stayed until his retirement in 1988. During this time, he also served on the Corning Painted Post School Board, spending 2 years as President and 4 years as Vice-President.

John was no stranger to Capitol Hill. He served my district honorably as Treasurer to U.S. Representative Amo Houghton for 8 years. John then served as Mayor of Corning from 1989 to 1991, where he was responsible for appointing a Blue Ribbon Commission to bring the city out of its deep financial problems. His vision and ability to make tough decisions should be an example to all public servants.

John was one of the most hardworking men I knew. There really was no part of the Corning community he didn't touch. He was involved in so many organizations, groups, and causes, I could not possibly name them all.

Because of his active role in making Corning the wonderful place it is today, he will be sorely missed by all of us who call Corning home.

I thank John for his service, and the precious mark he has left on the 29th Congressional District of New York.

CONGRATULATING ZACHARY HAHN

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. PENCE. Mr. Speaker, I rise today to congratulate Zachary Hahn and the rest of the Butler University men's basketball team. America watched as the Bulldogs demonstrated hard work and personal sacrifice throughout the NCAA tournament and achieved what many said was impossible. The Dawgs epitomize what the word "team" is all about, and although they did not take home the trophy, they made their state and Bulldog fans across the nation extremely proud. As Andrew Carnegie said, "teamwork is the fuel that allows common people to obtain uncommon results."

I am proud to say that many of the Bulldog players hail from my district. One such young man is Zachary Hahn. He was a star player at Chrysler High School in New Castle, and he helped lead his team to victory in the Indiana Class 3A state championship. There is no doubt that his talent also helped advance the Dawgs to the final game of the NCAA tournament. I echo the pride of Hoosiers across the state on Butler's strong performance. And I especially congratulate Zachary for his leadership and strength of character throughout the tournament.

RECOGNIZING THE 2010–2011 CONGRESSIONAL YOUTH ADVISORY COUNCIL FOR 500 HOURS OF OUTSTANDING SERVICE TO THE COMMUNITY—KAITLYN HEBIG

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is my pleasure and privilege to inform the Members of the United States House of Representatives that the students of the 2010–2011 Congressional Youth Advisory Council, CYAC, from the Third District of Texas have completed a total of 500 community service hours, fulfilling and far-surpassing the requirements of their assigned CYAC in the Community service project.

This year 46 students from public, private, and home schools in grades 10 through 12 made their voices heard by joining CYAC. As the Third District's young ambassadors to Congress, these bright high school students met with me on a quarterly basis to discuss current events and public policy. These impressive young people recognize an important truth: the heart of public service is found when giving back to the community. CYAC students volunteered their time and talents with over 30 organizations including Adopt-A-Highway, Habitat for Humanity, Meals on Wheels, Teen Court, and the USO, to name a few. As one student shared, "CYAC in the Community has allowed me to realize my calling to serve those in the U.S. Armed Forces." I am beyond thrilled that CYAC has helped students unleash their full potential and chase their dreams.

President George H. W. Bush once said, "A volunteer is a person who can see what others cannot see; who can feel what most do not feel. Often, such gifted persons do not think of themselves as volunteers, but as citizens—citizens in the fullest sense: partners in civilization."

With this statement as a benchmark, I am proud to congratulate the members of the 2010–2011 Congressional Youth Advisory Council for showing themselves to be outstanding young citizens of this nation. It is my privilege to submit summaries of their work to the CONGRESSIONAL RECORD to be preserved for posterity and antiquity. To these young public servants, thank you, and keep up the great work. I salute you.

A copy of each submitted student summary follows:

For the CYAC in the Community Service Project, I participated in 3 separate projects for a total of 13 hours. My first project was on Thanksgiving morning for 6 hours. My brother, dad, and I arrived at the Meals on Wheels center at 7:00 a.m. We packed and distributed coolers of food. For the leftover coolers, my dad and I drove a route and delivered them. My next service project was Adopt-A-Family at Jesuit. My family was assigned an underprivileged family to buy Christmas gifts for and we were asked to wrap them. The family we were assigned was 6 people total and it was our job to help them out and buy gifts off their Christmas lists to make their holiday speciaL Buying the gifts took weeks but once they were all collected, we met at Jesuit and wrapped all of the gifts. My last service project was for the Notre Dame School of Dallas, a school for kids with mental disabilities and/or social disorders. Jesuit hosted a dance for them and I helped set up, dance, then clean up for 3 hours. It was great to see the smiles on the faces of the people I helped out and I had fun doing my service projects.

—*Kaitlyn Hebig*

INTRODUCTION TO H.R. 1443, H.R. 1444, AND H.R. 1445

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 8, 2011

Mr. BROUN of Georgia. Mr. Speaker, today, I introduced H.R. 1443, H.R. 1444, and H.R. 1445, which would protect our Second Amendment rights and expand hunting and fishing access for all Americans.

Over the past several years, our federal government, some states, anti-hunting, and anti-Second Amendment forces have made moves to ban lead hunting and fishing products. Unfortunately, the arbitrary desire to regulate lead hunting and fishing products is not based on a full and rigorous scientific analysis of exactly what—if any—hazards lead bullets, shot and sinkers may pose to wildlife populations, the environment, as well as hunters and anglers.

Banning lead ammunition and fishing products in favor of non-lead or non-toxic products would be much more expensive to produce and represents an unfair financial burden on hunters and anglers. The excise taxes on ammunition, firearms, and fishing tackle contribute billions of dollars each year for conservation projects throughout the country. Any actions to ban lead products will likely discourage people from hunting and fishing—especially in these difficult economic times and decrease revenue into the Pittman-Robertson and Dingell-Johnson funds that are the keystone for financing state conservation efforts.

H.R. 1443, the Outdoor Sports Recreation Act, would prevent the Departments of Interior and Agriculture from prohibiting or limiting, based on material content, the use of any traditional hunting and fishing implement on federal public lands. This legislation would also deny any funding or revenue apportionment under the Pittman-Robertson Wildlife Restoration Act or the Dingell-Johnson Sport Fish Restoration Act to any state or territory that prohibits or restricts, based on material content, the sale or use of any traditional hunting and fishing implement. In addition, it would prohibit the Environmental Protection Agency (EPA) from regulating, based on material composition, any type of firearm ammunition or fishing tackle.

H.R. 1445 only focuses on the EPA. It simply restricts the EPA from regulating, based on material composition, any type of firearm ammunition or fishing tackle.

Finally, H.R. 1444 expands hunting on our vast federal lands. Hunting is already permitted on most Bureau of Land Management and U.S. Fish and Wildlife Service lands. This legislation would simply require that hunting activities be considered as a land use in all management plans for federal land, to the extent that it is not clearly incompatible with the purposes for which the federal land is managed.

I believe these three bills can play an important role in protecting our Second Amendment rights and help expand hunting and fishing access for all Americans.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 1363, Department of Defense and Further Additional Continuing Appropriations Act, as amended.

The House concurred in the Senate amendment to H.R. 1363, Department of Defense and Further Additional Continuing Appropriations Act, 2011.

Senate

Chamber Action

Routine Proceedings, pages S2287–S2364

Measures Introduced: Sixteen bills and two resolutions were introduced, as follows: S. 769–784, and S. Res. 138–139. **Page S2348**

Measures Reported:

S. 627, to establish the Commission on Freedom of Information Act Processing Delays, with amendments. **Page S2348**

Measures Passed:

Department of Defense and Further Additional Continuing Appropriations Act: Senate passed H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, after agreeing to the following amendment proposed thereto: **Pages S2340–42**

Reid/McConnell Amendment No. 291, in the nature of a substitute. **Pages S2340–41**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Senate Majority Whip be authorized to sign duly enrolled bills or joint resolutions on Friday, April 8, and Saturday, April 9, 2011. **Page S2362**

Nominations—Agreement: A unanimous-consent-time agreement was reached providing that at 11 a.m., on Tuesday, April 12, 2011, Senate will begin consideration of the nomination of Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York, and the nomination of John A. Kronstadt, of California, to be United States District Judge for the Central District of California; that there be one hour for debate equally divided in the usual form; that upon the use or yielding back of time, the nomination of Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York, be confirmed, and Senate proceed to vote, without intervening action or debate, on confirmation of the nomination of John A. Kronstadt, of California, to be United States District Judge for the Central District of California; that no further motions be in order to any of the nominations. **Page S2362**

Nominations Received: Senate received the following nominations:

Wanda Felton, of New York, to be First Vice President of the Export-Import Bank of the United States for a term expiring January 20, 2013.

Sean Robert Mulvaney, of Illinois, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2015.

Timothy G. Massad, of Connecticut, to be an Assistant Secretary of the Treasury.

David S. Johanson, of Texas, to be a Member of the United States International Trade Commission for a term expiring December 16, 2018.

James Harold Thessin, of Virginia, to be Ambassador to the Republic of Paraguay.

William Carl Lineberger, of Colorado, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

Barbara Jeanne Ells, of Colorado, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring October 18, 2016.

Deborah Downing Goodman, of Oklahoma, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and

Arts Development for a term expiring October 18, 2014.

Cynthia Chavez Lamar, of New Mexico, to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development for a term expiring May 19, 2016.

Anuj Chang Desai, of Wisconsin, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2011.

Anuj Chang Desai, of Wisconsin, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2014.

4 Army nominations in the rank of general.

Routine lists in the Army, Coast Guard, Foreign Service, and Navy. **Pages S2363–64**

Nomination Withdrawn: Senate received notification of withdrawal of the following nomination:

Jonathan Andrew Hatfield, of Virginia, to be Inspector General, Corporation for National and Community Service, which was sent to the Senate on January 26, 2011. **Page S2364**

Messages from the House: **Page S2346**

Measures Referred: **Page S2346**

Measures Placed on the Calendar: **Page S2346**

Measures Read the First Time: **Page S2347**

Executive Communications: **Pages S2347–48**

Petitions and Memorials: **Page S2348**

Additional Cosponsors: **Pages S2348–50**

Statements on Introduced Bills/Resolutions: **Pages S2350–61**

Additional Statements: **Pages S2345–46**

Amendments Submitted: **Pages S2361–62**

Notices of Hearings/Meetings: **Page S2362**

Adjournment: Senate convened at 11 a.m. and adjourned at 11:57 p.m., until 10 a.m. on Tuesday, April 12, 2011. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2363.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 34 public bills, H.R. 1439–1472; and 3 resolutions, H. Res. 214–216, were introduced. **Pages H2569–70**

Additional Cosponsors: **Pages H2571–72**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Gardner to act as Speaker pro tempore for today. **Page H2537**

Recess: The House recessed at 11:49 a.m. and reconvened at 12 noon. **Page H2549**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H2549–50, H2567**

Recess: The House recessed at 12:14 p.m. and reconvened at 1:15 p.m. **Page H2549**

Question of Consideration: The House agreed to consider H.J. Res. 37, disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices, by a yea-and-nay vote of 238 yeas to 174 nays, Roll No. 250. **Page H2552**

Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices: The House passed H.J. Res. 37, disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices, by a recorded vote of 240 ayes to 179 noes, Roll No. 252. **Pages H2552–65**

Agreed to table the appeal of the ruling of the chair on a point of order sustained against the Hoyer motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 235 ayes to 181 noes, Roll No. 251. **Pages H2562–64**

H. Res. 200, the rule providing for consideration of the joint resolution, was agreed to on April 5th.

Recess: The House recessed at 3:42 p.m. and reconvened at 12 midnight. **Page H2565**

Order of Business: Agreed by unanimous consent that (1) that it be in order at any time to take from the Speaker's table the bill H.R. 1363, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment; (2) that the Senate amendment be considered as read; (3) that the motion be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations; and (4) that the previous question be considered as ordered on the motion to final adoption without intervening motion. **Page H2565**

Department of Defense and Further Additional Continuing Appropriations Act, 2011: The House concurred in the Senate amendment to H.R. 1363, making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, by a yea-and-nay vote of 348 yeas to 70 nays, Roll No. 253. **Pages H2565–67**

Report Filing: Agreed by unanimous consent that the Committee on Energy and Commerce be permitted to file its report to accompany H.R. 1217 at any time through Monday, April 11, 2011. **Page H2567**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 11 p.m. on Monday, April 11th, and further, when the House adjourns on that day, it adjourn to meet at 12 noon on Tuesday, April 12th for morning hour debate and 2 p.m. for legislative business. **Page H2567**

Senate Messages: Message received from the Senate today and a message received from the Senate by the Clerk and subsequently presented to the House today appear on pages H2537.

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H2552, H2563–64, H2564–65, and H2566–67. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:52 a.m. on Saturday, April 9th.

Committee Meetings

No committee meetings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR MONDAY, APRIL 11, 2011

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2012 for the National Aeronautics and Space Administration (NASA), 4 p.m., SD–192.

House

No meetings are scheduled.

Next Meeting of the SENATE

10 a.m., Tuesday, April 12

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 11 a.m.), Senate will begin consideration of the nomination of Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York, and the nomination of John A. Kronstadt, of California, to be United States District Judge for the Central District of California. At approximately 12 noon, the nomination of Vincent L. Briccetti, of New York, to be United States District Judge for the Southern District of New York, will be confirmed by consent, and Senate vote on confirmation of the nomination of John A. Kronstadt, of California, to be United States District Judge for the Central District of California.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

11 p.m., Monday, April 11

House Chamber

Program for Monday: The House will meet in pro forma session at 11 p.m.

Extensions of Remarks, as inserted in this issue

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