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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Ms. JACKSON-LEE of Texas).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 31, 2009.

I hereby appoint the Honorable SHEILA JACKSON-LEE to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2009, the Chair 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 30 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes.

''CARS'' BILL A PRESCRIPTION FOR IMPROVED AUTO SALES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Michigan (Mrs. MILLER) for 3 minutes.

Mrs. MILLER of Michigan. Madam Speaker, yesterday was a very, very tough medicine, I would say that is an understatement, tough medicine for the people of Michigan, as President Obama put down very quick timelines for General Motors and Chrysler to complete the restructuring plans that will make them viable both in the short term, and long-term viability as well.

At that same time, the President indicated his support for the industry, which we took to heart, and we find that very, very encouraging, and the President indicated his desire to work with the Congress to produce an incentive to get customers in the showroom. And this is key: How can we incent people to actually purchase an automobile in these economic times?

Madam Speaker, recently I was very proud to join with my Democratic colleagues, BETTY SUTTON of Ohio and BRUCE BRALEY of Iowa, to sponsor H.R. 1550, which we call the Consumer Assistance to Recycle and Save Act of 2009, or the CARS Act, or as it is now commonly being referred to as the Cash for Clunkers bill.

This bill, Madam Speaker, would provide consumers with up to a $7,500 incentive to trade in an older, less fuel-efficient vehicle for a new, more fuel-efficient vehicle. And we know this is an idea that will work because it already has.

In this case, consumers actually get the immediacy at the point of sale, not later on in the year when they might be doing their tax returns to get a credit or something, but when they are purchasing a car they would get a voucher for this. And the good thing is as well that dealers don't actually have to take that trade-in and have it sitting on the lot, either. That car would be scrapped. But, as I say, we know it would work because we have seen what has happened.

Recently, the German Government introduced a similar incentive, and in February German car sales were up 22 percent, as sales fell, as we all are painfully aware, around the rest of the world.

There was an op-ed in today's USA Today by Bill Ford, and it is titled, ''Cash in Old Cars for New Ones. Economy, Consumers, Automakers Would All Benefit.'' This is written by Bill Ford of the Ford Motor Company. And I will also say that this bill is supported by all of the Big Three, General Motors, and Chrysler, as well as supported by the UAW.

I submit for printing in the RECORD this op-ed.

CASH IN OLD CARS FOR NEW ONES

(By Bill Ford)

In spite of the many challenges our country faces, I strongly believe the government stimulus and other steps to thaw credit markets will be effective in driving economic growth over time.

But we still face an immediate and serious challenge. Last week, President Obama observed that U.S. auto sales have seen a huge drop-off, starkly noting ''every automaker is getting killed right now.'' In just one year, U.S. auto sales have fallen by nearly 50%. And March's sales numbers promise to be sobering for foreign and domestic automakers.

This unprecedented trend is sustainable for neither the industry nor the economy. We urgently need to draw reluctant consumers back into the marketplace. The good news is that there is a proven initiative, outlined by the president on Monday, that can help consumers overcome their fear. The plan also would help the environment and increase energy security. It has been called a ''fleet modernization'' or a ''scrappage'' program. Whatever the name—it works.

In January, the German government enacted a consumer incentive equivalent to $3,200 to scrap automobiles that are at least 9 years old and buy new, more environmentally advanced vehicles. By February, sales of new vehicles jumped 21% over the same month a year before. Countries such as Japan, France, Italy, South Korea and others are considering or already have similar programs.

This model can work in the U.S., too. President Obama said that he would like to use parts of the economic stimulus package to fund a program that would give consumers a ''generous credit'' when they replace an older car with a new, more fuel-efficient car.

President Obama has rightly emphasized the importance of vehicle fuel-efficiency gains and expressed concern about shrinking U.S. auto sales and the risk it poses to the

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economy. This program could help the environment and jobs.

HOW THE PROGRAM WOULD WORK

Here's how one bipartisan proposal before Congress would work to stimulate new vehicle purchases. The program would provide vouchers to consumers for vehicles at least 9 years old. The vouchers likely would be worth more than the current value of their vehicle. For example, a consumer who turns in an older car could get a voucher ranging from $4,000 to $5,000 to use as a down payment on a $20,000 car that exceeds 27 miles per gallon. Combined with current auto sales incentives, consumers likely will get unprecedented deals on more fuel-efficient cars.

An independent analyst, Barclays Capital, estimates that this proposal could boost sales by 2.5 million units if 2% of eligible vehicles were traded in. This surge in sales would help preserve American jobs in communities across the country.

Taxpayers are rightly concerned about the federal deficit given the significant spending on the economic stimulus. Let me clarify, Ford is in a different position and is not seeking emergency taxpayer assistance. Nonetheless, Congress needs to spur consumer demand for autos—the largest purchase a family makes after a home.

This vehicle modernization idea would require additional investment by taxpayers. Its cost would be dependent on how Congress structures the incentive and its duration. The alternative, however, if sales do not rebound quickly, is more job losses, more home foreclosures, and less revenue for governments that must provide more jobless and health care benefits.

In addition to its consumer benefits, this initiative would help reduce our carbon footprint. Automakers are accelerating efforts to reduce greenhouse gases, but the latest fuel-economy rules apply only to new cars. This proposal would help America get greener faster by retiring a portion of the 240 million vehicles on the road. It could reduce our CO_2 emissions by millions of metric tons per year.

FUEL EFFICIENCY MEANS LOWER COSTS

The program also would help contribute to greater energy independence. Replacing an older car with a new, more fuel-efficient one drives down gas consumption. That helps consumers, too. In fact, the Department of Energy estimates a family could save $780 per year by moving from a vehicle with 18 miles per gallon to one with 30 mpg.

The auto industry, both foreign and domestic, needs to work together to do our part in turning the economy around. But we also need to use the tools that our government possesses, and routinely deploys in so many other ways, to help move the economy more swiftly to a better place.

Improved auto sales will be one of the key indicators that America is on the road to economic recovery. As Congress weighs a national energy policy, climate change or even more stimulus measures, we urge lawmakers to consider this market-based consumer incentive. This fleet modernization idea would be a win-win-win for the consumer, the economy, the environment.

This is a bipartisan piece of legislation. It is very important to say this. This is bipartisan legislation, and it accomplishes two very important goals: First, it gets customers into the showrooms by buying vehicles and, of course, to help keep people working, as well as getting more fuel-efficient cars on the roads and reducing our dependence on foreign oil. So it is a win-win all the way around.

I believe that this is a prescription that our auto industry needs. I think it is a critical component, Madam Speaker, of the road forward for the auto industry and our Nation, and I would urge all of my colleagues to join us to help preserve jobs, to help consumers, and to reduce our dependence on foreign oil and protect this vital industry.

THE BUDGET

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

Mr. BLUMENAUER. Madam Speaker, the budget is the most important challenge that every Congress faces year in and year out. It reflects our priorities, it shows how we deal with war and peace, the economy, education, and the environment, who pays, and who benefits.

Under the Constitution, this is a uniquely congressional responsibility. The power of the purse is reserved to the United States Congress.

I have been disturbed lately to find one political party being AWOL. In fact, Republican Leader BOEHNER famously announced earlier this month that he wanted the people that he leads in the Republican Conference not to be legislators but just communicators, not be involved in the give and take of the legislative process. And as if to drive the point home, the Republicans last week released a budget proposal that the Associated Press summarized as, and I quote, ''a glossy pamphlet, short on details, and long on campaign-style talking points.''

There wasn't any substance there. There were no hard numbers talking about what they would do to reduce the deficits and what the deficit would be, what programs they were going to cut. Very, very disappointing to see a pamphlet that basically recycled the policies of the last 8 years of the Bush administration and Republican leadership that drove us into the economic ditch. They proposed their same old tax cuts for people who need them least, and offered an alternative that would provide 25 percent less in tax reduction for lower income Americans than is proposed by President Obama and would run up the deficit even higher than it already is.

We are going to have a week that is dominated by budget discussion. We Democrats are going to bring our budget to the floor on Thursday that builds on the President's challenge: Health care for all Americans; education reform, investing in the needs of education for our children and for people that have lost their jobs or need to change their career track; investing in reducing carbon pollution, climate change, and energy independence to create green-collar jobs that will be sustainable and provide value to the economy while we protect the planet. Our budget is serious about deficit reduction, after President Obama inherited from the Bush administration the largest deficit in United States history.

It is ironic, because when the Bush administration took office, they were facing a projected $5.2 trillion budget surplus, and Republicans had control of all of the levers of power here in Washington, D.C. Their control created economic problems, the budget deficit exploded, and taxes were cut for people who needed it the very least.

Ours is, I must emphasize, a budget outline that will enable Congress, at least those who want to be legislators and not merely talk about it, to roll up their sleeves and deliver on the challenges that the President made in health care, education, climate, deficit reduction, and tax reform.

There are no specific policy decisions made in the budget outline. That is not what a budget is for. Rather, it is to provide the framework. Budget decisions will be made by the people here who decide to be legislators over the next 6 months. There is still time for people on the other side of the aisle to reject their leadership, roll up their sleeves, and work with us to deal with specifics on carbon pollution, on health care, on education.

It was a little disorienting to hear at the Budget Committee late into the night last Wednesday Republicans talking about objecting to the President's proposal to reform student loans because they were afraid it would cost some bankers some jobs. I did the math. According to their figures, those jobs were at the expense of $133,000 each, money that the Democrats and the President think ought to be loaned to students, not to subsidize bankers.

We look forward to a spirited debate this week.

TAXPAYER EMPOWERMENT AND ADVOCACY ACT

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

Mr. BARRETT of South Carolina. Madam Speaker, we are facing serious economic challenges. In my home State of South Carolina, the unemployment rate is right at 11 percent. We all know someone who has been personally affected by these tough times, a friend, a neighbor, a family member. We have all seen the ''going out of business'' signs hanging in the front doors of local shops and stores.

The people we represent are looking to Congress for answers, Madam Speaker. But the so-called solutions coming from the Washington Democrats call for more spending, more borrowing, and more taxing. The President's budget increases taxes by nearly $2 trillion, doubles the national debt in less than 6 years, and spends $4 trillion alone this year. And, of course, who can forget all of the wasteful spending in the stimulus bill: $50 million for the National Endowment for the Arts, $300 million for green golf carts, and $30 million to

protect a mouse in San Francisco. And that is just to name a few.

Taxpayers have had enough. Across our State and across this country, they are gathering together to voice their outrage. Inspired by our Nation's early patriots, thousands of taxpayers are gathering at hundreds of modern-day tea parties to protest Washington's wasteful spending, the Democrat-written stimulus package, the housing bailout, and President Obama's budget. A recent tea party in Greenville, South Carolina, attracted more than 2,000 participants, and a similar rally in Cincinnati drew more than 4,000 dissatisfied taxpayers.

I want to let the people know that I hear what they are saying, and, Madam Speaker, I am doing something about it. Today I am introducing the Taxpayer Empowerment and Advocacy Act, the TEA Act.

Over the next 5 years, the TEA Act will save taxpayers over one-half trillion dollars by reducing spending, restricting the growth of government, and strengthening the definition of emergency spending to close loopholes and prevent abuse.

Across South Carolina, around kitchen tables and behind the small business counters, individuals are making tough decisions about their budgets. But Congress has refused to do the same, and it is time for that to change. I believe the TEA Act is a start to setting Congress on a new, more accountable course, and to protect the taxpayers' best interest. Enough is enough.

I ask my colleagues to join me in supporting this bill and protecting the American taxpayer.

THE BUDGET

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

Mr. DEFAZIO. Well, the Republicans are at it again. It would be funny if we weren't in such dire financial straits as the government is, thanks to a number of years of Republican rule.

During the Bush era, George Bush inherited a balanced budget, he inherited projections of a surplus for years to come, and paying down the debt of the United States substantially. Well, he went to work busily, and using restrictive legislative rules the Republicans passed massive tax cuts favoring the wealthiest of us. Those with estates over $5 million, those who earn over $250,000 a year got huge largess from the Republican Party.

Now, in a time of surplus, it didn't hurt too much. But then, George Bush launched an unnecessary war in Iraq and decided to pay for it off the books; i.e., he did not score it in the budget, and just every year declared it as an emergency as much as it might cost. So far, close to $700 billion has been spent on George Bush's war in Iraq.

□ 1045

Of course George Bush's tax cuts and his off-the-books spending and a massive expansion of government under total Republican rule, took us from a time of surplus to a time of massive deficits. George Bush set record after record with deficits during his Presidency, and he managed in 8 short years to double the debt that it had taken us more than 200 years to accumulate as a Nation. And the Republicans were all for it.

But now they would have us believe that their born-again fiscal conservatives, with a 19-page document with no specifics—and guess what it contains, this is how we are going to balance the budget, folks—more tax cuts for rich people. Oh, what a surprise. That will solve everything. They do have this cockamamie theory, and it is that if we give all of the money to the rich people, the rich people will go out and invest that money. When they invest that money, the little people will get jobs, and the little people will pay taxes because the rich people shouldn't. That is their budget, plain and simple.

Eliminate the estate tax. That would mean that if Bill Gates died tomorrow, and God forbid, I hope he is healthy and he won't, but if he did, the unrealized capital gains of his stock would then become nontaxable. No taxes would have ever been paid on that stock, passed on to his kids. If his kids invest it for a living under the Republican plan, they would earn capital gains and under their plan investors don't pay taxes. So you can have multi-generations of people accumulating more and more wealth who haven't paid a penny in taxes. But don't worry, the Republicans tell us, they will invest that money in America and put the little people to work. Well, no, maybe they will invest that money in China where labor is cheaper, or Mexico where labor is cheaper, or who knows where. Who knows how they will waste it. Who knows what new, speculative instruments they will come up with. Their so-called alternative would be funny if it wasn't so serious. But this is deadly serious.

President Obama is trying to dig us out of an incredibly deep hole and a very difficult time in the American economy. The radical deregulation of the Bush years and all of that wealth creation on Wall Street, which has now tanked, many people's pensions and their 401(k)s, it is killing jobs, we are trying to fix that, and we are trying to re-instill a sense of fiscal responsibility here in Washington, DC. It will not be easy. And particularly it won't be easy if the Republicans continue to play the clown on their side of the aisle and say eliminating taxes for rich people will solve all of the problems confronting the American people. Maybe it will provide them health care; I'm not sure how that works. Maybe it will help educate their kids in public schools; I don't quite get that part. Maybe it will rebuild our infrastructure; hmm, it won't do that, either. But it will make the rich richer, and that's all they are about.

DEMOCRATS REWRITING HISTORY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Madam Speaker, it is very interesting to come and listen to my colleagues on the other side of the aisle. It is clear they are living the book ''1984'' by George Orwell because they are constantly rewriting history to suit their purposes. I want to say that if there is anybody out there who hasn't read ''1984'' by George Orwell, or hasn't read it in a long time, I strongly urge you to do so because we are obviously living through what Orwell predicted. We are just a few years later than he suggested it would be.

I love the attitude of my colleagues, too, who say we are going to give all of the money to the rich. It displays their approach to our country. Their attitude is that the government owns all of the money and if money is not taken from citizens, then it is being given to them by the government.

Our country is the greatest country in the world, founded on capitalism and founded on Judeo-Christian beliefs, and founded on the rule of law. The money doesn't belong to the government, it belongs to the hardworking people who earned it. I think that in a nutshell sums up their attitude: The government should be in charge of absolutely everything, and we are seeing that play out with the proposals coming out of this administration and out of this Congress. Again, they are doing their best to make excuses for it by rewriting history.

Our economy was doing very well under the Bush administration until January 2007 when the Democrats took control of the Congress. They like to ignore those 2 years they were in control of Congress and President Bush was still President. We had 55 straight months of job creation. Suddenly that ended in January 2007 when they took over. Gas prices started going up, and they reached their peak under this Democratically controlled Congress. And I think it is very, very important that people be reminded of that.

They have said that President Bush created the largest deficit in our Nation's history. That simply is not true, and it isn't true that President Obama has inherited the largest deficit in history. But we are going to do our best to straighten out that issue.

They also like to say that the Republicans have no alternatives to what the Democrats are proposing. That also is not true. We have always had alternatives. This session in particular we have brought forth very specific alternatives. Last week we presented a 16-page document primarily of principles. This week we are releasing our balanced budget resolution, and we will have a balanced budget and it does the kinds of things that the American people expect to be done. It will be balanced, unlike the Obama budget which puts us greater and greater into debt

and creates a deficit. Our budget improves every single year and achieves a surplus in 2019 which is when the Obama budget has a huge deficit and a huge debt.

Under our budget, the national debt will decline by more than $6 trillion, compared to the President's budget which averages deficits of more than a trillion dollars a year. It is true that we give tax relief, but that is important. Again, we want the American people who earn their money to keep more of their money rather than turning it over to the government under duress and allowing bureaucrats to spend that money.

We will also fully fund defense which is the number one role of the Federal Government. Our colleagues on the other side of the aisle constantly forget to talk about that. The Federal Government is the only government in our country that can provide for our defense. We suffered a terrible situation on September 11, 2001, and we have not had another episode since then because the administration kept us safe.

We also create a zero-growth baseline for nondefense spending, and we assume repeal of most of the provisions in the so-called stimulus bill. We make no changes in Social Security, Medicare and Medicaid. However, we do clamp down on wasteful and low-priority mandatory spending. We are also going to assume savings from an earmark moratorium, something that the American people desperately want to see.

PRESIDENT OBAMA'S BUDGET

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

Mr. PERLMUTTER. Madam Speaker, I was just listening to my good friend from North Carolina, and she and I are friends. We serve on committees together. We agree on a lot of things, but we couldn't disagree more on how we got into this place and what it is going to take to get out.

We had an administration and a Republican Congress that said America, it's okay to give tax cuts to the wealthiest people in the country and have wars in Iraq and Afghanistan and go into debt.

Well, it turned our country from a very prosperous Nation into one that was borrowing money from all across the globe, something that can't go on forever. And it finally came home to roost about 6 or 7 months ago when the banks had trouble, the automakers had trouble, everybody saw our economy just crunch like we hadn't seen it in generations. That's what we are faced with today, ladies and gentlemen. That's what we are faced with today, Madam Speaker.

So what are we going to do about it? Well, in the past month we passed the stimulus bill which is designed to do at least five things to get our country back on track.

First, it rebuilds our infrastructure, our roads, bridges and waterways. It builds a new energy grid so we can get power throughout our Nation in a cheaper and more efficient way.

Second, it creates a new energy economy. If we want to keep sending tons and tons of money across the waters to the Middle East, then we should do nothing, keep the status quo. That's what our friends on the Republican side of the aisle would like us to do, just vote no, we like the status quo. But I don't like the status quo. I don't like sending our hard-earned dollars to the Middle East year after year after year, and we are creating a new energy economy within the stimulus bill.

We are helping our States which have found themselves to have lost lots of revenue over the last 6 months, so they can continue to employ teachers and firefighters and policemen. So we are helping our States continue to provide the services that we so desperately need right now.

There are tax cuts within the stimulus bill and within the budget for almost every American, but not the wealthiest 5 percent, so that each one of us gets a little bit of a break, but we are not giving it to the top people who have had the break for the last 8 years.

The last thing it does is it provides assistance to people who have been laid off and need assistance with unemployment or with their COBRA health insurance so they don't just run into a wall, to get us through this difficult period.

President Obama inherited a budget deficit that was $1.3 trillion. It is a lot of money. It is more than any of us can comprehend being in the red. When President Clinton left office, we had a budget surplus. We were paying off the debt, and we got just the opposite when President Bush left office.

We are doing three things in particular to get us out of this predicament. First is to provide a new energy economy, similar to the stimulus, but the budget moves this forward another 4 years.

Second, it deals with health care which is something that everybody has talked about for years but really little has been done. And for each company out there, for each individual, we have seen our health care costs going up. We have to come at it a whole different way, and that is what the budget proposes.

The third thing is to make sure that our education system, our kindergarten through 12th grade, and then our higher education system is the best in the world so we continue to be able to compete globally, so that business comes here and stays here and doesn't go overseas like it has been doing.

It is a very ambitious agenda, but it is one that is going to take us into the 21st century, something we didn't do during the last eight years of a Republican Administration. We just lived on borrowed time and borrowed money. And now it is time to move forward. The budget that has been proposed reflects those particular values. At the same time, it maintains for middle America, for 95 percent of Americans, smaller taxes. But it is a difficult predicament we are in now. This President has provided to the Congress a budget that is going to get us out of this ditch, and it is going to take the work of each and every one of us to move forward.

BUDGET DECIDES AMONG PRIORITIES

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

Mr. YARMUTH. Madam Speaker, this week the House will consider the budget resolution for fiscal year 2010. As with any budget, whether it is a household budget or the U.S. Government, the process involves deciding among priorities. And in the case of the Federal Government, it is deciding among priorities, all of which have legitimate public benefits.

Last week, the Budget Committee marked up the resolution. One of the amendments offered by our colleagues on the other side of the aisle proposed one of those decisions. Mr. HENSARLING and Mr. MCHENRY proposed to strip $50 million of funding for the National Endowment for the Arts and direct those funds to be spent for veterans' health care facilities. I applaud them very much for their interest in veterans' health care.

And I am happy to remind them and everyone else who is watching that over the past 3 years, the Democratic Congress increased funding for veterans' health care by $17 billion. And that is following 6 years under their party's rule where the number of vets actually receiving care declined.

□ 1100

Unfortunately, the debate on their amendment the other night left a lot to be desired as it actually became an opportunity for somebody to take cheap shots at arts funding that are not borne out by logic or facts. We just heard a little earlier the gentleman from South Carolina say arts funding is wasteful spending. Well, this day by fortuitous coincidence is Arts Advocacy Day, and I'd like to make the case for NEA funding, because, although that amendment was defeated in the Budget Committee, it may rear its head this week as well.

Mr. HENSARLING supported his amendment by juxtaposing the health care needs of one of his constituents, a legitimate American military hero from Palestine, Texas, against funding for the arts. He implied that he didn't represent constituents who would benefit from arts funding. Well, I represent some legitimate American heroes as well, but I also represent Actors Theater of Louisville, a world-renowned institution; the Louisville Ballet; the Louisville Orchestra; the Kentucky

Opera and dozens of other arts groups; 7,700 employees of arts groups; and 1,500 arts-related businesses. I represent Ken von Roenn, a glass artist whose work decorates Reagan National Airport. He created an institution called Glassworks which has brought hundreds and thousands of people to Louisville, made it a national center for glass art and has provided a great economic generator in Louisville.

In total, the arts contribute in my district alone more than $250 million annually, including $100 million on arts-related spending like restaurants and hotels and so forth. All told last year, 5 million people attended arts events and cultural events in my district and they paid $5.6 million in local taxes.

Now I don't know a lot about Mr. HENSARLING's district or Mr. MCHENRY's district, but I do know this: I know in Mr. HENSARLING's district there are 1,317 arts businesses employing 3,229 people. The economic impact of the arts in Dallas, which he represents part of, was $550 million in 2006. In Mr. MCHENRY's district there are 947 arts-related business employing 3,043 people. In North Carolina, there are 17,000 businesses employing 159,000 people. Nationally, the impact of the arts is $166 billion, 5.7 million jobs, $104 billion in household income, $7.9 billion in local taxes, $9.1 billion in State taxes and $12.6 billion in Federal taxes. Now somebody may say that that's not an economic benefit, but I believe the facts are contrary to that. And listen to what the Chicago Tribune wrote in an editorial back in February talking about the stimulus funding for the arts:

After all, the argument that the labor-intensive arts are not job-creation engines is patently absurd; they just fuel different kinds of struggling workers, workers unaccustomed to bonuses. Their role in generating billions of dollars in ancillary economic activity for stores, restaurants and the travel business has been proven in bucketloads of surveys and analyses.

Let's think about the arts funding in another way. Fifty million dollars as a percentage of this year's budget is one seventy-thousandths of the budget. For someone who's trying to decide how to spend $35,000 in annual income, their personal budget, it's 50 cents. That's the equivalent amount. I don't know one American probably who hasn't bought a CD, hasn't gone to a movie, hasn't gone to a concert or gone to a play and spent a lot more than 50 cents.

Mr. HENSARLING offered the contrast of one piece of sculpture—a selective one at that—to a veterans clinic, but I would offer another picture: a picture of an F–22 jet fighter, $143 million for one jet fighter plane.

This is about priorities and the arts are an important priority for this country.

FISCAL YEAR 2010 BUDGET

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

Mr. CONNOLLY of Virginia. I thank the Speaker.

Madam Speaker, listening to some of our friends on the other side, I am struck sometimes with the idea of—have you no shame? The crowd that brought us from record surpluses in 8 brief years to record deficits—have you no shame? The crowd that rode this economy, a healthy economy that was growing jobs, into the economic ditch—have you no shame? The crowd that oversaw the dismantling of strict enforcement of regulation and prevented regulation of the financial services industry to any great degree when it came to complicated financial instruments and then is surprised at the results—have you no shame?

Madam Speaker, today I rise to discuss the fiscal year 2010 budget and its critical importance to our Nation's future. The latest estimate of our 2008 fourth quarter GDP decline is now 6.3 percent. After a record job loss of 681,000 in December, January and February losses both topped 650,000. Almost 2 million Americans have lost their jobs in just the last 3 months. The Federal Reserve has estimated that GDP for the entirety of this year will decline between 0.5 percent and 1.3 percent, which underscores the dire need for action. Every further contraction in our economy represents additional Americans who lose their jobs.

President Obama has set a bold agenda to heal our ailing economy. While no one action will instantly fix the economic troubles we have been left by the Bush administration, the President and this Congress have taken a number of steps to put us on the path to recovery. Like many of my colleagues, I have already seen positive effects of the American Recovery and Reinvestment Act in my district:

A community health center at risk of closing its doors received funding and is treating patients today.

Local small businesses that were laying off workers are now rehiring them to complete transportation projects.

But there's more to accomplish. President Obama's vision is transformative and provides for the critical investments in America that have been neglected for far too long. Deficit reduction, middle-income tax relief, health care reform, education and energy independence are the linchpins of the President's plan.

Under President Obama's plan, at the end of 4 years, we will have cut the current year's deficit of $1.8 trillion, most of it inherited from President Bush, by two-thirds, to $586 billion. The fiscal year 2010 concurrent resolution on the budget reduces nondefense discretionary spending over the next 10 years to its lowest level as a percentage of GDP in almost 50 years. This Congress expects similar fiscal responsibility from the private sector and that is why the Budget Committee cut $250 billion reserved for future financial sector bailouts.

The President's vision supports the middle class by expanding the child tax credit, maintaining the elimination of the marriage tax penalty, carrying forward the Making Work Pay tax credit, maintaining the estate tax and capital gains tax reductions, and ensuring that the alternative minimum tax does not hit the millions of working Americans in danger of being affected. There are $1.5 trillion of tax cuts in this budget.

The President's vision supports meaningful health care reform as well. Even as overall health care costs rose over the last 8 years, the number of Americans without health insurance increased from 13.7 percent of the population to 15.3 percent. Under the President's proposal, we will be able to offer health care to the 46 million Americans currently without coverage.

The President's vision invests in energy independence and promotes a clean energy economy that creates jobs. For too long, a sustainable and clean energy policy has been ignored and our dependence on foreign oil has grown. Increasing our investment in energy efficiency and renewable energy technologies will promote America's energy independence and safeguard our environment through a reduction in greenhouse gas production.

In recognition of the critical role that education plays in our economic productivity, the President's budget builds upon the classroom support provided in the Recovery Act. From enhancing Head Start and early childhood learning opportunities to making college more affordable through expanding Pell Grants, this budget will prepare our children to become productive, contributing members of the global economy.

In addition, the President's vision places national defense on a sustainable course, including a 4 percent increase in defense spending for fiscal year 2010. It includes enhanced support for our veterans, finally fulfilling the duty this country owes for the service they have given.

The President's vision prepares for the reauthorization of the transportation funding bill that will invest in transit and infrastructure projects throughout the country.

Now I would like to confirm what is not in the concurrent resolution on the budget. Much has been made of the potential funding sources the President has listed in his blueprint. Madam Speaker, I would point out, the concurrent budget resolution that is scheduled to come before the full House does not increase taxes. In fact, it would reduce them. It simply lays the foundation for fulfilling President Obama's vision and making the critical investments in America's future. Specific tax policies will be pursued by the tax-writing committees of the Congress where I expect further modifications

and hope to see elimination of the proposed caps on mortgage interest and charitable deductions.

Madam Speaker, I look forward to supporting the President's budget.

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 9 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 pro tempore (Mr. BLUMENAUER) at noon.

PRAYER

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

Let all the Nations be judged before You. Lord, You alone can touch all the world with a holy fear. Before You every nation is revealed. Each is only a collection of people.

Let humanity reign! Let all the nations see their souls in the eyes of each other. Speak to minds and hearts, O Lord. Lift the lines of demarcation just enough for them to witness their common concerns, their ground for hope, and a united course of action.

Before You alone they stand humbled, yet together You can strengthen them in their resolve to free the future for all Your people. Let all the nations be judged before you, O Lord.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

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

S. 681. An act to provide for special rules relating to assistance concerning the Greensburg, Kansas tornado.

HONORING THE LIFE OF LUCILLE DOTSON FRANCOIS

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

Ms. RICHARDSON. Mr. Speaker, I rise to honor the life of Lucille Dotson Francois. I rise in honor of this incredible lady because, although I had not met her in person, but because of the lives that she has left behind, particularly in her daughter, Yvonne Wheeler.

Ms. Francois recently passed after living 85 fulfilling years. She was a devoted public servant. She grew up in Baton Rouge, Louisiana, the same area where my own grandmother grew up.

She served in the East Baton Rouge School System until she retired, raising our young people and creating a new generation—one that I think all of us would agree is something we should not take lightly. After that, she extended her services working in the community, enjoying coordinating various events. But most of all what she loved was building young people and building family.

She was a devoted wife, mother, grandmother, and great grandmother. I'd like to personally acknowledge the incredible work that all of her family has done, and particularly that of her daughter, who has led an incredible life and assisted us in California.

May her family be blessed. Please join me, Mr. Speaker, as we acknowledge the life of Lucille Dotson Francois.

REPUBLICAN BUDGET PROMOTES AMERICAN FAMILIES AND SMALL BUSINESSES

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

Mr. WILSON of South Carolina. Mr. Speaker, Republicans are offering a budget that will move our country in a new direction of fiscal responsibility. It provides commonsense support for small businesses, which create the majority of jobs in America. It provides relief for American families. It keeps our promise to future generations by addressing entitlement spending so we do not go bankrupt in the future.

The Democrat budget, on the other hand, is a Washington-as-usual borrow and spending spree. It is no change. It raises taxes on American families and small businesses $1.4 trillion. It produces record spending levels and, not surprising, record borrowing.

Republicans are offering a smarter way forward, one where we limit spending, help small businesses create jobs, and control the debt that threatens the solvency of the dollar and Social Security.

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

INTERNET FREEDOM

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

Ms. LORETTA SANCHEZ of California. Today, I, along with several of my colleagues, will be sending a letter to major Internet service providers, including Google, Microsoft, and Yahoo, expressing our concern regarding the worsening Internet restrictions in Vietnam.

It has come to our attention that the Vietnamese Government intends to further restrict Internet access by asking major Internet service providers to assist them in policing the Internet.

The letter strongly urges the Internet service providers to protect the Vietnamese people's freedom of speech and expression by providing technologies in a manner that respects individuals' rights and their privacy.

The Internet has become a major source of communication and information for the Vietnamese citizens. As Members of Congress, we must continue to advocate for Vietnamese citizens' freedom of speech and their freedom of expression. Upholding these freedoms is a corporate social responsibility, and Internet service providers must do everything they can to provide Internet freedom for the people of Vietnam, despite the pressure that is coming from the Vietnamese Government.

GM: GOVERNMENT MOTORS

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

Mr. POE of Texas. Mr. Speaker, the Federal Government has gotten into the business of picking winners and losers in the automobile industry. The government has decided that GM is a winner and Chrysler is a loser unless—Chrysler obeys the Federal Government and partners with Italian carmaker Fiat to begin producing Chrysler Fiat as automobiles. No telling what those cars will look like.

Since when, Mr. Speaker, did the Federal Government get the authority to fire CEOs of private companies and take over their businesses?

Well, the Feds did just that by taking control of GM and Chrysler. Now we should change the name of both companies to ''Government Motors.''

If you like the way Uncle Sam runs government businesses like Fannie Mae, Freddie Mac, the Post Office, FEMA, and the IRS, you will love the new Government Motors automobiles.

The Federal Government is picking winners in the auto industry with taxpayer bailout money. We don't need any more bailouts. The government spends too much, borrows too much, taxes too much. The government needs to stop cutting deals with special interest groups and start cutting taxes for Americans.

And that's just the way it is.

CONGRATULATING EISENHOWER HIGH SCHOOL

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

Mr. BACA. Mr. Speaker, I rise today to congratulate the boy's basketball team from Eisenhower High School—in my hometown of Rialto, California—for winning the CIF State title this past Friday.

With their 73–61 victory over the Rocklin Thunder—from Sacramento, California—the Eagles captured the first ever State title for a school from San Bernardino County.

The win was the 23rd consecutive victory to end the season for the Eagles, and came after tough playoff wins over State powerhouses Loyola and Leuzinger from Lawndale, California.

Everyone said they were too small, but led by head coach Steve Johnson, the undersized Eagles used speed and a tenacious defense to beat Rocklin.

On behalf of my family—Barbara, Joe Baca, Jr., Jeremy, Natalie, and Jennifer Baca—I want to thank the players, coaches, parents, and school administrators, who all contributed so much to Eisenhower's historic run.

On Saturday, April 11th, their courage and relentless efforts will be recognized with a ticker-tape parade in Rialto. I thank Eisenhower for the hope this achievement has brought to our inland communities during this time of economic difficulty.

TAKE A SERIOUS LOOK

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

Mr. ROONEY. Mr. Speaker, we've all heard about the out-of-control spending, the borrowing, the increase in taxes, the bailouts, the AIG bonuses, the stock market drop, the job losses, more foreclosures, government-run health care, increased gas prices, the credit crisis, more jobs lost, the President firing the CEO of General Motors, and more jobs lost—and this only in the first 2 months of this Congress.

Now we face a budget this week that will increase taxes, increase spending, increase borrowing more than ever before in the history of this country. We are also poised to make serious cuts in military spending in uncertain times.

We need to take a serious look in the eyes of our children and ask ourselves if they deserve the future we are giving them.

FINANCIAL-AUTO INDUSTRY DOUBLE STANDARD

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

Mr. KILDEE. Mr. Speaker, I rise today to express my disappointment in President Obama's decision regarding General Motors and Chrysler. Personally, I feel that Rick Wagoner was treated shabbily.

Financial institutions were provided with hundreds of billions of dollars—significantly more than the recent GM and Chrysler requests for new loans totaling $21.6 billion, at most.

The people primarily affected by yesterday's decision in the auto industry are those whose greatest daily concerns are their mortgage payments, their children's college tuition, and medical bills. Financial executives are concerned primarily with their own bonuses, awarded for what can only be described as massive failure.

The President has joined the chorus of caustic critics of the automobile industry while only giving faint praise to the high-quality vehicles produced by the American manufacturers like the Buick LaCrosse, which this year matched the Jaguar in J.D. Powers and Associates' rating for the world's most reliable car.

This double standard is offensive, Mr. Speaker.

PROTECT AMERICAN DEMOCRACY

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

Mr. FLEMING. Mr. Speaker, I rise today to speak in opposition to the Employee Free Choice Act, the title of which betrays the true nature of this bill. It represents nothing resembling ''free choice.''

This ''card check'' legislation is un-American and would strip workers of their fundamental democratic right to a secret ballot. Without the protection of the secret ballot, workers are likely to be exposed to pressure and coercion from union bosses and organizers.

My question to those who support this bill is: Why are you afraid of a secret ballot? Can't we give workers credit for making the right decision for themselves?

In addition, a recent study has shown that increases in union workers under card check rules will likely lead to an increase in unemployment due to making their businesses less competitive.

At a time when we should be focusing on job creation, the majority is pushing through legislation that will put millions of American jobs at risk while simultaneously eliminating a cornerstone of American democracy—the secret ballot.

As a small business owner myself, I can tell you that this legislation is a poison pill for the economy. I urge my colleagues to vote against this leftist, socialist legislation.

SUSTAINABLE ENERGY AND ENVIRONMENT COALITION

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

Mrs. HALVORSON. Mr. Speaker, the Sustainable Energy and Environment Coalition is committed to the adoption of policies that will put our Nation on a path towards energy independence and a prosperous clean energy economy. With legislation to encourage environmentally friendly energy production, we can finally achieve this goal. We can turn our American ingenuity towards a new and vibrant clean industry that will create millions of new jobs.

We cannot ignore the facts of climate change. We have to act now to ensure that our children and their children will enjoy the same Earth on which we live today.

Solar, wind, biofuels, natural gas, advanced coal technology, and others are not just the fuels of the future. They are the fuels of today. They are ready for large-scale use in the global economy.

American companies are ready to lead the way, but Congress must first take action. As a member of SEEC and as cochair of the New Dem Energy Task Force, I encourage my colleagues to participate in the debate for a stronger energy-efficient America.

□ 1215

THE VOTE ON THE BUDGET

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

Mr. KIRK. Mr. Speaker, we will vote on a budget this week, we will discuss spending and taxing, but we will not discuss how our kids will eventually pay these debts.

The Bureau of the Public Debt will now undertake a massive borrowing campaign. We used to borrow from about 45 major lenders, but that has now dropped to 16. Our biggest lender used to be China, but they are now reducing.

To fund the stimulus, the Bureau tells the Congress that we have to borrow at a rate of $160 billion a week. And, last month Germany and the United Kingdom both failed to auction their debt because no one wanted to lend these governments more money. Each week, at four auctions a week, the United States will now risk the same fate.

What happens when this Congress runs out of other people's money?

LONG-TERM ECONOMIC PLAN BEGINS GROWING JOBS

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

Mr. CARNAHAN. Mr. Speaker, the fallout from the failed policies of the last 8 years will take time to turn around.

The Bush administration inherited a record surplus of $5.6 trillion, and turned it into a record deficit of $5.8 trillion. President Obama's budget is a long-term plan to turn the economy around and transform it for future prosperity, with targeted investments in health care, energy, and education.

The plan takes steps to reduce health care costs, one of the largest contributors to the deficit and a growing burden on American businesses like the auto industry. The budget includes $2 trillion worth of savings, ending the war in Iraq, cutting programs that are not effective, and ending tax breaks for corporations that ship jobs overseas.

My constituents who are struggling to make ends meet continue to urge me to support this budget. The American people understand this commonsense blueprint for change is exactly what we need for these challenging times. They understand it cuts taxes for 95 percent of Americans, cuts wasteful spending, cuts the deficit in half over 4 years. What this budget grows is jobs. We can't afford to wait.

SMALL BUSINESS

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

Mr. LEE of New York. Mr. Speaker, small businesses created over 80 percent of the jobs in this country in the past decade, yet Washington continues to apply erroneous legislation that hurts and dampens the entrepreneurial spirit we have in this country.

Whether it is health care costs, high taxes, or promoting legislation which opens businesses up to more frivolous lawsuits, Washington is making it very difficult on hardworking Americans when we ask them to shoulder more burdens which they continually face.

That is what I heard yesterday when I conducted a small business roundtable in my district. One of these small business owners said, ''We don't want to depend on the government for anything, but they can help us by understanding that the burdens they are placing are trickling down and breaking the backs of small business.''

We can start to change that by passing H.R. 1552, legislation I have introduced with my colleague from Maryland, FRANK KRATOVIL, that will give a boost to new small businesses by increasing the maximum tax deduction on their startup costs from $5,000 to $20,000. This bipartisan initiative will provide firms with the much-needed resources they need.

ENERGY

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

Mr. HIMES. Mr. Speaker, I rise this afternoon for 1 minute, 60 seconds, during which this great Nation will send $200,000 abroad to pay for foreign oil, each of those dollars hard earned in one of our factories, small businesses, or offices.

My colleagues, we have failed to act on energy for far too long, we, who represent a Nation who has always taken the hard choices and done the right thing to invest in our future.

Much is said in this House about our children. Now the eyes of those children are on us, and they have one question, and that question is: When all the work, when all the world, and when all of us stood waiting for you to do the right thing to act on our behalf, to change the way we use and get energy, did you act? Did you act for us, or did you just kick the can down the road one more time?

REAUTHORIZE THE PATRIOT ACT

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

Mr. SMITH of Texas. Mr. Speaker, FBI Director Mueller in his recent testimony before the Senate Judiciary Committee urged Congress to renew what he called exceptional intelligence-gathering tools. Earlier this month, I introduced legislation to do just that.

The Safe and Secure America Act extends for 10 years the sunset on two expiring PATRIOT Act provisions: Roving wiretaps, and Foreign Intelligence Surveillance Act business records.

Director Mueller reports that obtaining business records ''has been exceptionally helpful in our national security investigations.''

And the roving wiretap authority means that agents are no longer required to obtain a separate warrant for each phone, cell phone, or device a suspect uses.

I hope Director Mueller and the administration will ensure that these critical national security tools are reauthorized and kept in place.

THE BUDGET

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

Ms. EDWARDS of Maryland. Mr. Speaker, I rise today in support of House Democrats' budget resolution.

At long last, we have an honest budget that will mark another significant step forward on the road to recovery. This budget reverses 8 years of absolutely failed policies under the Bush administration which led to record deficits, a doubling of the national debt, and loss of 4.4 million jobs since the end of 2007.

Mr. Speaker, this budget makes necessary investments to lead the country toward a future of economic prosperity, creating good-paying American jobs by investing to reform our health care system, developing and manufacturing clean energy economy, and upgrading our educational system so our children can compete in the 21st century global economy. The budget returns fairness and fiscal responsibility by cutting taxes for the middle class.

Now, Mr. Speaker, this budget is clear. It is a clear choice to invest in our country's future, and I urge my colleagues this week to vote ''yes'' on this budget resolution to support House Democrats and to end 8 years of failed Bush policy.

TAX, TAX, TAX . . . SPEND, SPEND, SPEND

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

Mr. THOMPSON of Pennsylvania. Tax, tax, tax, spend, spend, spend. Sounds like the movie Groundhog Day. Doesn't it? Well, actually, that would be an insult to my most famous constituent, Punxsutawney Phil. It is the Democratic budget.

Mr. Speaker, as the budget comes to the floor this week, the American people deserve to know the truth. This budget will increase taxes on every single American. This budget will stifle economic growth. And, this budget will increase the tax burden on small businesses, the very segment of the economy that is best equipped to get us back on track.

Mr. Speaker, this is not the change the American people voted for in November. At the current pace, the 111th Congress is going to leave one legacy for which it will be remembered, and that is a legacy of debt for future generations, $9.3 trillion in debt over the next 10 years, if the President's budget is rubber-stamped by this Congress.

It is time for the American people to hear the truth. This budget taxes too much, spends too much, and borrows too much.

BUDGET FACT CHECK: RESPONSIBLE SPENDING TO GROW AMERICA'S ECONOMY

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

Ms. WATSON. Mr. Speaker, the President's budget includes $2 trillion worth of budget savings through ending the Iraq war, cutting programs that are not effective, ending tax breaks for corporations that ship goods overseas, and asking those who make over $250,000 per year and have had huge tax cuts over the past 8 years to pay a little more. It includes key integrity initiatives to protect taxpayers' money by rooting out any waste, fraud, and abuse.

The President's budget also contains critical investments that will grow the economy. It makes critical investments in the modernization of our Nation's infrastructure, and it helps small business and innovative companies grow their bottom line by eliminating the capital gains tax on small business. It improves opportunities for future generations. It makes the $2,500 American opportunity tax credit.

Let's make a difference. Vote for the budget.

THE BUDGET

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

Mr. PAYNE. Mr. Speaker, after leading our Nation to the brink of financial disaster through their reckless economic policies, our Republican colleagues now have the audacity to launch attacks on the budget proposed by President Obama and the Democratic majority in Congress.

After taking the healthy budget surplus left by the Clinton administration and turning it into the most disastrous deficit in history, Republicans are actually attacking a budget proposal which cuts the deficit by nearly two-thirds by the year 2013, cuts taxes for middle-income families by $1.5 trillion, creates jobs with investment and reforms in health care, clean energy, education, and reduces nondefense discretionary spending to its lowest level as a percentage of the economy in nearly half a century.

By contrast, the Republicans have put forth a so-called budget which, unbelievably, contains no numbers. None. What their budget does is propose more of the same failed policies that got our country into this deep financial economic crisis.

CLEAN CAR REBATE ACT OF 2009

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

Ms. SPEIER. Mr. Speaker, in our budget vote this week we need to do three things: We need to get Americans back to work; we need to get them spending money again; and we need to get them to reduce their dependence on oil. Today, I will introduce a bill to address all three of these concerns.

The Clean Car Rebate Act of 2009 will provide a direct consumer rebate check to anyone buying a fuel-efficient vehicle, beginning at $1,000 for a 2009 car getting 28 miles to the gallon, that is any car, foreign or domestic; and, increasing for more efficient vehicles, topping out at $2,500 for cars getting 33 miles to a gallon.

The Clean Car Rebate Act is good for jobs, it is good for the American car industry, and it is great for our environment.

OUR BUDGET VOTE

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

Mr. CLEAVER. Mr. Speaker, President Barack Obama assumed the presidency with the United States in a condition worse than any President in the history of our Republic. He came in with problems on every single front, not the least of which was our budget.

I am very pleased to be supporting the President's budget. It includes over $2 trillion worth of budget savings through ending what at one point cost us more than $10 billion a month, which was the war in Iraq; we are ending the tax breaks for corporations that ship their jobs overseas; and, asking those who make more than $250,000 a year and have had huge tax cuts over the past 8 years to pay just a little bit more.

This budget cuts taxes for 95 percent of American workers, it cuts the deficit in half in over 4 years, and ends an era of irresponsibility and budget gimmicks. So I am proud, Mr. Speaker, to support the President's budget.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 1388, EDWARD M. KENNEDY SERVE AMERICA ACT

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 296 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 296

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1388) to reauthorize and reform the national service laws, with the Senate amendments thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a single motion offered by the chair of the Committee on Education and Labor or his designee that the House concur in the Senate amendments. The Senate amendments and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

SEC. 2. House Resolution 289 is laid on the table.

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

Ms. MATSUI. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, my good friend, Mr. DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Ms. MATSUI. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 296.

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

There was no objection.

Ms. MATSUI. Mr. Speaker, House Resolution 296 provides for consideration of Senate amendments to the bill H.R. 1388. The rule makes in order a motion by the chairman on the Committee on Education and Labor to concur in Senate amendments to H.R. 1388. The rule provides 1 hour of debate on the motion controlled by the Committee on Education and Labor.

□ 1230

Mr. Speaker, I rise today in support of a vital piece of bipartisan legislation, legislation that directly affects all of our communities and the lives of millions of Americans, legislation that has seen broad support in both this House and by our colleagues in the Senate. This legislation strengthens our communities, helps educate future generations, teaches our youth to prepare for and respond to natural disasters, and fosters a growth of respect and compassion throughout our entire society.

The Senator Edward M. Kennedy Serve America Act will help launch a new era of American service and volunteerism. The bill answers President Obama's call for Americans of all generations to help get the country through the economic crisis by serving and volunteering in their communities.

The bill has been named after the ''lion in the Senate,'' EDWARD KENNEDY, to recognize his lifetime commitment to national service and to making America a stronger, more collective nation. The Edward M. Kennedy Serve America Act reauthorizes for the first time in 15 years our country's investment in community service and volunteerism. As a cochair of the National Service Caucus, it is a pleasure to call attention to the tremendous work of those involved at every level and in every program of the corporation.

Mr. Speaker, service and volunteerism are the bedrock of our emergency preparedness and national security. In times of strife, the American people have always shown a spirit of service and ingenuity. Investing in service and volunteer programs prepares us to handle any crisis.

We saw firsthand the importance of having trained volunteers in the wake of the 2005 hurricanes Katrina and Rita. Following the devastation in the gulf coast, more than 92,000 national service volunteers contributed over 3.5 million hours of work to the recovery effort. They repaired homes, neighborhoods and lives.

The assistance from trained volunteers following the devastating storms represents only one example of the many accomplishments that our service volunteers achieve every single day. Since September of 2005, over 4,070 National Civilian Community Corps, or as we call it NCCC, members have served more than 2.1 million hours in the gulf coast on over 830 relief and recovery projects.

Last year, NCCC members from my hometown of Sacramento served thousands of hours to help fight the fires that devastated the lives and livelihoods of thousands of Californians, and in doing so helped protect thousands more. AmeriCorps NCCC members are disaster-trained and available for immediate deployment in the event of a natural disaster anywhere within the United States, just as they were in the gulf coast and in California.

Through programs such as AmeriCorps State and national, Volunteers in Service to America, or VISTA,

and NCCC, service members address critical needs in our communities. In fact, these programs continually put back more into the community than we put into them. The Serve America Act shows Congress' support for their heroic and continued efforts and ensures these programs continue for years to come.

The Edward M. Kennedy Serve America Act will expand these opportunities as well as health care access, provide seniors with help living independently, enhance services for veterans and help build a green, energy-efficient economy.

Mr. Speaker, in 2007, more than 61 million Americans spent over 8 billion hours volunteering. Overall, about 27 percent of Americans volunteer, and the number of volunteers increased by 1 million from 2002 to 2007. Additionally, with increased numbers of Americans losing jobs, many are turning to service as a way to contribute to their communities and learn new skills. Now is precisely the time when we should make national service more accessible to the millions of Americans who want to serve their country by contributing to their communities.

As a result, I hope that my colleagues will support the rule and the underlying legislation. I look forward to the passage of this bill and the historic moment when President Obama signs this into law.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I want to thank my friend, the distinguished gentlewoman from California (Ms. MATSUI), for the time, and I yield myself such time as I may consume.

Mr. Speaker, I expected to come to the floor today to speak about the good of volunteerism and to support the underlying legislation, the Edward M. Kennedy Serve America Act. However, I must now oppose the legislation because of the removal of important provisions that were supported, by the way, by an overwhelming majority of the House on both sides of the aisle, including a majority of Democrats.

When the House voted to approve the underlying legislation earlier in the month, it included the Republican motion to recommit. The provisions in the Republican motion made organizations that are co-located with those that promote or provide abortions, as well as political parties and lobbyists, ineligible from receiving funds provided through the legislation. It also prohibited funds from going to organizations that have been indicted on voter fraud charges.

However, the version of the legislation before the House today was stripped of those protections, even though those very provisions passed the House by a bipartisan vote of 318–105. I really don't understand why the majority leadership would force the House to consider legislation that will allow organizations that have been indicted on voter fraud charges to receive taxpayer funds, especially when the House overwhelmingly voted to forbid the use of taxpayer funds for such organizations.

It is my sincere belief that if those provisions would have been kept in the legislation, over two-thirds of the House would have voted to pass the legislation today, legislation that, yes, otherwise does help communities by recruiting 250,000 volunteers for AmeriCorps. But we will never know if I'm right because the majority is rushing to get this bill passed and is prohibiting Members on both sides of the aisle from introducing amendments to once again include the commonsense bipartisan provisions that passed previously in the House.

Mr. Speaker, I would remind the majority leadership of the events 2 weeks ago, when we learned that legislation that the majority also rushed to the floor without proper review included a provision that allowed AIG executives to receive multimillion-dollar bonuses with taxpayer funds. I know the majority will say that we are trying to obstruct important legislation today. That is far from the truth. Many of us in the minority were ready to support the legislation and, in fact, many of us did so before.

What we in the minority are saying today, what we are trying to do, is to prevent the majority from once again wasting taxpayer dollars and embarrassing Congress.

I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today in support of H.R. 1388, the Edward M. Kennedy Serve America Act. And I want to thank the leadership of my colleague for offering me this opportunity to speak. I want to also thank Chairman MILLER for his leadership and dedication to national service after moving this important bill towards passage. I would also like to thank the full committee ranking member, Mr. MCKEON, and the ranking member on my subcommittee, Mr. PLATTS, and I would like to thank all the staff that have worked so hard on this.

I am pleased that the Senate has moved this bill so quickly and that we are getting closer to being able to send it to President Obama for his signature. I'm also glad to see that we have renamed the bill in honor of Senator EDWARD KENNEDY, a man who has demonstrated a lifelong commitment to public service.

Last month President Obama stood in this Chamber and called on Congress to pass legislation that would inspire a new generation of service and volunteerism in our Nation. This bill answers that call. Since the bill was passed in this body 2 weeks ago, there has been a public outpouring and interest in public service and volunteerism from citizens throughout this Nation.

Public service and volunteerism provide the means through which Americans can give back to their communities while gaining the tools that they need to achieve their own goals. The Serve America Act will create a framework to help develop national service programs that will improve their communities and enrich the lives of all those who answer the call to serve.

I am pleased to see that in this compromised version of the bill before us that we retain the competition provisions in the Senior Corps program. I'm also pleased this bill permits our Silver Scholars to transfer their education awards to their children, foster children or grandchildren. The Serve America Act contains important provisions that will help strengthen communities and provide real opportunities for Americans to serve in meaningful ways.

I am proud of the focus that the bill places in providing opportunities for disadvantaged youth, strengthening mentoring programs, increasing service opportunities in cities and urban centers, vets and people with disabilities. Under the Serve America Act, volunteer and service opportunities are made available to people of all ages. This will give thousands of older Americans the opportunity to share their knowledge and skills for the benefit of their communities while offering young people guidance and support.

I am proud that this bill contains an important focus on disadvantaged youth. By providing the right types of outlets, young people coming from difficult circumstances will have a chance to lift themselves up through service. The Serve America Act will build a national infrastructure for service and volunteerism and makes an historical investment in the way our service programs are administered.

The bill focuses on building our national service participation while providing much-needed streamlining to reduce administrative burdens. This bill requires States to ensure outreach to local government such as cities and counties when preparing national service plans. Better outreach will result in being able to target program funds to where local folks think they need to go.

I'm also pleased that this bill includes an investment in mentoring partnerships. I would like to thank SUSAN DAVIS for her hard work on this issue. Mr. Chairman, this is a good bill, and I certainly hope we can pass it.

Mr. LINCOLN DIAZ-BALART of Florida. I have no further requests for time at this time, and I yield back the balance of my time.

Ms. MATSUI. Mr. Speaker, this reauthorization, the first in 15 years, takes programs and infrastructure that have touched so many lives and builds off its foundation to greatly increase the quality and improve the quantity and quality of service that we as a Nation work to provide.

National service is a proven return on our investment. With this bill, we

will broaden those involved in service across the country, and in doing so, foster the value of civic engagement and duty that can change a life in a community.

This bipartisan legislation is truly a win-win for all those involved and for our country. It makes excellent improvements in an already successful Corporation for National and Community Service. It improves access and support for organizations and grant applicants, and most importantly, reassures our valued servicemembers that Congress supports them and their work in our communities.

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

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H. RES. 279, PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF HOUSE OF REPRESENTATIVES IN 111TH CONGRESS

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 294 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 294

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 279) providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress. The amendment in the nature of a substitute recommended by the Committee on House Administration now printed in the resolution shall be considered as adopted. The resolution, as amended, shall be considered as read. The previous question shall be considered as ordered on the resolution, as amended, to final adoption without intervening motion or demand for division of the question except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on House Administration; and (2) one motion to recommit which may not contain instructions.

□ 1245

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

Mr. HASTINGS of Florida. For the purpose of debate only, I yield the customary 30 minutes to the distinguished gentleman, my friend from California (Mr. DREIER). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Mr. HASTINGS of Florida. I also ask, Mr. Speaker, unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 294.

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

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, H. Res. 294 provides for consideration of the 111th Congress committee funding resolution. As my colleagues may know, clause 7 of rule X provides for the interim committee funding until the permanent funding resolution is in place. That temporary funding expires today. Therefore, it is very important that we consider and pass this rule and the underlying resolution today.

The committee funding resolution before us is the result of a bipartisan effort between Chairman BRADY and Ranking Member LUNGREN of the Committee on House Administration. It was reported from the committee by a voice vote, and included an amendment by the ranking member to help increase transparency and accountability in the committee funding process.

This is a very fair and modest funding resolution which seeks to keep costs down, but still allow committees to fulfill their duties. This resolution recommends to the House an authorization to expend approximately $149.6 million in the first session and $154.9 million in the second session. This totals approximately $12.4 million below the combined levels requested by each of the committees.

It further reflects the commitment of Democrats to fairness and bipartisanship. The resolution incorporates an amendment by Ranking Member LUNGREN and carries forward the ''one-third'' rule in which a third of committee resources are used to support the work of the minority.

Rather than blindly tying committee funding to inflation or some other arbitrary number, this resolution is tailored to meet the unique challenges and circumstances facing this Congress.

As we work to implement the sweeping agenda of Democratic leadership and the new Democratic administration while simultaneously addressing seemingly unprecedented challenges, this resolution sensibly provides targeted increases to the Committees on Energy and Commerce, Financial Services, Small Business, and Standards of Official Conduct, among others.

The 12 percent increase recommended for the Committee on Financial Services is vital, considering the committee's stewardship of our Nation's financial recovery. It ensures that the committee not only has the resources to develop the legislation necessary to further our economic recovery, but also ensures that the committee has the capacity to adequately oversee the execution of these policies.

This increase, as well as the increase in funding for the Committee on Small Business, will help ensure that hard-earned taxpayer dollars are going into the right hands and helping the right people.

Additionally, with health care reform a priority for this Congress and our new President, H. Res. 279 provides an increase of 11 percent for the Committee on Energy and Commerce so we can continue our efforts to provide health care for every single American, in addition to working to finally achieve energy independence.

And while Congress continues to take on the task of overseeing our Nation's financial industry and the execution of our recovery initiatives, this body is ever-more scrutinized by the watchful eye of the American public. In order to ensure public trust in Congress, this resolution provides for an increase of 10 percent for the Committee on Standards of Official Conduct.

This resolution provides a pragmatic, fiscally prudent approach to committee funding, increasing total funding in 2009 by less than 5 percent, an amount within the D.C. cost of living adjustment.

Further, it provides a 3.9-percent increase in 2010, to accommodate the increased legislative and oversight work load typically seen in the second session.

It also assures adequate oversight by requiring committee chairs and ranking members to return to the Committee on House Administration by February of 2010 to report on committee spending.

This funding resolution strikes a responsible balance between the expanded oversight duties of the 111th Congress and the realities of our current economic climate. It will help this Congress adequately meet our economy's pressing needs, while working toward implementing the policies that will drive our Nation into the 21st century.

Mr. Speaker, I urge passage of this rule and of the resolution, and I reserve the balance of my time.

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

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

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to my very good friend from Fort Lauderdale, my Rules Committee colleague, Mr. HASTINGS, for yielding me the customary 30 minutes.

And let me say that the American people are hurting. We know that. And Mr. HASTINGS has alluded to some of the challenges that we have. We're dealing with one of the most serious economic challenges that we've faced in modern history.

And while the American people are facing their economic challenges, I think it's very important for us as an institution, especially as the body of the people, to realize that it's incumbent upon us to set an example.

We all know that the Federal Government is filled, riddled with tremendous waste, fraud and abuse. It's a high level of frustration for Americans. And regardless of political party, people regularly talk about the challenge of dealing with waste, fraud and abuse.

And I will say that one of our important responsibilities that too often is forgotten is our responsibility for oversight. We have to oversee the multifarious programs that have been put forward and established by this Congress.

Now, from my perspective, we have way too many programs. The reach of the Federal Government is far beyond what it should be. And as we look at the budget which we're going to be debating later this week, the notion of having this dramatic increase in spending as a percentage of our gross domestic product is something that I find to be extraordinarily troubling. And we need to get our economy back on track. We need to make sure that we have in place an economic policy that will do that.

And so the American people are clearly looking to this institution, they're looking to Washington, to make sure that we set policies that will allow them to, once again, keep their homes, meet the obligation of paying tuition for their children who are going to college, to pay their other bills. That is something that, on a regular basis, we as Members of Congress hear from the American people. So this issue of committee funding is an important one.

And I will say that there is some concern that has been voiced on this side of the aisle. My California colleague, the ranking member of the Oversight Committee, is troubled over the fact that there have been increases in a number of other committees, and yet the Oversight and Government Reform Committee has not had the kind of increase that he believes is important.

I also want to say that we should take our hats off to the chairman of the Administration Committee, Mr. BRADY of Philadelphia, as well as my California colleague, Mr. LUNGREN, the gentleman from Sacramento, who is the ranking member. We have seen chairmen and ranking members of all of the committees go before their committee, and they have been deliberative and very thoughtful in this package that they have put together. But I do believe that there are, again, concerns that have been voiced by a number of our colleagues.

I want to say that if we look at what has happened in the last couple of months, one particular entity that I think needs to have very, very, very close scrutiny paid to it when it comes to this issue of oversight is the Department of the Treasury. We know there have been programs that began last fall with the Troubled Asset Relief Program, the so-called TARP program, and since that period of time we've had the 1,100-page stimulus bill, which we know has been flawed.

And I think it was demonstrated when, the week before last, we had the issue of trying to deal with the $167 million in bonuses that have been provided in the stimulus package for the executives of AIG. And so we have unintended consequences that stem from a dramatic expansion of the Federal Government. And everyone acknowledges that that's the case. And that's why we, on our side, are regularly trying to, again, limit that reach because no one knows exactly what the unintended consequences will be.

Now, Mr. LUNGREN, the ranking member, informed me yesterday that we are going to, in this resolution, have a scrutiny over the action of every committee when it comes to the issue of oversight. And I do congratulate the members of the Administration Committee for ensuring that we do have more scrutiny put into place.

I also want to mention an item that is included in this measure that is, I think, very, very important, and that is funding for a commission which I was privileged to found when we were in the majority, and now serve as the ranking member under our colleague, DAVID PRICE, the gentleman from North Carolina, who has chaired this commission. It's known as the House Democracy Assistance Commission. And our commission has basically taken the challenge of building democratic institutions in new and re-emerging democracies around the world and worked to share our example of the United States Congress with these new and re-emerging democracies. I mean, we are in Afghanistan, Timor-Leste, Indonesia, Haiti, Colombia, Lebanon, Liberia, Kenya, Macedonia, Georgia, and Ukraine. I mean, we have worked closely with the parliaments to try and, again, share our example of the work of the United States Congress.

And I regularly argue, Mr. Speaker, that we clearly don't have the answer, because we know that democracy is a work in progress. And I've often quipped that if some of these countries see the United States Congress in operation they may want to go back to totalitarianism. But the fact is we do have a 220-year example to which we can point as our work in progress. And this commission is, I believe, making great strides in trying to help build the parliaments in these countries so that, as we pursue economic growth and the rule of law in those countries, this commission is going to remain on the cutting edge of that very important work.

So I will say that, again, there are concerns that have been voiced about the level of funding, and I think that there are a number of issues that we still do want to ensure that we address.

But as the American people deal with the economic downturn that we're facing today, I think it is imperative that we, as an institution, do all that we can, Mr. Speaker, all that we can to ensure that we utilize those taxpayer dollars just as cost effectively as possible and, at the same time, redouble our efforts when it comes to overseeing this massive expansion of the Federal Government that has taken place.

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

□ 1300

Mr. HASTINGS of Florida. Mr. Speaker, I inquire of my good friend from California if he has any remaining speakers?

Mr. DREIER. If the gentleman would yield, I would say to my friend, if he would like me to talk for another 15 or 20 minutes, I would be more than happy to.

Mr. HASTINGS of Florida. I am the last speaker for this side, so I will reserve my time until the gentleman has closed for his side and has yielded back his time.

Mr. DREIER. Mr. Speaker, with that, I will yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would like to address one of the concerns that my good friend raised with reference to Oversight and Government Reform.

It remains the second best-funded committee in the House with the second largest staff, and Oversight and Government Reform did not use $700,000 of their funding last year, showing that they have a good cushion of additional funding to use this year.

Mr. Speaker, H. Res. 297 is a practical resolution that reflects the new pressing priorities of the 111th Congress. The funding levels authorized in this resolution will provide our committees with the resources necessary to carry out Congress' increase in oversight responsibilities and to implement the sweeping legislative initiatives of the President's and Democrats' in Congress, referencing yet one more item raised by my good friend as he references the things that are being done.

When people tell me that we are trying to do too much, I always ask: What is it that they would leave out that we should not be doing? Would they leave out education? Do they think that energy independence is not particularly critical? Is there anyone in this body or anywhere in this country who does not understand the critical need for health insurance for all Americans?

One thing is certain: When we are talking about the economy, we are talking about health care, and if we do not do things with reference to health care, then we are not going to be able to solve our economic crisis.

Mr. DREIER. Would the gentleman yield?

Mr. HASTINGS of Florida. Of course, I will yield.

Mr. DREIER. I thank my good friend for yielding.

Mr. Speaker, I would simply say that I completely concur with my friend on those two issues that he has just mentioned. Ensuring that we have access to quality health care in this country is, I believe, a right that needs to be pursued, number 1.

Number 2, education is going to be critical. As we deal with our emergence from this economic downturn, the United States of America must remain on the cutting edge. The argument that one would get is regarding the exact role the Federal Government should play in every one of these things—in dramatically expanding the number of programs to deal with it or, in fact, in incentivizing those in the private sector. Do we do everything we can to, again, encourage greater access to health care and to quality education?

I thank my friend for yielding.

Mr. HASTINGS of Florida. Reclaiming my time, I am putting a question to my colleague, and I will then reference time for him.

When you said we should incentivize the private sector, who is the ''we'' that you are talking about?

Mr. DREIER. Will my friend yield?

Mr. HASTINGS of Florida. Yes.

Mr. DREIER. I thank my friend for yielding.

Mr. Speaker, let me just say, by incentivizing, I believe that we as an institution, through tax policy, can do everything that we possibly can.

For example, in the area of health care, just to touch on that, I believe that a dramatic expansion of medical savings accounts—of which we have been on the cutting edge—of encouraging people to put dollars aside and to save and plan for their health care needs is a better way to go rather than dramatically expanding a government program to deal with it. That is the response, I would say, as far as incentivizing.

I thank my friend for yielding.

Mr. HASTINGS of Florida. Reclaiming my time, it is still the government as an institution that you refer to that is going to do these things. It is just that somehow or another, I guess, ideologically, my good friend and I are opposites when it comes, not only to health care, but to a variety of issues of major consequence.

If this Nation does not face up to its responsibilities having to do with Social Security, if we do not significantly address the issues of Medicare and Medicaid, then somehow or another, I think we are leaving the least of us out of this process. It is one thing to believe that if we incentivize the Tax Code that it is going to solve the problem, but that is not going to reach those persons at the very bottom.

For example, I hope that this budget addresses community health facilities. I believe this resolution represents the vital first step toward adequately addressing health care reform, energy policy and climate change, financial regulation and oversight, job growth and the recovery and long-term stability of our Nation's economy.

Now, in spite of the criticism from our friends on the other side, if they feel about this rule that it is unfair, perhaps unprecedented, our only intention today is to ensure that this resolution is considered in a timely manner so that our committees may be adequately funded and so that we may continue to do the work of the American people.

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of H. Res. 296, by the yeas and nays;

Motion to suspend the rules and pass the bill, H.R. 1259, by the yeas and nays;

Motion to suspend the rules and agree to the resolution, H. Res. 282, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENTS TO H.R. 1388, EDWARD M. KENNEDY SERVE AMERICA ACT

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 296, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 240, nays 173, not voting 18, as follows:

[Roll No. 166]

YEAS—240

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Boren
Boswell
Boyd
Brady (PA)
Braley (IA)
Bright
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Hare
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kind
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Ortiz
Pallone
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—173

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis

Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Stearns
Sullivan
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—18

Boucher
Brown, Corrine
Conyers
Fattah
Goodlatte
Hensarling
Kilroy
Lewis (GA)
Miller, Gary
Minnick
Moore (KS)
Olver
Pascrell
Pomeroy
Smith (TX)
Watson
Watt
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1334

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GOODLATTE. Mr. Speaker, on rollcall 166, I was unavoidably detained. Had I been present I would have voted "no."

DEXTROMETHORPHAN DISTRIBUTION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1259, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1259.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 8, not voting 16, as follows:

[Roll No. 167]

YEAS—407

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Braley (IA)
Bright
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Waxman
Weiner
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—8

Broun (GA)
Campbell
Flake
McClintock
Paul
Poe (TX)
Rohrabacher
Royce

NOT VOTING—16

Brady (TX)
Brown, Corrine
Franks (AZ)
Green, Gene
Hensarling
Johnson (GA)
Lewis (GA)
Miller, Gary
Olson
Pascrell
Pomeroy
Rangel
Watson
Watt
Welch
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1342

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 167, had I been present, I would have voted "yea."

Mr. OLSON. Mr. Speaker, I was unavoidably detained. If I had been present I would have voted "yea."

RECOGNIZING 30TH ANNIVERSARY OF EGYPT-ISRAEL PEACE TREATY

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 282, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. CONNOLLY) that the House suspend the rules and agree to the resolution, H. Res. 282, as amended.

The question was taken.

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

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 418, noes 1, not voting 12, as follows:

[Roll No. 168]

AYES—418

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Waxman
Weiner
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOES—1

Paul

NOT VOTING—12

Brown, Corrine
Davis (TN)
Hensarling
Lewis (GA)
Miller, Gary
Murphy (CT)
Pascrell
Pomeroy
Watson
Watt
Welch
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1351

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EDWARD M. KENNEDY SERVE AMERICA ACT

Mr. GEORGE MILLER of California. Mr. Speaker, pursuant to House Resolution 296, I move to take from the Speaker's table the bill (H.R. 1388) to reauthorize the reform of the national service laws, with the Senate amendments thereto, and I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the title of the bill, designate the Senate amendments and designate the motion.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Serve America Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

Sec. 1001. References.

Subtitle A—Amendments to Subtitle A (General Provisions)

Sec. 1101. Purposes.
Sec. 1102. Definitions.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

Sec. 1201. School-based allotments.
Sec. 1202. Higher education provisions.
Sec. 1203. Campuses of Service.
Sec. 1204. Innovative programs and research.
Sec. 1205. Service-learning impact study.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

Sec. 1301. Prohibition on grants to Federal agencies; limits on Corporation costs.
Sec. 1302. Eligible national service programs.
Sec. 1303. Types of positions.
Sec. 1304. Conforming repeal relating to training and technical assistance.
Sec. 1305. Assistance to State Commissions; challenge grants.
Sec. 1306. Allocation of assistance to States and other eligible entities.
Sec. 1307. Additional authority.
Sec. 1308. State selection of programs.
Sec. 1309. National service program assistance requirements.
Sec. 1310. Prohibited activities and ineligible organizations.
Sec. 1311. Consideration of applications.
Sec. 1312. Description of participants.
Sec. 1313. Selection of national service participants.
Sec. 1314. Terms of service.
Sec. 1315. Adjustments to living allowance.

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

Sec. 1401. Availability of funds in the National Service Trust.
Sec. 1402. Individuals eligible to receive an educational award from the Trust.
Sec. 1403. Certifications.
Sec. 1404. Determination of the amount of the educational award.
Sec. 1405. Disbursement of educational awards.
Sec. 1406. Approval process for approved positions.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

Sec. 1501. Purpose.
Sec. 1502. Program components.
Sec. 1503. Eligible participants.
Sec. 1504. Summer national service program.
Sec. 1505. National Civilian Community Corps.
Sec. 1506. Training.
Sec. 1507. Consultation with State Commissions.
Sec. 1508. Authorized benefits for Corps members.
Sec. 1509. Permanent cadre.
Sec. 1510. Status of Corps members and Corps personnel under Federal law.
Sec. 1511. Contract and grant authority.
Sec. 1512. Other departments.
Sec. 1513. Advisory Board.
Sec. 1514. Evaluations.
Sec. 1515. Repeal of funding limitation.
Sec. 1516. Definitions.
Sec. 1517. Terminology.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

Sec. 1601. Family and medical leave.
Sec. 1602. Reports.
Sec. 1603. Use of funds.

Sec. 1604. Notice, hearing, and grievance procedures.
Sec. 1605. Resolution of displacement complaints.
Sec. 1606. State Commissions on National and Community Service.
Sec. 1607. Evaluation and accountability.
Sec. 1608. Civic Health Assessment.
Sec. 1609. Contingent extension.
Sec. 1610. Partnerships with schools.
Sec. 1611. Rights of access, examination, and copying.
Sec. 1612. Additional administrative provisions.
Sec. 1613. Availability of assistance.
Sec. 1614. Criminal history checks for individuals working with vulnerable populations.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

Sec. 1701. Terms of office.
Sec. 1702. Board of Directors authorities and duties.
Sec. 1703. Chief Executive Officer compensation.
Sec. 1704. Authorities and duties of the Chief Executive Officer.
Sec. 1705. Chief Financial Officer status.
Sec. 1706. Nonvoting members; personal services contracts.
Sec. 1707. Donated services.
Sec. 1708. Assignment to State Commissions.
Sec. 1709. Study of involvement of veterans.
Sec. 1710. Study to examine and increase service programs for displaced workers in services corps and community service and to develop pilot program planning study.
Sec. 1711. Study to evaluate the effectiveness of agency coordination.
Sec. 1712. Study of program effectiveness.
Sec. 1713. Volunteer Management Corps study.

Subtitle H—Amendments to Subtitle H (Investment for Quality and Innovation)

Sec. 1801. Technical amendment to subtitle H.
Sec. 1802. Additional Corporation activities to support national service.
Sec. 1803. Repeals.
Sec. 1804. Presidential awards.
Sec. 1805. New fellowships.
Sec. 1806. National Service Reserve Corps.
Sec. 1807. Social Innovation Funds pilot program.
Sec. 1808. Clearinghouses.
Sec. 1809. Nonprofit Capacity Building Program.

Subtitle I—Training and Technical Assistance

Sec. 1821. Training and technical assistance.

Subtitle J—Repeal of Title III (Points of Light Foundation)

Sec. 1831. Repeal.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

Sec. 1841. Authorization of appropriations.

TITLE II—DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Sec. 2001. References.
Sec. 2002. Volunteerism policy.

Subtitle A—National Volunteer Antipoverty Programs

CHAPTER 1—VOLUNTEERS IN SERVICE TO AMERICA

Sec. 2101. Statement of purpose.
Sec. 2102. Selection and assignment of volunteers.
Sec. 2103. Support service.
Sec. 2104. Repeal.
Sec. 2105. Redesignation.

CHAPTER 2—UNIVERSITY YEAR FOR VISTA

Sec. 2121. University year for VISTA.

CHAPTER 3—SPECIAL VOLUNTEER PROGRAMS

Sec. 2131. Statement of purpose.
Sec. 2132. Literacy challenge grants.

Subtitle B—National Senior Service Corps

Sec. 2141. Title.
Sec. 2142. Statement of purpose.
Sec. 2143. Retired and Senior Volunteer Program.
Sec. 2144. Foster grandparent program.
Sec. 2145. Senior companion program.
Sec. 2146. General provisions.

Subtitle C—Administration and Coordination

Sec. 2151. Special limitations.
Sec. 2152. Application of Federal law.
Sec. 2153. Evaluation.
Sec. 2154. Definitions.
Sec. 2155. Protection against improper use.
Sec. 2156. Provisions under the National and Community Service Act of 1990.

Subtitle D—Authorization of Appropriations

Sec. 2161. Authorizations of appropriations.

TITLE III—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

Sec. 3101. Table of contents of the National and Community Service Act of 1990.
Sec. 3102. Table of contents of the Domestic Volunteer Service Act of 1973.

TITLE IV—AMENDMENTS TO OTHER LAWS

Sec. 4101. Inspector General Act of 1978.

TITLE V—VOLUNTEERS FOR PROSPERITY PROGRAM

Sec. 5101. Findings.
Sec. 5102. Definitions.
Sec. 5103. Office of Volunteers for Prosperity.
Sec. 5104. Authorization of appropriations.

TITLE VI—EFFECTIVE DATE

Sec. 6101. Effective date.
Sec. 6102. Sense of the Senate.

TITLE I—AMENDMENTS TO NATIONAL AND COMMUNITY SERVICE ACT OF 1990

SEC. 1001. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.).

Subtitle A—Amendments to Subtitle A (General Provisions)

SEC. 1101. PURPOSES.

Section 2(b) (42 U.S.C. 12501(b)) is amended—

(1) in paragraph (2), by striking ''community throughout'' and inserting ''community and service throughout the varied and diverse communities of'';

(2) in paragraph (4), by inserting after ''income,'' the following: ''geographic location,'';

(3) in paragraph (6), by inserting after ''existing'' the following: ''national'';

(4) in paragraph (7)—

(A) by striking ''programs and agencies'' and inserting ''programs, agencies, and communities''; and

(B) by striking ''and'' at the end;

(5) in paragraph (8), by striking the period and inserting a semicolon; and

(6) by adding at the end the following:

''(9) expand and strengthen service-learning programs through year-round opportunities, including opportunities during the summer months, to improve the education of children and youth and to maximize the benefits of national and community service, in order to renew the ethic of civic responsibility and the spirit of community for children and youth throughout the United States;

''(10) assist in coordinating and strengthening Federal and other service opportunities, including opportunities for participation in emergency and disaster preparedness, relief, and recovery;

''(11) increase service opportunities for the Nation's retiring professionals, including such opportunities for those retiring from the science, technical, engineering, and mathematics professions, to improve the education of the Nation's youth and keep America competitive in the global knowledge economy, and to further utilize the experience, knowledge, and skills of older individuals;

''(12) encourage the continued service of the alumni of the national service programs, including service in times of national need;

''(13) encourage individuals age 55 or older to partake of service opportunities;

''(14) focus national service on the areas of national need such service has the capacity to address, such as improving education, increasing energy conservation, improving the health status of economically disadvantaged individuals, and improving economic opportunity for economically disadvantaged individuals;

''(15) recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in addressing national and local challenges;

''(16) increase public and private investment in nonprofit community organizations that are effectively addressing national and local challenges and encourage such organizations to replicate and expand successful initiatives;

''(17) leverage Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(18) support institutions of higher education that engage students in community service activities and provide high-quality service-learning opportunities; and

''(19) recognize the expertise veterans can offer to national service programs, expand the participation of the veterans in the national service programs, and assist the families of veterans and members of the Armed Forces on active duty.''.

SEC. 1102. DEFINITIONS.

(a) IN GENERAL.—Section 101 (42 U.S.C. 12511) is amended—

(1) in paragraph (3), by striking ''described in section 122'';

(2) in paragraph (13), by striking ''section 101(a) of the Higher Education Act of 1965'' and inserting ''sections 101(a) and 102(a)(1) of the Higher Education Act of 1965'';

(3) in paragraph (17)(B), by striking ''program in which the participant is enrolled'' and inserting ''organization receiving assistance under the national service laws through which the participant is engaging in service'';

(4) in paragraph (19)—

(A) by striking ''section 111(a)'' and inserting ''section 112(a)'';

(B) by striking ''117A(a),'';

(C) by striking ''119(b)(1), or 122(a),'' and inserting ''118A, or 118(b)(1), or subsection (a), (b), or (c) of section 122,'';

(D) by inserting ''section 198B, 198C, 198G, 198H, or 198K,'' after ''section 152(b),''; and

(E) by striking ''198, 198C, or 198D'' and inserting ''179A, 198, 198O, 198P, or 199N'';

(5) in paragraph (21)(B)—

(A) by striking ''602'' and inserting ''602(3)''; and

(B) by striking ''1401'' and inserting ''1401(3)'';

(6) in paragraph (24), by striking ''section 111'' and inserting ''section 112'';

(7) in paragraph (26), by striking the second sentence; and

(8) by adding at the end the following:

''(30) ALASKA NATIVE-SERVING INSTITUTION.—The term 'Alaska Native-serving institution' has the meaning given the term in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

''(31) APPROVED SILVER SCHOLAR POSITION.—The term 'approved silver scholar position' means a position, in a program described in section 198C(a), for which the Corporation has approved the provision of a silver scholarship educational award as one of the benefits to be provided for successful service in the position.

''(32) APPROVED SUMMER OF SERVICE POSITION.—The term 'approved summer of service position' means a position, in a program described in section 119(c)(8), for which the Corporation has approved the provision of a summer of service educational award as one of the

benefits to be provided for successful service in the position.

''(33) ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTION.—The term 'Asian American and Native American Pacific Islander-serving institution' has the meaning given the term in section 320(b) of the Higher Education Act of 1965 (20 U.S.C. 1059g(b)).

''(34) AUTHORIZING COMMITTEES.—The term 'authorizing committees' means the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(35) COMMUNITY-BASED ENTITY.—The term 'community-based entity' means a public or private nonprofit organization that—

''(A) has experience with meeting unmet human, educational, environmental, or public safety needs; and

''(B) meets other such criteria as the Chief Executive Officer may establish.

''(36) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' includes those youth who are economically disadvantaged and 1 or more of the following:

''(A) Who are out-of-school youth, including out-of-school youth who are unemployed.

''(B) Who are in or aging out of foster care.

''(C) Who have limited English proficiency.

''(D) Who are homeless or who have run away from home.

''(E) Who are at-risk to leave secondary school without a diploma.

''(F) Who are former juvenile offenders or at risk of delinquency.

''(G) Who are individuals with disabilities.

''(37) ENCORE SERVICE PROGRAM.—The term 'encore service program' means a program, carried out by an eligible entity as described in subsection (a), (b), or (c) of section 122, that—

''(A) involves a significant number of participants age 55 or older in the program; and

''(B) takes advantage of the skills and experience that such participants offer in the design and implementation of the program.

''(38) HISPANIC-SERVING INSTITUTION.—The term 'Hispanic-serving institution' has the meaning given such term in section 502(a) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)).

''(39) HISTORICALLY BLACK COLLEGE OR UNIVERSITY.—The term 'historically black college or university' means a part B institution, as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061).

''(40) MEDICALLY UNDERSERVED POPULATION.—The term 'medically underserved population' has the meaning given that term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

''(41) NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTION.—The term 'Native American-serving, nontribal institution' has the meaning given the term in section 319(b) of the Higher Education Act of 1965 (20 U.S.C. 1059f(b)).

''(42) NATIVE HAWAIIAN-SERVING INSTITUTION.—The term 'Native Hawaiian-serving institution' has the meaning given the term in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

''(43) PREDOMINANTLY BLACK INSTITUTION.—The term 'Predominantly Black Institution' has the meaning given the term in section 318 of the Higher Education Act of 1965 (20 U.S.C. 1059e).

''(44) PRINCIPLES OF SCIENTIFIC RESEARCH.—The term 'principles of scientific research' means principles of research that—

''(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to the subject matter involved;

''(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

''(C) include, appropriate to the research being conducted—

''(i) use of systematic, empirical methods that draw on observation or experiment;

''(ii) use of data analyses that are adequate to support the general findings;

''(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

''(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

''(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

''(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

''(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.

''(45) QUALIFIED ORGANIZATION.—The term 'qualified organization' means a public or private nonprofit organization with experience working with school-age youth that meets such criteria as the Chief Executive Officer may establish.

''(46) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.

''(47) TERRITORY.—The term 'territory' means the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(48) TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY.—The term 'tribally controlled college or university' has the meaning given such term in section 2 of the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801).

''(49) VETERAN.—The term 'veteran' has the meaning given the term in section 101 of title 38, United States Code.''.

(b) REDESIGNATION.—Section 101 (42 U.S.C. 12511) is amended—

(1) by redesignating paragraphs (1) through (49) as paragraphs (1), (3), (8), (9), (10), (12), (14), (15), (19), (20), (21), (22), (23), (24), (26), (29), (30), (31), (34), (35), (37), (39), (40), (41), (42), (43), (44), (45), (46), (2), (4), (5), (6), (7), (11), (13), (16), (17), (18), (25), (27), (28), (32), (33), (36), (38), (47), (48), and (49); and

(2) so that paragraphs (1) through (49), as so redesignated in paragraph (1), appear in numerical order.

Subtitle B—Amendments to Subtitle B (Learn and Serve America)

SEC. 1201. SCHOOL-BASED ALLOTMENTS.

Part I of subtitle B of title I (42 U.S.C. 12521 et seq.) is amended to read as follows:

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

''SEC. 111. PURPOSE.

''The purpose of this part is to promote service-learning as a strategy to—

''(1) support high-quality service-learning projects that engage students in meeting community needs with demonstrable results, while enhancing students' academic and civic learning; and

''(2) support efforts to build institutional capacity, including the training of educators, and to strengthen the service infrastructure to expand service opportunities.

''SEC. 111A. DEFINITIONS.

''In this part:

''(1) STATE.—The term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(2) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' means—

''(A) a State educational agency (as defined in section 101) of a State; or

''(B) for a State in which a State educational agency described in subparagraph (A) has designated a statewide entity under section 112(e), that designated statewide entity.

''SEC. 112. ASSISTANCE TO STATES, TERRITORIES, AND INDIAN TRIBES.

''(a) ALLOTMENTS TO STATES, TERRITORIES, AND INDIAN TRIBES.—The Corporation, in consultation with the Secretary of Education, may make allotments to State educational agencies, territories, and Indian tribes to pay for the Federal share of—

''(1) planning and building the capacity within the State, territory, or Indian tribe involved to implement service-learning programs that are based principally in elementary schools and secondary schools, including—

''(A) providing training and professional development for teachers, supervisors, personnel from community-based entities (particularly with regard to the recruitment, utilization, and management of participants), and trainers, to be conducted by qualified individuals or organizations that have experience with service-learning;

''(B) developing service-learning curricula, consistent with State or local academic content standards, to be integrated into academic programs, including curricula for an age-appropriate learning component that provides participants an opportunity to analyze and apply their service experiences;

''(C) forming local partnerships described in paragraph (2) or (4)(D) to develop school-based service-learning programs in accordance with this part;

''(D) devising appropriate methods for research on and evaluation of the educational value of service-learning and the effect of service-learning activities on communities;

''(E) establishing effective outreach and dissemination of information to ensure the broadest possible involvement of community-based entities with demonstrated effectiveness in working with school-age youth in their communities; and

''(F) establishing effective outreach and dissemination of information to ensure the broadest possible participation of schools throughout the State, throughout the territory, or serving the Indian tribe involved with particular attention to schools not making adequate yearly progress for two or more consecutive years under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

''(2) implementing, operating, or expanding school-based service-learning programs, which may include paying for the cost of the recruitment, training, supervision, placement, salaries, and benefits of service-learning coordinators, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to projects operated by local partnerships among—

''(A) local educational agencies; and

''(B) 1 or more community partners that—

''(i) shall include a public or private nonprofit organization that—

''(I) has a demonstrated expertise in the provision of services to meet unmet human, education, environmental, or public safety needs;

''(II) will make projects available for participants, who shall be students; and

''(III) was in existence at least 1 year before the date on which the organization submitted an application under section 113; and

''(ii) may include a private for-profit business, private elementary school or secondary school, or Indian tribe (except that an Indian tribe distributing funds to a project under this paragraph is not eligible to be part of the partnership operating that project);

''(3) planning of school-based service-learning programs, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to local educational agencies and Indian tribes, which planning may include paying for the cost of—

''(A) the salaries and benefits of service-learning coordinators; or

''(B) the recruitment, training and professional development, supervision, and placement

of service-learning coordinators who may be participants in a program under subtitle C or receive a national service educational award under subtitle D, who may be participants in a project under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001), or who may participate in a Youthbuild program under section 173A of the Workforce Investment Act of 1998 (29 U.S.C. 2918a),

who will identify the community partners described in paragraph (2)(B) and assist in the design and implementation of a program described in paragraph (2);

''(4) implementing, operating, or expanding school-based service-learning programs to utilize adult volunteers in service-learning to improve the education of students, through distribution by State educational agencies, territories, and Indian tribes of Federal funds made available under this part to—

''(A) local educational agencies;

''(B) Indian tribes (except that an Indian tribe distributing funds under this paragraph is not eligible to be a recipient of those funds);

''(C) public or private nonprofit organizations; or

''(D) partnerships or combinations of local educational agencies, and entities described in subparagraph (B) or (C); and

''(5) developing, as service-learning programs, civic engagement programs that promote a better understanding of—

''(A) the principles of the Constitution, the heroes of United States history (including military heroes), and the meaning of the Pledge of Allegiance;

''(B) how the Nation's government functions; and

''(C) the importance of service in the Nation's character.

''(b) DUTIES OF SERVICE-LEARNING COORDINATOR.—A service-learning coordinator referred to in paragraph (2) or (3) of subsection (a) shall provide services to a local partnership described in subsection (a)(2) or entity described in subsection (a)(3), respectively, that may include—

''(1) providing technical assistance and information to, and facilitating the training of, teachers and assisting in the planning, development, execution, and evaluation of service-learning in their classrooms;

''(2) assisting local partnerships described in subsection (a)(2) in the planning, development, and execution of service-learning projects, including summer of service programs;

''(3) assisting schools and local educational agencies in developing school policies and practices that support the integration of service-learning into the curriculum; and

''(4) carrying out such other duties as the local partnership or entity, respectively, may determine to be appropriate.

''(c) RELATED EXPENSES.—An entity that receives financial assistance under this part from a State, territory, or Indian tribe may, in carrying out the activities described in subsection (a), use such assistance to pay for the Federal share of reasonable costs related to the supervision of participants, program administration, transportation, insurance, and evaluations and for other reasonable expenses related to the activities.

''(d) SPECIAL RULE.—A State educational agency described in section 111A(2)(A) may designate a statewide entity (which may be a community-based entity) with demonstrated experience in supporting or implementing service-learning programs, to receive the State educational agency's allotment under this part, and carry out the functions of the agency under this part.

''(e) CONSULTATION WITH SECRETARY OF EDUCATION.—The Corporation is authorized to enter into agreements with the Secretary of Education for initiatives (and may use funds authorized under section 501(a)(6) to enter into the agreements if the additional costs of the initiatives are warranted) that may include—

''(1) identification and dissemination of research findings on service-learning and scientifically valid research based practices for service-learning; and

''(2) provision of professional development opportunities that—

''(A) improve the quality of service-learning instruction and delivery for teachers both preservice and in-service, personnel from community-based entities and youth workers; and

''(B) create and sustain effective partnerships for service-learning programs between local educational agencies, community-based entities, businesses, and other stakeholders.

"SEC. 112A. ALLOTMENTS.

''(a) INDIAN TRIBES AND TERRITORIES.—Of the amounts appropriated to carry out this part for any fiscal year, the Corporation shall reserve an amount of not less than 2 percent and not more than 3 percent for payments to Indian tribes, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with their respective needs.

''(b) ALLOTMENTS THROUGH STATES.—

''(1) IN GENERAL.—After reserving an amount under subsection (a), the Corporation shall use the remainder of the funds appropriated to carry out this part for the fiscal year as follows:

''(A) ALLOTMENTS BASED ON SCHOOL-AGE YOUTH.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the number of school-age youth in the State bears to the total number of school-age youth in all States.

''(B) ALLOTMENTS BASED ON ALLOCATIONS UNDER ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—From 50 percent of such remainder, the Corporation shall allot to each State an amount that bears the same ratio to 50 percent of such remainder as the allocation to the State for the previous fiscal year under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) bears to the total of such allocations to all States.

''(2) MINIMUM AMOUNT.—For any fiscal year for which amounts appropriated for this subtitle exceed $50,000,000, the minimum allotment to each State under paragraph (1) shall be $75,000.

''(c) REALLOTMENT.—If the Corporation determines that the allotment of a State, territory, or Indian tribe under this section will not be required for a fiscal year because the State, territory, or Indian tribe did not submit and receive approval of an application for the allotment under section 113, the Corporation shall make the allotment for such State, territory, or Indian tribe available for grants to community-based entities to carry out service-learning programs as described in section 112(b) in such State, in such territory, or for such Indian tribe. After community-based entities apply for grants from the allotment, by submitting an application at such time and in such manner as the Corporation requires, and receive approval, the remainder of such allotment shall be available for reallotment to such other States, territories, or Indian tribes with approved applications submitted under section 113 as the Corporation may determine to be appropriate.

"SEC. 113. APPLICATIONS.

''(a) APPLICATIONS TO CORPORATION FOR ALLOTMENTS.—

''(1) IN GENERAL.—To be eligible to receive an allotment under section 112A, a State, acting through the State educational agency, territory, or Indian tribe shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

''(2) CONTENTS.—An application for an allotment under section 112 shall include—

''(A) a proposal for a 3-year plan promoting service-learning, which shall contain such information as the Chief Executive Officer may reasonably require, including how the applicant will integrate service opportunities into the academic program of the participants;

''(B) information about the criteria the State educational agency, territory, or Indian tribe will use to evaluate and grant approval to applications submitted under subsection (b), including an assurance that the State educational agency, territory, or Indian tribe will comply with the requirement in section 114(a);

''(C) assurances about the applicant's efforts to—

''(i) ensure that students of different ages, races, sexes, ethnic groups, disabilities, and economic backgrounds have opportunities to serve together;

''(ii) include any opportunities for students, enrolled in schools or programs of education providing elementary or secondary education, to participate in service-learning programs and ensure that such service-learning programs include opportunities for such students to serve together;

''(iii) involve participants in the design and operation of the programs;

''(iv) promote service-learning in areas of greatest need, including low-income or rural areas; and

''(v) otherwise integrate service opportunities into the academic program of the participants; and

''(D) assurances that the applicant will comply with the nonduplication and nondisplacement requirements of section 177 and the notice, hearing, and grievance procedures required by section 176.

''(b) APPLICATION TO STATE, TERRITORY, OR INDIAN TRIBE FOR ASSISTANCE TO CARRY OUT SCHOOL-BASED SERVICE-LEARNING PROGRAMS.—

''(1) IN GENERAL.—Any—

''(A) qualified organization, Indian tribe, territory, local educational agency, for-profit business, private elementary school or secondary school, or institution of higher education that desires to receive financial assistance under this subpart from a State, territory, or Indian tribe for an activity described in section 112(a)(1);

''(B) partnership described in section 112(a)(2) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in section 112(a)(2);

''(C) entity described in section 112(a)(3) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section;

''(D) entity or partnership described in section 112(a)(4) that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in such section; and

''(E) entity that desires to receive such assistance from a State, territory, or Indian tribe for an activity described in section 111(a)(5),

shall prepare, submit to the State educational agency for the State, territory, or Indian tribe, and obtain approval of, an application for the program.

''(2) SUBMISSION.—Such application shall be submitted at such time and in such manner, and shall contain such information, as the agency, territory, or Indian tribe may reasonably require.

"SEC. 114. CONSIDERATION OF APPLICATIONS.

''(a) CRITERIA FOR LOCAL APPLICATIONS.—In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 112A(c) applies) shall consider criteria with respect to sustainability, replicability, innovation, and quality of programs.

''(b) PRIORITY FOR LOCAL APPLICATIONS.—In providing assistance under this part, a State educational agency, territory, or Indian tribe (or the Corporation if section 112A(c) applies) shall give priority to entities that submit applications under section 113 with respect to service-learning programs described in section 111 that are in the greatest need of assistance, such as

programs targeting low-income areas or serving economically disadvantaged youth.

''(c) REJECTION OF APPLICATIONS TO CORPORATION.—If the Corporation rejects an application submitted by a State, territory, or Indian tribe under section 113 for an allotment, the Corporation shall promptly notify the State, territory, or Indian tribe of the reasons for the rejection of the application. The Corporation shall provide the State, territory, or Indian tribe with a reasonable opportunity to revise and resubmit the application and shall provide technical assistance, if needed, to the State, territory, or Indian tribe as part of the resubmission process. The Corporation shall promptly reconsider such resubmitted application.

''SEC. 115. PARTICIPATION OF STUDENTS AND TEACHERS FROM PRIVATE SCHOOLS.

''(a) IN GENERAL.—To the extent consistent with the number of students in the State, in the territory, or served by the Indian tribe or in the school district of the local educational agency involved who are enrolled in private nonprofit elementary schools and secondary schools, such State, territory, or Indian tribe, or agency shall (after consultation with appropriate private school representatives) make provision—

''(1) for the inclusion of services and arrangements for the benefit of such students so as to allow for the equitable participation of such students in the programs implemented to carry out the objectives and provide the benefits described in this part; and

''(2) for the training of the teachers of such students so as to allow for the equitable participation of such teachers in the programs implemented to carry out the objectives and provide the benefits described in this part.

''(b) WAIVER.—If a State, territory, Indian tribe, or local educational agency is prohibited by law from providing for the participation of students or teachers from private nonprofit schools as required by subsection (a), or if the Corporation determines that a State, territory, Indian tribe, or local educational agency substantially fails or is unwilling to provide for such participation on an equitable basis, the Chief Executive Officer shall waive such requirements and shall arrange for the provision of services to such students and teachers.

''SEC. 116. FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.

''(a) CORPORATION SHARE.—

''(1) IN GENERAL.—The Corporation share of the cost of carrying out a program for which a grant is made from an allotment under this part—

''(A) for new grants may not exceed 80 percent of the total cost of the program for the first year of the grant period, 65 percent for the second year, and 50 percent for each remaining year; and

''(B) for continuing grants, may not exceed 50 percent of the total cost of the program.

''(2) NONCORPORATION CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of such a grant under this part—

''(A) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services;

''(B) except as provided in subparagraph (C), may provide for such share through Federal, State, or local sources, including private funds or donated services; and

''(C) may not provide for such share through Federal funds made available under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) or the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

''(b) WAIVER.—The Chief Executive Officer may waive the requirements of subsection (a) in whole or in part with respect to any such program for any fiscal year, on a determination that such a waiver would be equitable due to a lack of resources at the local level.

''SEC. 117. LIMITATIONS ON USES OF FUNDS.

''Not more than 6 percent of the amount of assistance received by a State, territory, or Indian tribe that is the original recipient of an allotment under this part for a fiscal year may be used to pay, in accordance with such standards as the Corporation may issue, for administrative costs, incurred by that recipient.''.

SEC. 1202. HIGHER EDUCATION PROVISIONS.

(a) REDESIGNATION.—Section 119 (42 U.S.C. 12561) is redesignated as section 118.

(b) HIGHER EDUCATION INNOVATIVE PROGRAMS.—Section 118 (as so redesignated) is amended—

(1) in subsection (a), by inserting after ''community service programs'' the following: ''through service-learning'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''combination'' and inserting ''consortium'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(C) the institution or partnership may coordinate with service-learning curricula being offered in the academic curricula at the institution of higher education or at 1 or more members of the partnership;''; and

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking ''teachers at the elementary, secondary, and postsecondary levels'' and inserting ''institutions of higher education and their faculty'';

(ii) in subparagraph (A), by striking ''education of the institution; and'' and inserting ''curricula of the institution to strengthen the instructional capacity of teachers to provide service-learning at the elementary and secondary levels;'';

(iii) by redesignating subparagraph (B) as subparagraph (C); and

(iv) by inserting after subparagraph (A) the following:

''(B) including service-learning as a component of other curricula or academic programs (other than education curricula or programs), such as curricula or programs relating to nursing, medicine, criminal justice, or public policy; and'';

(3) by striking subsections (c), (d), (e), and (g);

(4) by redesignating subsection (f) as subsection (i); and

(5) by inserting after subsection (b) the following:

''(c) FEDERAL, STATE, AND LOCAL CONTRIBUTIONS.—

''(1) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of the cost of carrying out a program for which assistance is provided under this part may not exceed 50 percent of the total cost of the program.

''(B) NON-FEDERAL CONTRIBUTION.—In providing for the remaining share of the cost of carrying out such a program, each recipient of a grant or contract under this part—

''(i) shall provide for such share through a payment in cash or in kind, fairly evaluated, including facilities, equipment, or services; and

''(ii) may provide for such share through State sources or local sources, including private funds or donated services.

''(2) WAIVER.—The Chief Executive Officer may waive the requirements of paragraph (1) in whole or in part with respect to any such program for any fiscal year if the Corporation determines that such a waiver would be equitable due to a lack of available financial resources at the local level.

''(d) APPLICATION FOR GRANT.—

''(1) SUBMISSION.—To receive a grant or enter into a contract under this part, an institution or partnership shall prepare and submit to the Corporation, an application at such time, in such manner, and containing such information and assurances as the Corporation may reasonably require, and obtain approval of the application. In requesting applications for assistance under this part, the Corporation shall specify such required information and assurances.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain, at a minimum—

''(A) assurances that—

''(i) prior to the placement of a participant, the applicant will consult with the appropriate local labor organization, if any, representing employees in the area who are engaged in the same or similar work as that proposed to be carried out by such program, to prevent the displacement and protect the rights of such employees; and

''(ii) the applicant will comply with the nonduplication and nondisplacement provisions of section 177 and the notice, hearing, and grievance procedures required by section 176; and

''(B) such other assurances as the Chief Executive Officer may reasonably require.

''(e) SPECIAL CONSIDERATION.—To the extent practicable, in making grants and entering into contracts under subsection (b), the Corporation shall give special consideration to applications submitted by, or applications from partnerships including, institutions serving primarily low-income populations, including—

''(1) Alaska Native-serving institutions;

''(2) Asian American and Native American Pacific Islander-serving institutions;

''(3) Hispanic-serving institutions;

''(4) historically black colleges and universities;

''(5) Native American-serving, nontribal institutions;

''(6) Native Hawaiian-serving institutions;

''(7) Predominantly Black Institutions;

''(8) tribally controlled colleges and universities; and

''(9) community colleges serving predominantly minority populations.

''(f) CONSIDERATIONS.—In making grants and entering into contracts under subsection (b), the Corporation shall take into consideration whether the applicants submit applications containing proposals that—

''(1) demonstrate the commitment of the institution of higher education involved, other than by demonstrating the commitment of the students, to supporting the community service projects carried out under the program;

''(2) specify the manner in which the institution will promote faculty, administration, and staff participation in the community service projects;

''(3) specify the manner in which the institution will provide service to the community through organized programs, including, where appropriate, clinical programs for students in professional schools and colleges;

''(4) describe any partnership that will participate in the community service projects, such as a partnership comprised of—

''(A) the institution;

''(B)(i) a community-based agency;

''(ii) a local government agency; or

''(iii) a nonprofit entity that serves or involves school-age youth, older adults, or low-income communities; and

''(C)(i) a student organization;

''(ii) a department of the institution; or

''(iii) a group of faculty comprised of different departments, schools, or colleges at the institution;

''(5) demonstrate community involvement in the development of the proposal and the extent to which the proposal will contribute to the goals of the involved community members;

''(6) demonstrate a commitment to perform community service projects in underserved urban and rural communities;

''(7) describe research on effective strategies and methods to improve service utilized in the design of the projects;

''(8) specify that the institution or partnership will use the assistance provided through the grant or contract to strengthen the service infrastructure in institutions of higher education;

''(9) with respect to projects involving delivery of services, specify projects that involve leadership development of school-age youth; or

''(10) describe the needs that the proposed projects are designed to address, such as housing, economic development, infrastructure, health care, job training, education, crime prevention, urban planning, transportation, information technology, or child welfare.

''(g) FEDERAL WORK-STUDY.—To be eligible for assistance under this part, an institution of higher education shall demonstrate that it meets the minimum requirements under section 443(b)(2)(A) of the Higher Education Act of 1965 (42 U.S.C. 2753(b)(2)(A)) relating to the participation of students employed under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) (relating to Federal Work-Study programs) in community service activities, or has received a waiver of those requirements from the Secretary of Education.

''(h) DEFINITION.—Notwithstanding section 101, as used in this part, the term 'student' means an individual who is enrolled in an institution of higher education on a full- or part-time basis.''.

SEC. 1203. CAMPUSES OF SERVICE.

Subtitle B of title I (42 U.S.C. 12521 et seq.) is amended by inserting after section 118 (as redesignated by section 1202) the following:

''SEC. 118A. CAMPUSES OF SERVICE.

''(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, may annually designate not more than 25 institutions of higher education as Campuses of Service, from among institutions nominated by State Commissions.

''(b) APPLICATIONS FOR NOMINATION.—

''(1) IN GENERAL.—To be eligible for a nomination to receive designation under subsection (a), and have an opportunity to apply for funds under subsection (d) for a fiscal year, an institution of higher education in a State shall submit an application to the State Commission at such time, in such manner, and containing such information as the State Commission may require.

''(2) CONTENTS.—At a minimum, the application shall include information specifying—

''(A)(i) the number of undergraduate and, if applicable, graduate service-learning courses offered at such institution for the most recent full academic year preceding the fiscal year for which designation is sought; and

''(ii) the number and percentage of undergraduate students and, if applicable, the number and percentage of graduate students at such institution who were enrolled in the corresponding courses described in clause (i), for such preceding academic year;

''(B) the percentage of undergraduate students engaging in and, if applicable, the percentage of graduate students engaging in activities providing community services, as defined in section 441(c) of the Higher Education Act of 1965 (42 U.S.C. 2751(c)), during such preceding academic year, the quality of such activities, and the average amount of time spent, per student, engaged in such activities;

''(C) for such preceding academic year, the percentage of Federal work-study funds made available to the institution under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) that is used to compensate students employed in providing community services, as so defined, and a description of the efforts the institution undertakes to make available to students opportunities to provide such community services and be compensated through such work-study funds;

''(D) at the discretion of the institution, information demonstrating the degree to which recent graduates of the institution, and all graduates of the institution, have obtained full-time public service employment in the nonprofit sector or government, with a private nonprofit organization or a Federal, State, or local public agency; and

''(E) any programs the institution has in place to encourage or assist graduates of the institution to pursue careers in public service in the nonprofit sector or government.

''(c) NOMINATIONS AND DESIGNATION.—

''(1) NOMINATION.—

''(A) IN GENERAL.—A State Commission that receives applications from institutions of higher education under subsection (b) may nominate, for designation under subsection (a), not more than 3 such institutions of higher education, consisting of—

''(i) not more than one 4-year public institution of higher education;

''(ii) not more than one 4-year private institution of higher education; and

''(iii) not more than one 2-year institution of higher education.

''(B) SUBMISSION.—The State Commission shall submit to the Corporation the name and application of each institution nominated by the State Commission under subparagraph (A).

''(2) DESIGNATION.—The Corporation shall designate, under subsection (a), not more than 25 institutions of higher education from among the institutions nominated under paragraph (1). In making the designations, the Corporation shall, if feasible, designate various types of institutions, including institutions from each of the categories of institutions described in clauses (i), (ii), and (iii) of paragraph (1)(A).

''(d) AWARDS.—

''(1) IN GENERAL.—Using sums reserved under section 501(a)(1)(C) for Campuses of Service, the Corporation shall provide an award of funds to institutions designated under subsection (c), to be used by the institutions to develop or disseminate service-learning models and information on best practices regarding service-learning to other institutions of higher education.

''(2) PLAN.—To be eligible to receive funds under this subsection, an institution designated under subsection (c) shall submit a plan to the Corporation describing how the institution intends to use the funds to develop or disseminate service-learning models and information on best practices regarding service-learning to other institutions of higher education.

''(3) ALLOCATION.—The Corporation shall determine how the funds reserved under section 501(a)(1)(C) for Campuses of Service for a fiscal year will be allocated among the institutions submitting acceptable plans under paragraph (2). In determining the amount of funds to be allocated to such an institution, the Corporation shall consider the number of students at the institution, the quality and scope of the plan submitted by the institution under paragraph (2), and the institution's current (as of the date of submission of the plan) strategies to encourage or assist students to pursue public service careers in the nonprofit sector or government.''.

SEC. 1204. INNOVATIVE PROGRAMS AND RESEARCH.

Subtitle B of title I (42 U.S.C. 12521 et seq.), as amended by section 1203, is further amended by adding at the end the following:

''PART III—INNOVATIVE AND COMMUNITY-BASED SERVICE–LEARNING PROGRAMS AND RESEARCH

''SEC. 119. INNOVATIVE AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS AND RESEARCH.

''(a) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a State educational agency, a State Commission, a territory, an Indian tribe, an institution of higher education, or a public or private nonprofit organization (including community-based entities), a public or private elementary school or secondary school, a local educational agency, a consortium of such entities, or a consortium of 2 or more such entities and a for-profit organization.

''(2) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that—

''(A) shall include—

''(i) 1 or more community-based entities that have demonstrated records of success in carrying out service-learning programs with economically disadvantaged students, and that meet such criteria as the Chief Executive Officer may establish; and

''(ii) a local educational agency for which—

''(I) a high number or percentage, as determined by the Corporation, of the students served by the agency are economically disadvantaged students; and

''(II) the graduation rate (as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education for the secondary school students served by the agency is less than 70 percent; and

''(B) may also include—

''(i) a local government agency that is not described in subparagraph (A);

''(ii) the office of the chief executive officer of a unit of general local government;

''(iii) an institution of higher education;

''(iv) a State Commission or State educational agency; or

''(v) more than 1 local educational agency described in subclause (I).

''(3) YOUTH ENGAGEMENT ZONE.—The term 'youth engagement zone' means the area in which a youth engagement zone program is carried out.

''(4) YOUTH ENGAGEMENT ZONE PROGRAM.—The term 'youth engagement zone program' means a service-learning program in which members of an eligible partnership collaborate to provide coordinated school-based or community-based service-learning opportunities—

''(A) in order to address a specific community challenge;

''(B) for an increasing percentage of out-of-school youth and secondary school students served by a local educational agency; and

''(C) in circumstances under which—

''(i) not less than 90 percent of such students participate in service-learning activities as part of the program; or

''(ii) service-learning is a part of the curriculum in all of the secondary schools served by the local educational agency.

''(b) GENERAL AUTHORITY.—From the amounts appropriated to carry out this part for a fiscal year, the Corporation may make grants (which may include approved summer of service positions in the case of a grant for a program described in subsection (c)(8)) and fixed-amount grants (in accordance with section 129(l)) to eligible entities or eligible partnerships, as appropriate, for programs and activities described in subsection (c).

''(c) AUTHORIZED ACTIVITIES.—Funds under this part may be used to—

''(1) integrate service-learning programs into the science, technology, engineering, and mathematics (referred to in this part as 'STEM') curricula at the elementary, secondary, postsecondary, or postbaccalaureate levels in coordination with practicing or retired STEM professionals;

''(2) involve students in service-learning programs focusing on energy conservation in their community, including conducting educational outreach on energy conservation and working to improve energy efficiency in low-income housing and in public spaces;

''(3) involve students in service-learning programs in emergency and disaster preparedness;

''(4) involve students in service-learning programs aimed at improving access to and obtaining the benefits from computers and other emerging technologies, including improving such access for individuals with disabilities, in low-income or rural communities, in senior centers

and communities, in schools, in libraries, and in other public spaces;

''(5) involve high school age youth in the mentoring of middle school youth while involving all participants in service-learning to seek to meet unmet human, educational, environmental, public safety, or emergency and disaster preparedness needs in their community;

''(6) conduct research and evaluations on service-learning, including service-learning in middle schools, and disseminate such research and evaluations widely;

''(7) conduct innovative and creative activities as described in section 112(a);

''(8) establish or implement summer of service programs (giving priority to programs that enroll youth who will be enrolled in any of grades 6 through 9 at the end of the summer concerned) during the summer months (including recruiting, training, and placing service-learning coordinators)—

''(A) for youth who will be enrolled in any of grades 6 through 12 at the end of the summer concerned; and

''(B) for community-based service-learning projects—

''(i) that shall—

''(I) meet unmet human, educational, environmental (including energy conservation and stewardship), and emergency and disaster preparedness and other public safety needs; and

''(II) be intensive, structured, supervised, and designed to produce identifiable improvements to the community;

''(ii) that may include the extension of academic year service-learning programs into the summer months; and

''(iii) under which a student who completes 100 hours of service as described in section 146(b)(2), shall be eligible for a summer of service educational award of $500 or $750 as described in sections 146(a)(2)(C) and 147(d);

''(9) establish or implement youth engagement zone programs in youth engagement zones, for students in secondary schools served by local educational agencies for which a majority of such students do not participate in service-learning activities that are—

''(A) carried out by eligible partnerships; and

''(B) designed to—

''(i) involve all students in secondary schools served by the local educational agency in service-learning to address a specific community challenge;

''(ii) improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates at secondary schools; and

''(iii) involve an increasing percentage of students in secondary school and out-of-school youth in the community in school-based or community-based service-learning activities each year, with the goal of involving all students in secondary schools served by the local educational agency and involving an increasing percentage of the out-of-school youth in service-learning activities; and

''(10) conduct semester of service programs that—

''(A) provide opportunities for secondary school students to participate in a semester of coordinated school-based or community-based service-learning opportunities for a minimum of 70 hours (of which at least a third will be spent participating in field-based activities) over a semester, to address specific community challenges;

''(B) engage as participants high percentages or numbers of economically disadvantaged students;

''(C) allow participants to receive academic credit, for the time spent in the classroom and in the field for the program, that is equivalent to the academic credit for any class of equivalent length and with an equivalent time commitment; and

''(D) ensure that the classroom-based instruction component of the program is integrated into the academic program of the local educational agency involved; and

''(11) carry out any other innovative service-learning programs or research that the Corporation considers appropriate.

''(d) APPLICATIONS.—To be eligible to receive a grant to carry out a program or activity under this part, an entity or partnership, as appropriate, shall prepare and submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require, and obtain approval of the application.

''(e) PRIORITY.—In making grants under this part, the Corporation shall give priority to applicants proposing to—

''(1) involve students and community stakeholders in the design and implementation of service-learning programs carried out using funds received under this part;

''(2) implement service-learning programs in low-income or rural communities; and

''(3) utilize adult volunteers, including tapping the resources of retired and retiring adults, in the planning and implementation of service-learning programs.

''(f) REQUIREMENTS.—

''(1) TERM.—Each program or activity funded under this part shall be carried out over a period of 3 years, which may include 1 planning year. In the case of a program funded under this part, the 3-year period may be extended by 1 year, if the program meets performance levels established in accordance with section 179(k) and any other criteria determined by the Corporation.

''(2) COLLABORATION ENCOURAGED.—Each entity carrying out a program or activity funded under this part shall, to the extent practicable, collaborate with entities carrying out programs under this subtitle, subtitle C, and titles I and II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001 et seq.).

''(3) EVALUATION.—Not later than 4 years after the effective date of the Serve America Act, the Corporation shall conduct an independent evaluation of the programs and activities carried out using funds made available under this part, and determine best practices relating to service-learning and recommendations for improvement of those programs and activities. The Corporation shall widely disseminate the results of the evaluations, and information on the best practices and recommendations to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.''.

SEC. 1205. SERVICE-LEARNING IMPACT STUDY.

Subtitle B of title I (42 U.S.C. 12521 et seq.), as amended by section 1204, is further amended by adding at the end the following:

''PART IV—SERVICE-LEARNING IMPACT STUDY

''SEC. 120. STUDY AND REPORT.

''(a) STUDY.—

''(1) IN GENERAL.—From the sums reserved under section 501(a)(1)(B) for this section, the Corporation shall enter into a contract with an entity that is not otherwise a recipient of financial assistance under this subtitle, to conduct a 10-year longitudinal study on the impact of the activities carried out under this subtitle.

''(2) CONTENTS.—In conducting the study, the entity shall consider the impact of service-learning activities carried out under this subtitle on students participating in such activities, including in particular examining the degree to which the activities—

''(A) improved student academic achievement;

''(B) improved student engagement;

''(C) improved graduation rates, as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education; and

''(D) improved the degree to which the participants in the activities engaged in subsequent national service, volunteering, or other service activities, or pursued careers in public service, in the nonprofit sector or government.

''(3) ANALYSIS.—In carrying out such study, the entity shall examine the impact of the service-learning activities on the 4 factors described in subparagraphs (A) through (D) of paragraph (2), analyzed in terms of how much time participants were engaged in service-learning activities.

''(4) BEST PRACTICES.—The entity shall collect information on best practices concerning using service-learning activities to improve the 4 factors.

''(b) INTERIM REPORTS.—The entity shall periodically submit reports to the Corporation containing the interim results of the study and the information on best practices. The Corporation shall submit such reports to the authorizing committees.

''(c) FINAL REPORT.—The entity shall submit a report to the Corporation containing the results of the study and the information on best practices. The Corporation shall submit such report to the authorizing committees, and shall make such report available to the public on the Corporation's website.

''(d) CONSULTATION AND DISSEMINATION.—On receiving the report described in subsection (c), the Corporation shall consult with the Secretary of Education to review the results of the study, and to identify best practices concerning using service-learning activities to improve the 4 factors described in subparagraphs (A) through (D) of subsection (a)(2). The Corporation shall disseminate information on the identified best practices.''.

Subtitle C—Amendments to Subtitle C (National Service Trust Program)

SEC. 1301. PROHIBITION ON GRANTS TO FEDERAL AGENCIES; LIMITS ON CORPORATION COSTS.

Section 121 (42 U.S.C. 12571) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting after ''subdivisions of States,'' the following: ''territories,''; and

(B) in paragraphs (1) and (2), by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122'';

(2) in subsection (b)—

(A) in the heading, by striking ''AGREEMENTS WITH FEDERAL AGENCIES'' and inserting ''RESTRICTIONS ON AGREEMENTS WITH FEDERAL AGENCIES'';

(B) by striking paragraph (1) and inserting the following:

''(1) AGREEMENTS AUTHORIZED.—The Corporation may enter into an interagency agreement (other than a grant agreement) with another Federal agency to support a national service program carried out or otherwise supported by the agency. The Corporation, in entering into the interagency agreement may approve positions as approved national service positions for a program carried out or otherwise supported by the agency.'';

(C) by striking paragraph (2) and inserting the following:

''(2) PROHIBITION ON GRANTS.—The Corporation may not provide a grant under this section to a Federal agency.'';

(D) in paragraph (3)—

(i) by striking ''receiving assistance under this subsection'' and inserting ''carrying out or supporting a national service program''; and

(ii) by striking ''using such assistance'' and inserting ''through that program'';

(E) in paragraph (4), by striking ''a contract or cooperative agreement'' the first place it appears and inserting ''an interagency agreement''; and

(F) by adding at the end the following:

''(5) APPLICATION OF REQUIREMENTS.—A requirement under this Act that applies to an entity receiving assistance under section 121 (other than a requirement limited to an entity receiving assistance under section 121(a)) shall be

considered to apply to a Federal agency that enters into an interagency agreement under this subsection, even though no Federal agency may receive financial assistance under such an agreement.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''subsections (a) and (b),'' and inserting ''subsection (a), and in providing approved national service positions under subsection (b),''; and

(B) in paragraph (2)(B), by striking ''to be provided'' and inserting ''to be provided or otherwise approved'';

(4) in paragraphs (1) and (2) of subsection (d), by striking ''or (b)'';

(5) in subsection (e)—

(A) in paragraph (1), by striking ''Federal share of the cost'' and inserting ''Corporation share of the cost (including the costs of member living allowances, employment-related taxes, health care coverage, and workers' compensation and other necessary operation costs)''; and

(B) by adding at the end the following:

''(5) OTHER FEDERAL FUNDS.—

''(A) RECIPIENT REPORT.—A recipient of assistance under this section (other than a recipient of assistance through a fixed-amount grant in accordance with section 129(l)) shall report to the Corporation the amount and source of any Federal funds used to carry out the program for which the assistance is made available other than those provided by the Corporation.

''(B) CORPORATION REPORT.—The Corporation shall report to the authorizing committees on an annual basis information regarding each recipient of such assistance that uses Federal funds other than those provided by the Corporation to carry out such a program, including the amounts and sources of the other Federal funds.''; and

(6) by adding at the end the following:

''(f) PLAN FOR APPROVED NATIONAL SERVICE POSITIONS.—The Corporation shall—

''(1) develop a plan to—

''(A) establish the number of the approved national service positions as 88,000 for fiscal year 2010;

''(B) increase the number of the approved positions to—

''(i) 115,000 for fiscal year 2011;

''(ii) 140,000 for fiscal year 2012;

''(iii) 170,000 for fiscal year 2013;

''(iv) 200,000 for fiscal year 2014;

''(v) 210,000 for fiscal year 2015;

''(vi) 235,000 for fiscal year 2016; and

''(vii) 250,000 for fiscal year 2017;

''(C) ensure that the increases described in subparagraph (B) are achieved through an appropriate balance of full- and part-time service positions;

''(2) not later than 1 year after the date of enactment of the Serve America Act, submit a report to the authorizing committees on the status of the plan described in paragraph (1); and

''(3) subject to the availability of appropriations and quality service opportunities, implement the plan described in paragraph (1).''.

SEC. 1302. ELIGIBLE NATIONAL SERVICE PROGRAMS.

Section 122 is amended to read as follows:

''SEC. 122. NATIONAL SERVICE PROGRAMS ELIGIBLE FOR PROGRAM ASSISTANCE.

''(a) NATIONAL SERVICE CORPS.—The recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) shall use a portion of the financial assistance or positions involved, directly or through subgrants to other entities, to support or carry out the following national service corps or programs, as full- or part-time corps or programs, to address unmet needs:

''(1) EDUCATION CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through an Education Corps that identifies and meets unmet educational needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—An Education Corps described in this paragraph may carry out activities such as—

''(i) tutoring, or providing other academic support to elementary school and secondary school students;

''(ii) improving school climate;

''(iii) mentoring students, including adult or peer mentoring;

''(iv) linking needed integrated services and comprehensive supports with students, their families, and their public schools;

''(v) providing assistance to a school in expanding the school day by strengthening the quality of staff and expanding the academic programming offered in an expanded learning time initiative, a program of a 21st century community learning center (as defined in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171)), or a high-quality after-school program;

''(vi) assisting schools and local educational agencies in improving and expanding high-quality service-learning programs that keep students engaged in schools by carrying out programs that provide specialized training to individuals in service-learning, and place the individuals (after such training) in positions as service-learning coordinators, to facilitate service-learning in programs eligible for funding under part I of subtitle B;

''(vii) assisting students in being prepared for college-level work;

''(viii) involving family members of students in supporting teachers and students;

''(ix) conducting a preprofessional training program in which students enrolled in an institution of higher education—

''(I) receive training (which may include classes containing service-learning) in specified fields including early childhood education and care, elementary and secondary education, and other fields such as those relating to health services, criminal justice, environmental stewardship and conservation, or public safety;

''(II) perform service related to such training outside the classroom during the school term and during summer or other vacation periods; and

''(III) agree to provide service upon graduation to meet unmet human, educational, environmental, or public safety needs related to such training;

''(x) assisting economically disadvantaged students in navigating the college admissions process;

''(xi) providing other activities, addressing unmet educational needs, that the Corporation may designate; or

''(xii) providing skilled musicians and artists to promote greater community unity through the use of music and arts education and engagement through work in low-income communities, and education, health care, and therapeutic settings, and other work in the public domain with citizens of all ages.

''(C) EDUCATION CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) student engagement, including student attendance and student behavior;

''(ii) student academic achievement;

''(iii) secondary school graduation rates as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)) and as clarified in applicable regulations promulgated by the Department of Education;

''(iv) rate of college enrollment and continued college enrollment for recipients of a high school diploma;

''(v) any additional indicator relating to improving education for students that the Corporation, in consultation (as appropriate) with the Secretary of Education, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to improving education for students, that is approved by the Corporation or a State Commission.

''(2) HEALTHY FUTURES CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through a Healthy Futures Corps that identifies and meets unmet health needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Healthy Futures Corps described in this paragraph may carry out activities such as—

''(i) assisting economically disadvantaged individuals in navigating the health services system;

''(ii) assisting individuals in obtaining access to health services, including oral health services, for themselves or their children;

''(iii) educating economically disadvantaged individuals and individuals who are members of medically underserved populations about, and engaging individuals described in this clause in, initiatives regarding navigating the health services system and regarding disease prevention and health promotion, with a particular focus on common health conditions, chronic diseases, and conditions, for which disease prevention and health promotion measures exist and for which socioeconomic, geographic, and racial and ethnic health disparities exist;

''(iv) improving the literacy of patients regarding health, including oral health;

''(v) providing translation services at clinics and in emergency rooms to improve health services;

''(vi) providing services designed to meet the health needs of rural communities, including the recruitment of youth to work in health professions in such communities;

''(vii) assisting in health promotion interventions that improve health status, and helping people adopt and maintain healthy lifestyles and habits to improve health status;

''(viii) addressing childhood obesity through in-school and after-school physical activities, and providing nutrition education to students, in elementary schools and secondary schools; or

''(ix) providing activities, addressing unmet health needs, that the Corporation may designate.

''(C) HEALTHY FUTURES CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) access to health services among economically disadvantaged individuals and individuals who are members of medically underserved populations;

''(ii) access to health services for uninsured individuals, including such individuals who are economically disadvantaged children;

''(iii) participation, among economically disadvantaged individuals and individuals who are members of medically underserved populations, in disease prevention and health promotion initiatives, particularly those with a focus on addressing common health conditions, addressing chronic diseases, and decreasing health disparities;

''(iv) literacy of patients regarding health;

''(v) any additional indicator, relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that the Corporation, in consultation (as appropriate) with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating

to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that is approved by the Corporation or a State Commission.

''(3) CLEAN ENERGY SERVICE CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service projects through a Clean Energy Service Corps that identifies and meets unmet environmental needs within communities through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Clean Energy Service Corps described in this paragraph may carry out activities such as—

''(i) weatherizing and retrofitting housing units for low-income households to significantly improve the energy efficiency and reduce carbon emissions of such housing units;

''(ii) building energy-efficient housing units in low-income communities;

''(iii) conducting energy audits for low-income households and recommending ways for the households to improve energy efficiency;

''(iv) providing clean energy-related services designed to meet the needs of rural communities;

''(v) working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment, including conducting service-learning projects to provide such education;

''(vi) assisting in the development of local recycling programs;

''(vii) renewing and rehabilitating national and State parks and forests, city parks, county parks and other public lands, and trails owned or maintained by the Federal Government or a State, including planting trees, carrying out reforestation, carrying out forest health restoration measures, carrying out erosion control measures, fire hazard reduction measures, and rehabilitation and maintenance of historic sites and structures throughout the national park system, and providing trail enhancements, rehabilitation, and repairs;

''(viii) cleaning and improving rivers maintained by the Federal Government or a State;

''(ix) carrying out projects in partnership with the National Park Service, designed to renew and rehabilitate national park resources and enhance services and learning opportunities for national park visitors, and nearby communities and schools;

''(x) providing service through a full-time, year-round youth corps program or full-time summer youth corps program, such as a conservation corps or youth service corps program that—

''(I) undertakes meaningful service projects with visible public benefits, including projects involving urban renewal, sustaining natural resources, or improving human services;

''(II) includes as participants youths and young adults who are age 16 through 25, including out-of-school youth and other disadvantaged youth (such as youth who are aging out of foster care, youth who have limited English proficiency, homeless youth, and youth who are individuals with disabilities), who are age 16 through 25; and

''(III) provides those participants who are youth and young adults with—

''(aa) team-based, highly structured, and adult-supervised work experience, life skills, education, career guidance and counseling, employment training, and support services including mentoring; and

''(bb) the opportunity to develop citizenship values and skills through service to their community and the United States;

''(xi) carrying out other activities, addressing unmet environmental and workforce needs, that the Corporation may designate.

''(C) CLEAN ENERGY SERVICE CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the number of housing units of low-income households weatherized or retrofitted to significantly improve energy efficiency and reduce carbon emissions;

''(ii) annual energy costs (to determine savings in those costs) at facilities where participants have provided service;

''(iii) the number of students and youth receiving education or training in energy-efficient and environmentally conscious practices;

''(iv)(I) the number of acres of national parks, State parks, city parks, county parks, or other public lands, that are cleaned or improved; and

''(II) the number of acres of forest preserves, or miles of trails or rivers, owned or maintained by the Federal Government or a State, that are cleaned or improved;

''(v) any additional indicator relating to clean energy, the reduction of greenhouse gas emissions, or education and skill attainment for clean energy jobs, that the Corporation, in consultation (as appropriate) with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, or the Secretary of Labor, as appropriate, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to clean energy, the reduction of greenhouse gas emissions, or education or skill attainment for clean energy jobs, that is approved by the Corporation or a State Commission.

''(4) VETERANS CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through a Veterans Corps that identifies and meets unmet needs of veterans and members of the Armed Forces who are on active duty through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—A Veterans Corps described in this paragraph may carry out activities such as—

''(i) promoting community-based efforts to meet the unique needs of military families while a family member is deployed and upon that family member's return home;

''(ii) recruiting veterans, particularly returning veterans, into service opportunities, including opportunities that utilize their military experience;

''(iii) assisting veterans in developing their educational opportunities (including opportunities for professional certification, licensure, or credentials), coordinating activities with and assisting State and local agencies administering veterans education benefits, and coordinating activities with and assisting entities administering veterans programs with internships and fellowships that could lead to employment in the private and public sectors;

''(iv) promoting efforts within a community to serve the needs of veterans and members of the Armed Forces who are on active duty, including helping veterans file benefits claims and assisting Federal agencies in providing services to veterans, and sending care packages to Members of the Armed Forces who are deployed;

''(v) assisting veterans in developing mentoring relationships with economically disadvantaged students;

''(vi) developing projects to assist veterans with disabilities, veterans who are unemployed, older veterans, and veterans in rural communities, including assisting veterans described in this clause with transportation; or

''(vii) other activities, addressing unmet needs of veterans, that the Corporation may designate.

''(C) VETERANS' CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the number of housing units created for veterans;

''(ii) the number of veterans who pursue educational opportunities;

''(iii) the number of veterans receiving professional certification, licensure, or credentials;

''(iv) the number of veterans engaged in service opportunities;

''(v) the number of military families assisted by organizations while a family member is deployed and upon that family member's return home;

''(vi) the number of economically disadvantaged students engaged in mentoring relationships with veterans;

''(vii) the number of projects designed to meet identifiable public needs of veterans, especially veterans with disabilities, veterans who are unemployed, older veterans, and veterans in rural communities;

''(viii) any additional indicator that relates to education or skill attainment that assists in providing veterans with the skills to address identifiable public needs, or that relates to improving the lives of veterans, of members of the Armed Forces on active duty, and of families of the veterans and the members on active duty, and that the Corporation, in consultation (as appropriate) with the Secretary of Veterans Affairs, establishes; or

''(ix) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) relating to the education or skill attainment, or the improvement, described in clause (viii), that is approved by the Corporation or a State Commission.

''(5) OPPORTUNITY CORPS.—

''(A) IN GENERAL.—The recipient may carry out national service programs through an Opportunity Corps that identifies and meets unmet needs relating to economic opportunity for economically disadvantaged individuals within communities, through activities such as those described in subparagraph (B) and improves performance on the indicators described in subparagraph (C).

''(B) ACTIVITIES.—An Opportunity Corps described in this paragraph may carry out activities such as—

''(i) providing financial literacy education to economically disadvantaged individuals, including financial literacy education with regard to credit management, financial institutions including banks and credit unions, and utilization of savings plans;

''(ii) assisting in the construction, rehabilitation, or preservation of housing units, including energy efficient homes, for economically disadvantaged individuals;

''(iii) assisting economically disadvantaged individuals, including homeless individuals, in finding placement in and maintaining housing;

''(iv) assisting economically disadvantaged individuals in obtaining access to health services for themselves or their children;

''(v) assisting individuals in obtaining information about Federal, State, local, or private programs or benefits focused on assisting economically disadvantaged individuals, economically disadvantaged children, or low-income families;

''(vi) facilitating enrollment in and completion of job training for economically disadvantaged individuals;

''(vii) assisting economically disadvantaged individuals in obtaining access to job placement assistance;

''(viii) carrying out a program that seeks to eliminate hunger in low-income communities and rural areas through service in projects—

''(I) involving food banks, food pantries, and nonprofit organizations that provide food during emergencies;

''(II) seeking to address the long-term causes of hunger through education and the delivery of appropriate services;

''(III) providing training in basic health, nutrition, and life skills necessary to alleviate hunger in communities and rural areas; or

''(IV) assisting individuals in obtaining information about federally supported nutrition programs;

''(ix) addressing issues faced by homebound citizens, such as needs for food deliveries, legal

and medical services, nutrition information, and transportation;

''(x) implementing an E–Corps program that involves participants who provide services in a community by developing and assisting in carrying out technology programs that seek to increase access to technology and the benefits of technology in such community; and

''(xi) carrying out other activities, addressing unmet needs relating to economic opportunity for economically disadvantaged individuals, that the Corporation may designate.

''(C) OPPORTUNITY CORPS INDICATORS.—The indicators for a corps program described in this paragraph are—

''(i) the degree of financial literacy among economically disadvantaged individuals;

''(ii) the number of housing units built or improved for economically disadvantaged individuals or low-income families;

''(iii) the number of economically disadvantaged individuals with access to job training and other skill enhancement;

''(iv) the number of economically disadvantaged individuals with access to information about job placement services;

''(v) any additional indicator relating to improving economic opportunity for economically disadvantaged individuals that the Corporation, in consultation (as appropriate) with the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Secretary of the Treasury, establishes; or

''(vi) any additional local indicator (applicable to a particular recipient and on which an improvement in performance is needed) that is approved by the Corporation or a State Commission.

''(b) NATIONAL SERVICE PROGRAMS.—

''(1) IN GENERAL.—The recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may use the financial assistance or positions involved, directly or through subgrants to other entities, to carry out national service programs and model programs under this subsection that are focused on meeting community needs and improve performance on the indicators described in paragraph (3).

''(2) PROGRAMS.—The programs may include the following types of national service programs:

''(A) A community service program designed to meet the needs of rural communities, using teams or individual placements to address the development needs of rural communities, including addressing rural poverty, or the need for health services, education, or job training.

''(B) A program—

''(i) that engages participants in public health, emergency and disaster preparedness, and other public safety activities;

''(ii) that may include the recruitment of qualified participants for, and placement of the participants in, positions to be trainees as law enforcement officers, firefighters, search and rescue personnel, and emergency medical service workers; and

''(iii) that may engage Federal, State, and local stakeholders, in collaboration, to organize more effective responses to issues of public health, emergencies and disasters, and other public safety issues.

''(C) A program that seeks to expand the number of mentors for disadvantaged youths and other youths (including by recruiting high school-, and college-age individuals to enter into mentoring relationships), either through—

''(i) provision of direct mentoring services;

''(ii) provision of supportive services to direct mentoring service organizations (in the case of a partnership);

''(iii) the creative utilization of current and emerging technologies to connect youth with mentors; or

''(iv) supporting mentoring partnerships (including statewide and local mentoring partnerships that strengthen direct service mentoring programs) by—

''(I) increasing State resources dedicated to mentoring;

''(II) supporting the creation of statewide and local mentoring partnerships and programs of national scope through collaborative efforts between entities such as local or direct service mentoring partnerships, or units of State or local government; and

''(III) assisting direct service mentoring programs.

''(D) A program—

''(i) in which not less than 75 percent of the participants are disadvantaged youth;

''(ii) that may provide life skills training, employment training, educational counseling, assistance to complete a secondary school diploma or its recognized equivalent, counseling, or a mentoring relationship with an adult volunteer; and

''(iii) for which, in awarding financial assistance and approved national service positions, the Corporation shall give priority to programs that engage retirees to serve as mentors.

''(E) A program—

''(i) that reengages court-involved youth and adults with the goal of reducing recidivism;

''(ii) that may create support systems beginning in correctional facilities; and

''(iii) that may have life skills training, employment training, an education program (including a program to complete a secondary school diploma or its recognized equivalent), educational and career counseling, and post-program placement services.

''(F) A demonstration program—

''(i) that has as 1 of its primary purposes the recruitment and acceptance of court-involved youth and adults as participants, volunteers, or members; and

''(ii) that may serve any purpose otherwise permitted under this Act.

''(G) A program that provides education or job training services that are designed to meet the needs of rural communities.

''(H) A program that seeks to expand the number of mentors for youth in foster care through—

''(i) the provision of direct academic mentoring services for youth in foster care;

''(ii) the provision of supportive services to mentoring service organizations that directly provide mentoring to youth in foster care, including providing training of mentors in child development, domestic violence, foster care, confidentiality requirements, and other matters related to working with youth in foster care; or

''(iii) supporting foster care mentoring partnerships, including statewide and local mentoring partnerships that strengthen direct service mentoring programs.

''(I) Such other national service programs addressing unmet human, educational, environmental, or public safety needs as the Corporation may designate.

''(3) INDICATORS.—The indicators for a program described in this subsection are the indicators described in subparagraph (C) of paragraphs (1), (2), (3), (4), or (5) of subsection (a) or any additional local indicator (applicable to a participant or recipient and on which an improvement in performance is needed) relating to meeting unmet community needs, that is approved by the Corporation or a State Commission.

''(c) PROGRAM MODELS FOR SERVICE CORPS.—

''(1) IN GENERAL.—In addition to any activities described in subparagraph (B) of paragraphs (1) through (5) of subsection (a), and subsection (b)(2), a recipient of a grant under section 121(a) and a Federal agency operating or supporting a national service program under section 121(b) may directly or through grants or subgrants to other entities carry out a national service corps program through the following program models:

''(A) A community corps program that meets unmet health, veteran, and other human, educational, environmental, or public safety needs and promotes greater community unity through the use of organized teams of participants of varied social and economic backgrounds, skill levels, physical and developmental capabilities, ages, ethnic backgrounds, or genders.

''(B) A service program that—

''(i) recruits individuals with special skills or provides specialized preservice training to enable participants to be placed individually or in teams in positions in which the participants can meet such unmet needs; and

''(ii) if consistent with the purposes of the program, brings participants together for additional training and other activities designed to foster civic responsibility, increase the skills of participants, and improve the quality of the service provided.

''(C) A campus-based program that is designed to provide substantial service in a community during the school term and during summer or other vacation periods through the use of—

''(i) students who are attending an institution of higher education, including students participating in a work-study program assisted under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.);

''(ii) teams composed of students described in clause (i); or

''(iii) teams composed of a combination of such students and community residents.

''(D) A professional corps program that recruits and places qualified participants in positions—

''(i) as teachers, nurses and other health care providers, police officers, early childhood development staff, engineers, or other professionals providing service to meet human, educational, environmental, or public safety needs in communities with an inadequate number of such professionals;

''(ii) for which the salary may exceed the maximum living allowance authorized in subsection (a)(2) of section 140, as provided in subsection (c) of such section; and

''(iii) that are sponsored by public or private employers who agree to pay 100 percent of the salaries and benefits (other than any national service educational award under subtitle D) of the participants.

''(E) A program that provides opportunities for veterans to participate in service projects.

''(F) A program carried out by an intermediary that builds the capacity of local nonprofit and faith-based organizations to expand and enhance services to meet local or national needs.

''(G) Such other program models as may be approved by the Corporation or a State Commission, as appropriate.

''(2) PROGRAM MODELS WITHIN CORPS.—A recipient of financial assistance or approved national service positions for a corps program described in subsection (a) may use the assistance or positions to carry out the corps program, in whole or in part, using a program model described in this subsection. The corps program shall meet the applicable requirements of subsection (a) and this subsection.

''(d) QUALIFICATION CRITERIA TO DETERMINE ELIGIBILITY.—

''(1) ESTABLISHMENT BY CORPORATION.—The Corporation shall establish qualification criteria for different types of national service programs for the purpose of determining whether a particular national service program should be considered to be a national service program eligible to receive assistance or approved national service positions under this subtitle.

''(2) CONSULTATION.—In establishing qualification criteria under paragraph (1), the Corporation shall consult with organizations and individuals with extensive experience in developing and administering effective national service programs or regarding the delivery of veteran services, and other human, educational, environmental, or public safety services, to communities or persons.

''(3) APPLICATION TO SUBGRANTS.—The qualification criteria established by the Corporation

under paragraph (1) shall also be used by each recipient of assistance under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(4) ENCOURAGEMENT OF INTERGENERATIONAL COMPONENTS OF PROGRAMS.—The Corporation shall encourage national service programs eligible to receive assistance or approved national service positions under this subtitle to establish, if consistent with the purposes of the program, an intergenerational component of the program that combines students, out-of-school youths, disadvantaged youth, and older adults as participants to provide services to address unmet human, educational, environmental, or public safety needs.

''(e) PRIORITIES FOR CERTAIN CORPS.—In awarding financial assistance and approved national service positions to eligible entities proposed to carry out the corps described in subsection (a)—

''(1) in the case of a corps described in subsection (a)(2)—

''(A) the Corporation may give priority to eligible entities that propose to provide support for participants who, after completing service under this section, will undertake careers to improve performance on health indicators described in subsection (a)(2)(C); and

''(B) the Corporation shall give priority to eligible entities that propose to carry out national service programs in medically underserved areas (as designated individually, by the Secretary of Health and Human Services as an area with a shortage of personal health services); and

''(2) in the case of a corps described in subsection (a)(3), the Corporation shall give priority to eligible entities that propose to recruit individuals for the Clean Energy Service Corps so that significant percentages of participants in the Corps are economically disadvantaged individuals, and provide to such individuals support services and education and training to develop skills needed for clean energy jobs for which there is current demand or projected future demand.

''(f) NATIONAL SERVICE PRIORITIES.—

''(1) ESTABLISHMENT.—

''(A) BY CORPORATION.—In order to concentrate national efforts on meeting human, educational, environmental, or public safety needs and to achieve the other purposes of this Act, the Corporation, after reviewing the strategic plan approved under section 192A(g)(1,) shall establish, and may periodically alter, priorities regarding the types of national service programs and corps to be assisted under section 129 and the purposes for which such assistance may be used.

''(B) BY STATES.—Consistent with paragraph (4), States shall establish, and through the national service plan process described in section 178(e)(1), periodically alter priorities as appropriate regarding the national service programs to be assisted under section 129(e). The State priorities shall be subject to Corporation review as part of the application process under section 130.

''(2) NOTICE TO APPLICANTS.—The Corporation shall provide advance notice to potential applicants of any national service priorities to be in effect under this subsection for a fiscal year. The notice shall specifically include—

''(A) a description of any alteration made in the priorities since the previous notice; and

''(B) a description of the national service programs that are designated by the Corporation under section 133(d)(2) as eligible for priority consideration in the next competitive distribution of assistance under section 121(a).

''(3) REGULATIONS.—The Corporation shall by regulation establish procedures to ensure the equitable treatment of national service programs that—

''(A) receive funding under this subtitle for multiple years; and

''(B) would be adversely affected by annual revisions in such national service priorities.

''(4) APPLICATION TO SUBGRANTS.—Any national service priorities established by the Corporation under this subsection shall also be used by each recipient of funds under section 121(a) that uses any portion of the assistance to conduct a grant program to support other national service programs.

''(g) CONSULTATION ON INDICATORS.—The Corporation shall consult with the Secretary of Education, the Secretary of Health and Human Services, the Director of the Centers for Disease Control and Prevention, the Secretary of Energy, the Secretary of Veterans Affairs, the Secretary of the Interior, the Administrator of the Environmental Protection Agency, the Secretary of Labor, the Secretary of Housing and Urban Development, and the Secretary of the Treasury, as appropriate, in developing additional indicators for the corps and programs described in subsections (a) and (b).

''(h) REQUIREMENTS FOR TUTORS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Corporation shall require that each recipient of assistance under the national service laws that operates a tutoring program involving elementary school or secondary school students certifies that individuals serving in approved national service positions as tutors in such program have—

''(A) obtained their high school diplomas; and

''(B) successfully completed pre- and in-service training for tutors.

''(2) EXCEPTION.—The requirements in paragraph (1) do not apply to an individual serving in an approved national service position who is enrolled in an elementary school or secondary school and is providing tutoring services through a structured, school-managed cross-grade tutoring program.

''(i) REQUIREMENTS FOR TUTORING PROGRAMS.—Each tutoring program that receives assistance under the national service laws shall—

''(1) offer a curriculum that is high quality, research-based, and consistent with the State academic content standards required by section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) and the instructional program of the local educational agency; and

''(2) offer high quality, research-based pre- and in-service training for tutors.

''(j) CITIZENSHIP TRAINING.—The Corporation shall establish guidelines for recipients of assistance under the national service laws, that are consistent with the principles on which citizenship programs administered by U.S. Citizenship and Immigration Services are based, relating to the promotion of citizenship and civic engagement among participants in approved national service positions and approved summer of service positions, and appropriate to the age, education, and experience of the participants.

''(k) REPORT.—Not later than 60 days after the end of each fiscal year for which the Corporation makes grants under section 121(a), the Corporation shall prepare and submit to the authorizing committees a report containing—

''(1) information describing how the Corporation allocated financial assistance and approved national service positions among eligible entities proposed to carry out corps and national service programs described in this section for that fiscal year;

''(2) information describing the amount of financial assistance and the number of approved national service positions the Corporation provided to each corps and national service program described in this section for that fiscal year;

''(3) a measure of the extent to which the corps and national service programs improved performance on the corresponding indicators; and

''(4) information describing how the Corporation is coordinating—

''(A) the national service programs funded under this section; with

''(B) applicable programs, as determined by the Corporation, carried out under subtitle B of this title, and part A of title I and parts A and B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001, 5011) that improve performance on those indicators or otherwise address identified community needs.''.

SEC. 1303. TYPES OF POSITIONS.

Section 123 (42 U.S.C. 12573) is amended—

(1) in paragraph (1)—

(A) by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122''; and

(B) by striking ''or (b)'';

(2) in paragraph (2)(A)—

(A) by inserting after ''subdivision of a State,'' the following: ''a territory,''; and

(B) by striking ''Federal agency'' and inserting ''Federal agency (under an interagency agreement described in section 121(b))'';

(3) in paragraph (4), by striking ''section 122(a)(3)'' and inserting ''section 122(a)(1)(B)(vi)'';

(4) in paragraph (5), by inserting ''National'' before ''Civilian Community Corps'';

(5) by redesignating paragraph (7) as paragraph (8); and

(6) by inserting after paragraph (6) the following:

''(7) A position involving service in the ServeAmerica Fellowship program carried out under section 198B.''.

SEC. 1304. CONFORMING REPEAL RELATING TO TRAINING AND TECHNICAL ASSISTANCE.

Section 125 (42 U.S.C. 12575) is repealed.

SEC. 1305. ASSISTANCE TO STATE COMMISSIONS; CHALLENGE GRANTS.

Section 126 (42 U.S.C. 12576) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''$125,000 and $750,000'' and inserting ''$250,000 and $1,000,000''; and

(ii) by striking ''501(a)(4)'' and inserting ''501(a)(5)''; and

(B) by striking paragraph (2) and inserting the following:

''(2) MATCHING REQUIREMENT.—In making a grant to a State under this subsection, the Corporation shall require the State to agree to provide matching funds from non-Federal sources of not less than $1 for every $1 provided by the Corporation through the grant.

''(3) ALTERNATIVE.—Notwithstanding paragraph (2), the Chief Executive Officer may permit a State that demonstrates hardship or a new State Commission to meet alternative matching requirements for such a grant as follows:

''(A) FIRST $100,000.—For the first $100,000 of grant funds provided by the Corporation, the State involved shall not be required to provide matching funds.

''(B) AMOUNTS GREATER THAN $100,000.—For grant amounts of more than $100,000 and not more than $250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than $1 for every $2 provided by the Corporation, in excess of $100,000.

''(C) AMOUNTS GREATER THAN $250,000.—For grant amounts of more than $250,000 provided by the Corporation, the State shall agree to provide matching funds from non-Federal sources of not less than $1 for every $1 provided by the Corporation, in excess of $250,000.'';

(2) by striking subsection (b) and inserting the following:

''(b) DISASTER SERVICE.—The Corporation may undertake activities, including activities carried out through part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), to involve programs that receive assistance under the national service laws in disaster relief efforts, and to support, including through mission assignments under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), nonprofit organizations and public agencies responding to

the needs of communities experiencing disasters.''; and

(3) in subsection (c)—

(A) in paragraph (1), by striking ''to national service programs that receive assistance under section 121'' and inserting ''to programs supported under the national service laws''; and

(B) by striking paragraph (3) and inserting the following:

''(3) AMOUNT OF ASSISTANCE.—A challenge grant under this subsection may provide, for an initial 3-year grant period, not more than $1 of assistance under this subsection for each $1 in cash raised from private sources by the program supported under the national service laws in excess of amounts required to be provided by the program to satisfy matching funds requirements. After an initial 3-year grant period, a grant under this subsection may provide not more than $1 of assistance under this subsection for each $2 in cash raised from private sources by the program in excess of amounts required to be provided by the program to satisfy matching funds requirements. The Corporation may permit the use of local or State funds under this paragraph in lieu of cash raised from private sources if the Corporation determines that such use would be equitable due to a lack of available private funds at the local level. The Corporation shall establish a ceiling on the amount of assistance that may be provided to a national service program under this subsection.''.

SEC. 1306. ALLOCATION OF ASSISTANCE TO STATES AND OTHER ELIGIBLE ENTITIES.

Section 129 (42 U.S.C. 12581) is amended to read as follows:

''SEC. 129. PROVISION OF ASSISTANCE AND APPROVED NATIONAL SERVICE POSITIONS.

''(a) ONE PERCENT ALLOTMENT FOR CERTAIN TERRITORIES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve 1 percent for grants to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands upon approval by the Corporation of an application submitted under section 130. The Corporation shall allot for a grant to each such territory under this subsection for a fiscal year an amount that bears the same ratio to 1 percent of the allocated funds for that fiscal year as the population of the territory bears to the total population of all such territories.

''(b) ALLOTMENT FOR INDIAN TRIBES.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall reserve at least 1 percent for grants to Indian tribes to be allotted by the Corporation on a competitive basis.

''(c) RESERVATION OF APPROVED POSITIONS.—The Corporation shall ensure that each individual selected during a fiscal year for assignment as a VISTA volunteer under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.) or as a participant in the National Civilian Community Corps Program under subtitle E shall receive the national service educational award described in subtitle D if the individual satisfies the eligibility requirements for the award. Funds for approved national service positions required by this paragraph for a fiscal year shall be deducted from the total funding for approved national service positions to be available for distribution under subsections (d) and (e) for that fiscal year.

''(d) ALLOTMENT FOR COMPETITIVE GRANTS.—

''(1) IN GENERAL.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year and subject to section 133(d)(3), the Corporation shall reserve not more than 62.7 percent for grants awarded on a competitive basis to States specified in subsection (e)(1) for national service programs, to nonprofit organizations seeking to operate a national service program in 2 or more of those States, and to Indian tribes.

''(2) EQUITABLE TREATMENT.—In the consideration of applications for such grants, the Corporation shall ensure the equitable treatment of applicants from urban areas, applicants from rural areas, applicants of diverse sizes (as measured by the number of participants served), applicants from States, and applicants from national nonprofit organizations.

''(3) ENCORE SERVICE PROGRAMS.—In making grants under this subsection for a fiscal year, the Corporation shall make an effort to allocate not less than 10 percent of the financial assistance and approved national service positions provided through the grants for that fiscal year to eligible entities proposing to carry out encore service programs, unless the Corporation does not receive a sufficient number of applications of adequate quality to justify making that percentage available to those eligible entities.

''(4) CORPS PROGRAMS.—In making grants under this subsection for a fiscal year, the Corporation—

''(A) shall select 2 or more of the national service corps described in section 122(a) to receive grants under this subsection; and

''(B) may select national service programs described in section 122(b) to receive such grants.

''(e) ALLOTMENT TO CERTAIN STATES ON FORMULA BASIS.—

''(1) GRANTS.—Of the funds allocated by the Corporation for provision of assistance under section 121(a) for a fiscal year, the Corporation shall make a grant to each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that submits an application under section 130 that is approved by the Corporation.

''(2) ALLOTMENTS.—The Corporation shall allot for a grant to each such State under this subsection for a fiscal year an amount that bears the same ratio to 35.3 percent of the allocated funds for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, in compliance with paragraph (3).

''(3) MINIMUM AMOUNT.—Notwithstanding paragraph (2), the minimum grant made available to each State approved by the Corporation under paragraph (1) for each fiscal year shall be at least $600,000, or 0.5 percent of the amount allocated for the State formula under this subsection for the fiscal year, whichever is greater.

''(f) EFFECT OF FAILURE TO APPLY.—If a State or territory fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this section, or the Corporation does not approve the application consistent with section 133, the Corporation may use the amount that would have been allotted under this section to the State or territory to—

''(1) make grants (and provide approved national service positions in connection with such grants) to other community-based entities under section 121 that propose to carry out national service programs in such State or territory; and

''(2) make reallotments to other States or territories with approved applications submitted under section 130, from the allotment funds not used to make grants as described in paragraph (1).

''(g) APPLICATION REQUIRED.—The Corporation shall make an allotment of assistance (including the provision of approved national service positions) to a recipient under this section only pursuant to an application submitted by a State or other applicant under section 130.

''(h) APPROVAL OF POSITIONS SUBJECT TO AVAILABLE FUNDS.—The Corporation may not approve positions as approved national service positions under this subtitle for a fiscal year in excess of the number of such positions for which the Corporation has sufficient available funds in the National Service Trust for that fiscal year, taking into consideration funding needs for national service educational awards under subtitle D based on completed service. If appropriations are insufficient to provide the maximum allowable national service educational awards under subtitle D for all eligible participants, the Corporation is authorized to make necessary and reasonable adjustments to program rules.

''(i) SPONSORSHIP OF APPROVED NATIONAL SERVICE POSITIONS.—

''(1) SPONSORSHIP AUTHORIZED.—The Corporation may enter into agreements with persons or entities who offer to sponsor national service positions for which the person or entity will be responsible for supplying the funds necessary to provide a national service educational award. The distribution of those approved national service positions shall be made pursuant to the agreement, and the creation of those positions shall not be taken into consideration in determining the number of approved national service positions to be available for distribution under this section.

''(2) DEPOSIT OF CONTRIBUTION.—Funds provided pursuant to an agreement under paragraph (1) shall be deposited in the National Service Trust established in section 145 until such time as the funds are needed.

''(j) RESERVATION OF FUNDS FOR SPECIAL ASSISTANCE.—

''(1) RESERVATION.—From amounts appropriated for a fiscal year pursuant to the authorization of appropriations in section 501(a)(2) and allocated to carry out subtitle C and subject to the limitation in such section, the Corporation may reserve such amount as the Corporation considers to be appropriate for the purpose of making assistance available under subsections (b) and (c) of section 126.

''(2) LIMITATION.—The amount reserved under paragraph (1) for a fiscal year may not exceed $10,000,000.

''(3) TIMING.—The Corporation shall reserve such amount, and any amount reserved under subsection (k) from funds appropriated and allocated to carry out subtitle C, before allocating funds for the provision of assistance under any other provision of this subtitle.

''(k) RESERVATION OF FUNDS TO INCREASE THE PARTICIPATION OF INDIVIDUALS WITH DISABILITIES.—

''(1) RESERVATION.—To make grants to public or private nonprofit organizations to increase the participation of individuals with disabilities in national service and for demonstration activities in furtherance of this purpose, and subject to the limitation in paragraph (2), the Chief Executive Officer shall reserve not less than 2 percent from the amounts, appropriated to carry out subtitles C, D, E, and H for each fiscal year.

''(2) LIMITATION.—The amount reserved under paragraph (1) for a fiscal year may not exceed $20,000,000.

''(3) REMAINDER.—The Chief Executive Officer may use the funds reserved under paragraph (1), and not distributed to make grants under this subsection for other activities described in section 501(a)(2).

''(l) AUTHORITY FOR FIXED-AMOUNT GRANTS.—

''(1) IN GENERAL.—

''(A) AUTHORITY.—From amounts appropriated for a fiscal year to provide financial assistance under the national service laws, the Corporation may provide assistance in the form of fixed-amount grants in an amount determined by the Corporation under paragraph (2) rather than on the basis of actual costs incurred by a program.

''(B) LIMITATION.—Other than fixed-amount grants to support programs described in section 129A, for the 1-year period beginning on the effective date of the Serve America Act, the Corporation may provide assistance in the form of fixed-amount grants to programs that only offer full-time positions.

''(2) DETERMINATION OF AMOUNT OF FIXED-AMOUNT GRANTS.—A fixed-amount grant authorized by this subsection shall be in an amount determined by the Corporation that is—

''(A) significantly less than the reasonable and necessary costs of administering the program supported by the grant; and

''(B) based on an amount per individual enrolled in the program receiving the grant, taking into account—

''(i) the capacity of the entity carrying out the program to manage funds and achieve programmatic results;

''(ii) the number of approved national service positions, approved silver scholar positions, or approved summer of service positions for the program, if applicable;

''(iii) the proposed design of the program;

''(iv) whether the program provides service to, or involves the participation of, disadvantaged youth or otherwise would reasonably incur a relatively higher level of costs; and

''(v) such other factors as the Corporation may consider under section 133 in considering applications for assistance.

''(3) REQUIREMENTS FOR GRANT RECIPIENTS.—In awarding a fixed-amount grant under this subsection, the Corporation—

''(A) shall require the grant recipient—

''(i) to return a pro rata amount of the grant funds based upon the difference between the number of hours served by a participant and the minimum number of hours for completion of a term of service (as established by the Corporation);

''(ii) to report on the program's performance on standardized measures and performance levels established by the Corporation;

''(iii) to cooperate with any evaluation activities undertaken by the Corporation; and

''(iv) to provide assurances that additional funds will be raised in support of the program, in addition to those received under the national service laws; and

''(B) may adopt other terms and conditions that the Corporation considers necessary or appropriate based on the relative risks (as determined by the Corporation) associated with any application for a fixed-amount grant.

''(4) OTHER REQUIREMENTS NOT APPLICABLE.—Limitations on administrative costs and matching fund documentation requirements shall not apply to fixed-amount grants provided in accordance with this subsection.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall relieve a grant recipient of the responsibility to comply with the requirements of chapter 75 of title 31, United States Code, or other requirements of Office of Management and Budget Circular A–133.''.

SEC. 1307. ADDITIONAL AUTHORITY.

Part II of subtitle C of title I is amended by inserting after section 129 (42 U.S.C. 12581) the following:

''SEC. 129A. EDUCATIONAL AWARDS ONLY PROGRAM.

''(a) IN GENERAL.—From amounts appropriated for a fiscal year to provide financial assistance under this subtitle and consistent with the restriction in subsection (b), the Corporation may, through fixed-amount grants (in accordance with section 129(l)), provide operational support to programs that receive approved national service positions but do not receive funds under section 121(a).

''(b) LIMIT ON CORPORATION GRANT FUNDS.—The Corporation may provide the operational support under this section for a program in an amount that is not more than $800 per individual enrolled in an approved national service position, or not more than $1,000 per such individual if at least 50 percent of the persons enrolled in the program are disadvantaged youth.

''(c) INAPPLICABLE PROVISIONS.—The following provisions shall not apply to programs funded under this section:

''(1) The limitation on administrative costs under section 121(d).

''(2) The matching funds requirements under section 121(e).

''(3) The living allowance and other benefits under sections 131(e) and 140 (other than individualized support services for participants with disabilities under section 140(f)).''.

SEC. 1308. STATE SELECTION OF PROGRAMS.

Section 130 (42 U.S.C. 12582) is amended—

(1) in subsection (a)—

(A) by striking ''section 121'' and inserting ''section 121(a)'';

(B) by inserting after ''assistance, a State,'' the following: ''territory,''; and

(C) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education'';

(2) in subsection (b)—

(A) in paragraph (9), by striking ''section 122(c)'' and inserting ''section 122(f)''; and

(B) in paragraph (12), by inserting ''municipalities and governments of counties in which such a community is located,'' after ''providing services,'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''jobs or positions'' and inserting ''proposed positions''; and

(ii) by striking '', including'' and all that follows through the period at the end and inserting a period;

(B) in paragraph (2), by inserting ''proposed'' before ''minimum''; and

(C) by adding at the end the following:

''(3) In the case of a nonprofit organization intending to operate programs in 2 or more States, a description of the manner in which and extent to which the organization consulted with the State Commissions of each State in which the organization intends to operate and the nature of the consultation.'';

(4) in subsection (d)(1)—

(A) in subparagraphs (A) and (B), by striking ''subsection (a) or (b) of section 121'' and inserting ''section 121(a)'';

(B) in subparagraph (B), by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122'';

(5) by redesignating subsections (d) through (g) as subsections (e) through (h), respectively and inserting after subsection (c) the following:

''(d) ADDITIONAL REQUIRED APPLICATION INFORMATION.—An application submitted under subsection (a) for programs described in 122(a) shall also contain—

''(1) measurable goals, to be used for annual measurements of the program's performance on 1 or more of the corresponding indicators described in section 122;

''(2) information describing how the applicant proposes to utilize funds to improve performance on the corresponding indicators utilizing participants, including describing the activities in which such participants will engage to improve performance on those indicators;

''(3) information identifying the geographical area in which the eligible entity proposing to carry out the program proposes to use funds to improve performance on the corresponding indicators, and demographic information on the students or individuals, as appropriate, in such area, and statistics demonstrating the need to improve such indicators in such area; and

''(4) if applicable, information on how the eligible entity will work with other community-based entities to carry out activities to improve performance on the corresponding indicators using such funds.'';

(6) in paragraph (2)(A) of subsection (f) (as so redesignated), by striking ''were selected'' and inserting ''were or will be selected'';

(7) in subsection (g) (as so redesignated)—

(A) in paragraph (1), by striking ''a program applicant'' and inserting ''an applicant''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''PROGRAM APPLICANT'' and inserting ''APPLICANT'';

(ii) in the matter preceding subparagraph (A), by striking ''program applicant'' and inserting ''applicant'';

(iii) in subparagraph (A)—

(I) by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(iv) in subparagraph (B)—

(I) by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(II) by striking ''institution of higher education, or Federal agency'' and inserting ''or institution of higher education''; and

(8) by amending subsection (h) (as so redesignated) to read as follows:

''(h) LIMITATION ON SAME PROJECT RECEIVING MULTIPLE GRANTS.—Unless specifically authorized by law, the Corporation may not provide more than 1 grant under the national service laws for a fiscal year to support the same project under the national service laws.''.

SEC. 1309. NATIONAL SERVICE PROGRAM ASSISTANCE REQUIREMENTS.

Section 131(c) (42 U.S.C. 12583(c)) is amended—

(1) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) the community served, the municipality and government of the county (if appropriate) in which the community is located, and potential participants in the program; and''; and

(2) by striking paragraph (3) and inserting the following:

''(3) in the case of a program that is not funded through a State (including a national service program that a nonprofit organization seeks to operate in 2 or more States), consult with and coordinate activities with the State Commission for each State in which the program will operate, and the Corporation shall obtain confirmation from the State Commission that the applicant seeking assistance under this Act has consulted with and coordinated with the State Commission when seeking to operate the program in that State.''.

SEC. 1310. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

Subtitle C of title I (42 U.S.C. 12571 et seq.) is amended by inserting after section 132 the following:

''SEC. 132A. PROHIBITED ACTIVITIES AND INELIGIBLE ORGANIZATIONS.

''(a) PROHIBITED ACTIVITIES.—An approved national service position under this subtitle may not be used for the following activities:

''(1) Attempting to influence legislation.

''(2) Organizing or engaging in protests, petitions, boycotts, or strikes.

''(3) Assisting, promoting, or deterring union organizing.

''(4) Impairing existing contracts for services or collective bargaining agreements.

''(5) Engaging in partisan political activities, or other activities designed to influence the outcome of an election to Federal office or the outcome of an election to a State or local public office.

''(6) Participating in, or endorsing, events or activities that are likely to include advocacy for or against political parties, political platforms, political candidates, proposed legislation, or elected officials.

''(7) Engaging in religious instruction, conducting worship services, providing instruction as part of a program that includes mandatory religious instruction or worship, constructing or operating facilities devoted to religious instruction or worship, maintaining facilities primarily or inherently devoted to religious instruction or worship, or engaging in any form of proselytization, consistent with section 132.

''(8) Consistent with section 132, providing a direct benefit to any—

''(A) business organized for profit;

''(B) labor union;

''(C) partisan political organization;

''(D) nonprofit organization that fails to comply with the restrictions contained in section 501(c) of the Internal Revenue Code of 1986, except that nothing in this paragraph shall be construed to prevent participants from engaging

in advocacy activities undertaken at their own initiative; and

''(E) organization engaged in the religious activities described in paragraph (7), unless the position is not used to support those religious activities.

''(9) Providing abortion services or referrals for receipt of such services.

''(10) Conducting a voter registration drive or using Corporation funds to conduct a voter registration drive.

''(11) Carrying out such other activities as the Corporation may prohibit.

''(b) INELIGIBILITY.—No assistance provided under this subtitle may be provided to any organization that has violated a Federal criminal statute.

''(c) NONDISPLACEMENT OF EMPLOYED WORKERS OR OTHER VOLUNTEERS.—A participant in an approved national service position under this subtitle may not be directed to perform any services or duties, or to engage in any activities, prohibited under the nonduplication, nondisplacement, or nonsupplantation requirements relating to employees and volunteers in section 177.''.

SEC. 1311. CONSIDERATION OF APPLICATIONS.

Section 133 (42 U.S.C. 12585) is amended—

(1) in subsection (b)(2)(B), by striking ''jobs or'';

(2) in subsection (d)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''section 122(a)'' and inserting ''subsection (a), (b), or (c) of section 122''; and

(II) by striking ''section 129(d)(2)'' and inserting ''section 129(d)'';

(ii) by striking subparagraphs (A) through (G) and inserting the following:

''(A) national service programs that—

''(i) conform to the national service priorities in effect under section 122(f);

''(ii) are innovative; and

''(iii) are well established in 1 or more States at the time of the application and are proposed to be expanded to additional States using assistance provided under section 121;

''(B) grant programs in support of other national service programs if the grant programs are to be conducted by nonprofit organizations with demonstrated and extensive expertise in the provision of services to meet human, educational, environmental, or public safety needs; and

''(C) professional corps programs described in section 122(c)(1)(D).''; and

(B) in paragraph (3), by striking ''section 129(d)(2)'' and inserting ''section 129(d)'';

(3) in subsection (e), by striking ''subsections (a) and (d)(1) of section 129'' and inserting ''subsections (d) and (e) of section 129'';

(4) in subsection (f)—

(A) in paragraph (1), by striking ''section 129(a)(1)'' and inserting ''section 129(e)''; and

(B) in paragraph (3)—

(i) by striking ''section 129(a)'' and inserting ''section 129(e)''; and

(ii) by striking ''paragraph (3) of such subsection'' and inserting ''section 129(f)'';

(5) by redesignating subsection (f) as subsection (g); and

(6) by inserting after subsection (e) the following:

''(f) VIEWS OF STATE COMMISSION.—In making competitive awards under section 129(d), the Corporation shall solicit and consider the views of a State Commission regarding any application for assistance to carry out a national service program within the State.''.

SEC. 1312. DESCRIPTION OF PARTICIPANTS.

Section 137 (42 U.S.C. 12591) is amended—

(1) in subsection (a)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''section 122(a)(2) or a program described in section 122(a)(9)'' and inserting ''section 122(a)(3)(B)(x)''; and

(B) in paragraph (1), by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(3) in subsection (c), by striking ''(a)(5)'' and inserting ''(a)(4)''.

SEC. 1313. SELECTION OF NATIONAL SERVICE PARTICIPANTS.

Section 138 (42 U.S.C. 12592) is amended—

(1) in subsection (a), by striking ''conducted by the State'' and all that follows through ''or other entity'' and inserting ''conducted by the entity''; and

(2) in subsection (e)(2)(C), by inserting before the semicolon at the end the following: '', particularly those who were considered, at the time of their service, disadvantaged youth''.

SEC. 1314. TERMS OF SERVICE.

Section 139 (42 U.S.C. 12593) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''not less than 9 months and'';

(B) in paragraph (2), by striking ''during a period of—'' and all that follows through the period at the end and inserting ''during a period of not more than 2 years.''; and

(C) by adding at the end the following:

''(4) EXTENSION OF TERM FOR DISASTER PURPOSES.—

''(A) EXTENSION.—An individual in an approved national service position performing service directly related to disaster relief efforts may continue in a term of service for a period of 90 days beyond the period otherwise specified in, as appropriate, this subsection or section 153(d) or in section 104 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4954).

''(B) SINGLE TERM OF SERVICE.—A period of service performed by an individual in an originally-agreed to term of service and service performed under this paragraph shall constitute a single term of service for purposes of subsections (b)(1) and (c) of section 146.

''(C) BENEFITS.—An individual performing service under this paragraph may continue to receive a living allowance and other benefits under section 140 but may not receive an additional national service educational award under section 141.''; and

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking ''as demonstrated by the participant'' and inserting ''as determined by the organization responsible for granting the release, if the participant has otherwise performed satisfactorily and has completed at least 15 percent of the term of service''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''provide to the participant that portion of the national service educational award'' and inserting ''certify the participant's eligibility for that portion of the national service educational award''; and

(ii) in subparagraph (B), by striking ''to allow return to the program with which the individual was serving in order''.

SEC. 1315. ADJUSTMENTS TO LIVING ALLOWANCE.

Section 140 (42 U.S.C. 12594) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''paragraph (3)'' and inserting ''paragraphs (2) and (3)'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2);

(D) by inserting after paragraph (2) (as so redesignated) the following:

''(3) FEDERAL WORK-STUDY STUDENTS.—The living allowance that may be provided under paragraph (1) to an individual whose term of service includes hours for which the individual receives a Federal work-study award under part C of title IV of the Higher Education Act of 1965 (42 U.S.C. 2751 et seq.) shall be reduced by the amount of the individual's Federal work study award.''; and

(E) in paragraph (4), by striking ''a reduced term of service under section 139(b)(3)'' and inserting ''a term of service that is less than 12 months'';

(2) in subsection (b), by striking ''shall include an amount sufficient to cover 85 percent of such taxes'' and all that follows through the period at the end and inserting ''may be used to pay the taxes described in this subsection.'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''section 122(a)(8)'' and inserting ''section 122(c)(1)(D)''; and

(ii) by striking ''subsection (a)(3)'' and inserting ''subsection (a)(2)'';

(B) in paragraph (1), by adding ''and'' at the end;

(C) by striking paragraph (2); and

(D) by redesignating paragraph (3) as paragraph (2);

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''shall provide'' and inserting ''shall provide or make available''; and

(ii) by striking the second sentence; and

(B) in paragraph (2), by striking ''provide from its own funds'' and inserting ''provide from its own funds or make available''; and

(5) by striking subsections (g) and (h).

Subtitle D—Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)

SEC. 1401. AVAILABILITY OF FUNDS IN THE NATIONAL SERVICE TRUST.

(a) SUBTITLE HEADING.—The subtitle heading for subtitle D of title I is amended to read as follows:

''Subtitle D—National Service Trust and Provision of Educational Awards''.

(b) ESTABLISHMENT OF TRUST.—Section 145 (42 U.S.C. 12601) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''pursuant to section 501(a)(2)''; and

(ii) in subparagraph (A), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, and silver scholar educational awards'';

(B) in paragraph (2)—

(i) by striking ''pursuant to section 196(a)(2)'' and inserting ''pursuant to section 196(a)(2), if the terms of such donations direct that the donated amounts be deposited in the National Service Trust''; and

(ii) by striking ''and'' at the end;

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

''(3) any amounts recovered by the Corporation pursuant to section 146A; and'';

(2) in subsection (c), by striking ''for payments of national service educational awards in accordance with section 148.'' and inserting ''for—

''(1) payments of national service educational awards, summer of service educational awards, and silver scholar educational awards in accordance with section 148; and

''(2) payments of interest in accordance with section 148(e).''; and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''CONGRESS'' and inserting ''THE AUTHORIZING COMMITTEES'';

(B) in the matter preceding paragraph (1), by striking ''the Congress'' and inserting ''the authorizing committees'';

(C) in paragraphs (2), (3), and (4), by inserting '', summer of service educational awards, or silver scholar awards'' after ''national service educational awards'' each place the term appears; and

(D) in paragraph (4)—

(i) by inserting '', additional approved summer of service positions, and additional approved silver scholar positions'' after ''additional approved national service positions''; and

(ii) by striking ''under subtitle C''.

SEC. 1402. INDIVIDUALS ELIGIBLE TO RECEIVE AN EDUCATIONAL AWARD FROM THE TRUST.

Section 146 (42 U.S.C. 12602) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 146. INDIVIDUALS ELIGIBLE TO RECEIVE AN EDUCATIONAL AWARD FROM THE TRUST.''; and

(2) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting '', summer of service educational award, or silver scholar educational award'' after ''national service educational award''; and

(ii) by striking ''if the individual'' and inserting ''if the organization responsible for the individual's supervision in a national service program certifies that the individual'';

(B) by striking paragraphs (1), (2), and (3) and inserting the following:

''(1) met the applicable eligibility requirements for the approved national service position, approved silver scholar position, or approved summer of service position, as appropriate, in which the individual served;

''(2)(A) for a full-time or part-time national service educational award, successfully completed the required term of service described in subsection (b)(1) in the approved national service position;

''(B) for a partial educational award in accordance with section 139(c)—

''(i) satisfactorily performed prior to being granted a release for compelling personal circumstances under such section; and

''(ii) completed at least 15 percent of the required term of service described in subsection (b) for the approved national service position;

''(C) for a summer of service educational award, successfully completed the required term of service described in subsection (b)(2) in an approved summer of service position, as certified through a process determined by the Corporation through regulations consistent with section 138(f); or

''(D) for a silver scholar educational award, successfully completed the required term of service described in subsection (b)(3) in an approved silver scholar position, as certified through a process determined by the Corporation through regulations consistent with section 138(f); and''.

(C) by redesignating paragraph (4) as paragraph (3);

(3) in subsection (b)—

(A) by striking ''The term'' and inserting the following:

''(1) APPROVED NATIONAL SERVICE POSITION.—The term''; and

(B) by adding at the end the following:

''(2) APPROVED SUMMER OF SERVICE POSITION.—The term of service for an approved summer of service position shall not be less than 100 hours of service during the summer months.

''(3) APPROVED SILVER SCHOLAR POSITION.—The term of service for an approved silver scholar position shall be not less than 350 hours during a 1-year period.'';

(4) by striking subsection (c) and inserting the following:

''(c) LIMITATION ON RECEIPT OF NATIONAL SERVICE EDUCATIONAL AWARDS.—An individual may not receive, through national service educational awards and silver scholar educational awards, more than an amount equal to the aggregate value of 2 such awards for full-time service. The value of summer of service educational awards that an individual receives shall have no effect on the aggregate value of the national service educational awards the individual may receive.'';

(5) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''SEVEN-YEAR REQUIREMENT'' and inserting ''IN GENERAL'';

(ii) by striking ''An'' and inserting ''Subject to paragraph (2), an'';

(iii) by inserting ''or a silver scholar educational award'' after ''national service educational award'';

(iv) by inserting ''or an approved silver scholar position, as applicable,'' after ''approved national service position''; and

(v) by adding at the end the following: ''Subject to paragraph (2), an individual eligible to receive a summer of service educational award under this section may not use such award after the end of the 10-year period beginning on the date the individual completes the term of service in an approved summer of service position that is the basis of the award.'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A) and in subparagraph (A), by inserting '', summer of service educational award, or silver scholar educational award'' after ''national service educational award'';

(ii) in subparagraph (A), by inserting '', or 10-year period, as appropriate'' after ''7-year period''; and

(iii) in subparagraph (B), by inserting '', approved summer of service position, or approved silver scholar position'' after ''approved national service position''; and

(C) by adding at the end the following:

''(3) TERM FOR TRANSFERRED EDUCATIONAL AWARDS.—For purposes of applying paragraphs (1) and (2)(A) to an individual who is eligible to receive an educational award as a designated individual (as defined in section 148(f)(8)), references to a seven-year period shall be considered to be references to a 10-year period that begins on the date the individual who transferred the educational award to the designated individual completed the term of service in the approved national service position or approved silver scholar position that is the basis of the award.''; and

(6) in subsection (e)(1)—

(A) by inserting after ''qualifying under this section'' the following: ''or under section 119(c)(8)''; and

(B) by inserting after ''to receive a national service educational award'' the following: '', a summer of service educational award, or a silver scholar educational award''.

SEC. 1403. CERTIFICATIONS.

The Act is amended by adding after section 146 (42 U.S.C. 12602) the following:

''SEC. 146A. CERTIFICATIONS OF SUCCESSFUL COMPLETION OF TERMS OF SERVICE.

''(a) CERTIFICATIONS.—In making any authorized disbursement from the National Service Trust in regard to an eligible individual (including disbursement for a designated individual, as defined in section 148(f)(8), due to the service of an eligible individual) under section 146 who served in an approved national service position, an approved summer of service position, or an approved silver scholar position, the Corporation shall rely on a certification. The certification shall be made by the entity that selected the individual for and supervised the individual in the approved national service position in which such individual successfully completed a required term of service, in a national service program.

''(b) EFFECT OF ERRONEOUS CERTIFICATIONS.—If the Corporation determines that the certification under subsection (a) is erroneous or incorrect, the Corporation shall assess against the national service program a charge for the amount of any associated payment or potential payment from the National Service Trust. In assessing the amount of the charge, the Corporation shall consider the full facts and circumstances surrounding the erroneous or incorrect certification.''.

SEC. 1404. DETERMINATION OF THE AMOUNT OF THE EDUCATIONAL AWARD.

Section 147 (42 U.S.C. 12603) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 147. DETERMINATION OF THE AMOUNT OF THE EDUCATIONAL AWARD.''; and

(2) by amending subsection (a) to read as follows:

''(a) AMOUNT FOR FULL-TIME NATIONAL SERVICE.—Except as provided in subsection (c), an individual described in section 146(a) who successfully completes a required term of full-time national service in an approved national service position shall receive a national service educational award having a value equal to the maximum amount of a Federal Pell Grant under section 401 of the Higher Education Act of 1965 (20 U.S.C. 1070a) that a student eligible for such Grant may receive in the aggregate (without regard to whether the funds are provided through discretionary or mandatory appropriations), for the award year for which the national service position is approved by the Corporation.'';

(3) in subsection (b), by striking '', for each of not more than 2 of such terms of service,''; and

(4) by adding at the end the following:

''(d) AMOUNT FOR SUMMER OF SERVICE.—An individual described in section 146(a) who successfully completes a required summer of service term shall receive a summer of service educational award having a value, for each of not more than 2 of such terms of service, equal to $500 (or, at the discretion of the Chief Executive Officer, equal to $750 in the case of a participant who is economically disadvantaged).

''(e) AMOUNT FOR SILVER SCHOLARS.—An individual described in section 146(a) who successfully completes a required silver scholar term shall receive a silver scholar educational award having a value of $1,000.''.

SEC. 1405. DISBURSEMENT OF EDUCATIONAL AWARDS.

Section 148 (42 U.S.C. 12604) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 148. DISBURSEMENT OF EDUCATIONAL AWARDS.'';

(2) in subsection (a)—

(A) in paragraph (2), by striking ''cost of attendance'' and inserting ''cost of attendance or other educational expenses'';

(B) in paragraph (3), by striking ''and'';

(C) by redesignating paragraph (4) as paragraph (5); and

(D) by inserting after paragraph (3) the following:

''(4) to pay expenses incurred in enrolling in an educational institution or training establishment that is approved under chapter 36 of title 38, United States Code, or other applicable provisions of law, for offering programs of education, apprenticeship, or on-job training for which educational assistance may be provided by the Secretary of Veterans Affairs; and'';

(3) in subsection (b)—

(A) in paragraph (1), by inserting after ''the national service educational award of the individual'' the following: '', an eligible individual under section 146(a) who served in a summer of service program and desires to apply that individual's summer of service educational award, or an eligible individual under section 146(a) who served in a silver scholar program and desires to apply that individual's silver scholar educational award,'';

(B) in paragraph (2), by inserting after ''the national service educational award'' the following: '', the summer of service educational award, or the silver scholar educational award, as applicable,'';

(C) in paragraph (5), by inserting after ''the national service educational award'' the following: '', the summer of service educational award, or the silver scholar educational award, as applicable''; and

(D) in paragraph (7)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) in subparagraph (B), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) any loan (other than a loan described in subparagraph (A) or (B)) determined by an institution of higher education to be necessary to

cover a student's educational expenses and made, insured, or guaranteed by—

''(i) an eligible lender, as defined in section 435 of the Higher Education Act of 1965 (20 U.S.C. 1085);

''(ii) the direct student loan program under part D of title IV of such Act (20 U.S.C. 1087a et seq.);

''(iii) a State agency; or

''(iv) a lender otherwise determined by the Corporation to be eligible to receive disbursements from the National Service Trust.'';

(4) in subsection (c)—

(A) in paragraph (1), by inserting after ''national service educational award'' the following: '', an eligible individual under section 146(a) who desires to apply the individual's summer of service educational award, or an eligible individual under section 146(a) who served in a silver scholar program and desires to apply that individual's silver scholar educational award,'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award, as applicable,''; and

(ii) in subparagraph (C)(iii), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, or silver scholar educational awards, as applicable,'';

(C) in paragraph (3), by inserting after ''national service educational awards'' the following: ''summer of service educational awards, or silver scholar educational awards'';

(D) in paragraph (5)—

(i) in the first sentence, by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award, as applicable,''; and

(ii) in the third sentence, by inserting before the period the following: '', additional approved summer of service positions, and additional approved silver scholar positions''; and

(E) in paragraph (6)—

(i) in the matter preceding subparagraph (A), by inserting after ''national service educational award'' the following: '', summer of service educational award, or silver scholar educational award'';

(ii) in subparagraph (A), by inserting ''and other educational expenses'' after ''cost of attendance''; and

(iii) by striking subparagraph (B) and inserting the following:

''(B) the student's estimated financial assistance for such period under part A of title IV of such Act (20 U.S.C. 1070 et seq.).'';

(5) in subsection (d), by inserting after ''national service educational awards'' the following: '', summer of service educational awards, and silver scholar educational awards'';

(6) in subsection (e), by striking ''subsection (b)(6)'' and inserting ''subsection (b)(7)'';

(7) in subsection (f)—

(A) by striking ''Director'' and inserting ''Chief Executive Officer''; and

(B) by inserting '', summer of service educational award, or silver scholar educational award, as appropriate,'' after ''national service educational award'';

(8) by redesignating subsections (f) and (g) as subsections (g) and (h) respectively; and

(9) by inserting after subsection (e) the following:

''(f) TRANSFER OF EDUCATIONAL AWARDS.—

''(1) IN GENERAL.—An individual who is eligible to receive a national service educational award or silver scholar educational award due to service in a program described in paragraph (2) may elect to receive the award (in the amount described in the corresponding provision of section 147) and transfer the award to a designated individual. Subsections (b), (c), and (d) shall apply to the designated individual in lieu of the individual who is eligible to receive the national service educational award or silver scholar educational award, except that amounts refunded to the account under subsection (c)(5) on behalf of a designated individual may be used by the Corporation to fund additional placements in the national service program in which the eligible individual who transferred the national service educational award or silver scholar educational award participated for such award.

''(2) CONDITIONS FOR TRANSFER.—An educational award may be transferred under this subsection if—

''(A)(i) the award is a national service educational award for service in a national service program that receives a grant under subtitle C; and

''(ii) before beginning the term of service involved, the eligible individual is age 55 or older; or

''(B) the award is a silver scholarship educational award under section 198C(a).

''(3) MODIFICATION OR REVOCATION.—

''(A) IN GENERAL.—An individual transferring an educational award under this subsection may, on any date on which a portion of the educational award remains unused, modify or revoke the transfer of the educational award with respect to that portion.

''(B) NOTICE.—A modification or revocation of the transfer of an educational award under this paragraph shall be made by the submission of written notice to the Corporation.

''(4) PROHIBITION ON TREATMENT OF TRANSFERRED AWARD AS MARITAL PROPERTY.—An educational award transferred under this subsection may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

''(5) DEATH OF TRANSFEROR.—The death of an individual transferring an educational award under this subsection shall not affect the use of the educational award by the child, foster child, or grandchild to whom the educational award is transferred if such educational award is transferred prior to the death of the individual.

''(6) PROCEDURES TO PREVENT WASTE, FRAUD, OR ABUSE.—The Corporation shall establish requirements to prevent waste, fraud, or abuse in connection with the transfer of an educational award and to protect the integrity of the educational award under this subsection.

''(7) TECHNICAL ASSISTANCE.—The Corporation may, as appropriate, provide technical assistance, to individuals and eligible entities carrying out national service programs, concerning carrying out this subsection.

''(8) DEFINITION OF A DESIGNATED INDIVIDUAL.—In this subsection, the term 'designated individual' is an individual—

''(A) whom an individual who is eligible to receive a national service educational award or silver scholar educational award due to service in a program described in paragraph (2) designates to receive the educational award;

''(B) who meets the eligibility requirements of paragraphs (3) and (4) of section 146(a); and

''(C) who is a child, foster child, or grandchild of the individual described in subparagraph (A).''.

SEC. 1406. APPROVAL PROCESS FOR APPROVED POSITIONS.

(a) IN GENERAL.—Subtitle D of title I (42 U.S.C. 12601 et seq.) is amended by adding at the end the following new section:

''SEC. 149. APPROVAL PROCESS FOR APPROVED POSITIONS.

''(a) TIMING AND RECORDING REQUIREMENTS.—

''(1) IN GENERAL.—Notwithstanding subtitles C, D, and H, and any other provision of law, in approving a position as an approved national service position, an approved summer of service position, or an approved silver scholar position, the Corporation—

''(A) shall approve the position at the time the Corporation—

''(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of this Act, section 198B or 198C(a), or under title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), a summer of service program described in section 119(c)(8), or a silver scholarship program described in section 198C(a); or

''(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position is approved under section 123; and

''(B) shall record as an obligation an estimate of the net present value of the national service educational award, summer of service educational award, or silver scholar educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards, summer of service educational awards, or silver scholar educational awards, as appropriate, for such a program and remain available.

''(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

''(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to the authorizing committees a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

''(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position, approved summer of service position, or approved silver scholarship position that the Corporation approves—

''(A) during fiscal year 2010; and

''(B) during any subsequent fiscal year.

''(b) RESERVE ACCOUNT.—

''(1) ESTABLISHMENT AND CONTENTS.—

''(A) ESTABLISHMENT.—Notwithstanding subtitles C, D, and H, and any other provision of law, within the National Service Trust established under section 145, the Corporation shall establish a reserve account.

''(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions, approved summer of service positions, and approved silver scholar positions, for each fiscal year, the Corporation shall place in the account—

''(i) during fiscal year 2010, a portion of the funds that were appropriated for fiscal year 2010 or a previous fiscal year under section 501 of this Act or section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081), were made available to carry out subtitle C, D, or E of this title, section 198B or 198C(a), subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service programs described in section 119(c)(8), and remain available; and

''(ii) during fiscal year 2011 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501 of this Act or section 501 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5081), were made available to carry out subtitle C, D, or E of this title, section 198B or 198C(a), subtitle A of title I of the Domestic Volunteer Service Act of 1973, or summer of service programs described in section 119(c)(8), and remain available.

''(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

''(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions, summer of service educational awards associated with previously approved summer of service positions, and silver scholar educational awards associated with previously approved silver scholar positions; or

''(B) obligates the funds for the payment of national service educational awards for such

previously approved national service positions, summer of service educational awards for such previously approved summer of service positions, or silver scholar educational awards for such previously approved silver scholar positions, as applicable.

''(c) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, approved summer of service positions, and approved silver scholar positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (a)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (a)(3).

''(d) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (b), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) shall be available for payments of national service educational awards, summer of service educational awards, or silver scholar educational awards under section 148.''.

(b) CONFORMING REPEAL.—The Strengthen AmeriCorps Program Act (42 U.S.C. 12605) is repealed.

Subtitle E—Amendments to Subtitle E (National Civilian Community Corps)

SEC. 1501. PURPOSE.

Section 151 (42 U.S.C. 12611) is amended to read as follows:

''SEC. 151. PURPOSE.

''It is the purpose of this subtitle to authorize the operation of, and support for, residential and other service programs that combine the best practices of civilian service with the best aspects of military service, including leadership and team building, to meet national and community needs. The needs to be met under such programs include those needs related to—

''(1) natural and other disasters;

''(2) infrastructure improvement;

''(3) environmental stewardship and conservation;

''(4) energy conservation; and

''(5) urban and rural development.''.

SEC. 1502. PROGRAM COMPONENTS.

Section 152 (42 U.S.C. 12612) is amended—

(1) by amending the section heading to read as follows:

''SEC. 152. ESTABLISHMENT OF NATIONAL CIVILIAN COMMUNITY CORPS PROGRAM.'';

(2) in subsection (a), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(3) in the matter preceding paragraph (1) of subsection (b)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''a Civilian Community Corps'' and inserting ''a National Civilian Community Corps''; and

(4) by striking subsection (c) and inserting the following:

''(c) RESIDENTIAL COMPONENTS.—Both programs referred to in subsection (b) may include a residential component.''.

SEC. 1503. ELIGIBLE PARTICIPANTS.

Section 153 (42 U.S.C. 12613) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps'';

(2) in subsection (b), by striking paragraph (1) and inserting the following:

''(1) is, or will be, at least 18 years of age on or before December 31 of the calendar year in which the individual enrolls in the program, but is not more than 24 years of age as of the date the individual begins participating in the program; and'';

(3) in subsection (c)—

(A) in the subsection heading, by striking ''BACKROUNDS'' and inserting ''BACKGROUNDS''; and

(B) by adding at the end the following: ''The Director shall take appropriate steps, including through outreach and recruitment activities, to increase the percentage of participants in the program who are disadvantaged youth to 50 percent of all participants by year 2012. The Director shall report to the authorizing committees biennially on such steps, any challenges faced, and the annual participation rates of disadvantaged youth in the program.'';

(4) by striking subsection (d); and

(5) by redesignating subsection (e) as subsection (d).

SEC. 1504. SUMMER NATIONAL SERVICE PROGRAM.

Section 154 (42 U.S.C. 12614) is amended—

(1) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''on Civilian Community Corps'' and inserting ''on National Civilian Community Corps''; and

(2) in subsection (b), by striking ''shall be'' and all that follows through the period at the end and inserting ''shall be from economically and ethnically diverse backgrounds, including youth who are in foster care.''.

SEC. 1505. NATIONAL CIVILIAN COMMUNITY CORPS.

Section 155 (42 U.S.C. 12615) is amended—

(1) by amending the section heading to read as follows:

''SEC. 155. NATIONAL CIVILIAN COMMUNITY CORPS.'';

(2) in subsection (a)—

(A) by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) by striking ''the Civilian Community Corps shall'' and inserting ''the National Civilian Community Corps shall'';

(3) in subsection (b)—

(A) by amending the subsection heading to read as follows:

''(b) MEMBERSHIP IN NATIONAL CIVILIAN COMMUNITY CORPS.—'';

(B) in paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(C) in paragraph (3)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' and inserting ''campus''; and

(D) by adding at the end the following:

''(4) TEAM LEADERS.—

''(A) IN GENERAL.—The Director may select individuals with prior supervisory or service experience to be team leaders within units in the National Civilian Community Corps, to perform service that includes leading and supervising teams of Corps members. Each team leader shall be selected without regard to the age limitation under section 153(b).

''(B) RIGHTS AND BENEFITS.—A team leader shall be provided the same rights and benefits applicable to other Corps members, except that the Director may increase the limitation on the amount of the living allowance under section 158(b) by not more than 10 percent for a team leader.'';

(4) in subsection (d)—

(A) by amending the subsection heading to read as follows:

''(d) CAMPUSES.—'';

(B) in paragraph (1)—

(i) by amending the paragraph heading to read as follows:

''(1) UNITS TO BE ASSIGNED TO CAMPUSES.—'';

(ii) by striking ''in camps'' and inserting ''in campuses'';

(iii) by striking ''Corps camp'' and inserting ''Corps campus''; and

(iv) by striking ''in the camps'' and inserting ''in the campuses'';

(C) by amending paragraphs (2) and (3) to read as follows:

''(2) CAMPUS DIRECTOR.—There shall be a campus director for each campus. The campus director is the head of the campus.

''(3) ELIGIBLE SITE FOR CAMPUS.—A campus shall be cost effective and may, upon the completion of a feasibility study, be located in a facility referred to in section 162(c).'';

(5) in subsection (e)—

(A) by amending the subsection heading to read as follows:

''(e) DISTRIBUTION OF UNITS AND CAMPUSES.—'';

(B) by striking ''camps are distributed'' and inserting ''campuses are cost effective and are distributed''; and

(C) by striking ''rural areas'' and all that follows through the period at the end and inserting ''rural areas such that each Corps unit in a region can be easily deployed for disaster and emergency response to such region.''; and

(6) in subsection (f)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''superintendent of a camp'' and inserting ''campus director of a campus'';

(ii) in subparagraph (A)—

(I) by striking ''superintendent'' and inserting ''campus director'';

(II) by striking ''superintendent's'' and inserting ''campus director's''; and

(III) by striking ''camp'' each place such term appears and inserting ''campus''; and

(iii) in subparagraph (B), by striking ''superintendent'' and inserting ''campus director''; and

(C) in paragraph (3), by striking ''camp superintendent'' and inserting ''campus director''.

SEC. 1506. TRAINING.

Section 156 (42 U.S.C. 12616) is amended—

(1) in subsection (a)—

(A) by inserting ''National'' before ''Civilian Community Corps''; and

(B) by adding at the end the following: ''The Director shall ensure that, to the extent practicable, each member of the Corps is trained in CPR, first aid, and other skills related to disaster preparedness and response.'';

(2) in subsection (b)(1), by inserting before the period at the end the following: '', including a focus on energy conservation, environmental stewardship or conservation, infrastructure improvement, urban and rural development, or disaster preparedness needs, as appropriate'';

(3) by amending subsection (c)(2) to read as follows:

''(2) COORDINATION WITH OTHER ENTITIES.—Members of the cadre may provide, either directly or through grants, contracts, or cooperative agreements, the advanced service training referred to in subsection (b)(1) in coordination with vocational or technical schools, other employment and training providers, existing youth service programs, other qualified individuals, or organizations with expertise in training youth, including disadvantaged youth, in the skills described in such subsection.''; and

(4) in subsection (d), by striking ''section 162(a)(3)'' and inserting ''section 162(c)''.

SEC. 1507. CONSULTATION WITH STATE COMMISSIONS.

Section 157 (42 U.S.C. 12617) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''National'' before ''Civilian Community Corps'';

(B) in paragraph (1), by inserting before the semicolon the following: '', with specific emphasis on projects in support of infrastructure improvement, energy conservation, and urban and rural development''; and

(C) in paragraph (2), by striking ''service learning'' and inserting ''service-learning'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''and the Secretary of Housing and Urban Development'' and inserting ''the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Administrator of the Federal Emergency Management Agency, the Secretary of Energy, the Secretary of Transportation, and the Chief of the Forest Service''; and

(ii) in subparagraph (B)—

(I) by inserting ''community-based entities and'' before ''representatives of local communities''; and

(II) by striking ''camp'' both places such term appears and inserting ''campus''; and

(B) in paragraph (2), by inserting ''State Commissions,'' before ''and persons involved in other youth service programs.''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''superintendent'' both places such term appears and inserting ''campus director''; and

(ii) by striking ''camp'' both places such term appears and inserting ''campus''; and

(B) in paragraph (2), by striking ''camp superintendents'' and inserting ''campus directors''.

SEC. 1508. AUTHORIZED BENEFITS FOR CORPS MEMBERS.

Section 158 (42 U.S.C. 12618) is amended—

(1) in subsection (a), by inserting ''National'' before ''Civilian Community Corps''; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''National'' before ''Civilian Community Corps''; and

(ii) by inserting before the colon the following: '', as the Director determines appropriate'';

(B) in paragraph (6), by striking ''Clothing'' and inserting ''Uniforms''; and

(C) in paragraph (7), by striking ''Recreational services and supplies'' and inserting ''Supplies''.

SEC. 1509. PERMANENT CADRE.

Section 159 (42 U.S.C. 12619) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program''; and

(B) in paragraph (1)—

(i) by inserting ''including those'' before ''recommended''; and

(ii) by inserting ''National'' before ''Civilian Community Corps'';

(2) in subsection (b)(1), by inserting ''National'' before ''Civilian Community Corps'';

(3) in subsection (c)—

(A) in paragraph (1)(B)(i), by inserting ''National'' before ''Civilian Community Corps''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''The Director shall establish a permanent cadre of'' and inserting ''The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed''; and

(II) by inserting ''National'' before ''Civilian Community Corps'';

(ii) in subparagraph (B), by striking ''The Director shall appoint the members'' and inserting ''The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members'';

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking ''the Director'' and inserting ''the Chief Executive Officer'';

(II) in clause (i), by striking ''section 162(a)(2)'' and inserting ''section 162(b)'';

(III) in clause (iii), by striking ''and'' at the end;

(IV) by redesignating clause (iv) as clause (v); and

(V) by inserting after clause (iii) the following:

''(iv) give consideration to retired and other former law enforcement, fire, rescue, and emergency personnel, and other individuals with backgrounds in disaster preparedness, relief, and recovery; and''; and

(iv) in subparagraph (E)—

(I) by striking ''to members'' and inserting ''to other members'';

(II) by inserting after ''techniques'' the following: '', including techniques for working with and enhancing the development of disadvantaged youth,''; and

(III) by striking ''service learning'' and inserting ''service-learning''; and

(C) in paragraph (3)—

(i) in the first sentence, by striking ''the members'' and inserting ''other members''; and

(ii) in the third sentence, by striking ''section 162(a)(2)(A)'' and inserting ''162(b)(1)''.

SEC. 1510. STATUS OF CORPS MEMBERS AND CORPS PERSONNEL UNDER FEDERAL LAW.

Section 160(a) (42 U.S.C. 12620(a)) is amended by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1511. CONTRACT AND GRANT AUTHORITY.

Section 161 (42 U.S.C. 12621) is amended—

(1) in subsection (a), by striking ''perform any program function under this subtitle'' and inserting ''carry out the National Civilian Community Corps program''; and

(2) in subsection (b)—

(A) in paragraph (1)(B), by striking ''section 162(a)(3)'' and inserting ''section 162(c)''; and

(B) in paragraph (2), by inserting ''National'' before ''Civilian Community Corps''.

SEC. 1512. OTHER DEPARTMENTS.

(a) IN GENERAL.—Section 162 (42 U.S.C. 12622) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''National'' before ''Civilian Community Corps''; and

(ii) in subparagraph (B)(i), by striking ''the registry established by'' and all that follows through the semicolon and inserting ''the registry established by section 1143a of title 10, United States Code;'';

(B) in paragraph (2)(A), by striking ''to be recommended for appointment'' and inserting ''from which individuals may be selected for appointment by the Director''; and

(C) in paragraph (3), by inserting ''National'' before ''Civilian Community Corps''; and

(2) by striking subsection (b).

(b) TECHNICAL AMENDMENTS.—Section 162 (42 U.S.C. 12622), as amended by subsection (a), is further amended—

*(1) in the section heading, by striking ''**OTHER DEPARTMENTS**'' and inserting ''**DEPARTMENT OF DEFENSE**'';*

(2) by redesignating paragraphs (2), (3), and (4) of subsection (a) as subsections (b), (c), and (d), respectively, and aligning the margins of such subsections with the margins of section 161(a) of the Act;

(3) by striking ''(a) SECRETARY'' and all that follows through ''OFFICE.—'' and inserting the following:

''(a) LIAISON OFFICE.—'';

(4) in subsection (a) (as amended by paragraph (3))—

(A) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and aligning the margins of such paragraphs with the margins of section 161(b)(1) of the Act; and

(B) by redesignating clauses (i) and (ii) of paragraph (2) (as redesignated by subparagraph (A)) as subparagraphs (A) and (B), respectively, and aligning the margins of such subparagraphs with the margins of section 161(b)(1)(A) of the Act;

(5) in subsection (b) (as redesignated by paragraph (2))—

(A) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively, and aligning the margins of such paragraphs with the margins of section 161(b)(1) of the Act;

(B) in paragraph (1) (as redesignated by subparagraph (A)), by striking ''paragraph (1)'' and inserting ''subsection (a)''; and

(C) in paragraph (2) (as redesignated by subparagraph (A)), by striking ''paragraph'' and inserting ''subsection''; and

(6) in subsection (c) (as redesignated by paragraph (2))—

(A) by striking ''this paragraph'' and inserting ''this subsection''; and

(B) by striking ''paragraph (1)'' and inserting ''subsection (a)''.

SEC. 1513. ADVISORY BOARD.

Section 163 (42 U.S.C. 12623) is amended—

(1) in subsection (a)—

(A) by striking ''Upon the establishment of the Program, there shall also be'' and inserting ''There shall be'';

(B) by inserting ''National'' before ''Civilian Community Corps Advisory Board''; and

(C) by striking ''to assist'' and all that follows through the period at the end and inserting ''to assist the Corps in responding rapidly and efficiently in times of natural and other disasters. The Advisory Board members shall help coordinate activities with the Corps as appropriate, including the mobilization of volunteers and coordination of volunteer centers to help local communities recover from the effects of natural and other disasters.'';

(2) in subsection (b)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (13) and (14), respectively;

(B) by inserting after paragraph (7) the following:

''(8) The Administrator of the Federal Emergency Management Agency.

''(9) The Secretary of Transportation.

''(10) The Chief of the Forest Service.

''(11) The Administrator of the Environmental Protection Agency.

''(12) The Secretary of Energy.''; and

(C) in paragraph (13), as so redesignated, by striking ''industry,'' and inserting ''public and private organizations,''.

SEC. 1514. EVALUATIONS.

Section 164 (42 U.S.C. 12624) is amended—

*(1) in the section heading, by striking ''**ANNUAL EVALUATION**'' and inserting ''**EVALUATIONS**'';*

(2) by striking ''an annual evaluation'' and inserting ''periodic evaluations'';

(3) by striking ''Civilian Community Corps programs'' and inserting ''National Civilian Community Corps Program''; and

(4) by adding at the end the following: ''Upon completing each such evaluation, the Corporation shall transmit to the authorizing committees a report on the evaluation.''.

SEC. 1515. REPEAL OF FUNDING LIMITATION.

Section 165 (42 U.S.C. 12625) is repealed.

SEC. 1516. DEFINITIONS.

Subtitle E of title I (42 U.S.C. 12611 et seq.), as amended by this subtitle, is further amended—

(1) by redesignating section 166 as 165; and

(2) in section 165 (as redesignated by paragraph (1))—

(A) by striking paragraphs (2), (3), and (9);

(B) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(C) by inserting after paragraph (1) the following:

''(2) CAMPUS DIRECTOR.—The term 'campus director', with respect to a Corps campus, means the head of the campus under section 155(d).

''(3) CORPS.—The term 'Corps' means the National Civilian Community Corps required under section 155 as part of the National Civilian Community Corps Program.

''(4) CORPS CAMPUS.—The term 'Corps campus' means the facility or central location established as the operational headquarters and boarding place for particular Corps units.'';

(D) in paragraph (5) (as so redesignated), by striking ''Civilian Community Corps Demonstration Program'' and inserting ''National Civilian Community Corps Program'';

(E) in paragraph (6) (as so redesignated), by inserting ''National'' before ''Civilian Community Corps'';

(F) in paragraph (8) (as so redesignated), by striking ''The terms'' and all that follows through ''Demonstration Program'' and inserting ''The term 'Program' means the National Civilian Community Corps Program''; and

(G) in paragraph (9) (as so redesignated)—

(i) in the paragraph heading, by striking ''SERVICE LEARNING'' and inserting ''SERVICE-LEARNING''; and

(ii) in the matter preceding subparagraph (A), by striking ''service learning'' and inserting ''service-learning''.

SEC. 1517. TERMINOLOGY.

Subtitle E of title I (as so amended) (42 U.S.C. 12611 et seq.) is further amended by striking the subtitle heading and inserting the following:

''Subtitle E—National Civilian Community Corps''.

Subtitle F—Amendments to Subtitle F (Administrative Provisions)

SEC. 1601. FAMILY AND MEDICAL LEAVE.

Section 171(a)(1) (42 U.S.C. 12631(a)(1)) is amended by striking ''with respect to a project'' and inserting ''with respect to a project authorized under the national service laws''.

SEC. 1602. REPORTS.

Section 172 (42 U.S.C. 12632) is amended—

(1) in subsection (b)(1), by striking ''appropriate authorizing and appropriations Committees of Congress'' and inserting ''authorizing committees, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate''; and

(2) in subsection (c)(2), by striking ''the appropriate committees of Congress'' and inserting ''the authorizing committees, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate''.

SEC. 1603. USE OF FUNDS.

Section 174 (42 U.S.C. 12634) is amended by adding at the end the following:

''(d) REFERRALS FOR FEDERAL ASSISTANCE.—A program may not receive assistance under the national service laws for the sole purpose of referring individuals to Federal assistance programs or State assistance programs funded in part by the Federal Government.''.

SEC. 1604. NOTICE, HEARING, AND GRIEVANCE PROCEDURES.

Section 176 (42 U.S.C. 12636) is amended—

(1) in subsection (a)(2)(A), by striking ''30 days'' and inserting ''1 or more periods of 30 days not to exceed a total of 90 days''; and

(2) in subsection (f)—

(A) in paragraph (1), by striking ''A State or local applicant'' and inserting ''An entity''; and

(B) in paragraph (6)—

(i) in subparagraph (C), by striking ''and'';

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) in a case in which the grievance is filed by an individual applicant or participant—

''(i) the applicant's selection or the participant's reinstatement, as the case may be; and

''(ii) other changes in the terms and conditions of service applicable to the individual; and''.

SEC. 1605. RESOLUTION OF DISPLACEMENT COMPLAINTS.

Section 177 (42 U.S.C. 12637) is amended—

(1) in subsections (a) and (b), by striking ''under this title'' each place it appears and inserting ''under the national service laws'';

(2) in subsection (b)(1), by striking ''employee or position'' and inserting ''employee, position, or volunteer (other than a participant under the national service laws)''; and

(3) by adding at the end the following:

''(f) PARENTAL INVOLVEMENT.—

''(1) IN GENERAL.—Programs that receive assistance under the national service laws shall consult with the parents or legal guardians of children in developing and operating programs that include and serve children.

''(2) PARENTAL PERMISSION.—Programs that receive assistance under the national service laws shall, before transporting minor children, provide the children's parents with the reason for the transportation and obtain the parents' written permission for such transportation, consistent with State law.''.

SEC. 1606. STATE COMMISSIONS ON NATIONAL AND COMMUNITY SERVICE.

Section 178 (42 U.S.C. 12638) is amended—

(1) in subsection (a)(2), by striking ''sections 117B and 130'' and inserting ''section 130'';

(2) in subsection (c)(1)—

(A) in subparagraph (I), by striking ''section 122(a)'' and all that follows through the period at the end and inserting ''subsection (a), (b), or (c) of section 122.''; and

(B) by adding at the end the following:

''(J) A representative of the volunteer sector.'';

(3) in subsection (c)(3), by striking '', unless the State permits the representative to serve as a voting member of the State Commission or alternative administrative entity'';

(4) in subsection (d)(6)(B), by striking ''section 193A(b)(11)'' and inserting ''section 193A(b)(12)'';

(5) in subsection (e)—

(A) by striking paragraph (1) and inserting the following:

''(1) Preparation of a national service plan for the State that—

''(A) is developed, through an open and public process (such as through regional forums, hearings, and other means) that provides for maximum participation and input from the private sector, organizations, and public agencies, using service and volunteerism as strategies to meet critical community needs, including service through programs funded under the national service laws;

''(B) covers a 3-year period, the beginning of which may be set by the State;

''(C) is subject to approval by the chief executive officer of the State;

''(D) includes measurable goals and outcomes for the State national service programs in the State consistent with the performance levels for national service programs as described in section 179(k);

''(E) ensures outreach to diverse community-based agencies that serve underrepresented populations, through established networks and registries at the State level, or through the development of such networks and registries;

''(F) provides for effective coordination of funding applications submitted by the State and other organizations within the State under the national service laws;

''(G) is updated annually, reflecting changes in practices and policies that will improve the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State;

''(H) ensures outreach to, and coordination with, municipalities (including large cities) and county governments regarding the national service laws; and

''(I) contains such information as the State Commission considers to be appropriate or as the Corporation may require.''; and

(B) in paragraph (2), by striking ''sections 117B and 130'' and inserting ''section 130'';

(6) by redesignating subsections (f) through (j) as subsections (h) through (l), respectively; and

(7) by inserting after subsection (e) the following:

''(f) RELIEF FROM ADMINISTRATIVE REQUIREMENTS.—Upon approval of a State plan submitted under subsection (e)(1), the Chief Executive Officer may waive for the State, or specify alternatives for the State to, administrative requirements (other than statutory provisions) otherwise applicable to grants made to States under the national service laws, including those requirements identified by the State as impeding the coordination and effectiveness of Federal, State, and local resources for service and volunteerism within the State.

''(g) STATE SERVICE PLAN FOR ADULTS AGE 55 OR OLDER.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, to be eligible to receive a grant or allotment under subtitle B or C or to receive a distribution of approved national service positions under subtitle C, a State shall work with appropriate State agencies and private entities to develop a comprehensive State service plan for service by adults age 55 or older.

''(2) MATTERS INCLUDED.—The State service plan shall include—

''(A) recommendations for policies to increase service for adults age 55 or older, including how to best use such adults as sources of social capital, and how to utilize their skills and experience to address community needs;

''(B) recommendations to the State agency (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) on—

''(i) a marketing outreach plan to businesses; and

''(ii) outreach to—

''(I) nonprofit organizations;

''(II) the State educational agency;

''(III) institutions of higher education; and

''(IV) other State agencies;

''(C) recommendations for civic engagement and multigenerational activities, such as—

''(i) early childhood education and care, family literacy, and after school programs;

''(ii) respite services for adults age 55 or older and caregivers; and

''(iii) transitions for older adults age 55 or older to purposeful work in their post-career lives; and

''(D) recommendations for encouraging the development of Encore service programs in the State.

''(3) KNOWLEDGE BASE.—The State service plan shall incorporate the current knowledge base (as of the time of the plan) regarding—

''(A) the economic impact of the roles of workers age 55 or older in the economy;

''(B) the social impact of the roles of such workers in the community; and

''(C) the health and social benefits of active engagement for adults age 55 or older.

''(4) PUBLICATION.—The State service plan shall be made available to the public and be transmitted to the Chief Executive Officer.''.

SEC. 1607. EVALUATION AND ACCOUNTABILITY.

Section 179 (42 U.S.C. 12639) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Corporation shall provide, directly or through grants or contracts, for the continuing evaluation of programs that receive assistance under the national service laws, including evaluations that measure the impact of such programs, to determine—

''(1) the effectiveness of programs receiving assistance under the national service laws in achieving stated goals and the costs associated with such programs, including an evaluation of each such program's performance based on the performance levels established under subsection (k); and

''(2) the effectiveness of the structure and mechanisms for delivery of services, such as the effective utilization of the participants' time, the management of the participants, and the ease with which recipients were able to receive services, to maximize the cost effectiveness and the impact of such programs.'';

(2) in subsection (g)—

(A) in paragraph (3), by striking ''National Senior Volunteer Corps'' and inserting ''National Senior Service Corps''; and

(B) in paragraph (9), by striking ''to public service'' and all that follows through the period at the end and inserting ''to engage in service that benefits the community.'';

(3) in the matter preceding subparagraph (A) of subsection (i)(2), by striking ''Congress'' and inserting ''the authorizing committees''; and

(4) by adding at the end the following:

''(j) RESERVED PROGRAM FUNDS FOR ACCOUNTABILITY.—Notwithstanding any other provision of law, in addition to amounts appropriated to carry out this section, the Corporation may reserve not more than 1 percent of the total funds appropriated for a fiscal year under section 501 of this Act and sections 501 and 502 of the Domestic Volunteer Service Act of 1973 to support program accountability activities under this section.

''(k) PERFORMANCE LEVELS.—The Corporation shall, in consultation with each recipient of assistance under the national service laws, establish performance levels for such recipient to meet during the term of the assistance. The performance levels may include, for each national service program carried out by the recipient, performance levels based on the following performance measures:

''(1) Number of participants enrolled in the program and completing terms of service, as compared to the stated participation and retention goals of the program.

''(2) Number of volunteers recruited from the community in which the program was implemented.

''(3) If applicable based on the program design, the number of individuals receiving or benefitting from the service conducted.

''(4) Number of disadvantaged and underrepresented youth participants.

''(5) Measures of the sustainability of the program and the projects supported by the program, including measures to ascertain the level of community support for the program or projects.

''(6) Measures to ascertain the change in attitude toward civic engagement among the participants and the beneficiaries of the service.

''(7) Other quantitative and qualitative measures as determined to be appropriate by the recipient of assistance and the Corporation.

''(l) CORRECTIVE ACTION PLANS.—

''(1) IN GENERAL.—A recipient of assistance under the national service laws that fails, as determined by the Corporation, to meet or exceed the performance levels agreed upon under subsection (k) for a national service program, shall reach an agreement with the Corporation on a corrective action plan to meet such performance levels.

''(2) ASSISTANCE.—

''(A) NEW PROGRAM.—For a program that has received assistance under the national service laws for less than 3 years and for which the recipient is failing to meet or exceed the performance levels agreed upon under subsection (k), the Corporation shall—

''(i) provide technical assistance to the recipient to address targeted performance problems relating to the performance levels for the program; and

''(ii) require the recipient to submit quarterly reports on the program's progress toward meeting the performance levels for the program to the—

''(I) appropriate State, territory, or Indian tribe; and

''(II) the Corporation.

''(B) ESTABLISHED PROGRAMS.—For a program that has received assistance under the national service laws for 3 years or more and for which the recipient is failing to meet or exceed the performance levels agreed upon under subsection (k), the Corporation shall require the recipient to submit quarterly reports on the program's progress toward the performance levels for the program to—

''(i) the appropriate State, territory, or Indian tribe; and

''(ii) the Corporation.

''(m) FAILURE TO MEET PERFORMANCE LEVELS.—If, after a period for correction as approved by the Corporation in accordance with subsection (l), a recipient of assistance under the national service laws fails to meet or exceed the performance levels for a national service program, the Corporation shall—

''(1) reduce the annual amount of the assistance received by the underperforming recipient by at least 25 percent, for each remaining year of the grant period for that program; or

''(2) terminate assistance to the underperforming recipient for that program, in accordance with section 176(a).

''(n) REPORTS.—The Corporation shall submit to the authorizing committees not later than 2 years after the date of enactment of the Serve America Act, and annually thereafter, a report containing information on the number of—

''(1) recipients of assistance under the national service laws implementing corrective action plans under subsection (l)(1);

''(2) recipients for which the Corporation provides technical assistance for a program under subsection (l)(2)(A)(i);

''(3) recipients for which the Corporation terminates assistance for a program under subsection (m);

''(4) entities whose application for assistance under a national service law was rejected; and

''(5) recipients meeting or exceeding their performance levels under subsection (k).''.

SEC. 1608. CIVIC HEALTH ASSESSMENT.

(a) IN GENERAL.—Subtitle F of title I (42 U.S.C. 12631 et seq.), as amended by this subtitle, is further amended by inserting after section 179 the following:

''SEC. 179A. CIVIC HEALTH ASSESSMENT AND VOLUNTEERING RESEARCH AND EVALUATION.

''(a) DEFINITION OF PARTNERSHIP.—In this section, the term 'partnership' means the Corporation, acting in conjunction with (consistent with the terms of an agreement entered into between the Corporation and the National Conference) the National Conference on Citizenship referred to in section 150701 of title 36, United States Code, to carry out this section.

''(b) IN GENERAL.—The partnership shall facilitate the establishment of a Civic Health Assessment by—

''(1) after identifying public and private sources of civic health data, selecting a set of civic health indicators, in accordance with subsection (c), that shall comprise the Civic Health Assessment;

''(2) obtaining civic health data relating to the Civic Health Assessment, in accordance with subsection (d); and

''(3) conducting related analyses, and reporting the data and analyses, as described in paragraphs (4) and (5) of subsection (d) and subsections (e) and (f).

''(c) SELECTION OF INDICATORS FOR CIVIC HEALTH ASSESSMENT.—

''(1) IDENTIFYING SOURCES.—The partnership shall select a set of civic health indicators that shall comprise the Civic Health Assessment. In making such selection, the partnership—

''(A) shall identify public and private sources of civic health data;

''(B) shall explore collaborating with other similar efforts to develop national indicators in the civic health domain; and

''(C) may sponsor a panel of experts, such as one convened by the National Academy of Sciences, to recommend civic health indicators and data sources for the Civic Health Assessment.

''(2) TECHNICAL ADVICE.—At the request of the partnership, the Director of the Bureau of the Census and the Commissioner of Labor Statistics shall provide technical advice to the partnership on the selection of the indicators for the Civic Health Assessment.

''(3) UPDATES.—The partnership shall periodically evaluate and update the Civic Health Assessment, and may expand or modify the indicators described in subsection (d)(1) as necessary to carry out the purposes of this section.

''(d) DATA ON THE INDICATORS.—

''(1) SPONSORED DATA COLLECTION.—In identifying the civic health indicators for the Civic Health Assessment, and obtaining data for the Assessment, the partnership may sponsor the collection of data for the Assessment or for the various civic health indicators being considered for inclusion in the Assessment, including indicators related to—

''(A) volunteering and community service;

''(B) voting and other forms of political and civic engagement;

''(C) charitable giving;

''(D) connecting to civic groups and faith-based organizations;

''(E) interest in employment, and careers, in public service in the nonprofit sector or government;

''(F) understanding and obtaining knowledge of United States history and government; and

''(G) social enterprise and innovation.

''(2) DATA FROM STATISTICAL AGENCIES.—The Director of the Bureau of the Census and the Commissioner of Labor Statistics shall collect annually, to the extent practicable, data to inform the Civic Health Assessment, and shall report data from such collection to the partnership. In determining the data to be collected, the Director and the Commissioner shall examine privacy issues, response rates, and other relevant issues.

''(3) SOURCES OF DATA.—To obtain data for the Civic Health Assessment, the partnership shall consider—

''(A) data collected through public and private sources; and

''(B) data collected by the Bureau of the Census, through the Current Population Survey, or by the Bureau of Labor Statistics, in accordance with paragraph (2).

''(4) DEMOGRAPHIC CHARACTERISTICS.—The partnership shall seek to obtain data for the Civic Health Assessment that will permit the partnership to analyze the data by age group, race and ethnicity, education level, and other demographic characteristics of the individuals involved.

''(5) OTHER ISSUES.—In obtaining data for the Civic Health Assessment, the partnership may also obtain such information as may be necessary to analyze—

''(A) the role of Internet technology in strengthening and inhibiting civic activities;

''(B) the role of specific programs in strengthening civic activities;

''(C) the civic attitudes and activities of new citizens and immigrants; and

''(D) other areas related to civic activities.

''(e) REPORTING OF DATA.—

''(1) IN GENERAL.—The partnership shall, not less often than once each year, prepare a report containing—

''(A) detailed data obtained under subsection (d), including data on the indicators comprising the Civic Health Assessment; and

''(B) the analyses described in paragraphs (4) and (5) of subsection (d), to the extent practicable based on the data the partnership is able to obtain.

''(2) AGGREGATION AND PRESENTATION.—The partnership shall, to the extent practicable, aggregate the data on the civic health indicators comprising the Civic Health Assessment by community, by State, and nationally. The report described in paragraph (1) shall present the aggregated data in a form that enables communities and States to assess their civic health, as measured on each of the indicators comprising the Civic Health Assessment, and compare those measures with comparable measures of other communities and States.

''(3) SUBMISSION.—The partnership shall submit the report to the authorizing committees, and make the report available to the general public on the Corporation's website.

''(f) PUBLIC INPUT.—The partnership shall—

''(1) identify opportunities for public dialogue and input on the Civic Health Assessment; and

''(2) hold conferences and forums to discuss the implications of the data and analyses reported under subsection (e).

''(g) VOLUNTEERING RESEARCH AND EVALUATION.—

''(1) RESEARCH.—The partnership shall provide for baseline research and tracking of domestic and international volunteering, and baseline research and tracking related to relevant data on the indicators described in subsection (d). In providing for the research and tracking under this subsection, the partnership shall consider data from the Supplements to the Current Populations Surveys conducted by the Bureau of the Census for the Bureau of Labor Statistics, and data from other public and private sources, including other data collected by the Bureau of the Census and the Bureau of Labor Statistics.

''(2) IMPACT RESEARCH AND EVALUATION.—The partnership shall sponsor an independent evaluation of the impact of domestic and international volunteering, including an assessment of best practices for such volunteering, and methods of improving such volunteering through enhanced collaboration among—

''(A) entities that recruit, manage, support, and utilize volunteers;

''(B) institutions of higher education; and

''(C) research institutions.

''(h) DATABASE PROHIBITION.—Nothing in this Act shall be construed to authorize the development, implementation, or maintenance of a Federal database of personally identifiable information on individuals participating in data collection for sources of information under this section.''.

SEC. 1609. CONTINGENT EXTENSION.

Section 181 (42 U.S.C. 12641) is amended by striking ''Section 414'' and inserting ''Section 422''.

SEC. 1610. PARTNERSHIPS WITH SCHOOLS.

Section 182(b) (42 U.S.C. 12642(b)) is amended to read as follows:

''(b) REPORT.—

''(1) FEDERAL AGENCY SUBMISSION.—The head of each Federal agency and department shall prepare and submit to the Corporation a report concerning the implementation of this section, including an evaluation of the agency or department's performance on performance goals and benchmarks for each partnership program of the agency or department.

''(2) REPORT TO CONGRESS.—The Corporation shall prepare and submit to the authorizing committees a compilation of the information received under paragraph (1).''.

SEC. 1611. RIGHTS OF ACCESS, EXAMINATION, AND COPYING.

Section 183 (42 U.S.C. 12643) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting ''territory,'' after ''local government,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The'' and inserting ''Consistent with otherwise applicable law, the''; and

(B) in paragraph (1), by inserting ''territory'' after ''local government,''; and

(3) by adding at the end the following:

''(c) INSPECTOR GENERAL.—Consistent with otherwise applicable law, the Inspector General of the Corporation shall have access to, and the right to examine and copy, any books, documents, papers, records, and other recorded information in any form—

''(1) within the possession or control of the Corporation or any State or local government, territory, Indian tribe, or public or private nonprofit organization receiving assistance directly or indirectly under the national service laws; and

''(2) that relates to—

''(A) such assistance; and

''(B) the duties of the Inspector General under the Inspector General Act of 1978 (5 U.S.C. App.).''.

SEC. 1612. ADDITIONAL ADMINISTRATIVE PROVISIONS.

Subtitle F of title I (42 U.S.C. 12631 et seq.) is amended by adding at the end the following:

''SEC. 185. CONSOLIDATED APPLICATION AND REPORTING REQUIREMENTS.

''(a) IN GENERAL.—To promote efficiency and eliminate duplicative requirements, the Corporation shall consolidate or modify application procedures and reporting requirements for programs, projects, and activities funded under the national service laws.

''(b) REPORT TO CONGRESS.—Not later than 18 months after the effective date of the Serve America Act, the Corporation shall submit to the authorizing committees a report containing information on the actions taken to consolidate or modify the application procedures and reporting requirements for programs, projects, and activities funded under the national service laws, including a description of the procedures for consultation with recipients of the funding.

''SEC. 186. SUSTAINABILITY.

''The Corporation, after consultation with State Commissions and recipients of assistance, may set sustainability goals for projects or programs under the national service laws, so that recipients of assistance under the national service laws are carrying out sustainable projects or programs. Such sustainability goals shall be in writing and shall be used—

''(1) to build the capacity of the projects or programs that receive assistance under the national service laws to meet community needs;

''(2) in providing technical assistance to recipients of assistance under the national service laws regarding acquiring and leveraging non-Federal funds for support of the projects or programs that receive such assistance; and

''(3) to determine whether the projects or programs, receiving such assistance, are generating sufficient community support.

''SEC. 187. GRANT PERIODS.

''Unless otherwise specifically provided, the Corporation has authority to award a grant or contract, or enter into a cooperative agreement, under the national service laws for a period of 3 years.

''SEC. 188. GENERATION OF VOLUNTEERS.

''In making decisions on applications for assistance or approved national service positions under the national service laws, the Corporation shall take into consideration the extent to which the applicant's proposal will increase the involvement of volunteers in meeting community needs. In reviewing the application for this purpose, the Corporation may take into account the mission of the applicant.

''SEC. 189. LIMITATION ON PROGRAM GRANT COSTS.

''(a) LIMITATION ON GRANT AMOUNTS.—Except as otherwise provided by this section, the amount of funds approved by the Corporation for a grant to operate a program authorized under the national service laws, for supporting individuals serving in approved national service positions, may not exceed $18,000 per full-time equivalent position.

''(b) COSTS SUBJECT TO LIMITATION.—The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall apply to the Corporation's share of the member support costs, staff costs, and other costs to operate a program authorized under the national service laws incurred, by the recipient of the grant.

''(c) COSTS NOT SUBJECT TO LIMITATION.—The limitation under subsection (a), and the increased limitation under subsection (e)(1), shall not apply to expenses under a grant authorized under the national service laws to operate a program that are not included in the grant award for operating the program.

''(d) ADJUSTMENTS FOR INFLATION.—The amounts specified in subsections (a) and (e)(1) shall be adjusted each year after 2008 for inflation as measured by the Consumer Price Index for All Urban Consumers published by the Secretary of Labor.

''(e) WAIVER AUTHORITY AND REPORTING REQUIREMENT.—

''(1) WAIVER.—The Chief Executive Officer may increase the limitation under subsection (a) to not more than $19,500 per full-time equivalent position if necessary to meet the compelling needs of a particular program, such as—

''(A) exceptional training needs for a program serving disadvantaged youth;

''(B) the need to pay for increased costs relating to the participation of individuals with disabilities;

''(C) the needs of tribal programs or programs located in the territories; and

''(D) the need to pay for start-up costs associated with a first-time recipient of assistance under a program of the national service laws.

''(2) REPORTS.—The Chief Executive Officer shall report to the authorizing committees annually on all limitations increased under this subsection, with an explanation of the compelling needs justifying such increases.

''SEC. 189A. MATCHING FUNDS FOR SEVERELY ECONOMICALLY DISTRESSED COMMUNITIES.

''(a) IN GENERAL.—Notwithstanding any other provision of law, a severely economically distressed community that receives assistance from the Corporation for any program under the national service laws shall not be subject to any requirements to provide matching funds for any such program, and the Federal share of such assistance for such a community may be 100 percent.

''(b) SEVERELY ECONOMICALLY DISTRESSED COMMUNITY.—For the purposes of this section, the term 'severely economically distressed community' means—

''(1) an area that has a mortgage foreclosure rate, home price decline, and unemployment rate all of which are above the national average for such rates or level, for the most recent 12 months for which satisfactory data are available; or

''(2) a residential area that lacks basic living necessities, such as water and sewer systems, electricity, paved roads, and safe, sanitary housing.

''SEC. 189B. AUDITS AND REPORTS.

''The Corporation shall comply with applicable audit and reporting requirements as provided in the Chief Financial Officers Act of 1990 (31 U.S.C. 901 note; Public Law 101–576) and chapter 91 of title 31, United States Code (commonly known as the 'Government Corporation Control Act'). The Corporation shall report to the authorizing committees any failure to comply with such requirements.

''SEC. 189C. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

''(a) GENERAL PROHIBITION.—Nothing in the national service laws shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other prohibition of Federal law, no funds provided to the Corporation under this Act may be used by the Corporation to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

''(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION STANDARDS.—Notwithstanding any other provision of Federal

law, not State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

"SEC. 189D. CRIMINAL HISTORY CHECKS.

''(a) IN GENERAL.—Each entity selecting individuals to serve in a position in which the individuals receive a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws, shall, subject to regulations and requirements established by the Corporation, conduct criminal history checks for such individuals.

''(b) REQUIREMENTS.—A criminal history check under subsection (a) shall, except in cases approved for good cause by the Corporation, include—

''(1) a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); and

''(2)(A) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; or

''(B) submitting fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

''(c) ELIGIBILITY PROHIBITION.—An individual shall be ineligible to serve in a position described under subsection (a) if such individual—

''(1) refuses to consent to the criminal history check described in subsection (b);

''(2) makes a false statement in connection with such criminal history check;

''(3) is registered, or is required to be registered, on a State sex offender registry or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.); or

''(4) has been convicted of murder, as described in section 1111 of title 18, United States Code.''.

SEC. 1613. AVAILABILITY OF ASSISTANCE.

(a) AMENDMENT.—Subtitle F of title I is further amended by inserting after section 184 the following:

"SEC. 184A. AVAILABILITY OF ASSISTANCE.

''A reference in subtitle C, D, E, or H of title I regarding an entity eligible to receive direct or indirect assistance to carry out a national service program shall include a non-profit organization promoting competitive and non-competitive sporting events involving individuals with disabilities (including the Special Olympics), which enhance the quality of life for individuals with disabilities.''.

SEC. 1614. CRIMINAL HISTORY CHECKS FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.

(a) AMENDMENT.—Section 189D, as added by section 1612, is further amended by adding at the end the following:

''(d) SPECIAL RULE FOR INDIVIDUALS WORKING WITH VULNERABLE POPULATIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (b), on and after the date that is 2 years after the date of enactment of the Serve America Act, a criminal history check under subsection (a) for each individual described in paragraph (2) shall, except for an entity described in paragraph (3), include—

''(A) a name-based search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.);

''(B) a search of the State criminal registry or repository in the State in which the program is operating and the State in which the individual resides at the time of application; and

''(C) submitting fingerprints to the Federal Bureau of Investigation for a national criminal history background check.

''(2) INDIVIDUALS WITH ACCESS TO VULNERABLE POPULATIONS.—An individual described in this paragraph is an individual age 18 or older who—

''(A) serves in a position in which the individual receives a living allowance, stipend, national service educational award, or salary through a program receiving assistance under the national service laws; and

''(B) as a result of such individual's service in such position, has or will have access, on a recurring basis, to—

''(i) children age 17 years or younger;

''(ii) individuals age 60 years or older; or

''(iii) individuals with disabilities.

''(3) EXCEPTIONS.—The provisions of this subsection shall not apply to an entity—

''(A) where the service provided by individuals serving with the entity to a vulnerable population described in paragraph (2)(B) is episodic in nature or for a 1-day period;

''(B) where the cost to the entity of complying with this subsection is prohibitive;

''(C) where the entity is not authorized, or is otherwise unable, under State law, to access the national criminal history background check system of the Federal Bureau of Investigation;

''(D) where the entity is not authorized, or is otherwise unable, under Federal law, to access the national criminal history background check system of the Federal Bureau of Investigation; or

''(E) to which the Corporation otherwise provides an exemption from this subsection for good cause.''.

(b) FEASIBILITY STUDY FOR A SYSTEM OF CRIMINAL HISTORY CHECKS FOR EMPLOYEES AND VOLUNTEERS.—

(1) FEASIBILITY STUDY ON EFFICIENCY AND EFFECTIVENESS REGARDING CRIMINAL HISTORY CHECK.—The Attorney General of the United States shall conduct a study that shall examine, to the extent discernible and as of the date of the study, the following:

(A) The state of criminal history checks (including the use of fingerprint collection) at the State and local level, including—

(i) the available infrastructure for conducting criminal history checks;

(ii) the State system capacities to conduct such criminal history checks; and

(iii) the time required for each State to process an individual's fingerprints for a national criminal history background check through the Federal Bureau of Investigation, from the time of fingerprint collection to the submission to the Federal Bureau of Investigation.

(B) The likelihood that each State would participate in a nationwide system of criminal history checks to provide information regarding participants to entities receiving assistance under the national service laws.

(C) The number of participants that would require a fingerprint-based national criminal history background check under the national service laws.

(D) The impact of the national service laws on the Integrated Automated Fingerprint Identification System of the Federal Bureau of Investigation in terms of capacity and impact on other users of the system, including the effect on the work practices and staffing levels of the Federal Bureau of Investigation.

(E) The fees charged by the Federal Bureau of Investigation, States, local agencies, and private companies to collect and process fingerprints and conduct criminal history checks.

(F) The existence of model or best practice programs regarding conducting criminal history checks that could easily be expanded and duplicated in other States.

(G) The extent to which private companies are currently performing criminal history checks, and the possibility of using private companies in the future to perform any of the criminal history check process, including the collection and transmission of fingerprints and fitness determinations.

(H) The cost of development and operation of the technology and the infrastructure necessary to establish a nationwide fingerprint-based and other criminal background check system.

(I) The extent of State participation in the procedures for background checks under the National Child Protection Act of 1993 (42 U.S.C. 5119 et seq.).

(J) The extent to which States provide access to nationwide criminal history checks to organizations that serve children.

(K) The extent to which States permit volunteers and other individuals to appeal adverse fitness determinations, and whether similar procedures are required at the Federal level.

(L) Any privacy concerns that may arise from nationwide criminal background checks for participants.

(M) Any other information determined relevant by the Attorney General.

(2) INTERIM REPORT.—Based on the findings of the study under paragraph (1), the Attorney General shall, not later than 6 months after the date of the enactment of this Act, submit to the appropriate committees of Congress an interim report, which may include recommendations regarding criminal history checks for individuals that seek to volunteer with organizations that work with children, the elderly, or individuals with disabilities.

(3) FINAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and to the Committee on the Judiciary and the Committee on Education and Labor of the House of Representatives, a final report including recommendations regarding criminal history checks for participants under the national service laws, which may include—

(A) a proposal for grants to States to develop or improve programs to collect fingerprints and perform criminal history checks for individuals that seek to volunteer with organizations that work with children, the elderly, or individuals with disabilities; and

(B) recommendations for amendments to the National Child Protection Act of 1993 and the Volunteers for Children Act so that entities receiving assistance under the national service laws can promptly and affordably conduct nationwide criminal history background checks on their employees and volunteers.

(4) DEFINITIONS.—In this subsection, the terms ''authorizing committees'', ''participants'', and ''national service laws'' have the meanings given such terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(c) EFFECTIVE DATE.—Notwithstanding section 6101, subsection (b) shall take effect on the date of enactment of this Act.

Subtitle G—Amendments to Subtitle G (Corporation for National and Community Service)

SEC. 1701. TERMS OF OFFICE.

Section 192 (42 U.S.C. 12651a) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) TERMS.—Subject to subsection (e), each appointed member shall serve for a term of 5 years.''; and

(2) by adding at the end the following:

''(e) SERVICE UNTIL APPOINTMENT OF SUCCESSOR.—A voting member of the Board whose term has expired may continue to serve on the Board until the date on which the member's successor takes office, which period shall not exceed 1 year.''.

SEC. 1702. BOARD OF DIRECTORS AUTHORITIES AND DUTIES.

Section 192A(g) (42 U.S.C. 12651b(g)) is amended—

(1) in the matter preceding paragraph (1), by striking ''shall—'' and inserting ''shall have responsibility for setting overall policy for the Corporation and shall—'';

(2) in paragraph (1), by inserting before the semicolon at the end the following: '', *and review the budget proposal in advance of submission to the Office of Management and Budget'';*

(3) in paragraph (5)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(C) review the performance of the Chief Executive Officer annually and forward a report on that review to the President;'';

(4) in paragraph (8), by striking ''the Congress'' each place it appears and inserting ''the authorizing committees'';

(5) by striking paragraph (10) and inserting the following:

''(10) notwithstanding any other provision of law—

''(A) make grants to or contracts with Federal and other public departments or agencies, and private nonprofit organizations, for the assignment or referral of volunteers under the provisions of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.) (except as provided in section 108 of such Act), which may provide that the agency or organization shall pay all or a part of the costs of the program; and

''(B) enter into agreements with other Federal agencies or private nonprofit organizations for the support of programs under the national service laws, which—

''(i) may provide that the agency or organization shall pay all or a part of the costs of the program, except as is provided in section 121(b); and

''(ii) shall provide that the program (including any program operated by another Federal agency) will comply with all requirements related to evaluation, performance, and other goals applicable to similar programs under the national service laws, as determined by the Corporation,''; and

(6) in paragraph (11)—

(A) by striking ''Congress'' each place it appears and inserting ''authorizing committees'';

(B) by striking ''section 193A(b)(10)'' and inserting ''section 193A(b)(11)''; and

(C) by striking ''September 30, 1995'' and inserting ''January 1, 2012''.

SEC. 1703. CHIEF EXECUTIVE OFFICER COMPENSATION.

Section 193(b) (42 U.S.C. 12651c(b)) is amended by striking the period and inserting '', *plus 3 percent.''.*

SEC. 1704. AUTHORITIES AND DUTIES OF THE CHIEF EXECUTIVE OFFICER.

Section 193A (42 U.S.C. 12651d) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''shall—'' and inserting '', *in collaboration with the State Commissions, shall—'';*

(B) in paragraph (1), by inserting after ''a strategic plan'' the following: '', *including a plan for having 50 percent of all approved national service positions be full-time positions by 2012,'';*

(C) in paragraph (2)(B), by inserting '', *approved summer of service positions, and approved silver scholar positions'' after ''approved national service positions'';*

(D) by redesignating paragraphs (7) through (11) as paragraphs (8) through (12), respectively;

(E) by inserting after paragraph (6) the following:

''(7) prepare and submit to the authorizing committees and the Board an annual report on actions taken to achieve the goal of having 50 percent of all approved national service positions be full-time positions by 2012 as described in paragraph (1), including an assessment of the progress made toward achieving that goal and the actions to be taken in the coming year toward achieving that goal;'';

(F) in the matter preceding subparagraph (A) of paragraph (10) (as so redesignated), by striking ''appropriate committees of Congress'' and inserting ''authorizing committees'';

(G) in paragraph (11) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking ''by June 30, 1995,'' and inserting ''periodically,'';

(ii) in subparagraph (A)(i)—

(I) by striking ''described in section 122(c)(1)''; and

(II) by striking ''national priorities designed to meet the'' and inserting ''national priorities, as described in section 122(f)(1), designed to meet''; and

(iii) in subparagraph (B), by striking ''and'' after a semicolon;

(H) in paragraph (12) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(I) by adding at the end the following:

''(13) bolster the public awareness of and recruitment efforts for the wide range of service opportunities for citizens of all ages, regardless of socioeconomic status or geographic location, through a variety of methods, including—

''(A) print media;

''(B) the Internet and related emerging technologies;

''(C) television;

''(D) radio;

''(E) presentations at public or private forums;

''(F) other innovative methods of communication; and

''(G) outreach to offices of economic development, State employment security agencies, labor organizations and trade associations, local educational agencies, institutions of higher education, agencies and organizations serving veterans and individuals with disabilities, and other institutions or organizations from which participants for programs receiving assistance from the national service laws can be recruited;

''(14) identify and implement methods of recruitment to—

''(A) increase the diversity of participants in the programs receiving assistance under the national service laws; and

''(B) increase the diversity of service sponsors of programs desiring to receive assistance under the national service laws;

''(15) coordinate with organizations of former participants of national service programs for service opportunities that may include capacity building, outreach, and recruitment for programs receiving assistance under the national service laws;

''(16) collaborate with organizations with demonstrated expertise in supporting and accommodating individuals with disabilities, including institutions of higher education, to identify and implement methods of recruitment to increase the number of participants who are individuals with disabilities in the programs receiving assistance under the national service laws;

''(17) identify and implement recruitment strategies and training programs for bilingual volunteers in the National Senior Service Corps under title II of the Domestic Volunteer Service Act of 1973;

''(18) collaborate with organizations that have established volunteer recruitment programs to increase the recruitment capacity of the Corporation;

''(19) where practicable, provide application materials in languages other than English for individuals with limited English proficiency who wish to participate in a national service program;

''(20) collaborate with the training and technical assistance programs described in subtitle J with respect to the activities described in section 199N(b));

''(21) coordinate the clearinghouses described in section 198O;

''(22) coordinate with entities receiving funds under subtitle C in establishing the National Service Reserve Corps under section 198H, through which alumni of the national service programs and veterans can serve in disasters and emergencies (as such terms are defined in section 198H(a));

''(23) identify and implement strategies to increase awareness among Indian tribes of the types and availability of assistance under the national service laws, increase Native American participation in programs under the national service laws, collect information on challenges facing Native American communities, and designate a Strategic Advisor for Native American Affairs to be responsible for the execution of those activities under the national service laws;

''(24) conduct outreach to ensure the inclusion of economically disadvantaged individuals in national service programs and activities authorized under the national service laws; and

''(25) ensure that outreach, awareness, and recruitment efforts are consistent with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).'';

(2) in subsection (c)—

(A) in paragraph (9)—

(i) by striking ''Congress'' each place the term occurs and inserting ''the authorizing committees''; and

(ii) by striking ''and'' at the end;

(B) by redesignating paragraph (10) as paragraph (11); and

(C) by inserting after paragraph (9) the following:

''(10) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance under this title; and'';

(3) in subsection (f)(2)(B), by striking ''date specified in subsection (b)(10)'' and inserting ''the first date that a report is submitted under subsection (b)(11) after the effective date of the Serve America Act''; and

(4) by adding at the end the following:

''(h) AUTHORITY TO CONTRACT WITH BUSINESSES.—The Chief Executive Officer may, through contracts or cooperative agreements, carry out the marketing duties described in subsection (b)(13), with priority given to those entities that have established expertise in the recruitment of disadvantaged youth, members of Indian tribes, and older adults.

''(i) CAMPAIGN TO SOLICIT FUNDS.—The Chief Executive Officer may conduct a campaign to solicit funds to conduct outreach and recruitment campaigns to recruit a diverse population of service sponsors of, and participants in, programs and projects receiving assistance under the national service laws.''.

SEC. 1705. CHIEF FINANCIAL OFFICER STATUS.

Section 194(c) (42 U.S.C. 12651e(c)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—There shall be in the Corporation a Chief Financial Officer, who shall be appointed by the Chief Executive Officer pursuant to subsections (a) and (b) of section 195.''; and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 1706. NONVOTING MEMBERS; PERSONAL SERVICES CONTRACTS.

Section 195 (42 U.S.C. 12651f) is amended—

(1) in subsection (c)—

(A) in paragraph (2)(B), by inserting after ''subdivision of a State,'' the following: ''territory,''; and

(B) in paragraph (3)—

(i) in the heading, by striking ''MEMBER'' and inserting ''NONVOTING MEMBER''; and

(ii) by inserting ''nonvoting'' before ''member''; and

(2) by adding at the end the following new subsection:

''(g) PERSONAL SERVICES CONTRACTS.—The Corporation may enter into personal services contracts to carry out research, evaluation, and public awareness related to the national service laws.''.

SEC. 1707. DONATED SERVICES.

Section 196(a) (42 U.S.C. 12651g(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

''(A) ORGANIZATIONS AND INDIVIDUALS.—Notwithstanding section 1342 of title 31, United States Code, the Corporation may solicit and accept the services of organizations and individuals (other than participants) to assist the Corporation in carrying out the duties of the Corporation under the national service laws, and may provide to such individuals the travel expenses described in section 192A(d).'';

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking ''Such a volunteer'' and inserting ''A person who provides assistance, either individually or as a member of an organization, in accordance with subparagraph (A)'';

(ii) in clause (i), by striking ''a volunteer under this subtitle'' and inserting ''such a person'';

(iii) in clause (ii), by striking ''volunteers under this subtitle'' and inserting ''such persons''; and

(iv) in clause (iii), by striking ''such a volunteer'' and inserting ''such a person''; and

(C) in subparagraph (C)(i), by striking ''Such a volunteer'' and inserting ''Such a person''; and

(2) by striking paragraph (3).

SEC. 1708. ASSIGNMENT TO STATE COMMISSIONS.

Subtitle G of title I (42 U.S.C. 12651 et seq.) is further amended by adding at the end the following:

''SEC. 196B. ASSIGNMENT TO STATE COMMISSIONS.

''(a) ASSIGNMENT.—In accordance with section 193A(c)(1), the Chief Executive Officer may assign to State Commissions specific programmatic functions upon a determination that such an assignment will increase efficiency in the operation or oversight of a program under the national service laws. In carrying out this section, and before executing any assignment of authority, the Corporation shall seek input from and consult Corporation employees, State Commissions, State educational agencies, and other interested stakeholders.

''(b) REPORT.—Not later than 2 years after the effective date of the Serve America Act, the Corporation shall submit a report to the authorizing committees describing the consultation process described in subsection (a), including the stakeholders consulted, the recommendation of stakeholders, and any actions taken by the Corporation under this section.''.

SEC. 1709. STUDY OF INVOLVEMENT OF VETERANS.

Subtitle G of title I (42 U.S.C. 12651 et seq.) is further amended by adding at the end the following:

''SEC. 196C. STUDY OF INVOLVEMENT OF VETERANS.

''(a) STUDY AND REPORT.—The Corporation shall conduct a study and submit a report to the authorizing committees, not later than 3 years after the effective date of the Serve America Act, on—

''(1) the number of veterans serving in national service programs historically by year;

''(2) strategies being undertaken to identify the specific areas of need of veterans, including any goals set by the Corporation for veterans participating in the service programs;

''(3) the impact of the strategies described in paragraph (2) and the Veterans Corps on enabling greater participation by veterans in the national service programs carried out under the national service laws;

''(4) how existing programs and activities carried out under the national service laws could be improved to serve veterans, veterans service organizations, families of active-duty military, including gaps in services to veterans;

''(5) the extent to which existing programs and activities carried out under the national service laws are coordinated and recommendations to improve such coordination including the methods for ensuring the efficient financial organization of services directed towards veterans; and

''(6) how to improve utilization of veterans as resources and volunteers.

''(b) CONSULTATION.—In conducting the studies and preparing the reports required under this subsection, the Corporation shall consult with veterans' service organizations, the Secretary of Veterans Affairs, State veterans agencies, the Secretary of Defense, as appropriate, and other individuals and entities the Corporation considers appropriate.''.

SEC. 1710. STUDY TO EXAMINE AND INCREASE SERVICE PROGRAMS FOR DISPLACED WORKERS IN SERVICES CORPS AND COMMUNITY SERVICE AND TO DEVELOP PILOT PROGRAM PLANNING STUDY.

(a) PLANNING STUDY.—The Corporation shall conduct a study to identify—

(1) specific areas of need for displaced workers;

(2) how existing programs and activities (as of the time of the study) carried out under the national service laws could better serve displaced workers and communities that have been adversely affected by plant closings and job losses;

(3) prospects for better utilization of displaced workers as resources and volunteers; and

(4) methods for ensuring the efficient financial organization of services directed towards displaced workers.

(b) CONSULTATION.—The study shall be carried out in consultation with the Secretary of Labor, State labor agencies, and other individuals and entities the Corporation considers appropriate.

(c) REPORT.—Not later than 1 year after the effective date of this Act, the Corporation shall submit to the authorizing committees a report on the results of the planning study required by subsection (a), together with a plan for implementation of a pilot program using promising strategies and approaches for better targeting and serving displaced workers.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation shall develop and carry out a pilot program based on the findings and plan in the report submitted under subsection (c).

(e) DEFINITIONS.—In this section, the terms ''Corporation'', ''authorizing committees'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2010 through 2014.

SEC. 1711. STUDY TO EVALUATE THE EFFECTIVENESS OF AGENCY COORDINATION.

(a) STUDY.—In order to reduce administrative burdens and lower costs for national service programs carried out under the national service laws, the Corporation shall conduct a study to determine the feasibility and effectiveness of implementing a data matching system under which the statements of an individual declaring that such individual is in compliance with the requirements of section 146(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12602(a)(3)) shall be verified by the Corporation by comparing information provided by the individual with information relevant to such a declaration in the possession of other Federal agencies. Such study shall—

(1) review the feasibility of—

(A) expanding, and participating in, the data matching conducted by the Department of Education with the Social Security Administration and the Department of Homeland Security, pursuant to section 484(g) of the Higher Education Act of 1965 (20 U.S.C. 1091(g)); or

(B) establishing a comparable system of data matching with the Social Security Administration and the Department of Homeland Security; and

(2) identify—

(A) the costs, for both the Corporation and the other Federal agencies identified in paragraph (1), associated with expanding or establishing such a system of data matching;

(B) the benefits or detriments of such an expanded or comparable system both for the Corporation and for the other Federal agencies so identified;

(C) strategies for ensuring the privacy and security of participant information that is shared between Federal agencies and organizations receiving assistance under the national service laws;

(D) the information that needs to be shared in order to fulfill the eligibility requirements of section 146(a)(3) of the National and Community Service Act of 1990 (42 U.S.C. 12602(a)(3));

(E) an alternative system through which an individual's compliance with section 146(a)(3) of such Act may be verified, should such an expanded or comparable system fail to verify the individual's declaration of compliance; and

(F) recommendations for implementation of such an expanded or comparable system.

(b) CONSULTATION.—The Corporation shall carry out the study in consultation with the Secretary of Education, the Commissioner of the Social Security Administration, the Secretary of Homeland Security, and other Federal agencies, entities, and individuals that the Corporation considers appropriate.

(c) REPORT.—Not later than 9 months after the effective date of this Act, the Corporation shall submit to the authorizing committees a report on the results of the study required by subsection (a) and a plan for implementation of a pilot data matching program using promising strategies and approaches identified in such study, if the Corporation determines such program to be feasible.

(d) PILOT PROGRAM.—From amounts made available to carry out this section, the Corporation may develop and carry out a pilot data matching program based on the report submitted under subsection (c).

(e) DEFINITIONS.—In this section, the terms ''Corporation'', ''authorizing committees'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

SEC. 1712. STUDY OF PROGRAM EFFECTIVENESS.

(a) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall develop performance measures for each program receiving Federal assistance under the national service laws.

(b) CONTENTS.—The performance measures developed under subsection (a) shall—

(1) to the maximum extent practicable draw on research-based, quantitative data;

(2) take into account program purpose and program design;

(3) include criteria to evaluate the cost effectiveness of programs receiving assistance under the national service laws;

(4) include criteria to evaluate the administration and management of programs receiving Federal assistance under the national service laws; and

(5) include criteria to evaluate oversight and accountability of recipients of assistance through such programs under the national service laws.

(c) REPORT.—Not later than 2 years after the development of the performance measures under subsection (a), and every 5 years thereafter, the Comptroller General of the United States shall prepare and submit to the authorizing committees and the Corporation's Board of Directors a report containing an assessment of each such

program with respect to the performance measures developed under subsection (a).

(d) DEFINITIONS.—In this section:

(1) IN GENERAL.—The terms ''authorizing committees'', ''Corporation'', and ''national service laws'' have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(2) PROGRAM.—The term ''program'' means an entire program carried out by the Corporation under the national service laws, such as the entire AmeriCorps program carried out under subtitle C.

SEC. 1713. VOLUNTEER MANAGEMENT CORPS STUDY.

(a) FINDINGS.—Congress finds the following:

(1) Many managers seek opportunities to give back to their communities and address the Nation's challenges.

(2) Managers possess business and technical skills that make them especially suited to help nonprofit organizations and State and local governments create efficiencies and cost savings and develop programs to serve communities in need.

(3) There are currently a large number of businesses and firms who are seeking to identify savings through sabbatical opportunities for senior employees.

(b) STUDY AND PLAN.—Not later than 6 months after the date of enactment of this Act, the Corporation shall—

(1) conduct a study on how best to establish and implement a Volunteer Management Corps program; and

(2) submit a plan regarding the establishment of such program to Congress and to the President.

(c) CONSULTATION.—In carrying out the study described in subsection (b)(1), the Corporation may consult with experts in the private and nonprofit sectors.

(d) EFFECTIVE DATE.—Notwithstanding section 6101, this section shall take effect on the date of enactment of this Act.

Subtitle H—Amendments to Subtitle H (Investment for Quality and Innovation)

SEC. 1801. TECHNICAL AMENDMENT TO SUBTITLE H.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by inserting after the subtitle heading and before section 198 the following:

"PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE".

SEC. 1802. ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE.

(a) TECHNICAL AMENDMENTS.—Section 198 (42 U.S.C. 12653) is amended—

(1) in subsection (a), by striking ''subsection (r)'' and inserting ''subsection (g)'';

(2) in the matter preceding paragraph (1) of subsection (b), by striking ''to improve the quality'' and all that follows through ''including—'' and inserting ''to address emergent needs through summer programs and other activities, and to support service-learning programs and national service programs, including—'';

(3) by striking subsections (c), (d), (e), (f), (h), (i), (j), (l), (m), and (p) and redesignating subsections (g), (k), (n), (o), (q), (r), and (s) as subsections (c), (d), (e), (f), (g), (h), and (i), respectively.

(b) GLOBAL YOUTH SERVICE DAYS.—Section 198 (42 U.S.C. 12653), as amended in subsection (a), is further amended—

(1) in subsection (g) (as redesignated by subsection (a)(3))—

(A) in the subsection heading, by striking ''NATIONAL'' and inserting ''GLOBAL'';

(B) by striking ''National Youth'' each place it appears and inserting ''Global Youth'';

(C) in paragraph (1)—

(i) by striking the first sentence and inserting ''April 24, 2009, and April 23, 2010, are each designated as 'Global Youth Service Days'.''; and

(ii) in the second sentence, by striking ''appropriate ceremonies and activities'' and inserting ''appropriate youth-led community improvement and service-learning activities'';

(D) in paragraph (2)—

(i) by inserting ''and other Federal departments and agencies'' after ''Corporation''; and

(ii) by striking ''ceremonies and activities'' and inserting ''youth-led community improvement and service-learning activities''; and

(E) in paragraph (3), by inserting ''and other Federal departments and agencies'' after ''Corporation''.

(c) CALL TO SERVICE CAMPAIGN AND SEPTEMBER 11TH DAY OF SERVICE.—Section 198 (42 U.S.C. 12653), as amended by subsection (a), is further amended by adding at the end the following:

''(j) CALL TO SERVICE CAMPAIGN.—Not later than 180 days after the date of enactment of the Serve America Act, the Corporation shall conduct a nationwide 'Call To Service' campaign, to encourage all people of the United States, regardless of age, race, ethnicity, religion, or economic status, to engage in full- or part-time national service, long- or short-term public service in the nonprofit sector or government, or volunteering. In conducting the campaign, the Corporation may collaborate with other Federal agencies and entities, State Commissions, Governors, nonprofit and faith-based organizations, businesses, institutions of higher education, elementary schools, and secondary schools.

''(k) SEPTEMBER 11TH DAY OF SERVICE.—

''(1) FEDERAL ACTIVITIES.—The Corporation may organize and carry out appropriate ceremonies and activities, which may include activities that are part of the broader Call to Service Campaign under subsection (j), in order to observe the September 11th National Day of Service and Remembrance at the Federal level.

''(2) ACTIVITIES.—The Corporation may make grants and provide other support to community-based organizations to assist in planning and carrying out appropriate service, charity, and remembrance opportunities in conjunction with the September 11th National Day of Service and Remembrance.

''(3) CONSULTATION.—The Corporation may consult with and make grants or provide other forms of support to nonprofit organizations with expertise in representing families of victims of the September 11, 2001 terrorist attacks and other impacted constituencies, and in promoting the establishment of September 11 as an annually recognized National Day of Service and Remembrance.''.

SEC. 1803. REPEALS.

(a) REPEALS.—The following provisions are repealed:

(1) CLEARINGHOUSES.—Section 198A (42 U.S.C. 12653a).

(2) MILITARY INSTALLATION CONVERSION DEMONSTRATION PROGRAMS.—Section 198C (42 U.S.C. 12653c).

(3) SPECIAL DEMONSTRATION PROJECT.—Section 198D (42 U.S.C. 12653d).

(b) REDESIGNATION.—Section 198B (42 U.S.C. 12653b) is redesignated as section 198A.

SEC. 1804. PRESIDENTIAL AWARDS.

Section 198A(a)(2) (as redesignated by section 1803(b)) (42 U.S.C. 12653b(a)(2)) is further amended by striking ''section 101(19)'' and inserting ''section 101''.

SEC. 1805. NEW FELLOWSHIPS.

Part I of subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following new sections:

"SEC. 198B. SERVEAMERICA FELLOWSHIPS.

''(a) DEFINITIONS.—In this section:

''(1) AREA OF NATIONAL NEED.—The term 'area of national need' means an area involved in efforts to—

''(A) improve education in schools for economically disadvantaged students;

''(B) expand and improve access to health care;

''(C) improve energy efficiency and conserve natural resources;

''(D) improve economic opportunities for economically disadvantaged individuals; or

''(E) improve disaster preparedness and response.

''(2) ELIGIBLE FELLOWSHIP RECIPIENT.—The term 'eligible fellowship recipient' means an individual who is selected by a State Commission under subsection (c) and, as a result of such selection, is eligible for a ServeAmerica Fellowship.

''(3) FELLOW.—The term 'fellow' means an eligible fellowship recipient who is awarded a ServeAmerica Fellowship and is designated a fellow under subsection (e)(2).

''(4) SMALL SERVICE SPONSOR ORGANIZATION.—The term 'small service sponsor organization' means a service sponsor organization described in subsection (d)(1) that has not more than 10 full-time employees and 10 part-time employees.

''(b) GRANTS.—

''(1) IN GENERAL.—From the amounts appropriated under section 501(a)(4)(B) and allotted under paragraph (2)(A), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions), to the State Commission of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico with an application approved under this section, to enable such State Commissions to award ServeAmerica Fellowships under subsection (e).

''(2) ALLOTMENT; ADMINISTRATIVE COSTS.—

''(A) ALLOTMENT.—The amount allotted to a State Commission for a fiscal year shall be equal to an amount that bears the same ratio to the amount appropriated under section 501(a)(4)(B), as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(B) REALLOTMENT.—If a State Commission does not apply for an allotment under this subsection for any fiscal year, or if the State Commission's application is not approved, the Corporation shall reallot the amount of the State Commission's allotment to the remaining State Commissions in accordance with subparagraph (A).

''(C) ADMINISTRATIVE COSTS.—Of the amount allotted to a State Commission under subparagraph (A), not more than 1.5 percent of such amount may be used for administrative costs.

''(3) NUMBER OF POSITIONS.—The Corporation shall—

''(A) establish or increase the number of approved national service positions under this subsection during each of fiscal years 2010 through 2014;

''(B) establish the number of approved positions at 500 for fiscal year 2010; and

''(C) increase the number of the approved positions to—

''(i) 750 for fiscal year 2011;

''(ii) 1,000 for fiscal year 2012;

''(iii) 1,250 for fiscal year 2013; and

''(iv) 1,500 for fiscal year 2014.

''(4) USES OF GRANT FUNDS.—

''(A) REQUIRED USES.—A grant awarded under this subsection shall be used to enable fellows to carry out service projects in areas of national need.

''(B) PERMITTED USES.—A grant awarded under this subsection may be used for—

''(i) oversight activities and mechanisms for the service sites of the fellows, as determined necessary by the State Commission or the Corporation, which may include site visits;

''(ii) activities to augment the experience of fellows, including activities to engage the fellows in networking opportunities with other national service participants; and

''(iii) recruitment or training activities for fellows.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State Commission shall submit an application to the Corporation

at such time, in such manner, and containing such information as the Corporation may require, including information on the criteria and procedures that the State Commission will use for overseeing ServeAmerica Fellowship placements for service projects, under subsection (e).

''(c) ELIGIBLE FELLOWSHIP RECIPIENTS.—

''(1) APPLICATION.—

''(A) IN GENERAL.—An applicant desiring to become an eligible fellowship recipient shall submit an application to a State Commission that has elected to participate in the program authorized under this section, at such time and in such manner as the Commission may require, and containing the information described in subparagraph (B) and such additional information as the Commission may require. An applicant may submit such application to only 1 State Commission for a fiscal year.

''(B) CONTENTS.—The Corporation shall specify information to be provided in an application submitted under this subsection, which—

''(i) shall include—

''(I) a description of the area of national need that the applicant intends to address in the service project;

''(II) a description of the skills and experience the applicant has to address the area of national need;

''(III) a description of the type of service the applicant plans to provide as a fellow; and

''(IV) information identifying the local area within the State served by the Commission in which the applicant plans to serve for the service project; and

''(ii) may include, if the applicant chooses, the size of the registered service sponsor organization with which the applicant hopes to serve.

''(2) SELECTION.—Each State Commission shall—

''(A) select, from the applications received by the State Commission for a fiscal year, the number of eligible fellowship recipients that may be supported for that fiscal year based on the amount of the grant received by the State Commission under subsection (b); and

''(B) make an effort to award one-third of the fellowships available to the State Commission for a fiscal year, based on the amount of the grant received under subsection (b), to applicants who propose to serve the fellowship with small service sponsor organizations registered under subsection (d).

''(d) SERVICE SPONSOR ORGANIZATIONS.—

''(1) IN GENERAL.—Each service sponsor organization shall—

''(A) be a nonprofit organization;

''(B) satisfy qualification criteria established by the Corporation or the State Commission, including standards relating to organizational capacity, financial management, and programmatic oversight;

''(C) not be a recipient of other assistance, approved national service positions, or approved summer of service positions under the national service laws; and

''(D) at the time of registration with a State Commission, enter into an agreement providing that the service sponsor organization shall—

''(i) abide by all program requirements;

''(ii) provide an amount described in subsection (e)(3)(b) for each fellow serving with the organization through the ServeAmerica Fellowship;

''(iii) be responsible for certifying whether each fellow serving with the organization successfully completed the ServeAmerica Fellowship, and record and certify in a manner specified by the Corporation the number of hours served by a fellow for purposes of determining the fellow's eligibility for benefits; and

''(iv) provide timely access to records relating to the ServeAmerica Fellowship to the State Commission, the Corporation, and the Inspector General of the Corporation.

''(2) REGISTRATION.—

''(A) REQUIREMENT.—No service sponsor organization may receive a fellow under this section until the organization registers with the State Commission.

''(B) CLEARINGHOUSE.—The State Commission shall maintain a list of registered service sponsor organizations on a public website.

''(C) REVOCATION.—If a State Commission determines that a service sponsor organization is in violation of any of the applicable provisions of this section—

''(i) the State Commission shall revoke the registration of the organization;

''(ii) the organization shall not be eligible to receive assistance, approved national service positions, or approved summer of service positions under this title for not less than 5 years; and

''(iii) the State Commission shall have the right to remove a fellow from the organization and relocate the fellow to another site.

''(e) FELLOWS.—

''(1) IN GENERAL.—To be eligible to participate in a service project as a fellow and receive a ServeAmerica Fellowship, an eligible fellowship recipient shall—

''(A) within 3 months after being selected as an eligible fellowship recipient by a State Commission, select a registered service sponsor organization described in subsection (d)—

''(i) with which the recipient is interested in serving under this section; and

''(ii) that is located in the State served by the State Commission;

''(B) enter into an agreement with the organization—

''(i) that specifies the service the recipient will provide if the placement is approved; and

''(ii) in which the recipient agrees to serve for 1 year on a full-time or part-time basis (as determined by the Corporation); and

''(C) submit such agreement to the State Commission.

''(2) AWARD.—Upon receiving the eligible fellowship recipient's agreement under paragraph (1), the State Commission shall award a ServeAmerica Fellowship to the recipient and designate the recipient as a fellow.

''(3) FELLOWSHIP AMOUNT.—

''(A) IN GENERAL.—From amounts received under subsection (b), each State Commission shall award each of the State's fellows a ServeAmerica Fellowship amount that is equal to 50 percent of the amount of the average annual VISTA subsistence allowance.

''(B) AMOUNT FROM SERVICE SPONSOR ORGANIZATION.—

''(i) IN GENERAL.—Except as provided in clause (ii) and subparagraph (E), the service sponsor organization shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the service project (consisting of such amount and the ServeAmerica Fellowship amount the fellow receives under subparagraph (A)) is equal to or greater than 70 percent of the average annual VISTA subsistence allowance.

''(ii) SMALL SERVICE SPONSOR ORGANIZATIONS.—In the case of a small service sponsor organization, the small service sponsor organization may decrease the amount of the service sponsor organization award required under clause (i) to not less than an amount that will ensure that the total award received by the fellow for service in the service project (as calculated in clause (i)) is equal to or greater than 60 percent of the average annual VISTA subsistence allowance.

''(C) MAXIMUM LIVING ALLOWANCE.—The total amount that may be provided to a fellow under this subparagraph shall not exceed 100 percent of the average annual VISTA subsistence allowance.

''(D) PRORATION OF AMOUNT.—In the case of a fellow who is authorized to serve a part-time term of service under the agreement described in paragraph (1)(B)(ii), the amount provided to a fellow under this paragraph shall be prorated accordingly.

''(E) WAIVER.—The Corporation may allow a State Commission to waive the amount required under subparagraph (B) from the service sponsor organization for a fellow serving the organization if—

''(i) such requirement is inconsistent with the objectives of the ServeAmerica Fellowship program; and

''(ii) the amount provided to the fellow under subparagraph (A) is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the ServeAmerica Fellowship program is located.

''(F) DEFINITION.—In this paragraph, the term 'average annual VISTA subsistence allowance' means the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(f) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service under a ServeAmerica Fellowship shall comply with section 132(a). For purposes of applying that section to this subsection, a reference to assistance shall be considered to be a reference to assistance provided under this section.

''(g) REPORTS.—Each service sponsor organization that receives a fellow under this section shall, on a biweekly basis, report to the Corporation on the number of hours served and the services provided by that fellow. The Corporation shall establish a web portal for the organizations to use in reporting the information.

''(h) EDUCATIONAL AWARDS.—A fellow who serves in a service project under this section shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 for full-time or part-time national service, shall be eligible for a national service educational award described in such section. The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational award for such fellow.

"SEC. 198C. SILVER SCHOLARSHIPS AND ENCORE FELLOWSHIPS.

''(a) SILVER SCHOLARSHIP GRANT PROGRAM.—

''(1) ESTABLISHMENT.—The Corporation may award fixed-amount grants (in accordance with section 129(l)) to community-based entities to carry out a Silver Scholarship Grant Program for individuals age 55 or older, in which such individuals complete not less than 350 hours of service in a year carrying out projects of national need and receive a Silver Scholarship in the form of a $1,000 national service educational award. Under such a program, the Corporation shall establish criteria for the types of the service required to be performed to receive such award.

''(2) TERM.—Each program funded under this subsection shall be carried out over a period of 3 years (which may include 1 planning year), with a 1-year extension possible, if the program meets performance levels developed in accordance with section 179(k) and any other criteria determined by the Corporation.

''(3) APPLICATIONS.—To be eligible for a grant under this subsection, a community-based entity shall—

''(A) submit to the Corporation an application at such time and in such manner as the Chief Executive Officer may reasonably require; and

''(B) be a listed organization as described in subsection (b)(4).

''(4) COLLABORATION ENCOURAGED.—A community-based entity awarded a grant under this subsection is encouraged to collaborate with programs funded under title II of the Domestic Volunteer Service Act of 1973 in carrying out this program.

''(5) ELIGIBILITY FOR FELLOWSHIP.—An individual is eligible to receive a Silver Scholarship if the community-based entity certifies to the Corporation that the individual has completed not less than 350 hours of service under this section in a 1-year period.

''(6) TRANSFER TO TRUST.—The Corporation shall transfer an appropriate amount of funds

to the National Service Trust to provide for the national service educational award for each silver scholar under this subsection.

''(7) SUPPORT SERVICES.—A community-based entity receiving a fixed-amount grant under this subsection may use a portion of the grant to provide transportation services to an eligible individual to allow such individual to participate in a service project.

''(b) ENCORE FELLOWSHIPS.—

''(1) ESTABLISHMENT.—The Corporation may award 1-year Encore Fellowships to enable individuals age 55 or older to—

''(A) carry out service projects in areas of national need; and

''(B) receive training and development in order to transition to full- or part-time public service in the nonprofit sector or government.

''(2) PROGRAM.—In carrying out the program, the Corporation shall—

''(A) maintain a list of eligible organizations for which Encore Fellows may be placed to carry out service projects through the program and shall provide the list to all Fellowship recipients; and

''(B) at the request of a Fellowship recipient—

''(i) determine whether the requesting recipient is able to meet the service needs of a listed organization, or another organization that the recipient requests in accordance with paragraph (5)(B), for a service project; and

''(ii) upon making a favorable determination under clause (i), award the recipient with an Encore Fellowship, and place the recipient with the organization as an Encore Fellow under paragraph (5)(C).

''(3) ELIGIBLE RECIPIENTS.—

''(A) IN GENERAL.—An individual desiring to be selected as a Fellowship recipient shall—

''(i) be an individual who—

''(I) is age 55 or older as of the time the individual applies for the program; and

''(II) is not engaged in, but who wishes to engage in, full- or part-time public service in the nonprofit sector or government; and

''(ii) submit an application to the Corporation, at such time, in such manner, and containing such information as the Corporation may require, including—

''(I) a description of the area of national need that the applicant hopes to address through the service project;

''(II) a description of the skills and experience the applicant has to address an area of national need; and

''(III) information identifying the region of the United States in which the applicant wishes to serve.

''(B) SELECTION BASIS.—In determining which individuals to select as Fellowship recipients, the Corporation shall—

''(i) select not more than 10 individuals from each State; and

''(ii) give priority to individuals with skills and experience for which there is an ongoing high demand in the nonprofit sector and government.

''(4) LISTED ORGANIZATIONS.—To be listed under paragraph (2)(A), an organization shall—

''(A) be a nonprofit organization; and

''(B) submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including—

''(i) a description of—

''(I) the services and activities the organization carries out generally;

''(II) the area of national need that the organization seeks to address through a service project; and

''(III) the services and activities the organization seeks to carry out through the proposed service project;

''(ii) a description of the skills and experience that an eligible Encore Fellowship recipient needs to be placed with the organization as an Encore Fellow for the service project;

''(iii) a description of the training and leadership development the organization shall provide an Encore Fellow placed with the organization to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(iv) evidence of the organization's financial stability.

''(5) PLACEMENT.—

''(A) REQUEST FOR PLACEMENT WITH LISTED ORGANIZATIONS.—To be placed with a listed organization in accordance with paragraph (2)(B) for a service project, an eligible Encore Fellowship recipient shall submit an application for such placement to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

''(B) REQUEST FOR PLACEMENT WITH OTHER ORGANIZATION.—An eligible Encore Fellowship recipient may apply to the Corporation to serve the recipient's Encore Fellowship year with a nonprofit organization that is not a listed organization. Such application shall be submitted to the Corporation at such time, in such manner, and containing such information as the Corporation shall require, and shall include—

''(i) an identification and description of—

''(I) the organization;

''(II) the area of national need the organization seeks to address; and

''(III) the services or activities the organization carries out to address such area of national need;

''(ii) a description of the services the eligible Encore Fellowship recipient shall provide for the organization as an Encore Fellow; and

''(iii) a letter of support from the leader of the organization, including—

''(I) a description of the organization's need for the eligible Encore Fellowship recipient's services;

''(II) evidence that the organization is financially sound;

''(III) an assurance that the organization will provide training and leadership development to the eligible Encore Fellowship recipient if placed with the organization as an Encore Fellow, to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(IV) a description of the training and leadership development to be provided to the Encore Fellowship recipient if so placed.

''(C) PLACEMENT AND AWARD OF FELLOWSHIP.—If the Corporation determines that the eligible Encore Fellowship recipient is able to meet the service needs (including skills and experience to address an area of national need) of the organization that the eligible fellowship recipient requests under subparagraph (A) or (B), the Corporation shall—

''(i) approve the placement of the eligible Encore Fellowship recipient with the organization;

''(ii) award the eligible Encore Fellowship recipient an Encore Fellowship for a period of 1 year and designate the eligible Encore Fellowship recipient as an Encore Fellow; and

''(iii) in awarding the Encore Fellowship, make a payment, in the amount of $11,000, to the organization to enable the organization to provide living expenses to the Encore Fellow for the year in which the Encore Fellow agrees to serve.

''(6) MATCHING FUNDS.—An organization that receives an Encore Fellow under this subsection shall agree to provide, for the living expenses of the Encore Fellow during the year of service, non-Federal contributions in an amount equal to not less than $1 for every $1 of Federal funds provided to the organization for the Encore Fellow through the Encore Fellowship.

''(7) TRAINING AND ASSISTANCE.—Each organization that receives an Encore Fellow under this subsection shall provide training, leadership development, and assistance to the Encore Fellow, and conduct oversight of the service provided by the Encore Fellow.

''(8) LEADERSHIP DEVELOPMENT.—Each year, the Corporation shall convene current and former Encore Fellows to discuss the Encore Fellows' experiences related to service under this subsection and discuss strategies for increasing leadership and careers in public service in the nonprofit sector or government.

''(c) EVALUATIONS.—The Corporation shall conduct an independent evaluation of the programs authorized under subsections (a) and (b) and widely disseminate the results, including recommendations for improvement, to the service community through multiple channels, including the Corporation's Resource Center or a clearinghouse of effective strategies.''.

SEC. 1806. NATIONAL SERVICE RESERVE CORPS.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART II—NATIONAL SERVICE RESERVE CORPS

''SEC. 198H. NATIONAL SERVICE RESERVE CORPS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'National Service Reserve Corps member' means an individual who—

''(A) has completed a term of national service or is a veteran;

''(B) has successfully completed training described in subsection (c) within the previous 2 years;

''(C) completes not less than 10 hours of volunteering each year (which may include the training session described in subparagraph (B)); and

''(D) has indicated interest to the Corporation in responding to disasters and emergencies in a timely manner through the National Service Reserve Corps; and

''(2) the term 'term of national service' means a term or period of service under section 123.

''(b) ESTABLISHMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) IN GENERAL.—In consultation with the Federal Emergency Management Agency, the Corporation shall establish a National Service Reserve Corps to prepare and deploy National Service Reserve Corps members to respond to disasters and emergencies in support of national service programs and other requesting programs and agencies.

''(2) GRANTS OR CONTRACTS.—In carrying out this section, the Corporation may enter into a grant or contract with an organization experienced in responding to disasters or in coordinating individuals who have completed a term of national service or are veterans, or may directly deploy National Service Reserve Corps members, as the Corporation determines necessary.

''(c) ANNUAL TRAINING.—The Corporation shall conduct or coordinate annual training sessions, consistent with the training requirements of the Federal Emergency Management Agency, for individuals who have completed a term of national service or are veterans, and who wish to join the National Service Reserve Corps.

''(d) DESIGNATION OF ORGANIZATIONS.—

''(1) IN GENERAL.—The Corporation shall designate organizations with demonstrated experience in responding to disasters or emergencies, including through using volunteers, for participation in the program under this section.

''(2) REQUIREMENTS.—The Corporation shall ensure that every designated organization is—

''(A) prepared to respond to disasters or emergencies;

''(B) prepared and able to utilize National Service Reserve Corps members in responding to disasters or emergencies; and

''(C) willing to respond in a timely manner when notified by the Corporation of a disaster or emergency.

''(e) DATABASES.—The Corporation shall develop or contract with an outside organization to develop—

''(1) a database of all National Service Reserve Corps members; and

''(2) a database of all nonprofit organizations that have been designated by the Corporation under subsection (d).

''(f) DEPLOYMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) MAJOR DISASTERS OR EMERGENCIES.—If a major disaster or emergency is declared by the President pursuant to section 102 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5122), the Administrator of the Federal Emergency Management Agency, in consultation with the Corporation, may task the National Service Reserve Corps to assist in response.

''(2) OTHER DISASTERS OR EMERGENCIES.—For a disaster or emergency that is not declared a major disaster or emergency under section 102 of the Robert T. Stafford Disaster Relief and Assistance Act (42 U.S.C. 5122), the Corporation may directly, or through a grant or contract, deploy the National Service Reserve Corps.

''(3) DEPLOYMENT.—Under paragraph (1) or (2), the Corporation may—

''(A) deploy interested National Service Reserve Corps members on assignments of not more than 30 days to assist with local needs related to preparing or recovering from the incident in the affected area, either directly or through organizations designated under subsection (d);

''(B) make travel arrangements for the deployed National Service Reserve Corps members to the site of the incident; and

''(C) provide funds to those organizations that are responding to the incident with deployed National Service Reserve Corps members, to enable the organizations to coordinate and provide housing, living stipends, and insurance for those deployed members.

''(4) ALLOWANCE.—Any amounts that are utilized by the Corporation from funds appropriated under section 501(a)(4)(D) to carry out paragraph (1) for a fiscal year shall be kept in a separate fund. Any amounts in such fund that are not used during a fiscal year shall remain available to use to pay National Service Reserve Corps members an allowance, determined by the Corporation, for out-of-pocket expenses.

''(5) INFORMATION.—

''(A) NATIONAL SERVICE PARTICIPANTS.—The Corporation, the State Commissions, and entities receiving financial assistance for programs under subtitle C of this Act, or under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), shall inform participants about the National Service Reserve Corps upon the participants' completion of their term of national service.

''(B) VETERANS.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall inform veterans who are recently discharged, released, or separated from the Armed Forces about the National Service Reserve Corps.

''(6) COORDINATION.—In deploying National Service Reserve Corps members under this subsection, the Corporation shall—

''(A) avoid duplication of activities directed by the Federal Emergency Management Agency; and

''(B) consult and, as appropriate, partner with Citizen Corps programs and other local disaster agencies, including State and local emergency management agencies, voluntary organizations active in disaster, State Commissions, and similar organizations, in the affected area.''.

SEC. 1807. SOCIAL INNOVATION FUNDS PILOT PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART III—SOCIAL INNOVATION FUNDS PILOT PROGRAM

''SEC. 198K. FUNDS.

''(a) FINDINGS.—Congress finds the following:

''(1) Social entrepreneurs and other nonprofit community organizations are developing innovative and effective solutions to national and local challenges.

''(2) Increased public and private investment in replicating and expanding proven effective solutions, and supporting new solutions, developed by social entrepreneurs and other nonprofit community organizations could allow those entrepreneurs and organizations to replicate and expand proven initiatives, and support new initiatives, in communities.

''(3) A network of Social Innovation Funds could leverage Federal investments to increase State, local, business, and philanthropic resources to replicate and expand proven solutions and invest in supporting new innovations to tackle specific identified community challenges.

''(b) PURPOSES.—The purposes of this section are—

''(1) to recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in tackling national and local challenges;

''(2) to stimulate the development of a network of Social Innovation Funds that will increase private and public investment in nonprofit community organizations that are effectively addressing national and local challenges to allow such organizations to replicate and expand proven initiatives or support new initiatives;

''(3) to assess the effectiveness of such Funds in—

''(A) leveraging Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges;

''(B) providing resources to replicate and expand effective initiatives; and

''(C) seeding experimental initiatives focused on improving outcomes in the areas described in subsection (f)(3); and

''(4) to strengthen the infrastructure to identify, invest in, replicate, and expand initiatives with effective solutions to national and local challenges.

''(c) DEFINITIONS.—In this section:

''(1) COMMUNITY ORGANIZATION.—The term 'community organization' means a nonprofit organization that carries out innovative, effective initiatives to address community challenges.

''(2) COVERED ENTITY.—The term 'covered entity' means—

''(A) an existing grantmaking institution (existing as of the date on which the institution applies for a grant under this section); or

''(B) a partnership between—

''(i) such an existing grantmaking institution; and

''(ii) an additional grantmaking institution, a State Commission, or a chief executive officer of a unit of general local government.

''(3) ISSUE AREA.—The term 'issue area' means an area described in subsection (f)(3).

''(d) PROGRAM.—From the amounts appropriated to carry out this section that are not reserved under subsections (l) and (m), the Corporation shall establish a Social Innovation Funds grant program to make grants on a competitive basis to eligible entities for Social Innovation Funds.

''(e) PERIODS; AMOUNTS.—The Corporation shall make such grants for periods of 5 years, and may renew the grants for additional periods of 5 years, in amounts of not less than $1,000,000 and not more than $10,000,000 per year.

''(f) ELIGIBILITY.—To be eligible to receive a grant under subsection (d), an entity shall—

''(1) be a covered entity;

''(2) propose to focus on—

''(A) serving a specific local geographical area; or

''(B) addressing a specific issue area;

''(3) propose to focus on improving measurable outcomes relating to—

''(A) education for economically disadvantaged elementary or secondary school students;

''(B) child and youth development;

''(C) reductions in poverty or increases in economic opportunity for economically disadvantaged individuals;

''(D) health, including access to health services and health education;

''(E) resource conservation and local environmental quality;

''(F) individual or community energy efficiency;

''(G) civic engagement; or

''(H) reductions in crime;

''(4) have an evidence-based decisionmaking strategy, including—

''(A) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; and

''(B) a well-articulated plan to—

''(i)(I) replicate and expand research-proven initiatives that have been shown to produce sizeable, sustained benefits to participants or society; or

''(II) support new initiatives with a substantial likelihood of significant impact; or

''(ii) partner with a research organization to carry out rigorous evaluations to assess the effectiveness of such initiatives; and

''(5) have appropriate policies, as determined by the Corporation, that protect against conflict of interest, self-dealing, and other improper practices.

''(g) APPLICATION.—To be eligible to receive a grant under subsection (d) for national leveraging capital, an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may specify, including, at a minimum—

''(1) an assurance that the eligible entity will—

''(A) use the funds received through that capital in order to make subgrants to community organizations that will use the funds to replicate or expand proven initiatives, or support new initiatives, in low-income communities;

''(B) in making decisions about subgrants for communities, consult with a diverse cross section of community representatives in the decisions, including individuals from the public, nonprofit private, and for-profit private sectors; and

''(C) make subgrants of a sufficient size and scope to enable the community organizations to build their capacity to manage initiatives, and sustain replication or expansion of the initiatives;

''(2) an assurance that the eligible entity will not make any subgrants to the parent organizations of the eligible entity, a subsidiary organization of the parent organization, or, if the eligible entity applied for funds under this section as a partnership, any member of the partnership;

''(3) an identification of, as appropriate—

''(A) the specific local geographical area referred to in subsection (f)(2)(A) that the eligible entity is proposing to serve; or

''(B) the issue area referred to in subsection (f)(2)(B) that the eligible entity will address, and the geographical areas that the eligible entity is likely to serve in addressing such issue area;

''(4)(A) information identifying the issue areas in which the eligible entity will work to improve measurable outcomes;

''(B) statistics on the needs related to those issue areas in, as appropriate—

''(i) the specific local geographical area described in paragraph (3)(A); or

''(ii) the geographical areas described in paragraph (3)(B), including statistics demonstrating that those geographical areas have high need in the specific issue area that the eligible entity is proposing to address; and

''(C) information on the specific measurable outcomes related to the issue areas involved that the eligible entity will seek to improve;

''(5) information describing the process by which the eligible entity selected, or will select, community organizations to receive the subgrants, to ensure that the community organizations—

''(A) are institutions—

''(i) with proven initiatives and a demonstrated track record of achieving specific outcomes related to the measurable outcomes for the eligible entity; or

''(ii) that articulate a new solution with a significant likelihood for substantial impact;

''(B) articulate measurable outcomes for the use of the subgrant funds that are connected to the measurable outcomes for the eligible entity;

''(C) will use the funds to replicate, expand, or support their initiatives;

''(D) provide a well-defined plan for replicating, expanding, or supporting the initiatives funded;

''(E) can sustain the initiatives after the subgrant period concludes through reliable public revenues, earned income, or private sector funding;

''(F) have strong leadership and financial and management systems;

''(G) are committed to the use of data collection and evaluation for improvement of the initiatives;

''(H) will implement and evaluate innovative initiatives, to be important contributors to knowledge in their fields; and

''(I) will meet the requirements for providing matching funds specified in subsection (k);

''(6) information about the eligible entity, including its experience managing collaborative initiatives, or assessing applicants for grants and evaluating the performance of grant recipients for outcome-focused initiatives, and any other relevant information;

''(7) a commitment to meet the requirements of subsection (i) and a plan for meeting the requirements, including information on any funding that the eligible entity has secured to provide the matching funds required under that subsection;

''(8) a description of the eligible entity's plan for providing technical assistance and support, other than financial support, to the community organizations that will increase the ability of the community organizations to achieve their measurable outcomes;

''(9) information on the commitment, institutional capacity, and expertise of the eligible entity concerning—

''(A) collecting and analyzing data required for evaluations, compliance efforts, and other purposes;

''(B) supporting relevant research; and

''(C) submitting regular reports to the Corporation, including information on the initiatives of the community organizations, and the replication or expansion of such initiatives;

''(10) a commitment to use data and evaluations to improve the eligible entity's own model and to improve the initiatives funded by the eligible entity; and

''(11) a commitment to cooperate with any evaluation activities undertaken by the Corporation.

''(h) SELECTION CRITERIA.—In selecting eligible entities to receive grants under subsection (d), the Corporation shall—

''(1) select eligible entities on a competitive basis;

''(2) select eligible entities on the basis of the quality of their selection process, as described in subsection (g)(5), the capacity of the eligible entities to manage Social Innovation Funds, and the potential of the eligible entities to sustain the Funds after the conclusion of the grant period;

''(3) include among the grant recipients eligible entities that propose to provide subgrants to serve communities (such as rural low-income communities) that the eligible entities can demonstrate are significantly philanthropically underserved;

''(4) select a geographically diverse set of eligible entities; and

''(5) take into account broad community perspectives and support.

''(i) MATCHING FUNDS FOR GRANTS.—

''(1) IN GENERAL.—The Corporation may not make a grant to an eligible entity under subsection (d) for a Social Innovation Fund unless the entity agrees that, with respect to the cost described in subsection (d) for that Fund, the entity will make available matching funds in an amount equal to not less than $1 for every $1 of funds provided under the grant.

''(2) ADDITIONAL REQUIREMENTS.—

''(A) TYPE AND SOURCES.—The eligible entity shall provide the matching funds in cash. The eligible entity shall provide the matching funds from State, local, or private sources, which may include State or local agencies, businesses, private philanthropic organizations, or individuals.

''(B) ELIGIBLE ENTITIES INCLUDING STATE COMMISSIONS OR LOCAL GOVERNMENT OFFICES.—

''(i) IN GENERAL.—In a case in which a State Commission, a local government office, or both entities are a part of the eligible entity, the State involved, the local government involved, or both entities, respectively, shall contribute not less than 30 percent and not more than 50 percent of the matching funds.

''(ii) LOCAL GOVERNMENT OFFICE.—In this subparagraph, the term 'local government office' means the office of the chief executive officer of a unit of general local government.

''(3) REDUCTION.—The Corporation may reduce by 50 percent the matching funds required by paragraph (1) for an eligible entity serving a community (such as a rural low-income community) that the eligible entity can demonstrate is significantly philanthropically underserved.

''(j) SUBGRANTS.—

''(1) SUBGRANTS AUTHORIZED.—An eligible entity receiving a grant under subsection (d) is authorized to use the funds made available through the grant to award, on a competitive basis, subgrants to expand or replicate proven initiatives, or support new initiatives with a substantial likelihood of success, to—

''(A) community organizations serving low-income communities within the specific local geographical area described in the eligible entity's application in accordance with subsection (g)(3)(A); or

''(B) community organizations addressing a specific issue area described in the eligible entity's application in accordance with subsection (g)(3)(B), in low-income communities in the geographical areas described in the application.

''(2) PERIODS; AMOUNTS.—The eligible entity shall make such subgrants for periods of not less than 3 and not more than 5 years, and may renew the subgrants for such periods, in amounts of not less than $100,000 per year.

''(3) APPLICATIONS.—To be eligible to receive a subgrant from an eligible entity under this section, including receiving a payment for that subgrant each year, a community organization shall submit an application to an eligible entity that serves the specific local geographical area, or geographical areas, that the community organization proposes to serve, at such time, in such manner, and containing such information as the eligible entity may require, including—

''(A) a description of the initiative the community organization carries out and plans to replicate or expand, or of the new initiative the community organization intends to support, using funds received from the eligible entity, and how the initiative relates to the issue areas in which the eligible entity has committed to work in the eligible entity's application, in accordance with subsection (g)(4)(A);

''(B) data on the measurable outcomes the community organization has improved, and information on the measurable outcomes the community organization seeks to improve by replicating or expanding a proven initiative or supporting a new initiative, which shall be among the measurable outcomes that the eligible entity identified in the eligible entity's application, in accordance with subsection (g)(4)(C);

''(C) an identification of the community in which the community organization proposes to carry out an initiative, which shall be within a local geographical area described in the eligible entity's application in accordance with subparagraph (A) or (B) of subsection (g)(3), as applicable;

''(D) a description of the evidence-based decisionmaking strategies the community organization uses to improve the measurable outcomes, including—

''(i) use of evidence produced by prior rigorous evaluations of program effectiveness including, where available, well-implemented randomized controlled trials; or

''(ii) a well-articulated plan to conduct, or partner with a research organization to conduct, rigorous evaluations to assess the effectiveness of initiatives addressing national or local challenges;

''(E) a description of how the community organization uses data to analyze and improve its initiatives;

''(F) specific evidence of how the community organization will meet the requirements for providing matching funds specified in subsection (k);

''(G) a description of how the community organization will sustain the replicated or expanded initiative after the conclusion of the subgrant period; and

''(H) any other information the eligible entity may require, including information necessary for the eligible entity to fulfill the requirements of subsection (g)(5).

''(k) MATCHING FUNDS FOR SUBGRANTS.—

''(1) IN GENERAL.—An eligible entity may not make a subgrant to a community organization under this section for an initiative described in subsection (j)(3)(A) unless the organization agrees that, with respect to the cost of carrying out that initiative, the organization will make available, on an annual basis, matching funds in an amount equal to not less than $1 for every $1 of funds provided under the subgrant. If the community organization fails to make such matching funds available for a fiscal year, the eligible entity shall not make payments for the remaining fiscal years of the subgrant period, notwithstanding any other provision of this part.

''(2) TYPES AND SOURCES.—The community organization shall provide the matching funds in cash. The community organization shall provide the matching funds from State, local, or private sources, which may include funds from State or local agencies or private sector funding.

''(l) DIRECT SUPPORT.—

''(1) PROGRAM AUTHORIZED.—The Corporation may use not more than 10 percent of the funds appropriated for this section to award grants to community organizations serving low-income communities or addressing a specific issue area in geographical areas that have the highest need in that issue area, to enable such community organizations to replicate or expand proven initiatives or support new initiatives.

''(2) TERMS AND CONDITIONS.—A grant awarded under this subsection shall be subject to the same terms and conditions as a subgrant awarded under subsection (j).

''(3) APPLICATION; MATCHING FUNDS.—Paragraphs (2) and (3) of subsection (j) and subsection (k) shall apply to a community organization receiving or applying for a grant under this subsection in the same manner as such subsections apply to a community organization receiving or applying for a subgrant under subsection (j), except that references to a subgrant shall mean a grant and references to an eligible entity shall mean the Corporation.

''(m) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—The Corporation may reserve not more than 5 percent of the funds appropriated for this section for a fiscal year to support, directly or through contract with an independent entity, research and evaluation activities to evaluate the eligible entities and community organizations receiving grants under subsections (d) and (l) and the initiatives supported by the grants.

''(2) RESEARCH AND EVALUATION ACTIVITIES.—

''(A) RESEARCH AND REPORTS.—

''(i) IN GENERAL.—The entity carrying out this subsection shall collect data and conduct or

support research with respect to the eligible entities and community organizations receiving grants under subsections (d) and (l), and the initiatives supported by such eligible entities and community organizations, to determine the success of the program carried out under this section in replicating, expanding, and supporting initiatives, including—

''(I) the success of the initiatives in improving measurable outcomes; and

''(II) the success of the program in increasing philanthropic investments in philanthropically underserved communities.

''(ii) REPORTS.—The Corporation shall submit periodic reports to the authorizing committees including—

''(I) the data collected and the results of the research under this subsection;

''(II) information on lessons learned about best practices from the activities carried out under this section, to improve those activities; and

''(III) a list of all eligible entities and community organizations receiving funds under this section.

''(iii) PUBLIC INFORMATION.—The Corporation shall annually post the list described in clause (ii)(III) on the Corporation's website.

''(B) TECHNICAL ASSISTANCE.—The Corporation shall, directly or through contract, provide technical assistance to the eligible entities and community organizations that receive grants under subsections (d) and (l).

''(C) KNOWLEDGE MANAGEMENT.—The Corporation shall, directly or through contract, maintain a clearinghouse for information on best practices resulting from initiatives supported by the eligible entities and community organizations.

''(D) RESERVATION.—Of the funds appropriated under section 501(a)(4)(E) for a fiscal year, not more than 5 percent may be used to carry out this subsection.''.

SEC. 1808. CLEARINGHOUSES.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is further amended by adding at the end the following:

''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSES; VOLUNTEER GENERATION FUND

''SEC. 198O. NATIONAL SERVICE PROGRAMS CLEARINGHOUSES.

''(a) IN GENERAL.—The Corporation shall provide assistance, by grant, contract, or cooperative agreement, to entities with expertise in the dissemination of information through clearinghouses to establish 1 or more clearinghouses for information regarding the national service laws, which shall include information on service-learning and on service through other programs receiving assistance under the national service laws.

''(b) FUNCTION OF CLEARINGHOUSE.—Such a clearinghouse may—

''(1) assist entities carrying out State or local service-learning and national service programs with needs assessments and planning;

''(2) conduct research and evaluations concerning service-learning or programs receiving assistance under the national service laws, except that such clearinghouse may not conduct such research and evaluations if the recipient of the grant, contract, or cooperative agreement establishing the clearinghouse under this section is receiving funds for such purpose under part III of subtitle B or under this subtitle (not including this section);

''(3)(A) provide leadership development and training to State and local service-learning program administrators, supervisors, service sponsors, and participants; and

''(B) provide training to persons who can provide the leadership development and training described in subparagraph (A);

''(4) facilitate communication among—

''(A) entities carrying out service-learning programs and programs offered under the national service laws; and

''(B) participants in such programs;

''(5) provide and disseminate information and curriculum materials relating to planning and operating service-learning programs and programs offered under the national service laws, to States, territories, Indian tribes, and local entities eligible to receive financial assistance under the national service laws;

''(6) provide and disseminate information regarding methods to make service-learning programs and programs offered under the national service laws accessible to individuals with disabilities;

''(7) disseminate applications in languages other than English;

''(8)(A) gather and disseminate information on successful service-learning programs and programs offered under the national service laws, components of such successful programs, innovative curricula related to service-learning, and service-learning projects; and

''(B) coordinate the activities of the clearinghouse with appropriate entities to avoid duplication of effort;

''(9) make recommendations to State and local entities on quality controls to improve the quality of service-learning programs and programs offered under the national service laws;

''(10) assist organizations in recruiting, screening, and placing a diverse population of service-learning coordinators and program sponsors;

''(11) disseminate effective strategies for working with disadvantaged youth in national service programs, as determined by organizations with an established expertise in working with such youth; and

''(12) carry out such other activities as the Chief Executive Officer determines to be appropriate.

''SEC. 198P. VOLUNTEER GENERATION FUND.

''(a) GRANTS AUTHORIZED.—Subject to the availability of appropriations for this section, the Corporation may make grants to State Commissions and nonprofit organizations for the purpose of assisting the State Commissions and nonprofit organizations to—

''(1) develop and carry out volunteer programs described in subsection (c); and

''(2) make subgrants to support and create new local community-based entities that recruit, manage, or support volunteers as described in such subsection.

''(b) APPLICATION.—

''(1) IN GENERAL.—Each State Commission or nonprofit organization desiring a grant under this section shall submit an application to the Corporation at such time, in such manner, and accompanied by such information as the Corporation may reasonably require.

''(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall contain—

''(A)(i) a description of the program that the applicant will provide;

''(B) an assurance that the applicant will annually collect information on—

''(i) the number of volunteers recruited for activities carried out under this section, using funds received under this section, and the type and amount of activities carried out by such volunteers; and

''(ii) the number of volunteers managed or supported using funds received under this section, and the type and amount of activities carried out by such volunteers;

''(C) a description of the outcomes the applicant will use to annually measure and track performance with regard to—

''(i) activities carried out by volunteers; and

''(ii) volunteers recruited, managed, or supported; and

''(D) such additional assurances as the Corporation determines to be essential to ensure compliance with the requirements of this section.

''(c) ELIGIBLE VOLUNTEER PROGRAMS.—A State Commission or nonprofit organization receiving a grant under this section shall use the assistance—

''(1) directly to carry out volunteer programs or to develop and support community-based entities that recruit, manage, or support volunteers, by carrying out activities consistent with the goals of the subgrants described in paragraph (2); or

''(2) through subgrants to community-based entities to carry out volunteer programs or develop and support such entities that recruit, manage, or support volunteers, through 1 or more of the following types of subgrants:

''(A) A subgrant to a community-based entity for activities that are consistent with the priorities set by the State's national service plan as described in section 178(e), or by the Corporation.

''(B) A subgrant to recruit, manage, or support volunteers to a community-based entity such as a volunteer coordinating agency, a nonprofit resource center, a volunteer training clearinghouse, an institution of higher education, or a collaborative partnership of faith-based and community-based organizations.

''(C) A subgrant to a community-based entity that provides technical assistance and support to—

''(i) strengthen the capacity of local volunteer infrastructure organizations;

''(ii) address areas of national need (as defined in section 198B(a)); and

''(iii) expand the number of volunteers nationally.

''(d) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—Of the funds allocated by the Corporation for provision of assistance under this section for a fiscal year—

''(A) the Corporation shall use 50 percent of such funds to award grants, on a competitive basis, to State Commissions and nonprofit organizations for such fiscal year; and

''(B) the Corporation shall use 50 percent of such funds make an allotment to the State Commissions of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico based on the formula described in subsections (e) and (f) of section 129, subject to paragraph (2).

''(2) MINIMUM GRANT AMOUNT.—In order to ensure that each State Commission is able to improve efforts to recruit, manage, or support volunteers, the Corporation may determine a minimum grant amount for allotments under paragraph (1)(B).

''(e) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of the amount of any grant provided under this section for a fiscal year may be used to pay for administrative costs incurred by either the recipient of the grant or any community-based entity receiving assistance or a subgrant under such grant.

''(f) MATCHING FUND REQUIREMENTS.—The Corporation share of the cost of carrying out a program that receives assistance under this section, whether the assistance is provided directly or as a subgrant from the original recipient of the assistance, may not exceed—

''(1) 80 percent of such cost for the first year in which the recipient receives such assistance;

''(2) 70 percent of such cost for the second year in which the recipient receives such assistance;

''(3) 60 percent of such cost for the third year in which the recipient receives such assistance; and

''(4) 50 percent of such cost for the fourth year in which the recipient receives such assistance and each year thereafter.''.

SEC. 1809. NONPROFIT CAPACITY BUILDING PROGRAM.

Subtitle H of title I (42 U.S.C. 12653 et seq.) is amended by adding at the end the following:

''PART V—NONPROFIT CAPACITY BUILDING PROGRAM

''SEC. 198S. NONPROFIT CAPACITY BUILDING.

''(a) DEFINITIONS.—In this section:

''(1) INTERMEDIARY NONPROFIT GRANTEE.—The term 'intermediary nonprofit grantee' means an intermediary nonprofit organization that receives a grant under subsection (b).

''(2) INTERMEDIARY NONPROFIT ORGANIZATION.—The term 'intermediary nonprofit organization' means an experienced and capable nonprofit entity with meaningful prior experience in providing organizational development assistance, or capacity building assistance, focused on small and midsize nonprofit organizations.

''(3) NONPROFIT.—The term 'nonprofit', used with respect to an entity or organization, means—

''(A) an entity or organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

''(B) an entity or organization described in paragraph (1) or (2) of section 170(c) of such Code.

''(4) STATE.—The term 'State' means each of the several States, and the District of Columbia.

''(b) GRANTS.—The Corporation shall establish a Nonprofit Capacity Building Program to make grants to intermediary nonprofit organizations to serve as intermediary nonprofit grantees. The Corporation shall make the grants to enable the intermediary nonprofit grantees to pay for the Federal share of the cost of delivering organizational development assistance, including training on best practices, financial planning, grantwriting, and compliance with the applicable tax laws, for small and midsize nonprofit organizations, especially those nonprofit organizations facing resource hardship challenges. Each of the grantees shall match the grant funds by providing a non-Federal share as described in subsection (f).

''(c) AMOUNT.—To the extent practicable, the Corporation shall make such a grant to an intermediary nonprofit organization in each State, and shall make such grant in an amount of not less than $200,000.

''(d) APPLICATION.—To be eligible to receive a grant under this section, an intermediary nonprofit organization shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require. The intermediary nonprofit organization shall submit in the application information demonstrating that the organization has secured sufficient resources to meet the requirements of subsection (f).

''(e) PREFERENCE AND CONSIDERATIONS.—

''(1) PREFERENCE.—In making such grants, the Corporation shall give preference to intermediary nonprofit organizations seeking to become intermediary nonprofit grantees in areas where nonprofit organizations face significant resource hardship challenges.

''(2) CONSIDERATIONS.—In determining whether to make a grant the Corporation shall consider—

''(A) the number of small and midsize nonprofit organizations that will be served by the grant;

''(B) the degree to which the activities proposed to be provided through the grant will assist a wide number of nonprofit organizations within a State, relative to the proposed amount of the grant; and

''(C) the quality of the organizational development assistance to be delivered by the intermediary nonprofit grantee, including the qualifications of its administrators and representatives, and its record in providing services to small and midsize nonprofit organizations.

''(f) FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost as referenced in subsection (b) shall be 50 percent.

''(2) NON-FEDERAL SHARE.—

''(A) IN GENERAL.—The non-Federal share of the cost as referenced in subsection (b) shall be 50 percent and shall be provided in cash.

''(B) THIRD PARTY CONTRIBUTIONS.—

''(i) IN GENERAL.—Except as provided in clause (ii), an intermediary nonprofit grantee shall provide the non-Federal share of the cost through contributions from third parties. The third parties may include charitable grantmaking entities and grantmaking vehicles within existing organizations, entities of corporate philanthropy, corporations, individual donors, and regional, State, or local government agencies, or other non-Federal sources.

''(ii) EXCEPTION.—If the intermediary nonprofit grantee is a private foundation (as defined in section 509(a) of the Internal Revenue Code of 1986), a donor advised fund (as defined in section 4966(d)(2) of such Code), an organization which is described in section 4966(d)(4)(A)(i) of such Code, or an organization which is described in section 4966(d)(4)(B) of such Code, the grantee shall provide the non-Federal share from within that grantee's own funds.

''(iii) MAINTENANCE OF EFFORT, PRIOR YEAR THIRD-PARTY FUNDING LEVELS.—For purposes of maintaining private sector support levels for the activities specified by this program, a non-Federal share that includes donations by third parties shall be composed in a way that does not decrease prior levels of funding from the same third parties granted to the nonprofit intermediary grantee in the preceding year.

''(g) RESERVATION.—Of the amount authorized to provide financial assistance under this subtitle, there shall be made available to carry out this section $5,000,000 for each of fiscal years 2010 through 2014.''.

Subtitle I—Training and Technical Assistance

SEC. 1821. TRAINING AND TECHNICAL ASSISTANCE.

Title I is further amended by adding at the end the following new subtitle:

''Subtitle J—Training and Technical Assistance

''SEC. 199N. TRAINING AND TECHNICAL ASSISTANCE.

''(a) IN GENERAL.—The Corporation shall, directly or through grants, contracts, or cooperative agreements (including through State Commissions), conduct appropriate training for and provide technical assistance to—

''(1) programs receiving assistance under the national service laws; and

''(2) entities (particularly entities in rural areas and underserved communities) that desire to—

''(A) carry out or establish national service programs; or

''(B) apply for assistance (including subgrants) under the national service laws.

''(b) ACTIVITIES INCLUDED.—Such training and technical assistance activities may include—

''(1) providing technical assistance to entities applying to carry out national service programs or entities carrying out national service programs;

''(2) promoting leadership development in national service programs;

''(3) improving the instructional and programmatic quality of national service programs;

''(4) developing the management and budgetary skills of individuals operating or overseeing national service programs, including developing skills to increase the cost effectiveness of the programs under the national service laws;

''(5) providing for or improving the training provided to the participants in programs under the national service laws;

''(6) facilitating the education of individuals participating in national service programs in risk management procedures, including the training of participants in appropriate risk management practices;

''(7) training individuals operating or overseeing national service programs—

''(A) in volunteer recruitment, management, and retention to improve the abilities of such individuals to use participants and other volunteers in an effective manner, which training results in high-quality service and the desire of participants and volunteers to continue to serve in other capacities after the program is completed;

''(B) in program evaluation and performance measures to inform practices to augment the capacity and sustainability of the national service programs; or

''(C) to effectively accommodate individuals with disabilities to increase the participation of individuals with disabilities in national service programs, which training may utilize funding from the reservation of funds under section 129(k) to increase the participation of individuals with disabilities;

''(8) establishing networks and collaboration among employers, educators, and other key stakeholders in the community to further leverage resources to increase local participation in national service programs, and to coordinate community-wide planning and service with respect to national service programs;

''(9) providing training and technical assistance for the National Senior Service Corps, including providing such training and technical assistance to programs receiving assistance under section 201 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5001); and

''(10) carrying out such other activities as the Chief Executive Officer determines to be appropriate.

''(c) PRIORITY.—In carrying out this section, the Corporation shall give priority to programs under the national service laws and entities eligible to establish such programs that seek training or technical assistance and that—

''(1) seek to carry out high-quality programs where the services are needed most;

''(2) seek to carry out high-quality programs where national service programs do not exist or where the programs are too limited to meet community needs;

''(3) seek to carry out high-quality programs that focus on and provide service opportunities for underserved rural and urban areas and populations; and

''(4) seek to assist programs in developing a service component that combines students, out-of-school youths, and older adults as participants to provide needed community services.''.

Subtitle J—Repeal of Title III (Points of Light Foundation)

SEC. 1831. REPEAL.

(a) IN GENERAL.—Title III (42 U.S.C. 12661 et seq.) is repealed.

(b) CONFORMING AMENDMENTS.—Section 401 (42 U.S.C. 12671) is amended—

(1) in subsection (a), by striking ''term'' and all that follows through the period and inserting the following: ''term 'administrative organization' means a nonprofit private organization that enters into an agreement with the Corporation to carry out this section.''; and

(2) by striking ''Foundation'' each place it appears and inserting ''administrative organization''.

Subtitle K—Amendments to Title V (Authorization of Appropriations)

SEC. 1841. AUTHORIZATION OF APPROPRIATIONS.

Section 501 (42 U.S.C. 12681) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) TITLE I.—

''(1) SUBTITLE B.—

''(A) IN GENERAL.—There are authorized to be appropriated to provide financial assistance under subtitle B of title I—

''(i) $97,000,000 for fiscal year 2010; and

''(ii) such sums as may be necessary for each of fiscal years 2011 through 2014.

''(B) PART IV RESERVATION.—Of the amount appropriated under subparagraph (A) for a fiscal year, the Corporation may reserve such sums as may be necessary to carry out part IV of subtitle B of title I.

''(C) SECTION 118A.—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year,

not more than $7,000,000 shall be made available for awards to Campuses of Service under section 118A.

''(D) SECTION 119(C)(8).—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than $10,000,000 shall be made available for summer of service program grants under section 119(c)(8), and not more than $10,000,000 shall be deposited in the National Service Trust to support summer of service educational awards, consistent with section 119(c)(8).

''(E) SECTION 119(C)(9).—Of the amount appropriated under subparagraph (A) and not reserved under subparagraph (B) for a fiscal year, not more than $20,000,000 shall be made available for youth engagement zone programs under section 119(c)(9).

''(F) GENERAL PROGRAMS.—Of the amount remaining after the application of subparagraphs (A) through (E) for a fiscal year—

''(i) not more than 60 percent shall be available to provide financial assistance under part I of subtitle B of title I;

''(ii) not more than 25 percent shall be available to provide financial assistance under part II of such subtitle; and

''(iii) not less than 15 percent shall be available to provide financial assistance under part III of such subtitle.

''(2) SUBTITLES C AND D.—There are authorized to be appropriated, for each of fiscal years 2010 through 2014, such sums as may be necessary to provide financial assistance under subtitle C of title I and to provide national service educational awards under subtitle D of title I for the number of participants described in section 121(f)(1) for each such fiscal year.

''(3) SUBTITLE E.—

''(A) IN GENERAL.—There are authorized to be appropriated to operate the National Civilian Community Corps and provide financial assistance under subtitle E of title I, such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) PRIORITY.—Notwithstanding any other provision of this Act, in obligating the amounts made available pursuant to the authorization of appropriations in this paragraph, priority shall be given to programs carrying out activities in areas for which the President has declared the existence of a major disaster, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170), including a major disaster as a consequence of Hurricane Katrina or Rita.

''(4) SUBTITLE H.—

''(A) AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2010 through 2014 to provide financial assistance under subtitle H of title I.

''(B) SECTION 198B.—Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 198B and to provide national service educational awards under subtitle D of title I to the number of participants in national service positions established or increased as provided in section 198B(b)(3) for such year.

''(C) SECTION 198C.—Of the amount authorized under subparagraph (A) for a fiscal year, $12,000,000 shall be made available to provide financial assistance under section 198C.

''(D) SECTION 198H.—Of the amount authorized under subparagraph (A) for a fiscal year, such sums as may be necessary shall be made available to provide financial assistance under section 198H.

''(E) SECTION 198K.—Of the amount authorized under subparagraph (A), there shall be made available to carry out section 198K—

''(i) $50,000,000 for fiscal year 2010;

''(ii) $60,000,000 for fiscal year 2011;

''(iii) $70,000,000 for fiscal year 2012;

''(iv) $80,000,000 for fiscal year 2013; and

''(v) $100,000,000 for fiscal year 2014.

''(F) SECTION 198P.—Of the amount authorized under subparagraph (A), there shall be made available to carry out section 198P—

''(i) $50,000,000 for fiscal year 2010;

''(ii) $60,000,000 for fiscal year 2011;

''(iii) $70,000,000 for fiscal year 2012;

''(iv) $80,000,000 for fiscal year 2013; and

''(v) $100,000,000 for fiscal year 2014.

''(5) ADMINISTRATION.—

''(A) IN GENERAL.—There are authorized to be appropriated for the administration of this Act, including financial assistance under section 126(a), such sums as may be necessary for each of fiscal years 2010 through 2014.

''(B) CORPORATION.—Of the amounts appropriated under subparagraph (A) for a fiscal year, a portion shall be made available to provide financial assistance under section 126(a).

''(6) EVALUATION, TRAINING, AND TECHNICAL ASSISTANCE.—Notwithstanding paragraphs (1), (2), and (4) and any other provision of law, of the amounts appropriated for a fiscal year under subtitles B, C, and H of title I of this Act and under titles I and II of the Domestic Volunteer Service Act of 1973, the Corporation shall reserve not more than 2.5 percent to carry out sections 112(e) and 179A and subtitle J, of which $1,000,000 shall be used by the Corporation to carry out section 179A. Notwithstanding subsection (b), amounts so reserved shall be available only for the fiscal year for which the amounts are reserved.'';

(2) by striking subsections (b) and (d); and

(3) by redesignating subsection (c) as subsection (b).

TITLE II—DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 2001. REFERENCES.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.).

SEC. 2002. VOLUNTEERISM POLICY.

Section 2 (42 U.S.C. 4950) is amended—

(1) in subsection (a), by striking ''both young'' and all that follows through the period and inserting ''individuals of all ages and backgrounds.''; and

(2) in subsection (b), by inserting after ''State, and local agencies'' the following: '', expand relationships with, and support for, the efforts of civic, community, and educational organizations,''.

Subtitle A—National Volunteer Antipoverty Programs

CHAPTER 1—VOLUNTEERS IN SERVICE TO AMERICA

SEC. 2101. STATEMENT OF PURPOSE.

Section 101 (42 U.S.C. 4951) is amended—

(1) in the second sentence, by striking ''exploit'' and all that follows through the period and inserting ''increase opportunities for self-advancement by persons affected by such problems.''; and

(2) in the third sentence, by striking ''at the local level'' and all that follows through the period and inserting ''at the local level, to support efforts by local agencies and community organizations to achieve long-term sustainability of projects, and to strengthen local agencies and community organizations to carry out the objectives of this part.''.

SEC. 2102. SELECTION AND ASSIGNMENT OF VOLUNTEERS.

Section 103 (42 U.S.C. 4953) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa,'';

(B) in paragraph (2), by striking ''handicapped individuals'' and all that follows through the semicolon and inserting ''individuals with disabilities, especially individuals with severe disabilities;'';

(C) in paragraph (3), by striking ''the jobless, the hungry,'' and inserting ''unemployed individuals,'';

(D) in paragraph (4), by striking ''prevention, education,'' and inserting ''through prevention, education, rehabilitation, treatment,'';

(E) in paragraph (5), by striking ''chronic and life-threatening illnesses'' and inserting ''mental illness, chronic and life-threatening illnesses,'';

(F) in paragraph (6)—

(i) by striking ''Headstart act'' and inserting ''Head Start Act''; and

(ii) by striking ''and'' after the semicolon at the end;

(G) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(H) by adding at the end the following:

''(8) in assisting with the reentry and reintegration of formerly incarcerated youth and adults into society, including providing training and counseling in education, employment, and life skills;

''(9) in developing and carrying out financial literacy, financial planning, budgeting, saving, and reputable credit accessibility programs in low-income communities, including those programs that educate individuals about financing home ownership and higher education;

''(10) in initiating and supporting before-school and after-school programs, serving children in low-income communities, that may engage participants in mentoring, tutoring, life skills and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children;

''(11) in establishing and supporting community economic development initiatives, with a priority on work on such initiatives in rural areas and the other areas where such initiatives are needed most;

''(12) in assisting veterans and their family members through establishing or augmenting programs that assist such persons with access to legal assistance, health care (including mental health care), employment counseling or training, education counseling or training, affordable housing, and other support services; and

''(13) in addressing the health and wellness of individuals in low-income communities and individuals in underserved communities, including programs to increase access to preventive services, insurance, and health services.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''recruitment and placement procedures'' and inserting ''placement procedures that involve sponsoring organizations and'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''Community Service Trust Act of 1993'' and all that follows through the period at the end of the fourth sentence and inserting ''Community Service Act of 1990.'';

(ii) in subparagraph (B), by striking ''central information system that shall, on request, promptly provide'' and inserting ''database that provides''; and

(iii) in subparagraph (C), in the second sentence, by inserting ''and management'' after ''the recruitment''; and

(C) in paragraph (5)(B), by striking ''information system'' and inserting ''database'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''the Internet and related technologies,'' before ''radio,'';

(ii) in subparagraph (B), by inserting ''Internet and related technologies,'' before ''print media,'';

(iii) in subparagraph (C), by inserting ''State or local offices of economic development, State employment security agencies, employment offices,'' before ''and other institutions''; and

(iv) in subparagraph (F), by striking ''Community Service Trust Act of 1993'' and inserting ''Community Service Act of 1990''; and

(B) by striking paragraph (4);

(4) in subsection (d), in the second sentence, by striking ''private industry council established under the Job Training Partnership Act or'';

(5) in subsection (g), in the first sentence, by striking '', and such'' and all that follows through the period and inserting a period; and

(6) by adding at the end the following:

''(i) The Director may enter into agreements under which public and private nonprofit organizations, with sufficient financial capacity and size, pay for all or a portion of the costs of supporting the service of volunteers under this part.''.

SEC. 2103. SUPPORT SERVICE.

Section 105(a)(1)(B) (42 U.S.C. 4955(a)(1)(B)) is amended—

(1) by striking the first sentence and inserting the following: ''Such stipend shall be set at a rate that is not less than a minimum of $125 per month and not more than a maximum of $150 per month, subject to the availability of funds to provide such a maximum rate.''; and

(2) in the second sentence, by striking ''stipend of a maximum of $200 per month'' and inserting ''stipend set at a rate that is not more than a maximum of $250 per month''.

SEC. 2104. REPEAL.

Section 109 (42 U.S.C. 4959) is repealed.

SEC. 2105. REDESIGNATION.

Section 110 (42 U.S.C. 4960) is redesignated as section 109.

CHAPTER 2—UNIVERSITY YEAR FOR VISTA

SEC. 2121. UNIVERSITY YEAR FOR VISTA.

Part B of title I (42 U.S.C. 4971 et seq.) is repealed.

CHAPTER 3—SPECIAL VOLUNTEER PROGRAMS

SEC. 2131. STATEMENT OF PURPOSE.

Section 121 (42 U.S.C. 4991) is amended in the second sentence by striking ''situations'' and inserting ''organizations''.

SEC. 2132. LITERACY CHALLENGE GRANTS.

Section 124 (42 U.S.C. 4995) is repealed.

Subtitle B—National Senior Service Corps

SEC. 2141. TITLE.

Title II (42 U.S.C. 5000 et seq.) is amended by striking the title heading and inserting the following:

''TITLE II—NATIONAL SENIOR SERVICE CORPS''.

SEC. 2142. STATEMENT OF PURPOSE.

Section 200 (42 U.S.C. 5000) is amended to read as follows:

''SEC. 200. STATEMENT OF PURPOSE.

''It is the purpose of this title to provide—

''(1) opportunities for senior service to meet unmet local, State, and national needs in the areas of education, public safety, emergency and disaster preparedness, relief, and recovery, health and human needs, and the environment;

''(2) for the National Senior Service Corps, comprised of the Retired and Senior Volunteer Program, the Foster Grandparent Program, and the Senior Companion Program, and demonstration and other programs, to empower people 55 years of age or older to contribute to their communities through service, enhance the lives of those who serve and those whom they serve, and provide communities with valuable services;

''(3) opportunities for people 55 years of age or older, through the Retired and Senior Volunteer Program, to share their knowledge, experiences, abilities, and skills for the betterment of their communities and themselves;

''(4) opportunities for low-income people 55 years of age or older, through the Foster Grandparents Program, to have a positive impact on the lives of children in need; and

''(5) opportunities for low-income people 55 years of age or older, through the Senior Companion Program, to provide support services and companionship to other older individuals through volunteer service.''.

SEC. 2143. RETIRED AND SENIOR VOLUNTEER PROGRAM.

Section 201 (42 U.S.C. 5001(a)) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''avail'' and all that follows through ''community,'' and inserting ''share their experiences, abilities, and skills to improve their communities and themselves through service in their communities,'';

(B) in paragraph (2), by striking '', and individuals 60 years of age or older will be given priority for enrollment,''; and

(C) in paragraph (4)—

(i) by striking ''established and will be carried out'' and inserting ''designed and implemented''; and

(ii) by striking ''field of service'' and all that follows through the period at the end and inserting ''field of service to be provided, as well as persons who have expertise in the management of volunteers and the needs of older individuals.''; and

(2) by adding at the end the following:

''(e)(1) Beginning with fiscal year 2013 and for each fiscal year thereafter, each grant or contract awarded under this section, for such a year, shall be—

''(A) awarded for a period of 3 years, with an option for a grant renewal of 3 years if the grantee meets the performances measures established under subsection (g); and

''(B) awarded through a competitive process described in paragraph (2).

''(2)(A) The Corporation shall promulgate regulations establishing the competitive process required under paragraph (1)(B), and make such regulations available to the public, not later than 18 months after the date of the enactment of the Serve America Act. The Corporation shall consult with the directors of programs receiving grants under this section during the development and implementation of the competitive process.

''(B) The competitive process required by subparagraph (A) shall—

''(i) include the use of a peer review panel, including members with expertise in senior service and aging, to review applications;

''(ii) include site inspections of programs assisted under this section, as appropriate;

''(iii) in the case of an applicant who has previously received a grant or contract for a program under this section, include an evaluation of the program conducted by a review team, as described in subsection (f);

''(iv) ensure that—

''(I) the grants or contracts awarded under this section through the competitive process for a grant or contract cycle support an aggregate number of volunteer service years for a given geographic service area that is not less than the aggregate number of volunteer service years supported under this section for such service area for the previous grant or contract cycle;

''(II) the grants or contracts awarded under this section through the competitive process for a grant or contract cycle maintain a similar program distribution, as compared to the program distribution for the previous grant or contract cycle; and

''(III) every effort is made to minimize the disruption to volunteers; and

''(v) include the use of performance measures, outcomes, and other criteria established under subsection (g).

''(f)(1) Notwithstanding section 412, and effective beginning 180 days after the date of enactment of the Serve America Act, each grant or contract under this section that expires in fiscal year 2011, 2012, or 2013 shall be subject to an evaluation process conducted by a review team described in paragraph (4). The evaluation process shall be carried out, to the maximum extent practicable, in fiscal year 2010, 2011, and 2012, respectively.

''(2) The Corporation shall promulgate regulations establishing the evaluation process required under paragraph (1), and make such regulations available to the public, not later than 18 months after the date of enactment of the Serve America Act. The Corporation shall consult with the directors of programs receiving grants under this section during the development and implementation of the evaluation process.

''(3) The evaluation process required under paragraph (1) shall—

''(A) include performance measures, outcomes, and other criteria established under subsection (g); and

''(B) evaluate the extent to which the recipient of the grant or contract meets or exceeds such performance measures, outcomes, and other criteria through a review of the recipient.

''(4) To the maximum extent practicable, the Corporation shall provide that each evaluation required by this subsection is conducted by a review team that—

''(A) includes individuals who are knowledgeable about programs assisted under this section;

''(B) includes current or former employees of the Corporation who are knowledgeable about programs assisted under this section;

''(C) includes representatives of communities served by volunteers of programs assisted under this section; and

''(D) shall receive periodic training to ensure quality and consistency across evaluations.

''(5) The findings of an evaluation described in this subsection of a program described in paragraph (1) shall—

''(A) be presented to the recipient of the grant or contract for such program in a timely, transparent, and uniform manner that conveys information of program strengths and weaknesses and assists with program improvement; and

''(B) be used as the basis for program improvement, and for the provision of training and technical assistance.

''(g)(1) The Corporation shall, with particular attention to the different needs of rural and urban programs assisted under this section, develop performance measures, outcomes, and other criteria for programs assisted under this section that—

''(A) include an assessment of the strengths and areas in need of improvement of a program assisted under this section;

''(B) include an assessment of whether such program has adequately addressed population and community-wide needs;

''(C) include an assessment of the efforts of such program to collaborate with other community-based organizations, units of government, and entities providing services to seniors, taking into account barriers to such collaboration that such program may encounter;

''(D) include a protocol for fiscal management that shall be used to assess such program's compliance with the program requirements for the appropriate use of Federal funds;

''(E) include an assessment of whether the program is in conformity with the eligibility, outreach, enrollment, and other requirements for programs assisted under this section; and

''(F) contain other measures of performance developed by the Corporation, in consultation with the review teams described in subsection (f)(4).

''(2)(A) The performance measures, outcomes, and other criteria established under this subsection may be updated or modified as necessary, in consultation with directors of programs under this section, but not earlier than fiscal year 2014.

''(B) For each fiscal year preceding fiscal year 2014, the Corporation may, after consulting with directors of the programs under this section, determine that a performance measure, outcome, or criterion established under this subsection is operationally problematic, and may, in consultation with such directors and after notifying the authorizing committees—

''(i) eliminate the use of that performance measure, outcome or criterion; or

''(ii) modify that performance measure, outcome, or criterion as necessary to render it no longer operationally problematic.

''(3) In the event that a program does not meet one or more of the performance measures, outcome, or criteria established under this subsection, the Corporation shall initiate procedures to terminate the program in accordance with section 412.

''(h) The Chief Executive Officer shall develop procedures by which programs assisted under this section may receive training and technical assistance, which may include regular monitoring visits to assist programs in meeting the performance measures, outcomes, and criteria.

''(i)(1) Notwithstanding subsection (g)(3) or section 412, the Corporation shall continue to fund a program assisted under this section that has failed to meet or exceed the performance measures, outcomes, and other criteria established under this subsection for not more than 12 months if the competitive process established under subsection (e) does not result in a successor grant or contract for such program, in order to minimize the disruption to volunteers and the disruption of services.

''(2) In the case where a program is continued under paragraph (1), the Corporation shall conduct outreach regarding the availability of a grant under this section for the area served by such program and establish a new competition for awarding the successor program to the continued program. The recipient operating the continued program shall remain eligible for the new competition.

''(3) The Corporation may monitor the recipient of a grant or contract supporting a program continued under paragraph (1) during this period and may provide training and technical assistance to assist such recipient in meeting the performance measures for such program.

''(j) The Corporation shall develop and disseminate an online resource guide for programs under this section not later than 180 days after the date of enactment of the Serve America Act, which shall include—

''(1) examples of high-performing programs assisted under this section;

''(2) corrective actions for underperforming programs; and

''(3) examples of meaningful outcome-based performance measures, outcomes, and criteria that capture a program's mission and priorities.''.

SEC. 2144. FOSTER GRANDPARENT PROGRAM.

Section 211 (42 U.S.C. 5011) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking ''aged sixty'' and inserting ''age 55''; and

(ii) by striking ''children having exceptional needs'' and inserting ''children having special or exceptional needs or circumstances identified as limiting their academic, social, or emotional development''; and

(B) in the second sentence—

(i) by striking ''any of a variety of''; and

(ii) by striking ''children with special or exceptional needs'' and inserting ''children having special or exceptional needs or circumstances identified as limiting their academic, social, or emotional development'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''shall have'' and all that follows through ''(2) of the subsection'' and inserting ''may determine'';

(ii) in subparagraph (A), by striking ''and'' after the semicolon at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(C) whether it is in the best interest of the child receiving, and the particular foster grandparent providing, services in such a project, to continue the relationship between the child and the grandparent under this part after the child reaches the age of 21, if such child is an individual with a disability who was receiving such services prior to attaining the age of 21.''; and

(B) by striking paragraph (2) and inserting the following:

''(2) If an assignment of a foster grandparent under this part is suspended or discontinued, the replacement of that foster grandparent shall be determined in a manner consistent with paragraph (3).'';

(3) in subsection (d), by striking ''$2.45 per hour'' and all that follows through ''five cents, except'' and inserting ''$3.00 per hour, except'';

(4) in subsection (e)—

(A) in paragraph (1), by striking ''125 per centum'' and inserting ''200 percent''; and

(B) in paragraph (2), by striking ''per centum'' and inserting ''percent''; and

(5) in subsection (f)(1)—

(A) in subparagraph (A), by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraph (B)''; and

(B) by striking subparagraph (C).

SEC. 2145. SENIOR COMPANION PROGRAM.

Section 213(a) (42 U.S.C. 5013(a)) is amended by striking ''aged 60 or over'' and inserting ''age 55 or older''.

SEC. 2146. GENERAL PROVISIONS.

(a) PROMOTION OF NATIONAL SENIOR SERVICE CORPS.—Section 221 (42 U.S.C. 5021) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) in subsection (b)(2), by striking ''participation of volunteers'' and inserting ''participation of volunteers of all ages and backgrounds, living in urban or rural communities''.

(b) MINORITY POPULATION PARTICIPATION.—Section 223 (42 U.S.C. 5023) is amended—

(1) in the section heading, by striking ''GROUP'' and inserting ''POPULATION''; and

(2) by striking ''sixty years and older from minority groups'' and inserting ''age 55 years or older from minority populations''.

(c) USE OF LOCALLY GENERATED CONTRIBUTIONS IN NATIONAL SENIOR SERVICE CORPS.—Section 224 (42 U.S.C. 5024) is amended—

(1) in the section heading, by striking ''VOLUNTEER'' and inserting ''SERVICE''; and

(2) by striking ''Volunteer Corps'' and inserting ''Service Corps''.

(d) NATIONAL PROBLEMS OF LOCAL CONCERN.—Section 225 (42 U.S.C. 5025) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''(10), (12), (15), and (16)'' and inserting ''(9), (11), and (14)''; and

(ii) in subparagraph (C), by striking ''(10)'' and inserting ''(9)'';

(B) by amending paragraph (2) to read as follows:

''(2) An applicant for a grant under paragraph (1) shall determine whether the program to be supported by the grant is a program under part A, B, or C, and shall submit an application as required for such program.''; and

(C) by adding at the end the following:

''(4) To the maximum extent practicable, the Director shall ensure that not less than 25 percent of the funds appropriated under this section are used to award grants—

''(A) to applicants for grants under this section that are not receiving assistance from the Corporation at the time of such grant award; or

''(B) to applicants from locations where no programs supported under part A, B, or C are in effect at the time of such grant award.

''(5) Notwithstanding paragraph (4), if, for a fiscal year, less than 25 percent of the applicants for grants under this section are applicants described in paragraph (4), the Director may use an amount that is greater than 75 percent of the funds appropriated under this subsection to award grants to applicants that are already receiving assistance from the Corporation at the time of such grant award.'';

(2) in subsection (b)—

(A) in paragraph (2), by inserting ''through education, prevention, treatment, and rehabilitation'' before the period at the end;

(B) by striking paragraph (4) and inserting the following:

''(4) Programs that establish and support mentoring programs for low-income youth, including mentoring programs that match such youth with mentors and match such youth with employment and training programs, including apprenticeship programs.'';

(C) in paragraph (5), by inserting '', including literacy programs that serve youth, and adults, with limited English proficiency'' before the period at the end;

(D) by striking paragraphs (6) and (7) and inserting the following:

''(6) Programs that provide respite care, including care for elderly individuals and for children and individuals with disabilities or chronic illnesses who are living at home.

''(7) Programs that provide before-school and after-school activities, serving children in low-income communities, that may engage participants in mentoring relationships, tutoring, life skills, and study skills programs, service-learning, physical, nutrition, and health education programs, and other activities addressing the needs of the children in the communities, including children of working parents.'';

(E) by striking paragraph (8);

(F) by redesignating paragraphs (9) through (15) as paragraphs (8) through (14), respectively;

(G) in paragraph (10) (as redesignated by subparagraph (F))—

(i) by striking ''educationally disadvantaged children'' and inserting ''students''; and

(ii) by striking ''the basic skills of such children'' and inserting ''the academic achievement of such students'';

(H) by striking paragraph (11) (as redesignated by subparagraph (F)) and inserting the following:

''(11) Programs that engage older individuals with children and youth to complete service in energy conservation, environmental stewardship, or other environmental needs of a community, including service relating to conducting energy audits, insulating homes, or conducting other activities to promote energy efficiency.'';

(I) by striking paragraph (14) (as redesignated by subparagraph (F)) and inserting the following:

''(14) Programs in which the grant recipients involved collaborate with criminal justice professionals and organizations in order to provide prevention programs that serve low-income youth or youth reentering society after incarceration and their families, which prevention programs may include mentoring, counseling, or employment counseling.'';

(J) by striking paragraph (16); and

(K) by redesignating paragraphs (17) and (18) as paragraphs (15) and (16), respectively;

(3) in subsection (c)(1), by inserting ''and that such applicant has expertise applicable to implementing the proposed program for which the applicant is requesting the grant'' before the period at the end; and

(4) in subsection (e), by inserting ''widely'' after ''shall''.

(e) ACCEPTANCE OF DONATIONS.—Part D of title II (42 U.S.C. 5021 et seq.) is amended by adding at the end the following:

''SEC. 228. ACCEPTANCE OF DONATIONS.

''(a) IN GENERAL.—Except as provided in subsection (b), an entity receiving assistance under this title may accept donations, including donations in cash or in kind fairly evaluated, including plant, equipment, or services.

''(b) EXCEPTION.—An entity receiving assistance under this title to carry out an activity shall not accept donations from the beneficiaries of the activity.''.

Subtitle C—Administration and Coordination

SEC. 2151. SPECIAL LIMITATIONS.

Section 404(a) (42 U.S.C. 5044(a)) is amended by inserting ''or other volunteers (not including

participants under this Act and the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.)),'' after ''employed workers'' both places such term appears.

SEC. 2152. APPLICATION OF FEDERAL LAW.

Section 415 (42 U.S.C. 5055) is amended—

(1) in subsection (c), by inserting ''(as such part was in effect on the day before the date of enactment of the Serve America Act)'' after ''part B''; and

(2) in subsection (e), by inserting ''(as such part was in effect on the day before the date of enactment of the Serve America Act)'' after ''A, B''.

SEC. 2153. EVALUATION.

Section 416 (42 U.S.C. 5056) is amended—

(1) in subsection (a), in the first sentence, by striking ''(including'' and all that follows through ''3 years)''; and

(2) in subsection (f)(3), by striking ''Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees''.

SEC. 2154. DEFINITIONS.

Section 421 (42 U.S.C. 5061) is amended—

(1) in paragraph (2), by inserting '', the Commonwealth of the Northern Mariana Islands,'' after ''American Samoa'';

(2) by striking paragraph (7);

(3) in paragraph (13), by striking ''Volunteer Corps'' and inserting ''Service Corps'';

(4) in paragraph (14), by striking ''Volunteer Corps'' and inserting ''Service Corps'';

(5) by redesignating paragraphs (8) through (20) as paragraphs (7) through (19), respectively;

(6) in paragraph (18) (as redesignated by paragraph (5)), by striking ''and'' after the semicolon at the end;

(7) in paragraph (19) (as redesignated by paragraph (5)), by striking the period at the end and inserting ''; and''; and

(8) by adding at the end the following:

''(20) the term 'authorizing committees' means the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

SEC. 2155. PROTECTION AGAINST IMPROPER USE.

Section 425 (42 U.S.C. 5065) is amended, in the matter following paragraph (2), by striking ''Volunteer Corps'' and inserting ''Service Corps''.

SEC. 2156. PROVISIONS UNDER THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Title IV (42 U.S.C. 5043 et seq.) is amended by adding at the end the following:

''SEC. 426. PROVISIONS UNDER THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

''The Corporation shall carry out this Act in accordance with the provisions of this Act and the relevant provisions of the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.), particularly the provisions of section 122 and subtitle F of title I of the National and Community Service Act of 1990 (42 U.S.C. 12572, 12631 et seq.) relating to the national service laws.''.

Subtitle D—Authorization of Appropriations

SEC. 2161. AUTHORIZATIONS OF APPROPRIATIONS.

(a) NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS.—Section 501 (42 U.S.C. 5081) is amended—

(1) in subsection (a)—

(A) by striking paragraphs (1) through (4) and inserting the following:

''(1) VOLUNTEERS IN SERVICE TO AMERICA.—There are authorized to be appropriated to carry out part A of title I $100,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(2) SPECIAL VOLUNTEER PROGRAMS.—There are authorized to be appropriated to carry out part C of title I such sums as may be necessary for each of fiscal years 2010 through 2014.''; and

(B) by redesignating paragraph (5) as paragraph (3);

(2) in subsection (c), by striking ''part B or C'' and inserting ''part C''; and

(3) by striking subsection (e).

(b) NATIONAL SENIOR SERVICE CORPS.—Section 502 (42 U.S.C. 5082) is amended to read as follows:

''SEC. 502. NATIONAL SENIOR SERVICE CORPS.

''(a) RETIRED AND SENIOR VOLUNTEER PROGRAM.—There are authorized to be appropriated to carry out part A of title II, $70,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(b) FOSTER GRANDPARENT PROGRAM.—There are authorized to be appropriated to carry out part B of title II, $115,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(c) SENIOR COMPANION PROGRAM.—There are authorized to be appropriated to carry out part C of title II, $55,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

''(d) DEMONSTRATION PROGRAMS.—There are authorized to be appropriated to carry out part E of title II, such sums as may be necessary for each of the fiscal years 2010 through 2014.''.

(c) ADMINISTRATION AND COORDINATION.—Section 504 (42 U.S.C. 5084) is amended—

(1) in subsection (a), by striking ''fiscal years 1994 through 1996'' and inserting ''fiscal years 2010 through 2014''; and

(2) in subsection (b), by striking ''fiscal years 1994 through 1996'' and inserting ''fiscal years 2010 through 2014''.

TITLE III—TECHNICAL AMENDMENTS TO TABLES OF CONTENTS

SEC. 3101. TABLE OF CONTENTS OF THE NATIONAL AND COMMUNITY SERVICE ACT OF 1990.

Section 1(b) of the National and Community Service Act of 1990 is amended to read as follows:

''(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

''Sec. 1. Short title and table of contents.
''Sec. 2. Findings and purpose.

''TITLE I—NATIONAL AND COMMUNITY SERVICE STATE GRANT PROGRAM

''Subtitle A—General Provisions

''Sec. 101. Definitions.
''Sec. 102. Authority to make State grants.

''Subtitle B—School-Based and Community-Based Service-Learning Programs

''PART I—PROGRAMS FOR ELEMENTARY AND SECONDARY SCHOOL STUDENTS

''Sec. 111. Purpose.
''Sec. 111A. Definitions.
''Sec. 112. Assistance to States, territories, and Indian tribes.
''Sec. 112A. Allotments.
''Sec. 113. Applications.
''Sec. 114. Consideration of applications.
''Sec. 115. Participation of students and teachers from private schools.
''Sec. 116. Federal, State, and local contributions.
''Sec. 117. Limitations on uses of funds.

''PART II—HIGHER EDUCATION INNOVATIVE PROGRAMS FOR COMMUNITY SERVICE

''Sec. 118. Higher education innovative programs for community service.
''Sec. 118A. Campuses of Service.

''PART III—INNOVATIVE AND COMMUNITY-BASED SERVICE-LEARNING PROGRAMS AND RESEARCH

''Sec. 119. Innovative and community-based service-learning programs and research.

''PART IV—SERVICE-LEARNING IMPACT STUDY

''Sec. 120. Study and report.

''Subtitle C—National Service Trust Program

''PART I—INVESTMENT IN NATIONAL SERVICE

''Sec. 121. Authority to provide assistance and approved national service positions.
''Sec. 122. National service programs eligible for program assistance.
''Sec. 123. Types of national service positions eligible for approval for national service educational awards.
''Sec. 124. Types of program assistance.
''Sec. 126. Other special assistance.

''PART II—APPLICATION AND APPROVAL PROCESS

''Sec. 129. Provision of assistance and approved national service positions.
''Sec. 129A. Educational awards only program.
''Sec. 130. Application for assistance and approved national service positions.
''Sec. 131. National service program assistance requirements.
''Sec. 132. Ineligible service categories.
''Sec. 132A. Prohibited activities and ineligible organizations.
''Sec. 133. Consideration of applications.

''PART III—NATIONAL SERVICE PARTICIPANTS

''Sec. 137. Description of participants.
''Sec. 138. Selection of national service participants.
''Sec. 139. Terms of service.
''Sec. 140. Living allowances for national service participants.
''Sec. 141. National service educational awards.

''Subtitle D—National Service Trust and Provision of Educational Awards

''Sec. 145. Establishment of the National Service Trust.
''Sec. 146. Individuals eligible to receive an educational award from the Trust.
''Sec. 146A. Certifications of successful completion of terms of service.
''Sec. 147. Determination of the amount of the educational award.
''Sec. 148. Disbursement of educational awards.
''Sec. 149. Approval process for approved positions.

''Subtitle E—National Civilian Community Corps

''Sec. 151. Purpose.
''Sec. 152. Establishment of National Civilian Community Corps Program.
''Sec. 153. National service program.
''Sec. 154. Summer national service program.
''Sec. 155. National Civilian Community Corps.
''Sec. 156. Training.
''Sec. 157. Service projects.
''Sec. 158. Authorized benefits for Corps members.
''Sec. 159. Administrative provisions.
''Sec. 160. Status of Corps members and Corps personnel under Federal law.
''Sec. 161. Contract and grant authority.
''Sec. 162. Responsibilities of Department of Defense.
''Sec. 163. Advisory board.
''Sec. 164. Evaluations.
''Sec. 165. Definitions.

''Subtitle F—Administrative Provisions

''Sec. 171. Family and medical leave.
''Sec. 172. Reports.
''Sec. 173. Supplementation.
''Sec. 174. Prohibition on use of funds.
''Sec. 175. Nondiscrimination.
''Sec. 176. Notice, hearing, and grievance procedures.
''Sec. 177. Nonduplication and nondisplacement.
''Sec. 178. State Commissions on National and Community Service.
''Sec. 179. Evaluation.
''Sec. 179A. Civic Health Assessment and volunteering research and evaluation.
''Sec. 180. Engagement of participants.
''Sec. 181. Contingent extension.
''Sec. 182. Partnerships with schools.
''Sec. 183. Rights of access, examination, and copying.

''Sec. 184. Drug-free workplace requirements.
''Sec. 184A. Availability of assistance.
''Sec. 185. Consolidated application and reporting requirements.
''Sec. 186. Sustainability.
''Sec. 187. Grant periods.
''Sec. 188. Generation of volunteers.
''Sec. 189. Limitation on program grant costs.
''Sec. 189A. Matching requirements for severely economically distressed communities.
''Sec. 189B. Audits and reports.
''Sec. 189C. Restrictions on Federal Government and uses of Federal funds.
''Sec. 189D. Criminal history checks.
''Subtitle G—Corporation for National and Community Service
''Sec. 191. Corporation for National and Community Service.
''Sec. 192. Board of Directors.
''Sec. 192A. Authorities and duties of the Board of Directors.
''Sec. 193. Chief Executive Officer.
''Sec. 193A. Authorities and duties of the Chief Executive Officer.
''Sec. 194. Officers.
''Sec. 195. Employees, consultants, and other personnel.
''Sec. 196. Administration.
''Sec. 196A. Corporation State offices.
''Sec. 196B. Assignment to State Commissions.
''Sec. 196C. Study of involvement of veterans.
''Subtitle H—Investment for Quality and Innovation
''PART I—ADDITIONAL CORPORATION ACTIVITIES TO SUPPORT NATIONAL SERVICE
''Sec. 198. Additional corporation activities to support national service.
''Sec. 198A. Presidential awards for service.
''Sec. 198B. ServeAmerica Fellowships.
''Sec. 198C. Silver Scholarships and Encore Fellowships.
''PART II—NATIONAL SERVICE RESERVE CORPS
''Sec. 198H. National Service Reserve Corps.
''PART III—SOCIAL INNOVATION FUNDS PILOT PROGRAM
''Sec. 198K. Funds.
''PART IV—NATIONAL SERVICE PROGRAMS CLEARINGHOUSES; VOLUNTEER GENERATION FUND
''Sec. 198O. National service programs clearinghouses.
''Sec. 198P. Volunteer generation fund.
''''PART V—NONPROFIT CAPACITY BUILDING PROGRAM
''''Sec. 198S. Nonprofit capacity building.
''Subtitle I—American Conservation and Youth Corps
''Sec. 199. Short title.
''Sec. 199A. General authority.
''Sec. 199B. Limitation on purchase of capital equipment.
''Sec. 199C. State application.
''Sec. 199D. Focus of programs.
''Sec. 199E. Related programs.
''Sec. 199F. Public lands or Indian lands.
''Sec. 199G. Training and education services.
''Sec. 199H. Preference for certain projects.
''Sec. 199I. Age and citizenship criteria for enrollment.
''Sec. 199J. Use of volunteers.
''Sec. 199K. Living allowance.
''Sec. 199L. Joint programs.
''Sec. 199M. Federal and State employee status.
''Subtitle J—Training and Technical Assistance
''Sec. 199N. Training and technical assistance.
''TITLE II—MODIFICATIONS OF EXISTING PROGRAMS
''Subtitle A—Publication
''Sec. 201. Information for students.
''Sec. 202. Exit counseling for borrowers.
''Sec. 203. Department information on deferments and cancellations.
''Sec. 204. Data on deferments and cancellations.
''Subtitle B—Youthbuild Projects
''Sec. 211. Youthbuild projects.
''Subtitle C—Amendments to Student Literacy Corps
''Sec. 221. Amendments to Student Literacy Corps.
''TITLE IV—PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS
''Sec. 401. Projects.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. Authorization of appropriations.
''TITLE VI—MISCELLANEOUS PROVISIONS
''Sec. 601. Amtrak waste disposal.
''Sec. 602. Exchange program with countries in transition from totalitarianism to democracy.''.

SEC. 3102. TABLE OF CONTENTS OF THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973.

Section 1(b) of the Domestic Volunteer Service Act of 1973 is amended to read as follows:

''(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

''Sec. 1. Short title; table of contents.
''Sec. 2. Volunteerism policy.
''TITLE I—NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS
''PART A—VOLUNTEERS IN SERVICE TO AMERICA
''Sec. 101. Statement of purpose.
''Sec. 102. Authority to operate VISTA program.
''Sec. 103. Selection and assignment of volunteers.
''Sec. 104. Terms and periods of service.
''Sec. 105. Support service.
''Sec. 106. Participation of beneficiaries.
''Sec. 107. Participation of younger and older persons.
''Sec. 108. Limitation.
''Sec. 109. Applications for assistance.
''PART C—SPECIAL VOLUNTEER PROGRAMS
''Sec. 121. Statement of purpose.
''Sec. 122. Authority to establish and operate special volunteer and demonstration programs.
''Sec. 123. Technical and financial assistance.
''TITLE II—NATIONAL SENIOR SERVICE CORPS
''Sec. 200. Statement of purpose.
''PART A—RETIRED AND SENIOR VOLUNTEER PROGRAM
''Sec. 201. Grants and contracts for volunteer service projects.
''PART B—FOSTER GRANDPARENT PROGRAM
''Sec. 211. Grants and contracts for volunteer service projects.
''PART C—SENIOR COMPANION PROGRAM
''Sec. 213. Grants and contracts for volunteer service projects.
''PART D—GENERAL PROVISIONS
''Sec. 221. Promotion of National Senior Service Corps.
''Sec. 222. Payments.
''Sec. 223. Minority population participation.
''Sec. 224. Use of locally generated contributions in National Senior Service Corps.
''Sec. 225. Programs of national significance.
''Sec. 226. Adjustments to Federal financial assistance.
''Sec. 227. Multiyear grants or contracts.
''Sec. 228. Acceptance of donations.
''PART E—DEMONSTRATION PROGRAMS
''Sec. 231. Authority of Director.
''TITLE IV—ADMINISTRATION AND COORDINATION
''Sec. 403. Political activities.
''Sec. 404. Special limitations.
''Sec. 406. Labor standards.
''Sec. 408. Joint funding.
''Sec. 409. Prohibition of Federal control.
''Sec. 410. Coordination with other programs.
''Sec. 411. Prohibition.
''Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.
''Sec. 414. Distribution of benefits between rural and urban areas.
''Sec. 415. Application of Federal law.
''Sec. 416. Evaluation.
''Sec. 417. Nondiscrimination provisions.
''Sec. 418. Eligibility for other benefits.
''Sec. 419. Legal expenses.
''Sec. 421. Definitions.
''Sec. 422. Audit.
''Sec. 423. Reduction of paperwork.
''Sec. 424. Review of project renewals.
''Sec. 425. Protection against improper use.
''Sec. 426. Provisions under the National and Community Service Act of 1990.
''TITLE V—AUTHORIZATION OF APPROPRIATIONS
''Sec. 501. National volunteer antipoverty programs.
''Sec. 502. National Senior Service Corps.
''Sec. 504. Administration and coordination.
''Sec. 505. Availability of appropriations.
''TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS
''Sec. 601. Supersedence of Reorganization Plan No. 1 of July 1, 1971.
''Sec. 602. Creditable service for civil service retirement.
''Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
''Sec. 604. Repeal of title VI of the Older Americans Act.''.

TITLE IV—AMENDMENTS TO OTHER LAWS

SEC. 4101. INSPECTOR GENERAL ACT OF 1978.

Section 8F(a)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking ''National and Community Service Trust Act of 1993'' and inserting ''National and Community Service Act of 1990''.

TITLE V—VOLUNTEERS FOR PROSPERITY PROGRAM

SEC. 5101. FINDINGS.

Congress makes the following findings:

(1) Americans engaged in international volunteer service, and the organizations deploying them—

(A) play critical roles in responding to the needs of people living throughout the developing world; and

(B) advance the international public diplomacy of the United States.

(2) The Volunteers for Prosperity Program has successfully promoted international volunteer service by skilled American professionals.

(3) In its first 4 years, the VfP Program helped to mobilize 74,000 skilled Americans, including doctors, nurses, engineers, businesspeople, and teachers, through a network of 250 nonprofit organizations and companies in the United States, to carry out development and humanitarian efforts for those affected by great global challenges in health, the environment, poverty, illiteracy, financial literacy, disaster relief, and other challenges.

(4) The VfP Program has undertaken activities, including—

(A) direct outreach to leading nonprofit organizations and companies in the United States;

(B) promotion of the work of skilled Americans and nonprofit organizations and companies in the United States as it relates to international volunteer service;

(C) public recognition of skilled American volunteers;

(D) support for organizations that utilize skilled Americans as volunteers;

(E) participation in the development of special initiatives to further opportunities for skilled Americans; and

(F) leadership of an innovative public-private partnership to provide eligible skilled with financial assistance for volunteer assignments.

SEC. 5102. DEFINITIONS.

In this title:

(1) VFP OFFICE.—The term ''VfP Office'' means the Office of Volunteers for Prosperity of the United States Agency for International Development.

(2) VFP PROGRAM.—The term ''VfP Program'' means the Volunteers for Prosperity Program established through Executive Order 13317.

(3) VFPSERVE.—The term ''VfPServe'' means a program established by the VfP Office, in cooperation with the USA Freedom Corps, to provide eligible skilled professionals with fixed amount stipends to offset the travel and living costs of volunteering abroad.

SEC. 5103. OFFICE OF VOLUNTEERS FOR PROSPERITY.

(a) FUNCTIONS.—The VfP Office shall pursue the objectives of the VfP Program described in subsection (b) by—

(1) implementing the VfPServe Program to provide eligible skilled professionals with matching grants to offset the travel and living expenses of volunteering abroad with nonprofit organizations;

(2) otherwise promoting short- and long-term international volunteer service by skilled American professionals, including connecting such professionals with nonprofit organizations, to achieve such objectives;

(3) helping nonprofit organizations in the United States recruit and effectively manage additional skilled American professionals for volunteer assignments throughout the developing world;

(4) providing recognition for skilled American volunteers and the organizations deploying them;

(5) helping nonprofit organizations and corporations in the United States to identify resources and opportunities in international volunteer service utilizing skilled Americans;

(6) encouraging the establishment of international volunteer programs for employees of United States corporations; and

(7) encouraging international voluntary service by highly skilled Americans to promote health and prosperity throughout the world.

(b) VFP PROGRAM OBJECTIVES.—The objectives of the VfP Program should include—

(1) eliminating extreme poverty;

(2) reducing world hunger and malnutrition;

(3) increasing access to safe potable water;

(4) enacting universal education;

(5) reducing child mortality and childhood diseases;

(6) combating the spread of preventable diseases, including HIV, malaria, and tuberculosis;

(7) providing educational and work skill support for girls and empowering women to achieve independence;

(8) creating sustainable business and entrepreneurial opportunities; and

(9) increasing access to information technology.

(c) VOLUNTEERS FOR PROSPERITY SERVICE INCENTIVE PROGRAM.—

(1) IN GENERAL.—The VfP Office may provide matching grants to offset the travel and living costs of volunteering abroad to any eligible organization that—

(A) has members who possess skills relevant to addressing any objective described in subsection (b); and

(B) provides a dollar-for-dollar match for such grant—

(i) through the organization with which the individual is serving; or

(ii) by raising private funds.

(2) NONDISCRIMINATION REQUIREMENT.—The VfP Office may not provide a stipend to an individual under paragraph (1) unless the nonprofit organization to which the individual is assigned has certified to the VfP Office that it does not discriminate with respect to any project or activity receiving Federal financial assistance, including a stipend under this title, because of race, religion, color, national origin, sex, political affiliation, or beliefs.

(3) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service carried out by a volunteer receiving funds under this section may not provide a direct benefit to any—

(A) business organized for profit;

(B) labor union;

(C) partisan political organization; or

(D) religious or faith-based organization for the purpose of proselytization, worship or any other explicitly religious activity.

(d) FUNDING.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development shall make available the amounts appropriated pursuant to section 5104 to the VfP Office to pursue the objectives described in subsection (b) by carrying out the functions described in subsection (a).

(2) USE OF FUNDS.—Amounts made available under paragraph (1) may be used by the VfP Office to provide personnel and other resources to develop, manage, and expand the VfP Program, under the supervision of the United States Agency for International Development.

(e) COORDINATION.—The VfP Office shall coordinate its efforts with other public and private efforts that aim to send skilled professionals to serve in developing nations.

(f) REPORT.—The VfP Office shall submit an annual report to Congress on the activities of the VfP Office.

SEC. 5104. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title $10,000,000 for fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2014.

(b) ALLOCATION OF FUNDS.—Not more than 10 percent of the amounts appropriated pursuant to subsection (a) may be expended for the administrative costs of the United States Agency for International Development to manage the VfP Program.

TITLE VI—EFFECTIVE DATE

SEC. 6101. EFFECTIVE DATE.

(a) IN GENERAL.—This Act, and the amendments made by this Act, take effect on October 1, 2009.

(b) REGULATIONS.—Effective on the date of enactment of this Act, the Chief Executive Officer of the Corporation for National and Community Service may issue such regulations as may be necessary to carry out this Act and the amendments made by this Act.

SEC. 6102. SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds the following:

(1) President John F. Kennedy said, ''The raising of extraordinarily large sums of money, given voluntarily and freely by millions of our fellow Americans, is a unique American tradition . . . Philanthropy, charity, giving voluntarily and freely . . . call it what you like, but it is truly a jewel of an American tradition''.

(2) Americans gave more than $300,000,000,000 to charitable causes in 2007, an amount equal to roughly 2 percent of the gross domestic product.

(3) The vast majority of those donations, roughly 75 percent or $229,000,000,000, came from individuals.

(4) Studies have shown that Americans give far more to charity than the people of any other industrialized nation—more than twice as much, measured as a share of gross domestic product, than the citizens of Great Britain, and 10 times more than the citizens of France.

(5) 7 out of 10 American households donate to charities to support a wide range of religious, educational, cultural, health care, and environmental goals.

(6) These charities provide innumerable valuable public services to society's most vulnerable citizens during difficult economic times.

(7) Congress has provided incentives through the Internal Revenue Code of 1986 to encourage charitable giving by allowing individuals to deduct contributions made to tax-exempt charities.

(8) 41,000,000 American households, constituting 86 percent of taxpayers who itemize deductions, took advantage of this deduction to give to the charities of their choice.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should preserve the income tax deduction for charitable contributions through the Internal Revenue Code of 1986 and look for additional ways to encourage charitable giving.

Amend the title so as to read: ''Entitled The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws''.

MOTION OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The text of the motion is as follows:

Mr. GEORGE MILLER of California moves to concur in the Senate amendments.

The SPEAKER pro tempore. Pursuant to House Resolution 296, the motion shall be debatable for 1 hour equally divided and controlled by the Chair and ranking member of the Committee on Education and Labor.

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

GENERAL LEAVE

Mr. GEORGE MILLER of California. 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 the matter under consideration.

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

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, we are here today to vote on a bill that proudly bears the name of a champion and true advocate of national service. The bill is aptly named the Edward M. Kennedy Serve America Act, and will provide the most significant expansion of national service since Senator KENNEDY's brother, President John F. Kennedy, issued his call to serve almost 50 years ago.

This bipartisan legislation is needed now more than ever. It will give Americans of all ages, from middle school students through retirement, the chance to be part of the solution to our greatest challenges—health care, education, and energy—and help us emerge from this crisis stronger.

It will put Americans to work in their communities—in classrooms and churches and homeless shelters, and beyond. It will help Americans engage in projects that matter—feeding the hungry, helping seniors live independently, cleaning up trails and building bridges, and providing for the infrastructure of this country and our public lands.

History has shown that in times of crisis, Americans turn to service and

volunteering for healing, for rebuilding, and for hope. The spirit of generosity in the American people is one of the greatest assets of our Nation. We see this every single day.

In the past week, North and South Dakota have been in a state of emergency, with communities facing severe flooding as the snow melts. As they have in so many other times of disaster, Americans showed up to help.

Officials estimate that there are tens of thousands of volunteers who have already been on the ground for days, lining the shores of the river with over 1.5 million sandbags to help stop the flooding. In Fargo, a city with a population of 90,000, 80,000 volunteers showed up to help.

They've driven through treacherous conditions from Minnesota, Michigan, Illinois, and beyond, ready to serve and ready to help. Today, we are acting to help them.

This bill recognizes that service is an American value. It builds upon what Americans are already doing in their communities and across the country.

We all know the urgency of this crisis—workers are losing their jobs, families are losing their income, our public infrastructure is crumbling. Communities are losing revenues and vital services.

Our public needs are growing while our resources for meeting them are disappearing. This bill will help meet some of those very urgent needs. President Obama has recognized this. He has made national service a top priority, in part because he knows it can help meet his three key priorities: Health care, energy, and education. He has asked us to usher in a new era of service, to launch a 21st century generation of volunteers and to structure a new economy for the future and sustainable growth.

He knows that volunteers play many roles. They can teach in our classrooms, they can green our communities and our schools, they can rebuild and weatherize our homes, help the uninsured find treatment in health clinics, and more. All the while, they learn valuable skills that will help them in schools and jobs throughout their lives.

Just 2 weeks ago on the steps of the Capitol I was lucky enough to meet retired Army Captain Scott Quilty, who proudly served our country in Iraq. He told us that the Service had saved his life twice—the first while in Iraq when he suffered an explosion and lost his right arm and right leg. His fellow soldiers carried him to safety and saved his life.

The second time was during his recovery at a military medical center where he relearned how to walk and how to continue on with his life. As he says, his body was shattered but his eagerness to serve remained unshaken.

Service is Captain Scott Quilty. Service is the volunteers in North Dakota and South Dakota. Service is the Americans who volunteered after 9/11, after Katrina, after Rita, and the fires and the earthquakes and the floods of California.

It is the church groups, the retired, the college students, and displaced workers all coming together to respond to the need in this country, no matter what their personal plight is. Service is giving without looking back. It's the American community. It dots our entire landscape. The Edward M. Kennedy Serve America Act is just what this country needs at this pivotal moment in our history.

Just like any volunteer who can't do it alone, this bill could not have happened without the tireless efforts of our staff. With that, I would like to thank Denise Forte, Alex Ceja, Sarah Dyson, Stephanie Moore, Kim Zarish-Becknell, Margaret Young, Adrienne Dunbar, Fred Jones, Rachel Racuhson, Melissa Salmanowitz, and Jessica Kahawneck, and all the people from Mr. MCKEON's staff. I want to thank Amy Jones, Susan Ross, Rob Borden, and James Berjeron.

I also want to thank Mr. MCKEON for all of his support as the senior Republican on this committee. This has been an effort that we've worked on over the last couple of years in a bipartisan fashion.

I would also like to thank Frank Trinity, the General Counsel at the Corporation for National Service, and the staff of Senator KENNEDY, Senator HATCH, and Senator ENZI.

I am so proud that this bill has already received overwhelming bipartisan support in this Chamber and in the Senate. It's because we all recognize that it isn't a Republican or Democratic issue, it's not a black or white or gray or blue or red issue. It's an American issue. I urge my colleagues to stand with me on the right side of history and support this legislation.

The Edward M. Kennedy Serve America Act establishes four new corps, including the Clean Energy Corps, to address key needs in low-income communities. The goal of the Clean Energy Corps is to encourage energy efficiency and conservation through activities such as building energy-efficient housing units in low-income communities; providing clean energy-related services designed to meet the needs of rural communities; and working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment.

The Clean Energy Corps also builds upon Congress' commitment to supporting America's National Parks. The bill allows for projects carried out in partnership with the National Park Service and supports projects to renew and rehabilitate national parks, like the Presidio Trust in San Francisco. Presidio is a former military base that is now a national park and has long been a site for public and community service. The Serve America Act recognizes that national parks, like the Presidio Trust, provide opportunities to not only inspire individuals through community service, but also to preserve natural treasures.

I reserve the balance of my time.

Mr. MCKEON. I rise in support of H.R. 1388, and yield myself such time as I may consume.

Mr. Speaker, this bill is largely the same as the GIVE Act, a bipartisan bill that this Chamber passed overwhelmingly 2 weeks ago. The other Chamber took up our version of the bill and made a few minor changes, including some that significantly improved the bill.

I would like to address a few of the key Republican provisions that were in the House bill and still remain in this bill. Additionally, I will discuss those improvements made by the Senate.

First, this bill still encourages the spirit of volunteerism—that great American trait—by updating decades-old national service programs for the 21st century. We know that national service programs can work. In fact, in the last 3 years, more than 4 million service hours have been spent helping gulf coast communities recover and rebuild after Hurricanes Katrina and Rita. That's 4 million hours of service made possible by the organizations and the individuals who choose to participate in national service.

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But we also know these programs can be made stronger. The House bill started us down the road by ensuring that taxpayer dollars are being used effectively and efficiently. This is important, because national service programs are an investment in America's future.

By design, the service and giving by individuals and organizations over time will be worth much more than the cost of the bill today. However, despite the great returns on this investment, the system must be held accountable, and it will be through regular evaluations and audits.

Another Republican priority reflected in this legislation is the creation of a new Veterans' Corps. This new corps gives former soldiers, sailors, airmen, and marines a chance to serve this Nation once again, and it gives us a chance to serve them.

Of course, Republicans are directly responsible for many of the most critical parts of this legislation before us today. Last week, we offered a motion to recommit to amend this bill. We did it in such a way that would ensure taxpayer dollars would not be used for activities that we and many Americans find objectionable. We won that vote, and as we negotiated with the other chamber we insisted that the heart of these safeguards remain in place. Because of those negotiations, I can say that no Federal money will be used to perform or promote abortions; no money will go to for-profit companies, campaigns, or lobbyists; no money will be used to support voter registration drives; and, no national service participants will replace employed workers or private volunteers working on a particular project.

The Senate also strengthened the motion to recommit from the 110th Congress through an amendment offered by Senator RICHARD BURR. That

motion required criminal background checks for participants in the national service programs. Senator BURR's proposal strengthened this provision by requiring mandatory FBI fingerprinting for certain national service participants.

The MTR approved by the House also prohibited recipients of funding under this act from co-locating with organizations that engage in prohibited activities. This was a thoughtful and well-intentioned provision intended to ensure that organizations that would otherwise be ineligible for funding would not be able to set up dummy nonprofits in order to apply for funding.

Unfortunately, that provision would have had harmful, unintended consequences on small charities and faith-based organizations that rely on larger, unaffiliated entities for office space. Our intent was not to discriminate against small nonprofits, faith-based organizations, or charities. That is why we have revised the language to ensure that funding will never be used for the objectionable activities we have identified; but, at the same time, smaller and faith-based organizations will not be cut out of these programs simply because of where their offices are located.

Finally, the other chamber included one more change. It added a sense of Congress that calls on us to preserve the income tax deduction for charitable contributions. The national service programs depend upon substantial support from the private sector in order to work.

On top of that, if we are trying to inspire a spirit of volunteerism beyond this bill, we must provide incentives for corporations to keep up their charitable giving in these tough economic times.

Mr. Speaker, I support this bill because Americans who step forward and say ''I want to help'' should be given the opportunity to do so. This bill is largely the same as the bill this chamber overwhelmingly supported a few weeks ago. Republican ideas have been adopted in this legislation in both the House and the Senate, and the bill, H.R. 1388, is stronger because of it.

I thank Chairman MILLER for working together on this and making this a good bill we can all be proud of.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from Iowa (Mr. LOEBSACK), a member of the committee.

Mr. LOEBSACK. Mr. Speaker, as my colleagues all know, Iowa experienced severe flooding last June. From the day we heard the floodwaters were coming, AmeriCorps, VISTA and thousands of volunteers were there.

I know firsthand the importance of volunteers, which is why I believe this legislation is so important. I am especially glad that the bill maintained my amendment for the Volunteer Generation Fund, which builds capacity and access for millions of new volunteers and will likely leverage billions of dollars in volunteer services to some of the country's neediest citizens.

I especially want to thank Chairman MILLER, Subcommittee Chairwoman MCCARTHY, Ranking Member MCKEON, and Subcommittee Ranking Member PLATTS, and their staffs, for their work on this legislation. I also want to thank in particular Senator KENNEDY and his staff for their work with me on the Volunteer Generation Fund.

I urge my colleagues to support this important legislation.

Mr. MCKEON. Mr. Speaker, I yield to the subcommittee ranking member on the Healthy Families and Communities Subcommittee, the gentleman from Pennsylvania (Mr. PLATTS), such time as he may consume.

Mr. PLATTS. Mr. Speaker, I thank the gentleman for yielding.

I am pleased to rise in support of H.R. 1388, the Edward M. Kennedy Serve America Act, previously known as the Generations Invigorating Volunteering and Education Act, the GIVE Act.

This legislation strengthens and reauthorizes our Nation's national community service programs. I am not only pleased with the bipartisan work that took place to craft this bill, and I certainly want to recognize our full committee chairman, Chairman MILLER, and Ranking Member MCKEON, along with their staffs, and my subcommittee chairwoman, Congresswoman MCCARTHY from New York for her efforts as well, but I am also pleased with the work of our colleagues in the Senate, working with the House Members and negotiating for a very strong final product. It is because of this collective effort, this collaborative effort that we have such a good piece of legislation before us.

I believe this bill makes commonsense improvements to our Nation's national service programs. Not only does it provide increased flexibility for the States, but it also increases accountability and efficiency within the administration of the programs. It also reduces barriers for small and faith-based organizations to participate in these programs.

H.R. 1388 strengthens existing community and national service programs by providing year-round service opportunities for students and elderly alike and further encourages volunteer involvement by disadvantaged youth. This legislation also expands eligibility requirements for senior serving programs, such as foster grandparents, and the senior companion program, ensuring that individuals with an interest in serving have options available to them.

Finally, I am pleased that the legislation reorganizes AmeriCorps activities into several different corps focusing on national areas of need, such as education, health care, clean energy, and veterans.

I believe that the amendments made by the Senate further strengthen this legislation. A provision that was included on behalf of Senator RICHARD BURR would require the FBI to conduct criminal backgrounds checks for grant applicants that work with children, the elderly, or disabled individuals. In addition, the bill now includes a sense of the Senate that Congress should preserve the full income tax deduction for charitable contributions and seeks out additional ways to encourage charitable giving.

The recent floods in Fargo, North Dakota, and Moorhead, Minnesota, have further showcased the importance of AmeriCorps and NCCC volunteers. Over the weekend, 21 such volunteers were deployed through the American Red Cross and have been working to support area shelters. In addition, all Fargo Senior Corps staff and volunteers have been assisting with flood response efforts. In Moorhead, 10 NCCC members are scheduled to arrive this Thursday to help with recovery efforts there.

I am proud to have been part of this effort to strengthen national service programs and ensure that participants can continue to aid disadvantaged and needy populations.

Mr. Speaker, I hope that all of our colleagues will join us in supporting this legislation, the Edward M. Kennedy Serve America Act.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I thank the Speaker, and I thank Mr. MILLER and his committee.

I think it is important to note that this Congress and the leadership of this government has allegedly or in numbers been only in office less than 4 months. And the good that has been done is one that should be recognized.

Alongside of the stimulus package now, as we move forward to frame how taxpayer dollars we spend to help Americans are moving forward in the appropriations process to restore hard-working Americans, now we come to address the passion and the love of America.

I want to thank Mr. MILLER. I would like to thank our good friend on the Senate side, Mr. KENNEDY, my good friend CAROLYN MCCARTHY from New York, and I want to thank them for allowing me to contribute language that allows the outreach to be broad and widespread throughout our historically and Hispanic-serving institutions of higher learning.

I was just a few days ago in an elementary class, and I was talking about what the government does. I was speaking on behalf of Teach for America. It is great fun. I love the work that our teachers do, and I was so honored for them to allow me just a small amount of time to teach those beautiful kids. We should pay tribute to our teachers.

But when I asked the question, how many of them would like to work for their country, serve their country,

clean up, help people who are suffering in the Dakotas, suffering from floods, or help the Katrina victims or Hurricane Ike victims, or be able to help, God forbid, in some tragic incident facing America, and those children raised their hands. That is what America is about.

So I rise to support this legislation, H.R. 1388, that will help improve or expand AmeriCorps, Learn and Serve America, VISTA, National Civilian Community Corps and Senior Corps. It will give the opportunity for green jobs. It will have America feeling good about herself because we will be out serving and improving the conservation of energy and environmental protection.

I am also very pleased that language was added in the Senate to give the opportunity to youngsters in foster care. I have worked for them. I used to be the cochair of foster care in Harris County along with a former Member of Congress, my good friend, Mike Andrews. And our job was to bolster up foster care parents and to be able to give them comfort in the care of young foster care children. Now, again, we add status to them by allowing them to further participate along with those who have disabilities.

This is a critical step for America. Every year more than 70,000 Americans participate in the AmeriCorps program alone, which provides relief to cities during national disasters and reinvigorates communities.

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

Mr. GEORGE MILLER of California. I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON-LEE of Texas. I thank the gentleman.

Over 50 million American volunteers build homes, organize food drives, and improve schools through national service programs. The GIVE Act will broaden the opportunities for students and activists.

Mr. Speaker, Mr. MILLER, this is a great day for America. It only gives them the infrastructure of what they have been crying out to do, the very question we raised with the past administration: Where there is benefit, there must be sacrifice, there must be burden. And we now have an opportunity, no matter who we are, what our capabilities, what our intellect, what our physical capabilities are, to give back to America. This is a good thing that is happening in this country, a good thing that is happening today. I rise to support H.R. 1388.

Mr. Speaker, I rise today in strong support of H.R. 1388, the "Generations of Invigorating Volunteerism and Education Act or the 'GIVE Act'." I would like to thank my colleague Congresswoman MCCARTHY for introducing this important legislation, as well as the Chairman of the Committee on Education and Labor, Congressman GEORGE MILLER, for his leadership in bringing this bill to the floor today.

Mr. Speaker, this legislation will expand the already highly successful volunteer programs that empower community activists and improve the education and economic conditions of cities throughout the United States. It supports and increases funding for key community services programs, including AmeriCorps, Learn and Serve America, VISTA, National Civilian Community Corps, and Senior Corps.

The GIVE Act creates opportunities for green jobs that will contribute to energy conservation and environmental protection. It will create critical educational opportunities for disadvantaged youth and will create incentives for students to improve their communities.

Every year, more than 70,000 Americans participate in the AmeriCorps program alone, which provides relief to cities during natural disasters and reinvigorates communities. Over 50 million American volunteers build homes, organize food-drives, and improve schools through national service programs. The GIVE Act will broaden the opportunities for students and activists to participate in national service via education rewards that keep up with soaring costs of universities and Summer Service programs. After Ike and Katrina, thousands of local students worked to help rebuild communities and provide necessary services to distressed families. The GIVE Act is the critical lynchpin in sustaining this civic activism.

The Senate Amendments to the GIVE Act would expand opportunities for youth in foster care; and allow for more participation for persons with disabilities. The GIVE Act will provide job opportunities for Volunteers in Service to America, or VISTA, to re-integrate youth into society, increase literacy in communities through teaching opportunities in before and after-school programs, and to provide health and social services to low-income communities. VISTA is a critical step toward poverty alleviation, and the GIVE Act will equip it with the resources to fulfill its obligations.

The Senate's additions would require the Corporation for National and Community Service, to enter into a contract with an entity that is not a recipient of Learn and Serve funding to conduct a 10-year longitudinal study on the impact of the service-learning activities. The entity would submit a final report to the Corporation containing the results of the study and information on best practices. The Corporation would submit the report to the authorizing committees, and would make the report available to the public on the Corporation's Web site. This provides greater transparency and accountability in the administration of these important programs.

I am pleased to see that the GIVE Act will create 4 new service opportunities including a Clean Energy Corps, an Education Corps, a Healthy Futures Corps, and a Veteran Service Corps. These volunteer opportunities will further improve environmental protection, healthcare access, and services for veterans. These new service corps will address critical concerns in low-income communities. I am very happy that the revised legislation aids veterans in their pursuit of education and professional opportunities, and help veterans with the claims process, and assist rural, disabled, and unemployed veterans with transportation needs. Moreover, the GIVE Act will recognize colleges and universities that are strongly engaged in service through grants and rewards that will in turn improve educational access in the United States.

I am pleased to see the Retention of my Language from the 110th Congress that gives special consideration to historically Black colleges and universities, Hispanic-serving institutions, Tribal universities, and colleges serving predominantly minority populations.

The GIVE Act will create a Campuses of Service Program that will encourage and assist students in pursuing public service careers. It will also focus on recruiting scientists and engineers to keep America competitive for years to come. The Act will expand the Senior Corps as a way to keep Older Americans including seniors engaged in public service, and will create a Youth Engagement Zone to increase the number of young students in volunteer services.

Moreover, it expands the focus of The National Civilian Community Corps to include disaster relief efforts and infrastructure improvement to allow quicker and more effective responses to disasters like Katrina and Ike that devastated numerous communities in the United States. Finally, the GIVE Act will launch a nation-wide Call to Service Campaign that encourages all Americans to engage in national service and to recognize September 11th as a National Day of Service and Remembrance.

I am honored to cosponsor this legislation that will add service before self to America's future leaders. I urge my colleagues to join me in supporting this legislation.

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

Dedicating one's time to helping others is an American trait, and a great one at that. As we said the last time this bill was before us, H.R. 1388 helps people who would like to contribute their time to help others. When these individuals see a problem or injustice, they don't look away, they step forward and say, "I want to help."

As their representatives, we should help these people participate in the national service programs as well, and that is why I am voting for this bill. Once again, I want to thank Chairman MILLER and Chairwoman MCCARTHY for ensuring such an open, bipartisan process in crafting this legislation. I would also like to recognize senior Republican PLATTS of the subcommittee and Representative HOEKSTRA for their leadership. Finally, I want to recognize the hardworking staff on both sides of the aisle.

□ 1415

In particular I would like to thank Amy Jones, Mandy Schaumburg and Susan Ross on my staff for their efforts.

I yield back the balance of my time.

Mr. GEORGE MILLER of California. I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. I thank my chairman for yielding.

I would like to congratulate our leadership, both of our chairmen and our senior Republican member on both sides and the staffs on both sides and Mrs. MCCARTHY as well and Mr. PLATTS for their diligent work on this bill. I'm pleased to rise in support of the bill.

The glue that holds our country together is the voluntary efforts of quiet but determined Americans who do the important work of our community and our society. As we meet here this afternoon, there is a senior citizen volunteering to teach a child how to read. There is a high school student who is working in an eldercare facility, perhaps reading books to a senior who cannot see. There are people out cleaning parks. There are people out teaching people a new job skill. There are those who are working with our most at-risk youth to prevent them from self-destructive behavior and instead turning them toward behavior that realizes their full potential. We are fortunate in our country that although we have professionals who perform those services on a paid basis and do so very, very well, but the efforts of those paid individuals are more than supplemented by gifts of time and effort from Americans who volunteer.

The wisdom of this bill is it takes a relatively modest amount of money and leverages countless hours of volunteer service and millions of acts of contributions to our community. The reach of this legislation will go far beyond the pages on which it is written. It will touch the lives of those who are often forgotten about, most vulnerable and most in need of help in our communities. But more important, it will enrich the lives of those who are doing the volunteer work. There are few things in life more satisfying than doing a good job for someone because it is the right thing to do. And I think that this bill will create such an experience for a countless number of Americans.

Finally, this is a means of extending educational opportunity to many Americans who today presently do not have it. It is a commonsense solution that in exchange for doing valuable work for one's own community today, one can earn valuable credit toward paying for one's higher education tomorrow.

Our country's future hinges upon our ability to compete in the global economy. That future is impacted so positively by this bill because of the lives that will be touched by volunteerism and the lives that will be enriched by further education.

I again would like to thank our leadership in both parties. We look forward to the President's prompt signature on this bill. I urge a ''yes'' vote.

Mr. GEORGE MILLER of California. I yield myself the remainder of my time.

I want to again thank all of those who participated in the drafting, the support, the writing and the negotiations for this act.

As my colleagues have said on both sides of the aisle, this is a very important piece of legislation. It is about American values. It is about the spirit of this country. It is about our communities. And it is going to provide, with the expansion that is provided for in this legislation and supported by this administration, it is going to provide a continuum of opportunities to volunteer, to participate in community activities, to support our communities and to help those in need in so many different situations. It is going to provide them that opportunity from middle school all the way to retirement and after retirement where we are encouraging the alumni, people who participated in AmeriCorps in the past and now have picked up a lifetime of skills, talents and experience that they can, once again, turn back into service for America.

It is going to provide an opportunity for young people to not only help those in our communities but to be able to explore the career opportunities in clean energy, in green jobs, in health care, in teaching, in mentoring and social services and all of the various occupations that are available in our community where additional assistance and volunteerism has been a tradition but also needs to be expanded.

So we think this is a very rich expansion of the American values, of the volunteer system in the country. It is as old as the country, and it is as new as the future, as occupations change and opportunities change within our economy. I want to thank Carolyn McCarthy for her leadership in offering this legislation and to all of those who have supported it.

Finally, I just once again would like to say how proud I am that this legislation is named for EDWARD KENNEDY, Senator KENNEDY, not only Senator KENNEDY but a family name that screams out ''service'' across this country, across generations, for the benefit, so many times over and over again, of the citizens of America.

I'm very proud to have participated in the legislative shepherding of this legislation. And I hope that all of our colleagues will join us on both sides of the aisle in support of this legislation.

Mr. GRIJALVA. Mr. Speaker, I rise today to honor Cesar E. Chavez. I have the honor of representing the district where he was born and where he gave his final breath.

I am proud to say I was influenced by the work of Cesar E. Chavez, a man who believed that one should not rest on his laurels. Cesar is best known for co-founding the United Farm Workers union; however, that recognition is just one part of what he accomplished in his lifetime.

Cesar inspired a generation to believe in the impossible (¡Si Se Puede!), to work toward justice and to never stop fighting for the voiceless.

Cesar also influenced, and continues to influence, future generations. He challenged all of us to care, advocate and organize.

It is fitting that today, on what would have been Cesar's 82nd birthday, we passed and sent the GIVE Act to the President, a bill that encourages volunteering and investment in one's community and country.

To pass the GIVE Act is to continue Cesar's vision and inspiration of service to one's community, commitment to a better future for all and leaving this country better than how we inherited it.

Mr. Speaker, I encourage my colleagues and constituents to follow in the footsteps of Cesar E. Chavez and his commitment to service, helping others and selflessness in every day actions. ¡Si se puede!

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I wish to provide further remarks on the Senate Amendments to H.R. 1388, the Generations Invigorating Volunteerism and Education, GIVE, Act. While I support the goal of the underlying legislation, to provide voluntary service opportunities for Americans to give back to their communities, I oppose the Senate's removal of important taxpayer protections which were intentionally included by the House of Representatives.

The Motion to Recommit, which I supported on March 18, 2009 and which passed the House by a vote of 318 to 105, prohibited taxpayer funds being funneled through programs authorized in this legislation to organizations that have been indicted for voter fraud. Additionally, organizations that provide or promote abortion services, including referral for such services or any organizations that co-locate with such organizations would be ineligible to receive funds through this legislation.

Unfortunately, the Senate removed these protections. If this bill were to be signed into law as it is written today, taxpayer dollars could be used to fund organizations like the Association of Community Organizations for Reform Now, ACORN, which has a record of carrying out unethical practices aimed at undermining the legitimacy of democratic elections in our nation.

For these reasons, I oppose the passage of this legislation.

Mrs. BACHMANN. Mr. Speaker, I rise today in opposition to the Senate Amendments to H.R. 1388, the GIVE Act. I cannot vote for a bill that authorizes millions of dollars to programs which the Office of Management and Budget deems as "Not Performing: Results Not Demonstrated" and "Not Performing: Ineffective." But I would like to recognize some of the positive programs that are caught up in this bad mix, especially the Foster Grandparent Program and mentoring programs for foster youth.

The Foster Grandparent Program provides a great service to children who may not have a cohesive family to provide them with reliable mentors. The participants in this program give their time to mentor, tutor, and share experiences with children who need a positive adult figure in their life.

I commend Senator MARY LANDRIEU for drawing attention to a worthy program to mentor foster youth with her amendment. As with the Foster Grandparent Program, it is essential for young people to have a consistent outlet and source of advice in their life.

My husband and I were foster parents for 23 troubled teens. These programs provide a great service to children who may not otherwise have a consistent guide in their lives. I would be amiss to not acknowledge the positive, effective programs included in this bill. Regrettably, the good is far outweighed by the bad and I must oppose this misguided legislation.

Mr. GEORGE MILLER of California. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CUMMINGS). All time for debate has expired.

Pursuant to House Resolution 296, the previous question is ordered.

The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on concurring in the Senate amendments to H.R. 1388 will be followed by 5-minute votes on suspending the rules and passing H.R. 577 and H.R. 1253.

The vote was taken by electronic device, and there were—yeas 275, nays 149, not voting 8, as follows:

[Roll No. 169]

YEAS—275

Abercrombie
Ackerman
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bono Mack
Boren
Boswell
Boucher
Boyd
Brady (PA)
Braley (IA)
Bright
Brown, Corrine
Buchanan
Butterfield
Camp
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Halvorson
Harman
Hastings (FL)
Heinrich
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Lee (NY)
Levin
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Luján
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reichert
Reyes
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—149

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Bartlett
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Campbell
Cantor
Carter
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
Kingston
Kline (MN)
Lamborn
Latham
LaTourette
Latta
Lewis (CA)
Linder
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McMorris Rodgers
Mica
Miller (FL)
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Thornberry
Tiahrt
Tiberi
Walden
Wamp
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Hare
Hensarling
Israel
Lewis (GA)
Miller, Gary
Moran (VA)
Pascrell
Westmoreland

□ 1448

Messrs. HALL of Texas, YOUNG of Florida, BILIRAKIS, and Ms. GINNY BROWN-WAITE of Florida changed their vote from "yea" to "nay."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MORAN of Virginia. Mr. Speaker, on rollcall No. 169, I was inadvertently delayed from making the vote. Had I been present, I would have voted "yea."

Mr. LEWIS of Georgia. Mr. Speaker, on rollcall No. 169, had I been present, I would have voted "yea."

VISION CARE FOR KIDS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 577, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 577, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 17, not voting 10, as follows:

[Roll No. 170]

YEAS—404

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski

Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—17

Akin
Broun (GA)
Campbell
Chaffetz
Flake
Foxx
Inglis
King (IA)
Kingston
Lummis
McClintock
Paul
Poe (TX)
Royce
Sensenbrenner
Shadegg
Stearns

NOT VOTING—10

Hare
Hensarling
Marchant
Miller, Gary
Obey
Pascrell
Pitts
Ross
Tiahrt
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain.

□ 1455

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. TIAHRT. Mr. Speaker, on rollcall No. 170, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. HARE. Mr. Speaker, today March 31, 2009, I was unavoidably detained in a Water Resources Subcommittee meeting. Had I been present, I would have voted as follows: On rollcall No. 169, On Motion To Concur in the Senate Amendments to the Generations Invigorating Volunteerism and Education (GIVE) Act, I would have voted "yea;" on rollcall No. 170, On Motion to Suspend the Rules and Pass, as Amended the Vision Care for Kids Act of 2009, I would have voted "yea."

HEALTH INSURANCE RESTRICTIONS AND LIMITATIONS CLARIFICATION ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1253, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1253.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 3, not voting 6, as follows:

[Roll No. 171]

YEAS—422

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—3

Broun (GA) Kagen Paul

NOT VOTING—6

Hensarling Miller, Gary Rush
Hinojosa Pascrell Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in the vote.

□ 1504

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

AUTHORIZING USE OF CAPITOL ROTUNDA FOR HOLOCAUST COMMEMORATION

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 54) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 54

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF ROTUNDA FOR HOLOCAUST DAYS OF REMEMBRANCE CEREMONY.

The Rotunda of the Capitol is authorized to be used on April 23, 2009, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks in the RECORD and to include extraneous matter.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this concurrent resolution provides for the use of the Capitol Rotunda on April 23, 2009, as part of the commemoration to honor the memory of the victims of the Holocaust. I support the resolution and thank the gentleman from California (Mr. WAXMAN) for sponsoring it.

Mr. Speaker, the Holocaust is one of the most shameful and horrifying events of human history. It is imperative that we honor the memory of those who died so senselessly and provide them their due recognition.

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Con. Res. 54, which would, as the chairman has said, authorize use of the Capitol Rotunda on April 23, 2009, for a ceremony as a part of the commemoration of the Days of Remembrance of victims of the Holocaust.

For descendants of the approximately 6 million Jews who were killed during the Holocaust, the atrocities that their loved ones suffered at the hands of Nazi Germany are with them each day. As a Nation, it's important that all Americans take the time to reflect upon the effects of the horrors inflicted during the Holocaust, one of the darkest days or hours of our humanity. Those who would seek to destroy an entire people based on their religious heritage committed the most heinous acts imaginable upon their brethren. By remembering the victims of these unspeakable acts, we ensure that the flame of life that the forces of evil tried so hard to extinguish will never be forgotten and that we shall never allow this to happen again.

Mr. Speaker, at this time I would like to mention that there is a wonderful statue in our Rotunda of a great American, his name is Dwight D. Eisenhower. He's remembered as President of the United States. He was also the Supreme Allied Commander of all of those allied troops in Europe.

When his troops and he came upon the reality of the Holocaust, when they came upon the concentration camps, then-General Eisenhower commanded that his troops take pictures, see the evidence, gather the proof. He required that German residents, German citizens of the surrounding communities, be brought forward and have to see what had taken place; and then he required those individuals to actually be part of the burial committees that buried the bodies of those who had been destroyed.

When asked why he did this, President Eisenhower, then-General Eisenhower, said, ''I do this to gather this evidence, to get this proof, to get these photos, because some day in the future, some''—and I will use the initials—''some silly SOB will claim this never happened.''

There are some who claim this never happened. Because a remarkable man with tremendous foresight, General Eisenhower, later President Eisenhower, because he required that proof be made, those perpetrators of that fallacy cannot be successful.

In order to make this time of reflection an official event shared by all Americans, Congress established the Days of Remembrance as our Nation's annual commemoration of the victims of the Holocaust and created the United States Holocaust Memorial Museum as a permanent living memorial to these victims. Since 1982, the Holocaust Museum has organized and led the national Days of Remembrance ceremony in the U.S. Capitol Rotunda, a ceremony that includes Holocaust survivors, their families, liberators, and Members of Congress.

So I urge my colleagues to support this bill so that we may continue to use the Capitol Rotunda to pay tribute to those lives that were lost in the Holocaust during this shared time of solemn remembrance throughout the world.

Mr. WAXMAN. Mr. Speaker, it is an honor to be the sponsor of this resolution to authorize the use of the Capitol Rotunda on April 23, 2009 for the annual congressional ceremony to commemorate the Holocaust.

This year marks the 30th anniversary of the United States adoption of a national day for Holocaust commemoration. I take great pride that we are one of the only nations to join the State of Israel in observing Yom Hashoah, Holocaust Heroes and Remembrance Day, on the Hebrew anniversary of the Warsaw Ghetto uprising.

Each year, the ceremony here in Washington serves as a centerpiece for similar events observed in communities throughout the United States to memorialize the millions who perished and honor the courage of those who survived. This year's theme ''Never Again: What You Do Matters'' highlights the power of individual actions to stand against genocide and our individual responsibility to relay the history of the Holocaust as its last survivors are now passing on.

I would like to thank the Committee on House Administration for its work on this resolution. I encourage all of my colleagues to participate in the ceremony in the Rotunda.

Mr. DANIEL E. LUNGREN of California. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 54.

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

A motion to reconsider was laid on the table.

DANIEL WEBSTER CONGRESSIONAL CLERKSHIP ACT OF 2009

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 151) to establish the Daniel Webster Congressional Clerkship Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 151

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 ''Daniel Webster Congressional Clerkship Act of 2009''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Each year, many of the most talented law school graduates in the country begin their legal careers as judicial law clerks.

(2) The judicial clerkship program has given the judiciary access to a pool of exceptional young lawyers at a relatively low cost.

(3) These same lawyers then go on to become leaders of their profession, where they serve a critical role in helping to educate the public about the judiciary and the judicial process.

(4) The White House, the administrative agencies of the Executive Branch, the Administrative Office of the United States Courts, the Federal Judicial Center, and the United States Sentencing Commission, all operate analogous programs for talented young professionals at the outset of their careers.

(5) The Congress is without a similar program.

(6) At a time when our Nation faces considerable challenges, the Congress and the public would benefit immeasurably from a program, modeled after the judicial clerkship program, that engages the brightest young lawyers in the Nation in the legislative process.

(7) Accordingly, the Congress herein creates the Daniel Webster Congressional Clerkship Program, named after one of the most admired and distinguished lawyer-legislators ever to serve in the Congress, to improve the business of the Congress and increase the understanding of its work by the public.

SEC. 3. DANIEL WEBSTER CONGRESSIONAL CLERKSHIP PROGRAM.

(a) SELECTION COMMITTEES.—As used in this Act, the term ''Selection Committees'' means—

(1) the Committee on Rules and Administration of the Senate; and

(2) the Committee on House Administration of the House of Representatives.

(b) ESTABLISHMENT OF PROGRAM.—There is hereby established the Daniel Webster Congressional Clerkship Program for the appointment of individuals who are graduates of accredited law schools to serve as Congressional Clerks in the Senate or House of Representatives.

(c) SELECTION OF CLERKS.—Subject to the availability of appropriations, the Selection Committees shall select Congressional Clerks in the following manner:

(1) The Committee on Rules and Administration of the Senate shall select not less than 6 Congressional Clerks each year to serve as employees of the Senate for a 1-year period.

(2) The Committee on House Administration of the House of Representatives shall select not less than 6 Congressional Clerks each year to serve as employees of the House of Representatives for a 1-year period.

(d) SELECTION CRITERIA.—In carrying out subsection (c), the Selection Committees shall select Congressional Clerks consistent with the following criteria:

(1) Each Congressional Clerk selected shall be a graduate of an accredited law school as of the starting date of his or her clerkship.

(2) Each Congressional Clerk selected shall possess—

(A) an excellent academic record;

(B) a strong record of achievement in extracurricular activities;

(C) a demonstrated commitment to public service; and

(D) outstanding analytic, writing, and oral communication skills.

(e) PROCESS.—After a Congressional Clerk is selected under this section, such Congressional Clerk shall then interview for a position in an office as follows:

(1) For a Congressional Clerk selected under subsection (c)(1), the Congressional Clerk shall interview for a position with any office of any Committee of the Senate, including any Joint Committee or Select and Special Committee, or any office of any individual member of the Senate.

(2) For a Congressional Clerk selected under subsection (c)(2), the Congressional Clerk shall interview for a position with any office of any Committee of the House of Representatives, including any Joint Committee or Select and Special Committee, or any office of any individual Member of the House of Representatives.

(f) PLACEMENT REQUIREMENTS.—The Selection Committees shall ensure that Congressional Clerks selected under this section are apportioned equally between majority party and minority party offices.

(g) COMPENSATION OF CONGRESSIONAL CLERKS.—Each Congressional Clerk selected under this section shall receive the same compensation as would, and comparable benefits to, an individual who holds the position of a judicial clerkship for the United States District Court for the District of Columbia within 3 months of graduating from law school.

(h) REQUIRED ADHERENCE TO RULES.—Each Congressional Clerk selected under this section shall be subject to all laws, regulations, and rules in the same manner and to the same extent as any other employee of the Senate or House of Representatives.

(i) EXCLUSION FROM LIMIT ON NUMBER OF POSITIONS.—A Congressional Clerk shall be excluded in determining the number of employees of the office that employs the Clerk for purposes of—

(1) in the case of the office of a Member of the House of Representatives, section 104 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 92); or

(2) in the case of any other office, any applicable provision of law or any rule or regulation which imposes a limit on the number of employees of the office.

(j) RULES.—The Selection Committees shall develop and promulgate rules regarding the administration of the Congressional Clerkship program established under this section.

(k) MEMBER DEFINED.—In this section, the term ''Member of the House of Representatives'' includes a Delegate or Resident Commissioner to the Congress.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2010 and each succeeding fiscal year from the applicable accounts of the House of Representatives and the contingent fund of the Senate such sums as necessary to carry out the provisions of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on this bill and include extraneous materials.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to support H.R. 151, which would establish the Daniel Webster Congressional Clerkship Program. This program would bring the most talented law school graduates across the country to Washington, D.C., and offer them an opportunity to be employed as congressional clerks in the House of Representatives or the Senate.

This program is modeled after the judicial clerkships offered in the Federal courts. H.R. 151 would offer no fewer than six 1-year clerkships in each Chamber. The clerks would be apportioned equally between majority and minority offices within each Chamber. H.R. 151 would give recent law grads invaluable insight into the functions and operations of the Federal legislature, and I urge my colleagues to support this program.

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 151. For the last several years, I have joined my colleague, Ms. LOFGREN from California, in sponsoring this bill. This is a bill which would create a congressional clerkship program to qualified law school graduates to serve for temporary 1-year terms in offices in the House and the Senate.

The genesis of this actually was the dean of the Stanford Law School, when he came on a visit back here and spoke to Ms. LOFGREN and myself and others and explained that he thought that with the prominence that judicial clerkships are given, that most aspiring outstanding law students look to the judicial branch—and even with the clerkships that are available and fellowships that are available in the executive branch—look to those two branches of government as somehow the epitome of government service. And in a sense, what that does is it confers a sense of importance on those two branches of government, at least in my judgment, to the exclusion of the legislative branch.

The way our system works, many outstanding young people who serve clerkships to judges go on to be judges themselves.

□ 1515

The idea of the dean of Stanford Law School was that if we had a similar-

type program in the legislative branch, perhaps we would have some of those people who are outstanding members of the legal profession who would go on to receive judgeships, but they would have a better understanding of the importance of the legislative branch.

Currently, as I said, both the judicial and executive branches have clerkship programs that attract these highly talented law school graduates. Judicial clerkships, in particular, offer both prestige and practical legal experience for such graduates. Should this bill pass, initially 12 clerks per Congress would be selected to serve in the offices of various committee chairs and ranking members. It would be on a competitive basis. It would be on a bipartisan basis. It would be on a bicameral basis.

Not only would congressional clerks gain invaluable experience and knowledge about the legislative process, but they would then move into other leadership positions, not only with the courts but with the major law firms around the country and in other positions, bringing that understanding of the workings of Congress to bear on those careers.

I thank Chairman BRADY for considering this bill and the expeditious way in which it was handled. I thank the Speaker for scheduling it so quickly, and I believe that this will truly provide an opportunity for some of the most gifted, young, legal minds to serve in Congress and, thereby, increase the understanding of its work by the public.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from California (Ms. ZOE LOFGREN), my colleague.

Ms. ZOE LOFGREN of California. Mr. Speaker, I would like to thank my colleague, fellow attorney, my fellow Californian, the former attorney general for California, Congressman DAN LUNGREN, for joining with me in introducing this bill first in the 109th Congress, then again working to get the bill on the floor in the 110th, and now, once again, in the 111th Congress. And I am grateful to Chairman BRADY for moving this bill so promptly. I think starting this early perhaps we'll get this all the way through the Senate and over to the President and accomplish something that's really quite important for the legislative branch.

As has been mentioned, top law graduates in the top law schools in the Nation seek clerkships in the judicial branch and sometimes in the executive branch, but we don't have that here in the legislative branch, and he's right, we do owe some gratitude to Dean Larry Kramer for proposing this idea.

Here's what Dean Kramer said: ''This bill will serve an important role by educating young lawyers and future leaders of the profession about the legislative process. It will be enormously beneficial for both the profession and the public if some of the Nation's brightest young lawyers begin their careers in the legislature and so develop and can convey to the public an appreciation of Congress and the legislative process equal to that lawyers have shown for courts and the judicial process.''

This really isn't about getting work out of these bright, young lawyers. It's about starting off on the right course and having the respect for Article I that we hope that they will get by working with us here in the Congress.

We believe that this bipartisan bill, that will be bicameral, bipartisan, will make a difference not today, not tomorrow, but 10 years from now, 20 years from now, 30 years from now, to make sure that Article I is elevated as it should be.

I would urge my colleagues to support this legislation. Again, I thank the chairman. I thank Congressman LUNGREN, and I thank the dean of the Stanford Law School, Larry Kramer.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I urge all Members to vote for this, and I would yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I also urge all Members to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 151.

The question was taken.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1299) to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1299

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 ''Capitol Police Administrative Technical Corrections Act of 2009''.

SEC. 2. ADMINISTRATIVE AUTHORITIES OF THE CHIEF OF THE CAPITOL POLICE.

(a) CLARIFICATION OF CERTAIN HIRING AUTHORITIES.—

(1) CHIEF ADMINISTRATIVE OFFICER.—Section 108(a) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903(a)) is amended to read as follows:

''(a) CHIEF ADMINISTRATIVE OFFICER.—

''(1) ESTABLISHMENT.—There shall be within the Capitol Police an Office of Administration, to be headed by the Chief Administrative Officer, who shall report to and serve at the pleasure of the Chief of the Capitol Police.

''(2) APPOINTMENT.—The Chief Administrative Officer shall be appointed by the Chief of the Capitol Police, after consultation with the Capitol Police Board, without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

''(3) COMPENSATION.—The annual rate of pay for the Chief Administrative Officer shall be the amount equal to $1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.''.

(2) ADMINISTRATIVE PROVISIONS.—Section 108 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903) is amended by striking subsection (c).

(3) CERTIFYING OFFICERS.—Section 107 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1904) is amended—

(A) in subsection (a), by striking ''the Capitol Police Board'' and inserting ''the Chief of the Capitol Police''; and

(B) in subsection (b)(1), by striking ''the Capitol Police Board'' and inserting ''the Chief of the Capitol Police''.

(4) PERSONNEL ACTIONS OF THE CHIEF OF THE CAPITOL POLICE.—

(A) IN GENERAL.—Section 1018(e) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)) is amended by striking paragraph (1) and inserting the following:

''(1) AUTHORITY.—

''(A) IN GENERAL.—The Chief of the Capitol Police, in carrying out the duties of office, is authorized to appoint, hire, suspend with or without pay, discipline, discharge, and set the terms, conditions, and privileges of employment of employees of the Capitol Police, subject to and in accordance with applicable laws and regulations.

''(B) SPECIAL RULE FOR TERMINATIONS.—The Chief may terminate an officer, member, or employee only after the Chief has provided notice of the termination to the Capitol Police Board (in such manner as the Board may from time to time require) and the Board has approved the termination, except that if the Board has not disapproved the termination prior to the expiration of the 30-day period which begins on the date the Board receives the notice, the Board shall be deemed to have approved the termination.

''(C) NOTICE OR APPROVAL.—The Chief of the Capitol Police shall provide notice or receive approval, as required by the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives, as each Committee determines appropriate for—

''(i) the exercise of any authority under subparagraph (A); or

''(ii) the establishment of any new position for officers, members, or employees of the Capitol Police, for reclassification of existing positions, for reorganization plans, or for hiring, termination, or promotion for officers, members, or employees of the Capitol Police.''.

(B) TECHNICAL AND CONFORMING AMENDMENTS.—

(i) SUSPENSION AUTHORITY.—Section 1823 of the Revised Statutes of the United States (2 U.S.C. 1928) is repealed.

(ii) PAY OF MEMBERS UNDER SUSPENSION.—The proviso in the Act of Mar. 3, 1875 (ch. 129; 18 Stat. 345), popularly known as the ''Legislature, Executive, and Judicial Appropriation Act, fiscal year 1876'', which is codified

at section 1929 of title 2, United States Code (2000 Editions, Supp. V), is repealed.

(5) CONFORMING APPLICATION OF CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(A) IN GENERAL.—Section 101(9)(D) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(9)(D)) is amended by striking ''the Capitol Police Board,'' and inserting ''the United States Capitol Police,''.

(B) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by subparagraph (A) may be construed to affect any procedure initiated under title IV of the Congressional Accountability Act of 1995 prior to the date of the enactment of this Act.

(6) NO EFFECT ON CURRENT PERSONNEL.—Nothing in the amendments made by this subsection may be construed to affect the status of any individual serving as an officer or employee of the United States Capitol Police as of the date of the enactment of this Act.

(b) DEPOSIT OF REIMBURSEMENTS FOR LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Section 2802 of the Supplemental Appropriations Act, 2001 (2 U.S.C. 1905) is amended—

(A) in subsection (a)(1), by striking ''Capitol Police Board'' each place it appears and inserting ''United States Capitol Police''; and

(B) in subsection (a)(2), by striking ''Capitol Police Board'' and inserting ''Chief of the United States Capitol Police''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the enactment of the Supplemental Appropriations Act, 2001.

(c) PRIOR NOTICE TO AUTHORIZING COMMITTEES OF DEPLOYMENT OUTSIDE JURISDICTION.—Section 1007(a)(1) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 1978(a)(1)) is amended by striking ''prior notification to'' and inserting the following: ''prior notification to the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, and''.

(d) ADVANCE PAYMENTS FOR SUBSCRIPTION SERVICES.—

(1) IN GENERAL.—Section 1002 of the Legislative Branch Appropriations Act, 2008 (Public Law 110–161; 2 U.S.C. 1981) is amended by inserting ''the Committee on House Administration of the House of Representatives, and the Committee on Rules and Administration of the Senate'' after ''the Senate,''.

(2) EFFECTIVE DATE AND APPLICATION.—The amendment made by this subsection shall take effect 30 days after the date of enactment of this Act and apply to payments made on or after that effective date.

SEC. 3. GENERAL COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.

(a) APPOINTMENT AND SERVICE.—

(1) IN GENERAL.—There shall be within the United States Capitol Police the General Counsel to the Chief of Police and the United States Capitol Police (in this subsection referred to as the ''General Counsel'').

(2) APPOINTMENT.—The General Counsel shall be appointed by the Chief of the Capitol Police in accordance with section 1018(e)(1) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1907(e)(1)) (as amended by section 2(a)(4)), without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

(3) COMPENSATION.—

(A) IN GENERAL.—Subject to subparagraph (B), the annual rate of pay for the General Counsel shall be fixed by the Chief of the Capitol Police.

(B) LIMITATION.—The annual rate of pay for the General Counsel may not exceed an annual rate equal to $1,000 less than the annual rate of pay in effect for the Chief of the Capitol Police.

(4) TECHNICAL AND CONFORMING AMENDMENT.—House Resolution 661, Ninety-fifth Congress, agreed to July 29, 1977, as enacted into permanent law by section 111 of the Legislative Branch Appropriation Act, 1979 (2 U.S.C. 1901 note) is repealed.

(5) NO EFFECT ON CURRENT GENERAL COUNSEL.—Nothing in this subsection or the amendments made by this subsection may be construed to affect the status of the individual serving as the General Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act.

(b) LEGAL REPRESENTATION AUTHORITY.—

(1) IN GENERAL.—Section 1002(a)(2)(A) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1908(a)(2)(A)) is amended by striking ''the General Counsel for the United States Capitol Police Board and the Chief of the Capitol Police'' and inserting ''the General Counsel to the Chief of Police and the United States Capitol Police''.

(2) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by paragraph (1) may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act.

SEC. 4. EMPLOYMENT COUNSEL TO THE CHIEF OF POLICE AND THE UNITED STATES CAPITOL POLICE.

(a) LEGAL REPRESENTATION AUTHORITY.—

(1) IN GENERAL.—Section 1002(a)(2)(B) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1908(a)(2)(B)) is amended by striking ''the Employment Counsel for the United States Capitol Police Board and the United States Capitol Police'' and inserting ''the Employment Counsel to the Chief of Police and the United States Capitol Police''.

(2) NO EFFECT ON CURRENT PROCEEDINGS.—Nothing in the amendment made by paragraph (1) may be construed to affect the authority of any individual to enter an appearance in any proceeding before any court of the United States or of any State or political subdivision thereof which is initiated prior to the date of the enactment of this Act.

(b) NO EFFECT ON CURRENT EMPLOYMENT COUNSEL.—Nothing in this section or the amendments made by this section may be construed to affect the status of the individual serving as the Employment Counsel to the Chief of Police and the United States Capitol Police as of the date of the enactment of this Act.

SEC. 5. CLARIFICATION OF AUTHORITIES REGARDING CERTAIN PERSONNEL BENEFITS.

(a) NO LUMP-SUM PAYMENT PERMITTED FOR UNUSED COMPENSATORY TIME.—

(1) IN GENERAL.—No officer or employee of the United States Capitol Police whose service with the United States Capitol Police is terminated may receive any lump-sum payment with respect to accrued compensatory time off, except to the extent permitted under section 203(c)(4) of the Congressional Accountability Act of 1995 (2 U.S.C. 1313(c)(4)).

(2) REPEAL OF RELATED OBSOLETE PROVISIONS.—

(A) OVERTIME PAY DISBURSED BY HOUSE.—Section 3 of House Resolution 449, Ninety-second Congress, agreed to June 2, 1971, as enacted into permanent law by chapter IV of the Supplemental Appropriations Act, 1972 (85 Stat. 636) (2 U.S.C. 1924), together with any other provision of law which relates to compensatory time for the Capitol Police which is codified at section 1924 of title 2, United States Code (2000 Editions, Supp. V), is repealed.

(B) OVERTIME PAY DISBURSED BY SENATE.—The last full paragraph under the heading ''Administrative Provisions'' in the appropriation for the Senate in the Legislative Branch Appropriations Act, 1972 (85 Stat. 130) (2 U.S.C. 1925) is repealed.

(b) OVERTIME COMPENSATION FOR OFFICERS AND EMPLOYEES EXEMPT FROM FAIR LABOR STANDARDS ACT OF 1938.—

(1) CRITERIA UNDER WHICH COMPENSATION PERMITTED.—The Chief of the Capitol Police may provide for the compensation of overtime work of exempt individuals which is performed on or after the date of the enactment of this Act, in the form of additional pay or compensatory time off, only if—

(A) the overtime work is carried out in connection with special circumstances, as determined by the Chief;

(B) the Chief has established a monetary value for the overtime work performed by such individual; and

(C) the sum of the total amount of the compensation paid to the individual for the overtime work (as determined on the basis of the monetary value established under subparagraph (B)) and the total regular compensation paid to the individual with respect to the pay period involved may not exceed an amount equal to the cap on the aggregate amount of annual compensation that may be paid to the individual under applicable law during the year in which the pay period occurs, as allocated on a per pay period basis consistent with premium pay regulations of the Capitol Police Board.

(2) EXEMPT INDIVIDUALS DEFINED.—In this subsection, an ''exempt individual'' is an officer or employee of the United States Capitol Police—

(A) who is classified under regulations issued pursuant to section 203 of the Congressional Accountability Act of 1995 (2 U.S.C. 1313) as exempt from the application of the rights and protections established by subsections (a)(1) and (d) of section 6, section 7, and section 12(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 (a)(1) and (d), 207, 212(c)); or

(B) whose annual rate of pay is not established specifically under any law.

(3) CONFORMING AMENDMENT.—

(A) IN GENERAL.—Section 1009 of the Legislative Branch Appropriations Act, 2003 (Public Law 108–7; 117 Stat. 359) is repealed.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003, except that the amendment shall not apply with respect to any overtime work performed prior to the date of the enactment of this Act.

SEC. 6. OTHER MISCELLANEOUS TECHNICAL CORRECTIONS.

(a) REPEAL OF OBSOLETE PROCEDURES FOR INITIAL APPOINTMENT OF CHIEF ADMINISTRATIVE OFFICER.—Section 108 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1903) is amended by striking subsections (d) through (g).

(b) REPEAL OF REQUIREMENT THAT OFFICERS PURCHASE OWN UNIFORMS.—Section 1825 of the Revised Statutes of the United States (2 U.S.C. 1943) is repealed.

(c) REPEAL OF REFERENCES TO OFFICERS AND PRIVATES IN AUTHORITIES RELATING TO HOUSE AND SENATE OFFICE BUILDINGS.—

(1) HOUSE OFFICE BUILDINGS.—The item relating to ''House of Representatives Office Building'' in the Act entitled ''An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eight, and for other purposes'', approved March 4, 1907 (34 Stat. 1365; 2 U.S.C. 2001), is amended by striking ''other than officers and privates of the Capitol police'' each place it appears

and inserting ''other than the United States Capitol Police''.

(2) SENATE OFFICE BUILDINGS.—The item relating to ''Senate Office Building'' in the Legislative Branch Appropriation Act, 1943 (56 Stat. 343; 2 U.S.C. 2023) is amended by striking ''other than for officers and privates of the Capitol Police'' each place it appears and inserting ''other than for the United States Capitol Police''.

(d) CLARIFICATION OF APPLICABILITY OF U.S. CAPITOL POLICE AND LIBRARY OF CONGRESS POLICE MERGER IMPLEMENTATION ACT OF 2007.—

(1) REPEAL OF DUPLICATE PROVISIONS.—Effective as if included in the enactment of the Legislative Branch Appropriations Act, 2008 (Public Law 110–161), section 1004 of such Act is repealed, and any provision of law amended or repealed by such section is restored or revived to read as if such section had not been enacted into law.

(2) NO EFFECT ON OTHER ACT.—Nothing in paragraph (1) may be construed to prevent the enactment or implementation of any provision of the U.S. Capitol Police and Library of Congress Police Merger Implementation Act of 2007 (Public Law 110–178), including any provision of such Act that amends or repeals a provision of law which is restored or revived pursuant to paragraph (1).

(e) AUTHORITY OF CHIEF OF POLICE.—

(1) REPEAL OF CERTAIN PROVISIONS CODIFIED IN TITLE 2, UNITED STATES CODE.—The provisions appearing in the first paragraph under the heading ''Capitol Police'' in the Act of April 28, 1902 (ch. 594; 32 Stat. 124), and the provisions appearing in the first paragraph under the heading ''Capitol Police'' in title I of the Legislative and Judiciary Appropriation Act, 1944 (ch. 173; 57 Stat. 230), insofar as all of those provisions are related to the sentence ''The captain and lieutenants shall be selected jointly by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House of Representatives; and one-half of the privates shall be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House of Representatives.'', which appears in 2 U.S.C. 1901 (2000 Edition, Supp. V), are repealed.

(2) RESTORATION OF REPEALED PROVISION.—Section 1018(h)(1) of the Legislative Branch Appropriations Act, 2003 (Public Law 108–7, div. H, title I, 117 Stat. 368) is repealed, and the sentence ''The Capitol Police shall be headed by a Chief who shall be appointed by the Capitol Police Board and shall serve at the pleasure of the Board.'', which was repealed by such section, is restored to appear at the end of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901).

(3) CONFORMING AMENDMENT.—The first sentence of section 1821 of the Revised Statutes of the United States (2 U.S.C. 1901) is amended by striking '', the members of which shall be appointed by the Sergeants-at-Arms of the two Houses and the Architect of the Capitol Extension''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. 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 matter on the bill now under consideration.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

I am pleased to present the Capitol Police Administrative Technical Corrections Act of 2009.

As its title suggests, H.R. 1299 is not intended to make substantive policy changes for the Capitol Police. It corrects drafting errors, modernizes outdated terms, and repeals redundant and inconsistent provisions already on the books. My favorite correction is the long overdue repeal of the 1868 law requiring Capitol Police officers to buy their own uniforms. Congress decided years ago to provide the uniforms but has never repealed the 1868 law.

Chief Phillip Morse requested most of these corrections; the committee found others. The bill has the support of Chief Morse and our House Sergeant-at-Arms Wilson Livingood. The House passed a similar bill last fall, which failed to pass the Senate before final adjournment.

It was a pleasure to work with the gentleman from California (Mr. DANIEL E. LUNGREN) and his staff on this measure, and I urge an ''aye'' vote.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1299, known as the United States Capitol Police Technical Corrections Act.

I am pleased to join Chairman BRADY in sponsoring this bill, which will create a stronger operational framework for the police, allowing them to better accomplish their mission by providing much-needed clarity and eliminating unnecessary or conflicting provisions of existing law.

The technical corrections in this bill provide the chief of the Capitol Police with the appropriate authority and responsibility related to his role as head of the agency. This bill also clarifies important reporting and notification processes for personnel, administrative, and operational actions.

So I am pleased that the chairman has taken up this issue. I am confident that the work of the full committee, in addition to that of the Subcommittee on Capitol Security, will create a stronger law enforcement organization and, therefore, a safer and more secure Capitol complex.

I would urge that all Members support this bill.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, I urge an ''aye'' vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 1299.

The question was taken.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE FIRST CONGRESSIONAL DISTRICT OF HAWAII

Mr. BRADY of Pennsylvania, from the Committee on House Administration, submitted a privileged report (Rept. No. 111–68) on the resolution (H. Res. 303) dismissing the election contest relating to the office of Representative from the First Congressional District of Hawaii, which was referred to the House Calendar and ordered to be printed.

Mr. BRADY of Pennsylvania. Mr. Speaker, I call up House Resolution 303 and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 303

Resolved, That the election contest relating to the office of Representative from the First Congressional District of Hawaii is dismissed.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTING MEMBERS TO THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. BRADY of Pennsylvania. Mr. Speaker, I send a resolution to the desk and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 304

Resolved,

SECTION 1. ELECTION OF MEMBERS TO JOINT COMMITTEE ON PRINTING AND JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.

(a) JOINT COMMITTEE ON PRINTING.—The following Members are hereby elected to the

Joint Committee on Printing, to serve with the chair of the Committee on House Administration:

(1) Mr. Capuano.
(2) Mrs. Davis of California.
(3) Mr. Daniel E. Lungren of California.
(4) Mr. McCarthy of California.

(b) JOINT COMMITTEE OF CONGRESS ON THE LIBRARY.—The following Members are hereby elected to the Joint Committee of Congress on the Library, to serve with the chair of the Committee on House Administration:

(1) Ms. Zoe Lofgren of California.
(2) Mr. Daniel E. Lungren of California.
(3) Mr. Harper.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR EXPENSES OF CERTAIN COMMITTEES OF HOUSE OF REPRESENTATIVES IN 111TH CONGRESS

Mr. BRADY of Pennsylvania. Mr. Speaker, pursuant to House Resolution 294, I call up House Resolution 279 and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 294, the amendment in the nature of a substitute printed in the resolution is adopted and the resolution, as amended, is considered read.

The text of the resolution, as amended, is as follows:

H. RES. 279

Resolved,

SECTION 1. COMMITTEE EXPENSES FOR THE ONE HUNDRED ELEVENTH CONGRESS.

(a) IN GENERAL.—With respect to the One Hundred Eleventh Congress, there shall be paid out of the applicable accounts of the House of Representatives, in accordance with this primary expense resolution, not more than the amount specified in subsection (b) for the expenses (including the expenses of all staff salaries) of each committee named in such subsection.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $12,878,997; Committee on Armed Services, $15,842,663; Committee on the Budget, $12,701,442; Committee on Education and Labor, $17,571,062; Committee on Energy and Commerce, $23,589,560; Select Committee on Energy Independence and Global Warming, $4,167,500; Committee on Financial Services, $18,315,034; Committee on Foreign Affairs, $18,847,305; Committee on Homeland Security, $17,776,261; Committee on House Administration, $11,069,489; Permanent Select Committee on Intelligence, $10,850,000; Committee on the Judiciary, $18,837,171; Committee on Natural Resources, $16,567,929; Committee on Oversight and Government Reform, $22,343,273; Committee on Rules, $7,141,021; Committee on Science and Technology, $14,048,942; Committee on Small Business, $7,236,082; Committee on Standards of Official Conduct, $5,577,169; Committee on Transportation and Infrastructure, $20,874,154; Committee on Veterans' Affairs, $7,668,691; and Committee on Ways and Means, $20,634,454.

SEC. 2. FIRST SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2009, and ending immediately before noon on January 3, 2010.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $6,316,330; Committee on Armed Services, $7,769,820; Committee on the Budget, $6,350,721; Committee on Education and Labor, $8,617,490; Committee on Energy and Commerce, $11,569,181; Select Committee on Energy Independence and Global Warming, $2,096,900; Committee on Financial Services, $8,982,361; Committee on Foreign Affairs, $9,243,406; Committee on Homeland Security, $8,718,127; Committee on House Administration, $5,428,881; Permanent Select Committee on Intelligence, $5,387,500; Committee on the Judiciary, $9,238,436; Committee on Natural Resources, $8,125,517; Committee on Oversight and Government Reform, $10,957,956; Committee on Rules, $3,538,663; Committee on Science and Technology, $6,890,114; Committee on Small Business, $3,548,839; Committee on Standards of Official Conduct, $2,735,247; Committee on Transportation and Infrastructure, $10,237,447; Committee on Veterans' Affairs, $3,761,006; and Committee on Ways and Means, $10,119,889.

SEC. 3. SECOND SESSION LIMITATIONS.

(a) IN GENERAL.—Of the amount provided for in section 1 for each committee named in subsection (b), not more than the amount specified in such subsection shall be available for expenses incurred during the period beginning at noon on January 3, 2010, and ending immediately before noon on January 3, 2011.

(b) COMMITTEES AND AMOUNTS.—The committees and amounts referred to in subsection (a) are: Committee on Agriculture, $6,562,667; Committee on Armed Services, $8,072,843; Committee on the Budget, $6,350,721; Committee on Education and Labor, $8,953,572; Committee on Energy and Commerce, $12,020,379; Select Committee on Energy Independence and Global Warming, $2,070,600; Committee on Financial Services, $9,332,673; Committee on Foreign Affairs, $9,603,899; Committee on Homeland Security, $9,058,134; Committee on House Administration, $5,640,608; Permanent Select Committee on Intelligence, $5,462,500; Committee on the Judiciary, $9,598,735; Committee on Natural Resources, $8,442,412; Committee on Oversight and Government Reform, $11,385,317; Committee on Rules, $3,602,358; Committee on Science and Technology, $7,158,828; Committee on Small Business, $3,687,243; Committee on Standards of Official Conduct, $2,841,922; Committee on Transportation and Infrastructure, $10,636,707; Committee on Veterans' Affairs, $3,907,685; and Committee on Ways and Means, $10,514,565.

(c) REVIEW OF USE OF FUNDS IN FIRST SESSION.—None of the amounts provided for in section 1 for a committee named in subsection (b) may be available for expenses of the committee after February 3, 2010, unless the chair or ranking minority member of the committee appears and presents testimony at a hearing of the Committee on House Administration held prior to such date to review the committee's use of the amounts provided for in section 1 during the first session of the One Hundred Eleventh Congress and to determine whether the amount specified in subsection (b) with respect to the committee should be updated on the basis of the review.

SEC. 4. VOUCHERS.

Payments under this resolution shall be made on vouchers authorized by the committee involved, signed by the chairman of such committee, and approved in the manner directed by the Committee on House Administration.

SEC. 5. REGULATIONS.

Amounts made available under this resolution shall be expended in accordance with regulations prescribed by the Committee on House Administration.

The SPEAKER pro tempore. The gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. DANIEL E. LUNGREN) each will control 30 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BRADY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on House Resolution 279.

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

There was no objection.

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield myself as much time as I may consume.

House Resolution 279 is the primary expense resolution to fund the standing and select committees of the House for the 111th Congress.

Every 2 years, Congress must decide how much money its committees will spend. The Committee on House Administration holds hearings on the needs of the committees for the entire Congress. We then write a resolution to authorize funding for those committees. During our hearings on February 11 and 25, we heard from all the chairmen and most of the ranking members from other committees.

Let me describe what we have done with this amendment to the funding resolution. Over the last Congress, the committees of the House conducted far more hearings and did far more work than in recent years. They did all this without an increase in funding. Last Congress we were not even able to keep up with inflation. All of the committees have been struggling to operate on limited funds, and they have even more work to do in this Congress because of the challenges of our economic situation and other legislative priorities.

At the same time, we know that the economic status of the Nation means that we must do more with less. So we are not going to be able to give the committees all the funds they have requested, the amounts stated in the resolution as introduced.

In general, this substitute gives each committee for 2009 the lower of either the amount they requested, or an increase of 4.78 percent over their funding in 2008. That percent equals the cost-of-living increase for Federal employees in D.C. for 2009.

There are a few exceptions in this substitute. First, we have provided additional funds to the Judiciary Committee to undertake its mandated inquiry into judicial impeachment, which is not an ordinary cost of that committee. Next, the Energy and Commerce Committee, the Financial Services Committee, and the Small Business Committee have each undertaken extra responsibilities this Congress. These three committees have special legislative duties to deal with our financial situation, our health care, and our energy policy.

The Committee on Standards of Official Conduct will receive additional money as well, reflecting their request and our commitment to ethics oversight.

Finally, we have not increased funding over 2008 for the Oversight and Government Reform Committee. That committee had substantial funds left over in 2008. In addition, we have already expanded the oversight work of all committees in this Congress by amending the House rules in H. Res. 40.

When you add it all up, this keeps the total committee funding for 2009 at just 4.78 percent over the total funding from 2008.

□ 1530

In 2010, the committees will receive an across-the-board increase of 3.9 percent which, in our estimation, an inflationary increase is needed to keep staffs paid in the coming year.

I reserve the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 279. It does provide funding for committees for the 111th Congress so that we might do the work that we're constitutionally required to do.

I'd like to begin by thanking Chairman BRADY and his staff for truly engaging in a collaborative process as we work towards our common goal of providing adequate and appropriate funding for committees. It is my belief the legislation before us today does allow the Congress—the House—to carry out both its legislative and oversight functions while balancing those needs with the responsibility placed on us by the American people to spend their tax dollars wisely.

During these difficult economic times we have a shared interest in making sure we're frugal and wise stewards of the taxpayers' dollars. However, this commitment to tighten our collective fiscal belts cannot come at the expense of our constitutionally mandated role of providing oversight over the Federal coffers.

There's one complaint I've had about the Congress when I served here before—some two decades ago—and while I was gone and when I first returned, was that I think there was not the commitment to oversight that was necessary on both sides of the Congress and both sides of the aisle. I think there are many that have done a good job, but we can always do better.

As we have seen recently with the reports of questionable uses of TARP funds, the potential for waste, fraud, and abuse is real, requiring us to be ever vigilant in performing effective oversight and making sure that that's done in a timely fashion.

Just as these committees have a responsibility to conduct effective oversight over the matters under their jurisdiction, the House Administration Committee must ensure that expenses of the House are being used in a manner that prevents waste, fraud, and abuse as well.

So I was extremely pleased that our committee's majority adopted our proposed amendment to have the chairs and ranking members of all committees appear before our committee after the first session to provide an update regarding the funding requests and operations of each respective committee.

One of the things that we should understand is that the rules that we've adopted for the operation of the House in this Congress require that all authorizing committees take the responsibility to provide the vital oversight for those operations of the executive branch that are under their jurisdiction. I believe that we have made progress on that.

The majority has worked with us to move towards the goal of making monthly committee reports available online. These reports are already required, but we will get them in a timely fashion. We will establish a template so that those committees will report and then we will move to make those available online so that we can in fact in the House of Representatives move further to transparency, as we are requiring transparency in the executive branch.

The public can take a look at our work. It's all out there for them to see. They can see the work that we're doing. They can see the oversight that we're providing. They can see, most importantly, how their dollars are being spent in this, their House of Representatives.

In addition to determining appropriate funding levels and ensuring that transparency in committee operations, one of my chief concerns during the committee funding process was that the precedent of allocating one-third of each committee's resources to the minority party was upheld.

When Republicans assumed the majority in 1995, we started what has been an ongoing tradition of ensuring the minority party receives at least one-third of the committees resources, an amount I believe necessary to carry out the minority's responsibilities as the party of ''loyal opposition.''

I'm therefore pleased, Mr. Speaker, that Chairman BRADY has not only honored this commitment, but has made very strong statements in the committee, on the RECORD, that he will be diligent to address any complaints raised by ranking minority members in this regard. For that, I thank him. I think this sets an excellent precedent for the future for all of us.

I believe that both sides have worked well to improve this committee funding process. As the chairman has said, there were just a couple of exceptions where we did not grant the request made by the chairmen and ranking members for the increases as they came forward. We did give increases, but not in the numbers they talked about.

When I look over the numbers, it looks to me like we cut in half the requests for increases that were asked for. I happen to think that that is a good thing here. We can go through the committees one-by-one. Luckily, my staff has printed it large enough so that I can read it now. When I was here 25 years ago, I did not need this large print. I was able to use smaller notes. That just shows the progress that we have made, Mr. Speaker.

I would thank the chairman for working with me to advance this funding process. I would say that we brought this forward in as expeditious a fashion as we were able to.

I reserve the balance of my time.

Mr. BRADY of Pennsylvania. I'd like to just tell my dear friend from California that I don't need glasses either. I just need longer arms.

I'd like to recognize for such time as she may consume the chairwoman of the Standards of Official Conduct Committee, the gentlelady from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Thank you, Chairman BRADY, for yielding. As vice chair of the Committee on House Administration, as well as chair of the Committee on Standards of Official Conduct, I find myself in kind of a unique position of dealing with this funding resolution both as a member of House Administration, where we heard the testimony of every chair and ranking member, read the budgets of every single committee, but also as chair of the Committee on Standards, I, along with the ranking member, Congressman BONNER, gave testimony and made a budget request.

So I am pleased to note that the committee funding resolution today is not just about how much money a committee receives, it's about resources necessary to meet and fulfill duties and obligations.

Now when it comes to the so-called Ethics Committee, obviously, we know—and this is bipartisan—we have a very strong responsibility to ensure that the House adheres to and upholds the highest standards of ethics.

To that end, the Ethics Committee annually produces thousands of written advisory opinions and informal opinions; it educates Members and staff and other employees of the House; it reviews annual financial disclosure filings; and, when necessary, conducts investigations into possible violations of the House rules.

In the last Congress, the House greatly expanded the duties and responsibilities of the Ethics Committee. It has required that the committee conduct mandatory annual ethics training for every officer and employee of the House. That means we must train roughly 10,000 employees each year.

The House also requires that the committee review all staff and Member travel requests that are privately funded, which I can tell you is a voluminous task. In addition, the House voted to establish the Office of Congressional Ethics, which we expect will increase our workload.

As you can see, the committee's mandate has grown significantly. The resolution before us does provide some

additional funding for additional staff and for the adoption of new technologies to allow us to fulfill our expanded mandates.

I very much support the resolution, not only for the Ethics Committee, but for the other committees. This is a tight budget. It's not everything that everyone wanted, but these are tough times as well.

I think the chairman and the ranking member have done a marvelous job. I, for one, would like to thank them for listening to the plea of the Ethics Committee and our increased responsibilities.

Mr. DANIEL E. LUNGREN of California. At this time, I yield 5 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. There's no words that can express how disappointed I was to see that the notable bottom of the funding once again went to Government Oversight and Reform.

When Republicans took over the Congress in 1994, they dramatically reduced the size of Government Oversight. The following Congress, they did a 48 percent increase, which essentially put it back close to where it was. But not quite. After that time, increases under Republicans have been paltry—in some cases, negative.

President Obama told us it was going to be different, Speaker PELOSI told us it was going to be different. They both said oversight was important.

Now I come from a manufacturing background, and I understand what quality control is. Quality control is not in fact asking the worker if they did a good job. It's somebody independently checking, and when they find mistakes, failures, imperfections, design flaws, pointing them out and giving those on the line the opportunity to repair or to change in a way that gives real quality.

There's only one committee in the Congress that has that task. It's not Energy and Commerce—the most-funded committee; it's not Financial Services—one of the other most-funded committees. It's not even the Rules Committee. It is in fact Government Oversight and Reform.

With over 3,200 GAO individuals and hundreds of millions of dollars being spent there; with $800 billion in the stimulus package and one IG with a $450 million budget; with a $7 billion, and soon to be more, TARP, with virtually no rules and real questions about how much has already been lost, the very idea that, after President Obama includes in his inaugural address oversight, accountability, to defund that committee effectively by flatlining once again—something that, I must admit, I can see the record, and it's been done under both types of administrations, under both Congresses—clearly makes the statement that is the antithesis of what was claimed.

There will be not be transparency in the Obama administration if in fact Government Oversight isn't properly funded to do its job.

Now when I came with Chairman TOWNS before the committee, Chairman TOWNS made the request for the dollars. I didn't. Although I felt his request was modest and reasonable. I added while I was there the request for 30 more slots. Not more money, but more personnel. Because I was confident that America's volunteerism would include people wanting to come to our committees for just a stipend if we could give them a slot—an authorized-to-work-here position—and that we would find people within a limited budget. We'd be able to work within the small increase that Chairman TOWNS asked for.

We didn't get those additional slots. And, notably, we are the only committee I can find that effectively asked for more and didn't get it.

I'm sad to see that, because I think it is in fact an accountability of Speaker PELOSI for not keeping President Obama's promise and commitment to the American people.

I appreciate the chairman of this committee doing what he can within the funds, but I realize he does not make the actual decision. He clearly couldn't be making this decision unless he made a decision that oversight was not important. And I don't believe he did.

So someone, somewhere in this Congress has decided that oversight is in fact not important. That accountability of this bureaucracy—not of this President, as some would have you believe—but of the bureaucracy that we, the Congress, have created and maintained and fund at $3.8 trillion, and growing, is in fact what we're charged to do.

The very idea that chairmen of other committees will in fact do their legislation and then check their legislation flies in the face of experience. It takes a second set of eyes and a second set of hands that have no prejudice toward the original creation of the law.

Mr. Speaker, in closing, I would remind people that Oversight has no fundamental jurisdiction that is by any means broad. We don't. We take care of the post offices and we oversee Federal workers. What we do is research into waste, fraud, and abuse in the Federal Government.

We are highly limited by the lack of personnel and the lack of dollars to do it over a $3-plus trillion market and countless billions of dollars that have already been wasted under the last administration and continue to be wasted under this administration.

I join with Chairman TOWNS in believing that you could have done better, you should have done better. It's not too late. Please consider doing better.

Mr. BRADY of Pennsylvania. I yield such time as he may consume to a colleague on the Committee of House Administration, the gentleman from Massachusetts (Mr. CAPUANO).

Mr. CAPUANO. Thank you, Mr. Chairman, for yielding. Mr. Speaker, I rise to respond to some of the things that have been said about Oversight and Government Reform. First of all, I want to make it very clear I think they do a great job. I think they've done a great job for years, even though, in my opinion, for a long time with the Bush administration there was virtually no oversight of any significant nature whatsoever, which is, I think, one of the reasons we are in some of the problems we're in now economically.

□ 1545

Be that as it may, people have to understand that, first of all, there is a limited amount of money. We are all trying to cut ends here and there. And in this particular case, this particular committee is still the second largest funded committee in Congress at almost, I think, $11 million or $12 million, if I remember correctly. And that is fine.

On top of that, the committee turned back several hundred thousand dollars last year for reasons that are up to them, I assume it is sufficiency, but it just says that the budget should be sufficient.

The most important thing that I want to comment on is the suggestion that somehow if this money isn't given, if the gun to our head is not answered appropriately, then oversight won't happen in this term. Well, that is patently ludicrous. And it is, because very simply the Speaker of the House, Ms. PELOSI, has specifically asked each and every one of the 20 standing committees to do more oversight on their own. Every one of those committees, to my knowledge, has submitted detailed plans on what they plan on doing this year. I myself am on three of those committees, and I can tell you from personal experience all of those committees are already doing more oversight this term than they have done in the past.

Now, I understand that if there was no other oversight going on, I would be up here advocating the exact same thing. But if you have got 20 other committees stepping up to the plate, doing more work—and I do disagree strongly that those committees somehow aren't capable of overseeing the administration, because that is effectively what we do. We are not overseeing Congress, that is what the Ethics Committee does, we are overseeing the administration. And to suggest that Members of Congress somehow can't read the laws that they are required to write and read and enforce, I find that a little bit insulting and a little bit difficult to believe.

Of course, the Financial Services Committee is the best committee to oversee financial services matters. They understand the issues. They ask the right questions. They know the right people to talk to.

I understand and accept and appreciate the fact that Oversight and Government Reform fills in the holes and does oversight of some of that oversight. I appreciate that, and I agree.

That is why they still have the second largest funding of all the committees; otherwise, we wouldn't need them at all. We could just get rid of them. I don't think we should. I think they have a valuable part to play.

I think the Speaker has an important and thoughtful and rightful approach to have everybody in Congress participate in oversight. I think that is the appropriate way to go.

This particular authorization bill recognizes that, accepts that, and suggests that not just a few Members of Congress can do oversight, but that every Member of Congress is responsible for some degree of oversight. That is why there will be over 200 additional hearings this year by various committees. Again, the committees I am on have already had some that have never had them before. I think the Speaker's approach is correct, and I think in the long run it will prove that every Member of Congress has a role to play, and every Member of Congress will participate, rightfully.

And, I believe that the Committee on Oversight and Government Reform, number one, will continue to do a good job, will continue to fill in the holes that the other committees can't do, do the broader oversight that they have been so good at; and, I think in the final analysis the taxpayers will get more bang for their dollar, and I think they will be better served.

I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. ISSA).

Mr. ISSA. There was one thing in the previous statement that I have to take some umbrage over. I only know about the minority of Government Reform. We returned $32,000, slightly less.

Now, we returned it not because we couldn't use it, but because every committee has the reality that you can't spend the last penny. Also, because you are not allowed to go over. So the fact is we fully spent ours.

I don't know if that $700,000 statement that is made includes our $32,000 or not. I don't even know if it is accurate. My understanding is that number can't even be asserted, really, yet, because in fact there is still spending going on.

I would hope that the committee would make available the returns of all the other committees, because I rather doubt that Chairman WAXMAN failed to use his money. I can tell you that Ranking Member TOM DAVIS would have loved to have been able to do more investigation, more independent work than we already did.

In closing, I would just mention that we have added in the last two Congresses over $4 million just for global warming, the junket committee. We clearly have enough money. I ask you to reconsider.

Mr. BRADY of Pennsylvania. I recognize the gentlelady from New York, the chairwoman of the Small Business Committee, Ms. VELÁZQUEZ, for such time as she may consume.

Ms. VELAZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of this resolution.

Today, the House is considering a resolution that many consider to be routine business with little effect outside of this Chamber. However, I believe this resolution will provide Congress with the resources we need to do the people's work.

As we get to work, our main concerns need to be creating jobs and turning the economy around. An important component of this will be meeting the needs of small businesses so they can stay afloat, grow, and contribute to economic recovery.

In good times, as well as bad, small businesses are the backbone of our economy. They create 60 to 80 percent of all new jobs. During economic downturns, like the one we are in now, they are even more important. Small firms generate the innovative ideas and new services that spur job growth. For example, following the recession of the mid-1990s, small firms created 3.8 million new jobs. During economic downswings, many Americans venture out and start their own small businesses. For instance, in the 1990s, 25 percent of laid-off managers over the age of 40 went on to start their own firms.

This kind of determination is the hallmark of the American entrepreneurial spirit. It has led us out of previous recessions, and it will lead us out of this one as well. However, for that to happen, we need to make the needs of our small businesses a priority.

The resolution that we are voting on today will provide Congress the resources to undertake important work on behalf of small businesses. One of our first steps needs to be unfreezing the credit market so small firms can access the capital they need to expand, grow, and create jobs. We must also ensure small businesses receive investments that allow them to remain technological pioneers. Startup entrepreneurs often produce the new ideas that spark job growth and can even launch a whole new industry.

Small firms will also play a key role in rebuilding our Nation's infrastructure. The Economic Recovery Act that was enacted earlier this year will mean an explosion of new public work projects. Small businesses are well positioned to do this work, but only if we ensure that they can compete for their fair share of these new contracts.

Finally, a host of kitchen table issues very directly affect small business owners. As our Nation takes up matters like tax policy, health care, and energy, the needs of entrepreneurs must be part of the discussion.

Mr. Speaker, since this economic downturn started, our committee has heard from a flood of small businesses calling for assistance to help them weather the current storm. This resolution will mean that we will have the ability to help as many entrepreneurs as possible. I am confident that, given the right tools, these same entrepreneurs will once again lead our Nation's recovery, creating opportunity in the face of adversity.

For that reason, I urge a ''yes'' vote.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have spoken in support of this resolution, and I continue to do so.

I would just say with respect to the statements made about the Small Business Committee, it received the single largest increase of all the committees of the House of Representatives.

I might say we actually managed for the Budget Committee to come in with no increase whatsoever. We had the Intelligence Committee come in with a 1.5 percent increase below inflation.

I remember when we asked them why they were coming in for such a small request, they said: Well, we had to increase some of our things last year. We were moving into a new SCIF, we had a new meeting place, we had to have new computers. But we made those expenditures last year; we don't need them this year. It was refreshing to actually hear that sort of thing. And there is no indication that, by virtue of the fact that we are giving them but a 1.5 percent increase, that we are trying to short them in any way, form, or fashion.

The Rules Committee also came in below 2 percent. And, again, they talked about the fact that they were trying to keep themselves within those limits.

I would just say, however, with respect to some things that have been said on the floor, I just wish that in the stimulus package we passed it would have had as much in it for small business as we have for the Small Business Committee in this particular resolution relative to other things. I think we could have done far better than that, and particularly with the tax consequences of the President's proposal.

Mr. Speaker, because of some of the questions brought up by Mr. ISSA and others, we and our committee fought and we brought this up on our side of the aisle, it was supported by the chairman, that we would try and increase the transparency of the committees of jurisdiction so that in fact people could make judgments as to whether they were carrying out the oversight function, and we do it in two ways. Let me just underscore that.

One is, there is already an existing requirement that every committee report on a monthly basis as to what they are doing. If you look at those reports now, sometimes they are kind of difficult to decipher. So trying to make it much more clear for both the committee and the public, we are working on a template so that information can be presented and easily accessible. We

also are working then to put that on the committee Web site so that people can see and make judgments for themselves. That is one way in which we are trying to ensure that we in the Congress in our committees do the oversight, as well as the legislative work, that we are supposed to do.

The second way we did it was to request—and it is part of this resolution—that the chairpersons and the ranking members of each committee come back to us at the end of the year. And it's not that we are going to question the subject matter that they are dealing with or question how they handle things, but rather we are going to just have some inquiries, looking at those reports, and seeing how what they are doing matched up with their budget request. One of the areas in which we are required to provide oversight of this House is to make sure that oversight is being done.

So I think we have tried to answer the question of whether or not real oversight is going to be done by the way that we made these changes contained in this resolution. I would hope that people understand that I take oversight responsibility very, very seriously; the chairman has indicated that he does as well; and, this committee will do its work to ensure that the American public can make their judgments. It seems to me that is what we are supposed to be doing. If all we are is a rubber-stamp committee, the public can say we are not doing our job.

Mr. Speaker, I do not think we are a rubber-stamp committee with this chairman, and I am certainly going to work with him to ensure that is not the case. We are going to make sure that we do the people's work and that all the committees do as well. If, at the end of the year we can't prove it to ourselves, we are not going to be able to prove it to the public, and then it is on us. And I would hope that we will step up to the plate, take the responsibility, and do the job that we are sent here to do not only as individual Members but as the collective work of Members in committee.

And if the chairman has no other speakers, I would say that we ought to support this resolution, and I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, this is a tough bill. None of us on either side of the aisle want to tell our colleagues ''no,'' and we also have to have the responsibility of making sure that we can tighten our belt and let the citizens of the United States of America know that we are not out there just spending freely. It is a tough bill to calculate, it is a tough bill to come up with the right, proper figures that we need to make all our committees' work viable and do the job that they need to do. They do a tremendous job, and much more work than they had in the past Congress due to the economy of the United States of America that we are in right now.

But we wouldn't be up here and be able to do this without cooperation, so I would like to thank my ranking member, my friend from California, for all the cooperation that he has given. It wasn't easy. It wasn't an easy fight. We do converse back and forth. We do talk. We don't always agree, but we are not disagreeable, and we made that pact and we are going to keep that pact. And not only with my colleague on the other side of the aisle, the ranking member, Mr. LUNGREN from California, but his staff and our staff.

It is a tough thing to do, tough to crunch these numbers. Every time they show them to me, without a doubt when I am done looking at them I get a headache, and I give them back to them to give them more headaches, on our side of the aisle and on their side of the aisle.

□ 1600

It's a tough bill to do, but we had to do it. And we had to do it by today, or tomorrow it would really be April Fools for all of us because we would be out of business in our committees, which would essentially shut this House down.

So, Mr. Speaker, again, I thank my colleague for his support and his cooperation, and I am looking forward to continued support and cooperation.

I urge all Members to vote in favor of this resolution so the committees can continue to do the essential work of the Congress.

I yield back the balance of my time.

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

Pursuant to House Resolution 294, the previous question is ordered on the resolution, as amended.

The question is on the resolution.

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

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of House Resolution 279 will be followed by 5-minute votes on motions to suspend the rules on H.R. 151 and H.R. 1299.

The vote was taken by electronic device, and there were—yeas 288, nays 136, not voting 7, as follows:

[Roll No. 172]

YEAS—288

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boccieri
Bonner
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Buyer
Camp
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fleming
Foster
Frank (MA)
Fudge
Giffords
Gonzalez
Gordon (TN)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
King (NY)
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kosmas
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luján
Lummis
Lungren, Daniel E.
Lynch
Maffei
Maloney
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McMahon
McNerney
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Pallone
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Pitts
Polis (CO)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Rogers (AL)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schauer
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Woolsey
Yarmuth
Young (AK)
Young (FL)

NAYS—136

Akin
Alexander
Austria
Bachmann
Barrett (SC)
Bartlett
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bono Mack
Boozman
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Campbell
Cantor
Cao
Carter
Cassidy
Castle
Chaffetz
Coble
Coffman (CO)
Conaway
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, M.

Duncan
Emerson
Fallin
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Guthrie
Herger
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
Kind
King (IA)
Kingston
Kirk
Kline (MN)
Kratovil
Lamborn
Latham
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Luetkemeyer
Mack
Manzullo
Marchant
McCaul
McClintock
McHenry
McMorris Rodgers
Mica
Miller (FL)
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Royce
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Souder
Stearns
Sullivan
Taylor
Thornberry
Tiahrt
Tiberi
Upton
Walden
Wamp
Wilson (SC)
Wittman
Wolf

NOT VOTING—7

Cole
Hastings (WA)
Hensarling
Miller, Gary
Pascrell
Westmoreland
Wu

□ 1625

Mr. SENSENBRENNER, Mrs. MYRICK, Mrs. BACHMANN, Messrs. OLSON, GERLACH, ROGERS of Kentucky, SCHOCK and BILIRAKIS changed their vote from ''yea'' to ''nay.''

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

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DANIEL WEBSTER CONGRESSIONAL CLERKSHIP ACT OF 2009

The SPEAKER pro tempore (Mr. SERRANO). The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 151, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 151.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 42, not voting 8, as follows:

[Roll No. 173]

YEAS—381

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Castle
Castor (FL)
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coffman (CO)
Cohen
Cole
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Fleming
Forbes
Fortenberry
Foster
Frank (MA)
Frelinghuysen
Fudge
Gallegly
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maffei
Maloney
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Polis (CO)
Pomeroy
Posey
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sarbanes
Schakowsky
Schauer
Schiff
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth

NAYS—42

Akin
Bartlett
Broun (GA)
Cassidy
Chaffetz
Coble
Conaway
Deal (GA)
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Hoekstra
Hunter
Inglis
Issa
Jones
Jordan (OH)
Kingston
Lamborn
Linder
Lummis
Mack
Manzullo
McClintock
Neugebauer
Nunes
Paul
Poe (TX)
Price (GA)
Rohrabacher
Rooney
Royce
Scalise
Schmidt
Shadegg
Shuster
Stearns
Tiberi
Young (AK)
Young (FL)

NOT VOTING—8

Blackburn
Hastings (WA)
Hensarling
Miller, Gary
Pascrell
Sanchez, Loretta
Simpson
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1634

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CAPITOL POLICE ADMINISTRATIVE TECHNICAL CORRECTIONS ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1299, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BRADY) that the House suspend the rules and pass the bill, H.R. 1299.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 1, not voting 14, as follows:

[Roll No. 174]

YEAS—416

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright

Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Campbell
Cantor
Cao
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Chaffetz
Chandler
Childers
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Heinrich
Heller
Herger
Herseth Sandlin
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McMahon
McMorris Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Pallone
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Snyder
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walden
Walz
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Minnick

NOT VOTING—14

Barrett (SC)
Blackburn
Cardoza
Castor (FL)
Hastings (WA)
Hensarling
Hill
McDermott
Miller, Gary
Pascrell
Sanchez, Loretta
Simpson
Smith (TX)
Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. FUDGE) (during the vote). Less than 2 minutes remain in this vote.

□ 1642

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

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Texas. Mr. Speaker on rollcall No. 174, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, today, March 31st, I was detained in my district and therefore missed the 9 rollcall votes of the day.

Had I been present I would have voted "yea" on rollcall vote No. 166 on Agreeing to the Resolution H. Res. 296—on Providing for the consideration of the Senate amendments to H.R. 1388.

Had I been present I would have voted "yea" on rollcall vote No. 167 on the Motion to Suspend the Rules and Pass, as Amended H.R. 1259—Dextromethorphan Distribution Act.

Had I been present I would have voted "aye" on rollcall vote No. 168 on the Motion to Suspend the Rules and Pass, as Amended H. Res. 282—Recognizing the 30th anniversary of the peace treaty between Egypt and Israel.

Had I been present I would have voted "yea" on rollcall vote No. 169 on the On Motion To Concur in the Senate Amendments to H.R. 1388—Generations Invigorating Volunteerism and Education (GIVE) Act.

Had I been present I would have voted "yea" on rollcall vote No. 170 on the On Motion to Suspend the Rules and Pass, as Amended H.R. 577—Vision Care for Kids Act of 2009.

Had I been present I would have voted "yea" on rollcall vote No. 171 on the Motion to Suspend the Rules and Pass H.R. 1253—Health Insurance Restrictions and Limitations Clarification Act.

Had I been present I would have voted "yea" on rollcall vote No. 172 On Agreeing to the Resolution H. Res. 279—Providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress.

Had I been present I would have voted "yea" on rollcall vote No. 173 on the Motion to Suspend the Rules and Pass H.R. 151—To establish the Daniel Webster Congressional Clerkship Program.

Lastly, had I been present I would have voted "yea" on rollcall vote No. 174 on the Motion to Suspend the Rules and Pass H.R. 1299—Capitol Police Administrative Technical Corrections Act of 2009.

COMMUNICATION FROM THE REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 31, 2009.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to section 13101 of the HITECH Act (P.L. 111–5), I am pleased to appoint Mrs. Gayle Harrell of Stuart, Florida to the HIT Policy Committee.

Mrs. Harrell has expressed interest in serving in this capacity and I am pleased to fulfill her request.

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

□ 1645

HONORING FOUR SLAIN OAKLAND POLICE OFFICERS

Mr. CONYERS. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 290) honoring the lives, and mourning the loss, of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege, members of the Oakland Police Department in California who were brutally slain in the line of duty.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 290

Whereas, since May 17, 1792, when Deputy Sheriff Isaac Smith of the New York City Sheriffs Office was killed, more than 18,270 Federal, State, and local law enforcement officers have died in the line of duty;

Whereas, on Saturday, March 21, 2009, in Oakland, California, Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Dan Sakai, and Officer John Hege, all of the Oakland Police Department, were killed by gunfire while serving in the line of duty;

Whereas the senseless slaying of Sergeants Dunakin, Romans, and Sakai, and Officer

Hege represents the first multiple-fatality shooting incident of law enforcement officers in the United States in more than a year, and the first time in more than 15 years that 4 law enforcement officers were killed by gunfire in the line of duty in a single incident;

Whereas the killing of Sergeants Dunakin, Romans, and Sakai, and Officer Hege represents the deadliest incident involving California public safety officers since the infamous ''Newhall Incident'' occurred nearly 40 years ago in Los Angeles County on April 6, 1970, when 4 California highway patrolmen were killed in a gun battle with 2 heavily armed suspects, an incident so traumatic and shocking to the Nation that it galvanized the movement to reform police training procedures, firearms use, and arrest techniques;

Whereas the slaying of Sergeants Dunakin, Romans, and Sakai, and Officer Hege serve as a reminder that the risks assumed by police officers daily in serving and protecting their communities continue to be enormous, ever present, and lethal, even as the number of law enforcement officers killed by gunfire in the United States has steadily declined over the last 20 years;

Whereas the bravery, devotion to duty, and love of community of these fallen heroes has forever earned them a place in the hearts and memories of the citizens they willingly risked their lives to protect, an honor that comes at enormous cost to the people who knew them best, loved them most, and remember them simply as husbands, fathers, brothers, sons, and friends;

Whereas Sergeant Mark Dunakin of Tracy, California, was an 18-year veteran of the Oakland Police Department, a graduate of Chabot College in Hayward, California, an experienced homicide investigator, and according to his captain, ''a cop's cop,'' who was ''absolutely committed to anything that he leads'' and absolutely devoted to his wife Angela and their 3 children;

Whereas Sergeant Ervin ''Erv'' Romans of Danville, California, was a 13-year veteran of the Oakland Police Department, one of the most capable members of the Oakland Police SWAT Team, and highly respected for his work in the Narcotics Division of the Department, where he was responsible for solving several major drug cases;

Whereas Sergeant Daniel Sakai of Castro Valley, California, was considered by his peers and supervisors as a rising star on the Oakland Police SWAT Team, where he served as leader of the entry team and was beloved for his dedication to serving others, as evidenced by his previous work as a community service officer at University of California, Berkeley, escorting students around campus at night, and his tenure as an English teacher in Japan, but most of all by his devotion to his wife Jennifer and their young daughter;

Whereas Officer John Hege of Concord, California, was a 10-year veteran of the Oakland Police Department who graduated from St. Mary's College of California, taught at Tennyson High School in Hayward, California, loved both his dog and umpiring high school baseball games, and knew the incredible joy of realizing his cherished dream of becoming a motorcycle cop, and who could always be counted on by his colleagues to be one of the first to respond to requests for assistance or to cheerfully volunteer to help on departmental projects; and

Whereas in the face of this horrible loss, the people of Oakland, California, have come together and rededicated themselves to making Oakland the safe and peaceful community that Sergeants Dunakin, Romans, and Sakai, and Officer Hege sacrificed their lives to preserve and defend: Now, therefore, be it

Resolved, That the House of Representatives extends its condolences to the families and loved ones of Oakland Police Department Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege and stands in solidarity with the people of Oakland, California, their neighbors in the East Bay, and entire Bay Area community, as they celebrate the lives, and mourn the loss, of these 4 remarkable and selfless heroes who represented the best of their community and the future the people of Oakland are determined to create for their children, grandchildren, and generations to come.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

Mr. CONYERS. Madam Speaker, I yield myself as much time as I may consume.

This resolution honors the lives and mourns the loss of four Oakland, California, police department officers. These honorable and brave officers were viciously slain by gunfire in the line of duty on Saturday, March 21, 2009. By way of this resolution, the House of Representatives extends its condolences to the families and loved ones of those police officers, and we join with the City of Oakland and the entire Bay Area in grieving the deaths of these exemplary public servants who gave their lives to protect the Oakland community.

I reserve the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of this resolution, H. Res. 290. This resolution honors the lives of Oakland Police Department's Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege.

Madam Speaker, just a little over 2 weeks ago on March 21, these peace officers were brutally slain while in the line of duty protecting the people of the State of California. These officers were valuable members of their police department, they were community leaders, and they were family men. They risked their lives every day to protect their fellow Californians, and at the end of the day, they were all killed for doing so.

Sergeant Mark Dunakin was an 18-year veteran of the Oakland Police Department and resided in Tracy, California. According to his captain, the experienced homicide investigator was absolutely committed to every investigation he led. He leaves behind his wife Angela and their three small children.

Sergeant Ervin Romans, ''Erv'' to his friends, was from Danville, California. He gave 13 years of service to the Oakland Police Department. He was a member of the police SWAT team and highly regarded for his work with the narcotics division in solving several complex drug cases in California.

Sergeant Daniel Sakai of Castro Valley, California, was also a member of the police SWAT team. While he's remembered for his outstanding work on the SWAT team, he's also remembered and respected for his love of serving other people, most notably during his time as a community officer at the University of California in Berkeley. And he also taught English in Japan.

He was a devoted husband and father to his wife Jennifer and their young daughter.

Officer John Hege of Concord, California, was a 10-year veteran of the Oakland Police Department and was known by his colleagues for his willingness to help out with any department projects. Before joining the force, Officer Hege was a high school teacher and spent his free time umpiring high school baseball games.

Madam Speaker, almost 40 years ago, four California Highway Patrolmen lost their lives in the line of duty in a single incident. Since that time, our Nation's law enforcement officers have made a considerable effort to reform police safety training programs and procedures. And because of that dedicated work over the past 20 years, we've seen a decrease in the number of police officers killed by gunfire.

Although there has been great progress in protecting the safety of these men and women who wear the uniform, the death of these four officers serve as a reminder to the whole country that our Nation's law enforcement officials still face dangerous and potentially deadly situations every day. When a peace officer puts on a uniform in the morning, they represent everything that is good and right about our country.

Today, we honor the lives and the commitment to protecting our community of these four peace officers.

I urge the adoption of this resolution.

I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I am proud now to yield to the author of this resolution, the distinguished gentlelady from Oakland, California, the chair of the Congressional Black Caucus, Ms. BARBARA LEE, for as much time as she may consume.

Ms. LEE of California. First, Chairman CONYERS, let me thank you for your leadership and for helping to expedite the consideration of this resolution before us today. And let me commend the work of our staff—Danielle Brown, Karas Patterson of the Judiciary Committee, and Christos Tsentas and Gregory Berry of my office—for their excellent work on this resolution.

Also, I want to express my gratitude to Speaker PELOSI and Majority Leader HOYER and all of those who were able to make sure that we were able to honor our fallen police officers today.

I must say, the lives of four police officers who we lost were honored and were mourned at a memorial last week, and this memorial was so big—20,000 people—that we had to have the memorial service in the Oracle Arena in Oakland, California.

It's really with a very heavy heart that I introduce this resolution honoring their lives and mourning the losses of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege. All were officers of the Oakland police force. They were brutally slain in the line of duty 10 days ago.

Madam Speaker, the death of any law enforcement officer or first responder in the line of duty is a loss felt by so many people in so many communities. The tragic deaths of the heroes we honor in this resolution is no different. These wonderful men may have served and protected the people of Oakland, California, in my congressional district, but off duty they devoted their lives to improving the neighboring East Bay communities where they lived: Castro Valley, Danville, Tracy, and Concord, California. This resolution is cosponsored by the entire California Congressional Delegation, including Speaker PELOSI.

So I just want to thank them all for their support, especially Congresswoman TAUSCHER and Congressman MCNERNEY, each of whom represented one of the officers we honor today and with whom I worked very closely on this resolution.

As I said earlier, the number of persons seeking to pay their respects to the fallen officers was so great, more than 20,000, that the memorial service was held at Oracle Arena. Among those in attendance were Governor Schwarzenegger, Senator FEINSTEIN, and Senator BOXER, Oakland Mayor Ron Dellums and California Attorney General Jerry Brown. They were joined by thousands of fellow police officers and elected officials from around the country. President Obama also sent his condolences.

This is a small but fitting tribute, Madam Speaker, to four good men who routinely performed great deeds and who gave their lives in service to the people of Oakland, California. Their sacrifice increases by four the number of law enforcement officers who have died in the line of duty since May 17, 1792, when Deputy Sheriff Isaac Smith of the New York City Sheriff's Office was killed.

According to the National Law Enforcement Officer's Memorial Fund—an invaluable source, I might say, of historical and statistical information—that roll of honor now lists more than 18,270 names, each of which is engraved on the National Law Enforcement Officer's Memorial located in Washington, D.C.

In May, 2010, the names of Sergeant Mark Dunakin, Ervin Romans, Daniel Sakai and Officer John Hege will be added to those of their fallen brothers and sisters.

The senseless slayings of these officers represents the first multiple-fatality shooting incident in more than 1 year and the first time in more than 15 years that four law enforcement officers were killed by gunfire in the line of duty in a single incident.

Madam Speaker, this tragedy also represents the deadliest incident involving California public safety officers since the infamous Newhall Incident, which occurred nearly 40 years ago in Los Angeles County on April 6, 1970, when four California Highway Patrolmen were killed in a gun battle with two heavily armed suspects. The Newhall Incident so traumatized and shocked the Nation that it galvanized the movement that led to the reform of police training procedures, firearms use, and arrest techniques.

The slayings of these four officers remind us that the risks assumed by police officers daily in serving and protecting their communities continue to be enormous, ever-present, and, often times, lethal.

Their deaths also challenge us to redouble our efforts to ensure that law enforcement personnel have the training, the resources, and assistance and support needed to make our community safer, not only for the people who live there, but also for the people who serve those communities.

So, Madam Speaker, let me just say that the bravery, the devotion to duty, and the love of community of these fallen heroes has forever earned them a place in the hearts and memories of the citizens they willingly risked their lives to protect.

But that honor comes at an enormous cost to the people who knew them best, who loved them most, and remember them simply as husbands, fathers, brothers, sons, and friends.

Sergeant Dunakin of Tracy, California, was an 18-year veteran of the Oakland Police Department, a graduate of Chabot College in Hayward, an experienced homicide investigator. According to his captain, he was a ''cop's cop,'' one who was ''absolutely committed to anything that he leads'' and absolutely devoted to his wife, Angela, and their three children.

Sergeant Ervin Romans of Danville, California, a decorated former Marine Corps drill sergeant, was a 13-year veteran of the Oakland Police Department. He was also one of the ablest members of the Oakland Police SWAT Team, and was highly respected for his work in the narcotics division, where he was responsible for solving several major drug cases.

In 1999, he was awarded the Oakland Police Department's highest honor, the Medal of Valor, for helping to save residents in a West Oakland fire. Sergeant Romans is survived by his widow and his three children.

Sergeant Sakai of Castro Valley, California, was considered by his peers and supervisors as a rising star on the Oakland Police SWAT Team, where he served as leader of the entry team. He was beloved for his dedication to serving others, as evidenced by his previous work as a community service officer at the University of California, Berkeley, escorting students around campus at night, and by his tenure as an English teacher in Japan. He leaves to cherish his memory a wife and a young daughter.

And then there is Officer John Hege of Concord, California. John was a 10-year veteran of the Oakland Police Department and a graduate of St. Mary's College in California. Before joining the department, he taught at Tennyson High School in Hayward. And how he loved both his dog and umpiring high school baseball teams was remarkable. Those who knew him well knew how happy he was to realize his dream of becoming a motorcycle cop.

Officer Hege could always be counted on by his colleagues to be one of the first to respond to requests for assistance or to cheerfully volunteer to help on departmental projects. He will be greatly missed.

Madam Speaker, in the face of this horrible loss and for the people of Oakland, California, we stand together in our resolve to make our city safer and peaceful, and we resolve that Sergeants Dunakin, Romans, Sakai, and Officer Hege, who sacrificed their lives, will be remembered and honored as those who really loved the community and did protect and defend it. Only by achieving our goals of peace, nonviolence, and resolutions of conflicts by peaceful means will we be able to achieve a truly peaceful community, and then repay the debt that we owe to these four remarkable human beings who made the supreme sacrifice to keep us safe.

Let me close with a passage from President Obama's statement on the tragic loss of our police officers.

□ 1700

He said, ''Our Nation is grateful for the men and women of law enforcement who work tirelessly to ensure the safety of our citizens and our neighborhoods. They risk their lives each day on our behalf and ask little in return. And although the danger of their work is well-known, words still fail to explain the senseless violence that claims so many of them.

''As we honor their memories, I hope each of you will take comfort in knowing that their commitment to their fellow man will never be forgotten. We will always carry them in our hearts, and their legacy of service will inspire us as we work together toward a better Oakland, a better world.''

Thank you, Chairman CONYERS, for your assistance with this resolution.

THE WHITE HOUSE,
Washington, DC, March 27, 2009.

I was deeply saddened to learn of the tragic loss of Sgt. Mark Dunakin, Officer John

Hege, Sgt. Ervin Romans, and Sgt. Daniel Sakai. Michelle and I hold their families and your community in our thoughts and prayers.

Our Nation is grateful for the men and women of law enforcement who work tirelessly to ensure the safety of our citizens and our neighborhoods. They risk their lives each day on our behalf and ask little in return. And although the danger of their work is well known, words still fail to explain the senseless violence that claims so many of them.

Sgt. Dunakin, Officer Hege, Sgt. Romans and Sgt. Sakai were taken from us far too soon, and their loss reminds us that the work to which they dedicated their lives remains undone.

As we honor their memories, I hope each of you will take comfort in knowing that their commitment to their fellow man will never be forgotten. We will always carry them in our hearts, and their legacy of service will inspire us as we work together toward a better Oakland, a better world.

Michelle and I offer our heartfelt sympathy. May their sacrifices be rewarded with eternal peace.

BARACK OBAMA.

Mr. CONYERS. Madam Speaker, I'm honored now to yield 1 minute to the distinguished Speaker of the House, NANCY PELOSI, the gentlewoman from California.

Ms. PELOSI. Madam Speaker, I thank the distinguished chairman for yielding, as I join my colleagues in commemorating and honoring the memory of the Oakland, California, police officers who were senselessly murdered while on duty. I associate myself with the remarks of Congresswoman BARBARA LEE, author of this resolution, and join Congresswoman TAUSCHER and Congressman MCNERNEY in again remembering these brave heroes.

Madam Speaker, our colleague, Congresswoman LEE, spelled it out so very well, the senselessness of these deaths, the heroism of these police officers, and the quality of their lives. As elected officials, our first responsibility is to protect the American people, whether in their homes, their neighborhoods and communities, or to protect our country as a Nation. This is not possible without the heroic courage of our public safety officers in our country.

Every day when they leave for work, they risk not coming home. I hope that their families don't think of that every day, but on a day in March, this fact was driven home very brutally to four families.

Madam Speaker, a giant pall hangs over the Bay Area in California. These deaths have hit people very, very hard, as you would expect, and I think you can feel some of that in this Chamber this afternoon because of these personal losses and individuals who were killed, and also because of the threat that this is to every public safety officer in our country.

I'm so proud to be able to speak about this resolution honoring the lives and mourning the deaths of four Oakland, California, Police Department officers. Their names have been mentioned, but I think they deserve being mentioned over and over again: Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege.

I hope that it's a comfort to their families and to their friends that so many people throughout our country, starting with the President of the United States, the dignitaries that Congresswoman LEE said were at the service, and spoke, some of them, at the service. But probably more important than all of that are all of the people, the everyday people in the country, in Oakland, and the Bay Area, who feel this loss very, very personally.

In our resolution that has been put forth by the committee, we talk about these four brave officers and that ''the senseless slayings of Sergeants Dunakin, Romans, and Sakai, and Officer Hege represents the first multiple-fatality shooting of law enforcement officers in the United States in more than a year.'' And, ''whereas the killing of'' these gentlemen represents the deadliest incident in California public safety since the Newhall Incident, which was referenced by Congresswoman LEE. That was a long time ago, 40 years ago, and these senseless killings ''serve as a reminder that the risks assumed by police officers daily in serving and protecting their communities continues to be enormous.''

It recognizes the bravery, the devotion to duty, and the love of community of these fallen heroes, and that they have forever earned a place in the hearts and memories of the citizens they willingly risked their lives for.

Congresswoman LEE went into the personal stories of Sergeant Dunakin, Sergeant Romans, Sergeant Sakai and Officer Hege. So I won't repeat that except to take pride in their personal lives, as well as their professional execution of their duties.

And whereas, in this resolution, we say, ''in the face of this horrible loss, the people of Oakland, California, have come together and rededicated themselves to making Oakland'' a better place as the Congresswoman referenced, I also want her to know that our entire State feels their pain, prays for the families of those who were lost, and also extends our sympathy to all of them.

I think I can say that without any fear of contradiction that, as Speaker of the House, I speak for all of us here when I say to those families, thank you, we're sorry, we're praying for you, and your loved ones will always have a place in our hearts and in history as heroes for our people.

Mr. POE of Texas. I reserve the balance of my time.

Mr. CONYERS. I'm pleased now to yield as much time as he may consume to the gentleman from California (Mr. MCNERNEY), a cosponsor.

Mr. MCNERNEY. Thank you, Mr. Chairman.

Madam Speaker, I rise in support of H. Res. 290, a resolution honoring the lives, and mourning the loss, of four Oakland police officers who made the ultimate sacrifice in the line of duty.

Madam Speaker, these were men of flesh and blood, with dreams and hopes and families, and their lives were cut short by senseless violence this month. I just want to say a few words about each one of them in honor of their sacrifice.

Sergeant Mark Dunakin lived in my district and served in Oakland for 18 years as a police officer, the last 10 of which as a sergeant in the criminal investigation division. His work investigating homicides made our streets safer and more secure. Sergeant Dunakin, from Tracy, California, leaves behind a wife and three children.

Sergeant Ervin Romans, who was also a resident in my district, was considered one of the most skillful and knowledgeable members of the Oakland Police Department's SWAT team. Sergeant Romans, a former Marine, made a number of high-profile drug arrests during his tenure in the narcotics department. He was known for his dedication and work ethic. Sergeant Romans, a resident of Danville, also leaves behind a wife and three children.

Sergeant Daniel Sakai, only 35 years young, studied forestry at UC Berkeley, where he also served as a campus community service officer. He began his dedication in service to community as a Boy Scout, eventually obtaining the rank of Eagle Scout. He leaves behind a wife and a young daughter who will miss him dearly.

Officer John Hege recently achieved his dream of joining the department's motorcycle unit before that fateful Saturday. Before he joined the force, he was a teacher in Hayward. He continued to work with teens even after he became a police officer, serving as a high school baseball umpire. He was known for his cheerful attitude, friendly nature, and his eagerness to help those in need.

Madam Speaker, these officers represented the best our society has to offer. They will be sorely missed, but their dedication to duty is an example for all of us. I join all of northern California, and the Nation, in mourning their loss and honoring these heroes.

Mr. POE of Texas. I continue to reserve my time.

Mr. CONYERS. Madam Speaker, I'm pleased to yield as much time as he may consume to the gentleman from Michigan (Mr. STUPAK), who represents the Upper Peninsula and is a former law enforcement person himself.

Mr. STUPAK. Madam Speaker, I thank the chairman for yielding to me.

I rise in support of this resolution and to pay tribute to the four Oakland Police Department officers who were fatally shot in the line of duty on March 21.

Sergeants Mark Dunakin, Ervin Romans, Daniel Sakai, and motorcycle officer John Hege were brutally murdered on a Saturday afternoon during the course of what began as a routine traffic stop and resulted in a massive manhunt.

The shootings were the deadliest incident for U.S. law enforcement since 9/11 and the deadliest in California in 40 years. Although these tragic events occurred more than 2,000 miles from my district, the people of northern Michigan join Oakland, California, and the Nation in paying tribute to these true heroes.

Sergeant Ervin Romans, who died of gunshot wounds in the second of the two shooting incidents on that day, was the son of Chester and Sueko Romans of Ironwood Township in Michigan's Upper Peninsula.

Family and friends in Ironwood and across the Upper Peninsula have, in recent days, shared fond memories of Sergeant Romans. Although he was living and working in California as a SWAT team leader for the Oakland Police Department, Sergeant Romans grew up in Ironwood, where he graduated from Luther L. Wright High School in 1983 before leaving to become a decorated Marine.

After his service to our Nation in the Marine Corps and as an Oakland Housing Authority police officer, Romans dreamed of joining the Oakland Police Department. That dream came true in 1996. In 1999, Romans received the department's highest honor, the Medal of Valor, for helping save residents in a West Oakland fire.

He was promoted to sergeant in 2005 and worked narcotics cases and on the crime-reduction team, which was worked to combat street-level narcotics problems and associated violence. Ervin Romans was also a firing range master sergeant.

Sergeant Romans was one of the SWAT steam members who on March 21 stormed the apartment where parolee and suspect Lovelle Mixon was hiding in a closet. Sergeant Romans was shot inside the apartment and died of gunshot wounds later that day.

Ervin, or Erv to his family and friends, was a son, husband and father of three. He lived in Danville, California, with his wife, Laura, and three children, Kristina, Justin and Kayla.

Childhood friends and family remaining in the Ironwood area will pay tribute to Sergeant Romans at a funeral service in Ironwood on April 4.

As a former Escanaba City Police Officer and Michigan State Police Trooper, the loss of a law enforcement officer is especially painful. When I came to Congress, I founded the Law Enforcement Caucus, which exists to advocate for police officers and their families all across our country. This shooting reminds us how men and women in law enforcement face unknown dangers every day to keep us safe and our families safer.

Like so many law enforcement officers across our country, Sergeants Romans, Dunakin, Sakai, and Officer Hege dedicated their lives to our safety. Madam Speaker, I join Congresswoman LEE and all of my colleagues in honoring these men for their service and sacrifice, and in offering the condolences of the U.S. House of Representatives to their families and friends.

I thank the gentleman.

Mr. POE of Texas. I continue to reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, not a day goes by that law enforcement officers do not face danger in the mission to keep us safe from crime, acts of violence, and even terrorism.

As founder and a co-chairman of the Congressional Victims Rights Caucus, I know unfortunately peace officers are also often victims of criminal conduct. After all, they are the last strand of wire in the fence between the law and the lawless.

Over my years as a prosecutor and a judge, I have known several police officers who gave their lives for the rest of us. Today, we are grateful for the families and to the officers of California who selflessly gave their lives while protecting the rest of us: Sergeant Dunakin, Sergeant Romans, Sergeant Daniel Sakai, and Officer John Hege.

Madam Speaker, on May 15, on the West side of the Capitol grounds, we honor all peace officers that have been killed in the line of duty in the United States. There will be thousands of peace officers from all over the United States, and the families of the slain will be not far from where we are today to honor those. This year we will honor four more from Oakland, California.

I would like to thank my colleague, the gentlewoman from California (Ms. LEE) for introducing this resolution and the chairman for expediting this legislation to the House.

Mr. HONDA. Madam Speaker, today, the House of Representatives considered H. Res. 290, a resolution honoring the lives and mourning the tragic loss of four Oakland police officers who were killed in the line of duty. I commend the valor of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege. These men were not just police officers, but fathers, sons, brothers, husbands, and friends. My heart goes out to those closest to them, that they may find comfort and peace in their friends and families.

Police officers risk their lives every day to keep Americans safe, and their heroic deeds do not go unnoticed by their communities. Candlelight vigils and prayer ceremonies throughout California as well as the huge swell of public emotion at the passing of these four brave police officers show that Americans understand and value the sacrifices made by police officers.

I stand in solidarity with these supporters, and vow that we will not forget these four brave men. We will keep them in our hearts as we strive to make cities and communities safer and bring crime rates down. We will keep them in our minds as we attempt to do a better job of reforming convicts and rehabilitating parolees. As we consider this resolution today, let us rededicate ourselves to the protection of our communities and our law enforcement, so that the deaths of these four men will not have been in vain.

Mr. STARK. Madam Speaker, I rise today in support of H. Res. 290: Honoring the lives and mourning the loss of Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege, members of the Oakland, California Police Department.

On March 21, 2009, Sergeants Dunakin, Romans, Sakai, and Officer Hege were shot and killed in the line of duty, giving their lives to protect our community. This tragedy serves as a reminder of the great sacrifices police officers make to protect us, and underscores the need to end violent crime in our nation.

I extend my deepest gratitude for the service of Sergeants Dunakin, Romans, Sakai, and Officer Hege to the Oakland Police Department and my heartfelt condolences to their families, friends, and our community. I ask my colleagues to join me in supporting this resolution.

Mrs. TAUSCHER. Madam Speaker, I want to thank my good friend from Oakland, Ms. BARBARA LEE, for her tireless service and for introducing this resolution.

I rise today to honor the lives of four Oakland Police Officers, who were tragically killed in the line of duty on March 21, 2009. Officer John R. Hege, Sergeant Mark Dunakin, SWAT Sergeant Ervin Romans, and Sergeant Daniel Sakai.

I want to take a few moments to honor Officer Hege, a resident of Concord and California's Tenth Congressional district.

Throughout his life, John nurtured a love of sports and the outdoors. To his friends, he was "outgoing and friendly, an honest and fair-minded man." The Contra Costa Times described him "as a good-natured sports fan with a hearty laugh, nonstop energy and a heart of gold."

John was foremost a public servant. He attended Piedmont schools growing up, achieved the rank of Eagle Scout, and graduated from Saint Mary's College in Moraga in 1990. He began his career as a high school teacher, coaching and officiating basketball and football. He joined the Oakland Police Department Reserves in 1993 and became a full-time officer in 1999.

He continued his passion for teaching as a police cadet instructor. Officer Hege's lifetime of service continued until the final moments of his life. He underwent surgery to donate his organs to save the lives of four others. He is survived by his parents, John and Tamra Hege.

The brazen assault on the Oakland Police Officers is a tragic reminder of the lengths our police officers go to keep our families and communities safe. I ask all Americans to join us in honoring the life and achievements of Officer John R. Hege and his fellow officers.

Mr. POE of Texas. I yield back the remainder of my time and urge the adoption of this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the resolution, H. Res. 290.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1715

FREE FLOW OF INFORMATION ACT OF 2009

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 985) to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 985

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 ''Free Flow of Information Act of 2009''.

SEC. 2. COMPELLED DISCLOSURE FROM COVERED PERSONS.

(a) CONDITIONS FOR COMPELLED DISCLOSURE.—In any matter arising under Federal law, a Federal entity may not compel a covered person to provide testimony or produce any document related to information obtained or created by such covered person as part of engaging in journalism, unless a court determines by a preponderance of the evidence, after providing notice and an opportunity to be heard to such covered person—

(1) that the party seeking to compel production of such testimony or document has exhausted all reasonable alternative sources (other than the covered person) of the testimony or document;

(2) that—

(A) in a criminal investigation or prosecution, based on information obtained from a person other than the covered person—

(i) there are reasonable grounds to believe that a crime has occurred; and

(ii) the testimony or document sought is critical to the investigation or prosecution or to the defense against the prosecution; or

(B) in a matter other than a criminal investigation or prosecution, based on information obtained from a person other than the covered person, the testimony or document sought is critical to the successful completion of the matter;

(3) in the case that the testimony or document sought could reveal the identity of a source of information or include any information that could reasonably be expected to lead to the discovery of the identity of such a source, that—

(A) disclosure of the identity of such a source is necessary to prevent, or to identify any perpetrator of, an act of terrorism against the United States or its allies or other significant and specified harm to national security with the objective to prevent such harm;

(B) disclosure of the identity of such a source is necessary to prevent imminent death or significant bodily harm with the objective to prevent such death or harm, respectively;

(C) disclosure of the identity of such a source is necessary to identify a person who has disclosed—

(i) a trade secret, actionable under section 1831 or 1832 of title 18, United States Code;

(ii) individually identifiable health information, as such term is defined in section 1171(6) of the Social Security Act (42 U.S.C. 1320d(6)), actionable under Federal law; or

(iii) nonpublic personal information, as such term is defined in section 509(4) of the Gramm-Leach-Biley Act (15 U.S.C. 6809(4)), of any consumer actionable under Federal law; or

(D)(i) disclosure of the identity of such a source is essential to identify in a criminal investigation or prosecution a person who without authorization disclosed properly classified information and who at the time of such disclosure had authorized access to such information; and

(ii) such unauthorized disclosure has caused or will cause significant and articulable harm to the national security; and

(4) that the public interest in compelling disclosure of the information or document involved outweighs the public interest in gathering or disseminating news or information.

(b) AUTHORITY TO CONSIDER NATIONAL SECURITY INTEREST.—For purposes of making a determination under subsection (a)(4), a court may consider the extent of any harm to national security.

(c) LIMITATIONS ON CONTENT OF INFORMATION.—The content of any testimony or document that is compelled under subsection (a) shall—

(1) not be overbroad, unreasonable, or oppressive and, as appropriate, be limited to the purpose of verifying published information or describing any surrounding circumstances relevant to the accuracy of such published information; and

(2) be narrowly tailored in subject matter and period of time covered so as to avoid compelling production of peripheral, nonessential, or speculative information.

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed as applying to civil defamation, slander, or libel claims or defenses under State law, regardless of whether or not such claims or defenses, respectively, are raised in a State or Federal court.

(e) EXCEPTION RELATING TO CRIMINAL OR TORTIOUS CONDUCT.—The provisions of this section shall not prohibit or otherwise limit a Federal entity in any matter arising under Federal law from compelling a covered person to disclose any information, record, document, or item obtained as the result of the eyewitness observation by the covered person of alleged criminal conduct or as the result of the commission of alleged criminal or tortious conduct by the covered person, including any physical evidence or visual or audio recording of the conduct, if a Federal court determines that the party seeking to compel such disclosure has exhausted all other reasonable efforts to obtain the information, record, document, or item, respectively, from alternative sources. The previous sentence shall not apply, and subsections (a) and (b) shall apply, in the case that the alleged criminal conduct observed by the covered person or the alleged criminal or tortious conduct committed by the covered person is the act of transmitting or communicating the information, record, document, or item sought for disclosure.

SEC. 3. COMPELLED DISCLOSURE FROM COMMUNICATIONS SERVICE PROVIDERS.

(a) CONDITIONS FOR COMPELLED DISCLOSURE.—With respect to testimony or any document consisting of any record, information, or other communication that relates to a business transaction between a communications service provider and a covered person, section 2 shall apply to such testimony or document if sought from the communications service provider in the same manner that such section applies to any testimony or document sought from a covered person.

(b) NOTICE AND OPPORTUNITY PROVIDED TO COVERED PERSONS.—A court may compel the testimony or disclosure of a document under this section only after the party seeking such a document provides the covered person who is a party to the business transaction described in subsection (a)—

(1) notice of the subpoena or other compulsory request for such testimony or disclosure from the communications service provider not later than the time at which such subpoena or request is issued to the communications service provider; and

(2) an opportunity to be heard before the court before the time at which the testimony or disclosure is compelled.

(c) EXCEPTION TO NOTICE REQUIREMENT.—Notice under subsection (b)(1) may be delayed only if the court involved determines by clear and convincing evidence that such notice would pose a substantial threat to the integrity of a criminal investigation.

SEC. 4. DEFINITIONS.

In this Act:

(1) COMMUNICATIONS SERVICE PROVIDER.—The term ''communications service provider''—

(A) means any person that transmits information of the customer's choosing by electronic means; and

(B) includes a telecommunications carrier, an information service provider, an interactive computer service provider, and an information content provider (as such terms are defined in sections 3 and 230 of the Communications Act of 1934 (47 U.S.C. 153, 230)).

(2) COVERED PERSON.—The term ''covered person'' means a person who regularly gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public for a substantial portion of the person's livelihood or for substantial financial gain and includes a supervisor, employer, parent, subsidiary, or affiliate of such covered person. Such term shall not include—

(A) any person who is a foreign power or an agent of a foreign power, as such terms are defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

(B) any organization designated by the Secretary of State as a foreign terrorist organization in accordance with section 219 of the Immigration and Nationality Act (8 U.S.C. 1189);

(C) any person included on the Annex to Executive Order No. 13224, of September 23, 2001, and any other person identified under section 1 of that Executive order whose property and interests in property are blocked by that section;

(D) any person who is a specially designated terrorist, as that term is defined in section 595.311 of title 31, Code of Federal Regulations (or any successor thereto); or

(E) any terrorist organization, as that term is defined in section 212(a)(3)(B)(vi)(II) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(vi)(II)).

(3) DOCUMENT.—The term ''document'' means writings, recordings, and photographs, as those terms are defined by Federal Rule of Evidence 1001 (28 U.S.C. App.).

(4) FEDERAL ENTITY.—The term ''Federal entity'' means an entity or employee of the judicial or executive branch or an administrative agency of the Federal Government with the power to issue a subpoena or issue other compulsory process.

(5) JOURNALISM.—The term ''journalism'' means the gathering, preparing, collecting,

photographing, recording, writing, editing, reporting, or publishing of news or information that concerns local, national, or international events or other matters of public interest for dissemination to the public.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. CONYERS. I ask unanimous consent to revise and extend my remarks and that all Members have 5 legislative days to revise and extend their remarks as well and include extraneous material on the bill under consideration.

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

There was no objection.

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

Members of the House, the Free Flow of Information Act creates a qualified privilege to protect journalists from being compelled to disclose confidential sources or other than nonpublic information that they have collected in the course of their reporting.

This is a very important and sensitive matter. I want to point out that the gentleman from Virginia, a senior member of the Judiciary Committee, has worked on and authored this bill for a number of years. It has been modified and brought before us. I think that it's of critical importance and continues to deserve the overwhelming support of this body, which it has received.

Right at this moment, a Pulitzer Prize-winning reporter from the Detroit Free Press, David Ashenfelter, faces possible contempt charges for refusing to disclose sources who exposed serious prosecutorial misconduct. The bill has been carefully tailored, as will be explained.

There's one other person I would like to single out for their excellent testimony in the last Congress, and that is Pulitzer Prize winner William Safire, who gave some very important insights into the scope and significance of this bill.

We think that this is critical. It's supported by editorial boards, media companies, organizations, associations, News Corp, and all broadcast networks. We urge that this measure be given the careful consideration that it is due.

I would also like to single out the gentleman from Indiana, MIKE PENCE, a distinguished member of the committee, and BOB GOODLATTE of Virginia, whose efforts were vitally important in strengthening the bill and ensuring that it is a truly bipartisan measure that comes before the House today.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the United States has enjoyed a free press for over 200 years because it is guaranteed to us in the Constitution. Our Founders understood that a free press protects and perpetuates our democracy.

There has been no Federal media shield law to protect journalists' sources because there has been no evidence of a need. No more than 17 journalists during the past 25 years have been jailed for refusing to testify before a grand jury. They were not singled out for punishment. Every American called to testify before a grand jury must cooperate or face this very same consequence.

Nor is there any evidence that potential sources have withheld critical information from reporters because of a fear of being identified. Just look at the scandals that are regularly uncovered—from Watergate to the recent mistreatment of soldiers at Walter Reed Medical Center.

In the 37 years since the Supreme Court ruled that the first amendment does not shield a reporter from testifying in a grand jury proceeding, the media have had no problem exposing corruption and injustice.

Unfortunately, this bill raises serious law enforcement and national security concerns. However well-intentioned, H.R. 985 will compromise the work of the Justice Department and other Federal agencies charged with crime-fighting, intelligence-gathering, and national security matters.

The bill we are considering today creates a press ''privilege'' under which courts cannot compel reporters to provide information they need to fight crime.

Protecting anonymous sources should never be more important than protecting the American people or solving crimes that can save lives. While confidentiality is vital to the work of a reporter, national security is essential to the preservation of a free nation.

For example, the exception to the privilege in this bill—to prevent a terrorist attack or imminent bodily harm—will not help in investigations after the attack has already occurred.

Under the bill, law enforcement officials could have obtained information identifying a reporter's source on September 10, 2001, for example, to prevent the terrorist attacks, but could not have acquired that same information on September 12 to track down the terrorists.

Similarly, officials could acquire information regarding a reporter's source to prevent the molestation of a child, but they could not get that same information to bring a sexual predator to justice after the assault.

Concerning classified information leaks, former Attorney General Michael Mukasey wrote in an editorial following the House vote in 2007: ''Leaking classified information is itself a crime, but in order for the government to get source information from a journalist in a leak investigation, it must show that the leak caused significant articulable harm to national security, that the information was properly classified, and the person who leaked it was authorized to have it.

''Thus, a would-be leaker of classified information could simply give it to someone not authorized to have it, urge that person to leak it, and thereby prevent the government from investigating the crime.

''This bill effectively cripples the government's ability to identify and prosecute leakers of classified information. Ironically, a bill styled as a 'reporter's shield' would have the perverse effect of shielding would-be leakers.''

Look at the range of crimes where a reporter would be able to hide his source: Corporate and financial crimes—very relevant these days; human trafficking, gun and drug trafficking; gang activity; and other criminal activity that might not result in a direct risk of imminent death or significant bodily harm, even though we all have a strong interest in preventing such crimes.

H.R. 985 creates a privilege that allows reporters to avoid a civic duty. The bill goes beyond promoting a free press. It confers on the press a privileged position. It exempts journalists from the same responsibilities that all others have in a criminal investigation. This new privilege has no precedent in American legal history.

This bill is not about protecting the public's right to know about corruption or malfeasance that already exists. It's about giving a reporter a special privilege at the expense of our national crime-fighting efforts.

To quote a high-ranking official from the Office of the Director of National Security during last Congress' debate, the media shield bill ''makes it very difficult to enforce criminal laws involving the unauthorized disclosure of classified information and could seriously impede other national security investigations and prosecutions, including terrorism prosecutions.''

As a former reporter, I sympathize with journalists not wanting to reveal their sources. But as a Member of Congress I have a responsibility to see that law enforcement and intelligence officials who keep us safe can do their jobs. This bill creates serious law enforcement and national security problems without sufficient justification.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from Virginia will control the time of the gentleman from Michigan.

There was no objection.

Mr. BOUCHER. Madam Speaker, I yield myself 6 minutes.

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

Mr. BOUCHER. I want to begin by extending my personal appreciation to

the chairman of the House Judiciary Committee, the gentleman from Michigan (Mr. CONYERS) for his determined effort to bring the Free Flow of Information Act to the floor of the House today and for the strong support in the last Congress and again in this Congress that he and his outstanding staff are providing to protect the public's right to know.

The bill that is before the House today is identical to the bill that passed the House in the last Congress by a vote of 398–21. It is a bipartisan measure which, this year, as in the previous Congress, I was pleased to introduce and partner with our Republican colleague, the gentleman from Indiana (Mr. PENCE), and 49 other cosponsors in the House.

I want to acknowledge Mr. PENCE's leadership and his deep commitment to protecting freedom of the press. It has been a tremendous privilege to have this opportunity to work with him toward the passage of this needed measure.

I also want to thank our Virginia colleague, BOB GOODLATTE, for his leadership and his strong support of the bill in this Congress. Mr. GOODLATTE and I have worked together to promote a range of national policies. We cochair, for example, the Congressional Internet Caucus. It is also a pleasure to work with him in this Congress in order to promote passage of the Free Flow of Information Act.

I want to comment for a moment today on the fact that in 2007 on this floor this bill received the outstanding vote of 398–21. That sweeping majority occurred by virtue of the careful work that was done by the House Judiciary Committee 2 years ago when the committee considered this legislation.

Members on both sides of the aisle participated. They offered good suggestions for improving the legislation—for the addition of circumstances when disclosure of information could be compelled, including numerous provisions of compelled disclosure for the purpose of protecting the national security. Those national security protections are deeply embedded in the bill that we are considering today.

It was an excellent committee process, rewarded on this House floor by a vote of 398–21 in favor. The measure was not considered on the Senate floor in the last Congress and so we begin the process again today with House consideration.

The Free Flow of Information Act protects the public's right to know. This is really not about protecting journalists, as my friend from Texas would suggest. The privilege is conferred upon journalists, but it is for the purpose of protecting the public's right to know.

The bill promotes the flow of information to the public about matters of large public interest where public disclosure is needed so that corrective action can be taken in order to prevent or correct a deep harm to society, so that legislation can be introduced to correct that harm, so that a lawsuit can be filed or a criminal prosecution be launched once the public is apprised of what in fact is happening that constitutes a harm to society.

□ 1730

Journalists serve as public watchdogs, bringing sensitive matters to light, and the bill before us enables them to do a better job of it.

Often, the best information that can be obtained about matters of large public interest that involve corruption in government or misdeeds in a large organization like a corporation or a large public charity will come from a person on the inside of that organization who knows what is happening, who knows about the harm to the public interest that is occurring, and feels a public responsibility to pick up a telephone and call a reporter and bring that critical information to public scrutiny. But that person has a lot of lose.

If his or her identity becomes known, that person can become punished, often by the individual who is responsible for the wrongdoing inside that organization. And so, in the absence of the ability of reporters to extend a pledge of confidentiality to protect the identity of that person on the inside, that information will never come to public light, and there will never be an opportunity for the public to take corrective action.

This is why we call our bill the Free Flow of Information Act. Passing this measure, conferring upon journalists a limited privilege to refrain from revealing confidential source information, will ensure that that vital information flows freely to the public so that corrective action in this Congress or in other legislative forums or in the courts can thereafter be taken.

The measure extends in Federal court proceedings a qualified privilege for reporters to refrain from testifying or producing documents, and a qualified privilege to refrain from revealing the identity of confidential sources.

Throughout the bill, there are provisions protecting the national security; and where it is appropriate to protect national security, disclosure of information can be compelled, disclosure of source information can be required, and reporters can in fact be required to testify in Federal court proceedings. The bill very carefully balances the need to protect the national security with the need to assure the free flow of information.

Madam Speaker, it is a carefully written measure which strengthens freedom of the press and protects the public's right to know. I strongly urge its approval today by the House.

I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. KING), a member of the Judiciary Committee.

Mr. KING of Iowa. Madam Speaker, I thank the gentleman for yielding and for his leadership on this issue.

This is one of those issues that has a lot of support across the country because there are a lot of reporters across the country that are interested in making sure they have the last full measure of protection they can possibly have for their particular profession. And all of us, in whatever profession we are, see ourselves as the consummate professionals without regard to competing professions.

I would ask the question, what are we trying to fix here? What is the problem that this legislation seeks to address? And one of those is the lack of conformity between the States; I recognize that. But we only have, in the last 25 years, 17 incidents of reporters that have been incarcerated for their refusal to divulge their sources. The most public of those would be the case of Judith Miller in the Scooter Libby investigations that were conducted by the Special Prosecutor, Patrick Fitzgerald, Madam Speaker. And I asked myself during that entire investigation, why didn't they just ask Robert Novak? That would have answered the question.

And if I ask the question today, what was truth and what was fiction in all that? That may be a matter of record, but it is not a matter of public knowledge, even among us here. So it turned out it was Richard Armitage and not Scooter Libby. Scooter Libby was still prosecuted and convicted. I think that Judith Miller's 85 days in jail, if she had that to do over again, she still testified and she still had her agreement with her source.

This goes on and on, 200-plus years, and now we have journalists that have to have special protection without having at least a breadth of statistical data that would support this advocacy that is part of this bill.

And I will tell you, as one who has been in the public eye for some time today, Madam Speaker, that I don't think I am treated objectively by all of the media. I don't think I need to bring a law to this Congress and ask that, for example, to give a Member of Congress a cause of action to bring litigation against a journalist if they happen to be unethical or inaccurate or untruthful. We just go ahead and take that, because that is part of being in the public eye.

The protections are there. There is already sufficient judicial restraint on moving to bring to cause these journalists who speak. Their sources are protected substantially by the tradition and the effects of the court.

And I will submit also another argument, Madam Speaker, and that is that special professional protection is preserved by the States for certain professions. Priests and pastors, for example. They are considered to have a certain privilege with the people that they counsel and minister to, and we try not to crack into that source. And there will be other examples.

For example, a medical doctor or any type of a doctor who has patients. The

patient and the doctor relationship is protected in confidentiality. And we have attorney-client relations, too, that we are very well familiar with in this Congress. All of those are professional relationships. All of those are relationships with people who are skilled.

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

Mr. SMITH of Texas. I yield the gentleman an additional 2 minutes.

Mr. KING of Iowa. I thank the gentleman from Texas.

Madam Speaker, all of those professions that I mentioned are professions where we have people that are trained, that are essentially certified, whether it is by their denomination, by their education, or by their licensing, and those privileges are preserved for clear reasons. This is a privilege that is preserved for the sake of protecting the journalist only, and without an abuse of that confidentiality at this point, without a judicial abuse.

Seventeen cases in 25 years, I would make the argument that this is a solution in search of a problem. It is something that I think sends a message out to the journalistic world. And maybe those of us who will stand up against it will be subject to a certain amount of public criticism. I can face that. I have faced a lot of it. It is part of the price of being in the public eye. Part of the price of being a journalist then is to on a rare occasion, out of the thousands of journalists, 17 in a quarter of a century have been brought forward and said it is in the interests of the court that you go ahead and divulge your source, or at least divulge the information.

And I know that there has been an effort made to tighten this legislation up a little bit, and I appreciate the gentleman's work and due diligence on this. One of the words that was added to the definition of a covered person is the word a person who regularly, the word ''regularly'' gathers, prepares, collects, photographs, records, writes, edits, reports, or publishes news or information.

This definition of a covered person is tightened up because they have to be regular rather than irregular in their behavior; but I think this covers about anybody that is a journalist, unless they are listed in the exemptions rather than the definition of the bill, Madam Speaker.

So I will submit that the level of professionalism that has been demonstrated, although there are many high-quality professionals in the journalistic business, has not risen to the level where I am willing to give that kind of professional special protection, especially because we have had national secrets that have been divulged into the national and international media arena, done so out of this posturing of it is a public service to divulge national secrets. And I will submit, Madam Speaker, that that is not in our national interest, and I oppose this bill.

Mr. BOUCHER. Madam Speaker, this is a deeply bipartisan measure with bipartisan participation in the construction, committee consideration and drafting of the legislation.

I am pleased now to recognize for 5 minutes the principal Republican sponsor of the measure, who has long been committed to freedom of the press and promoting the public's right to know, the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. I thank the gentleman for yielding.

Madam Speaker, I come to the floor today in support of the Free Flow of Information Act of 2009. I do so with a profound sense of humility and with a sense of privilege about being able to come to the floor today in support of this thoughtful and bipartisan measure that may, may well, be a lasting contribution to the vitality of liberty in this Nation.

The Constitution of the United States provides: Congress shall make no law abridging the freedom of speech or of the press. Not since those words were adopted has this body needed to legislate to ensure the freedom of the press. Not until today. We do so because, sadly, the free and independent press in this country is under fire. In recent years, more than 30 journalists have been subpoenaed, questioned, or held in contempt for failure to reveal their confidential sources.

For a journalist, maintaining the assurance of confidentiality of a source is sometimes the only way to bring forward news of great consequence to the Nation. Being forced to reveal sources chills the reporting of the news and restricts the free flow of information to the public.

As a conservative who believes in limited government, I believe the only check on government power in real-time is a free and independent press. A free press ensures the flow of information to the public. And, let me say, during a time when the role of the government in our lives and in our enterprises seems to grow every day, ensuring the vitality of a free and independent press is more important than ever.

In order to maintain this charge, I coauthored the Free Flow of Information Act with my colleague from Virginia, Congressman RICK BOUCHER. I would like to take a moment to thank my partner in this legislation. He is truly the gentleman from Virginia. For over 4 years, we have worked on this issue in a spirit of bipartisanship. RICK BOUCHER is a champion of the first amendment. It has been my great privilege to work with him.

I also want to commend the chairman of this committee, Chairman CONYERS, Vice Ranking Member BOB GOODLATTE, and Representatives COBLE and BLUNT, without whose efforts in the last Congress the bipartisan compromise in this bill would not have been possible.

The bill is known as the Federal Media Shield. It provides a qualified privilege of confidential sources to journalists, enabling them to shield sources in most instances from disclosure. But the bill is not about protecting journalists; it is about protecting the public's right to know.

It received wide bipartisan support in the last Congress, and I hope in this, because we addressed the very real and legitimate concerns about how a privilege for journalists could impact security at the national level. The Federal Government, we acknowledge, is tasked with the tremendous responsibility of protecting our country, and we must also keep national security concerns in the forefront. I submit, the Free Flow of Information Act does just that.

Many Americans will assume that the fining and imprisonment of journalists is something confined to tyrannical regimes in far corners of the world. They might be surprised to learn that the United States does not have a Federal law on the books that prevents that from occurring. More than three-fourths of State Attorneys General have written Congress in support of this legislation. In fact, 49 States and the District of Columbia had already recognized a journalist's privilege to protect confidential sources.

It is important to emphasize, this bill only provides a qualified privilege; meaning, the disclosure of a source's identity may be required in certain situations, as described by my colleague from Virginia.

With this I close: Long ago, Thomas Jefferson warned, ''Our liberty cannot be guarded but by the freedom of the press nor that limited without danger of losing it.'' Jefferson's words ring into this chamber today.

The passage of the Free Flow of Information Act I believe is necessary and consistent with that charge to not only explicitly and fully provide for the freedom of the press in our Nation but protect the liberty of future generations.

With the bipartisan support of my colleagues and Congress and this new administration, let us seize this opportunity to put a stitch in this tear in the first amendment, freedom of the press, and let us do our part to ensure the vitality of a free and independent press for ourselves and our posterity.

I urge my colleagues to join me and our bipartisan support for the Free Flow of Information Act of 2009.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), who is also a member of the Judiciary Committee and a member of the Crime Subcommittee. And I am yielding him 2 minutes in the hopes that he will reconsider his position.

Mr. POE of Texas. I thank the gentleman for yielding. I have the greatest

respect for the ranking member, my friend, Mr. SMITH from Texas, and I appreciate his legal analysis of this legislation. But I do rise in support of the Free Flow of Information Act.

This act is a Federal shield law that would protect the identities of reporters' confidential sources. By protecting the sources of reporters, we protect the public interest and the free flow of information to the public. Forty-nine States and D.C. have some form of protection for reporters' confidential sources, but there is no Federal standard in place. This lack of consistency actually weakens State shield laws.

Madam Speaker, if reporters back in Texas are worried about reporting the whole story to the public because someone might slap a subpoena in their face, the public suffers. Whistleblowers and other potential sources are more hesitant to come forward with information.

Even though I am a former prosecutor, prosecutors should not make their criminal cases based upon confidential information that is given to reporters by forcing those reporters before grand juries to reveal the names of those sources.

This bill protects the first amendment; in fact, it encourages the first amendment, while making appropriate exceptions for some serious criminal investigations.

□ 1745

I want to thank my colleague from Virginia for introducing this important piece of legislation that supports the first amendment provision of a free press and encourages free speech by citizens. Therefore I urge the adoption of this legislation.

Mr. BOUCHER. Madam Speaker, at this time, I'm pleased to yield 3 minutes to the vice ranking member of the House Judiciary Committee, a distinguished Republican Member of this House and a good friend with whom I'm pleased to serve in the Virginia delegation, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I thank the gentleman for yielding.

Madam Speaker, I rise in support of H.R. 985, the Free Flow of Information Act, which will encourage whistleblowers by protecting journalists' confidential sources. This bipartisan bill will bolster the free press as a very important check on government power.

I had concerns with this legislation last year when we considered it in the Judiciary Committee, and I worked with my good friends, Representatives BOUCHER and PENCE, to have many of these items addressed before it reached the House floor.

For example, the bill now requires that in order to receive the protections of the media shield law, a journalist must be engaged in the ''regular'' practice of journalism for ''a substantial portion of the person's livelihood'' or ''for substantial financial gain.'' This will help ensure that an individual who has no journalistic experience cannot attempt to protect himself by creating a blog overnight.

In addition, the bill contains a broader exception that allows compelled disclosure of information when national security is at stake, when there are leaks of classified information, and when the journalist was an eyewitness to a criminal act or tort.

This legislation will enhance the freedom of the press and thus provide for a more informed and engaged citizenry. In addition, the improvements to the bill will help ensure that the interests of justice and national security are protected.

It is for these reasons that I support the Free Flow of Information Act and urge my colleagues to support it as well. I want to thank all those who have worked on this measure on both sides of the issue. I think we have created an improved bill and one that I am very pleased and proud to support.

Mr. SMITH of Texas. Madam Speaker, we just have one more speaker on this side, so I will reserve the balance of my time.

Mr. BOUCHER. Madam Speaker, at this time, I'm pleased to yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Thank you for yielding. And I want to congratulate my friend, Mr. BOUCHER and also Mr. PENCE for this terrific piece of legislation.

Madam Speaker, I rise as a proud member of the Society of Professional Journalists in strong support of the Free Flow of Information Act.

As a former journalist, I have seen the assurance of anonymity put a frightened insider at ease and turn a reluctant source into an eye-opening wealth of information.

In my hometown of Louisville, we witnessed what happens when a source's identity is not protected. There, Jeffrey Wigand, the famous tobacco whistleblower, was victimized by threats and intimidation, ultimately losing his job, his family and his home. His selfless efforts are largely seen as heroic, but for many, the lesson is: If you have sensitive information that would benefit the American public, keep it to yourself.

We also know that if it had not been for the confidence of sources that they wouldn't be revealed that the incident at the Watergate and the more recent scandals at Walter Reed Hospital might never have come to light.

In a time when we have seen how the inner workings of corporations and government can have catastrophic effects on our country as a whole, it is as important as ever to protect this conduit to information, the anonymous source. Until we can guarantee that security, good journalists will be jailed, conscience-driven and law-abiding Americans will be silenced, and information that is critical to all of our lives will be locked away from the American people.

I would like to respond quickly to two things that were said by my colleague from Iowa (Mr. KING). One is that there is no need to give special protection to the media. As Mr. PENCE pointed out, the Founding Fathers decided to give special protection to the media. They granted them freedom of the press. And there is no freedom of the press without the ability to protect your sources. And secondly, there was a question raised as to whether there was an abundance of information that would demonstrate a need. We don't know how many thousands of potential sources have been silenced by fear that they might be revealed in the press. It is kind of like saying ''we haven't been attacked since 9/11.'' We don't know. But we do know, as in the case of Jeffrey Wigand, what happens when a source is revealed.

So once again, as someone who has spent many years as a writer and editor in the United States and who is very grateful for the protections of the first amendment, I strongly urge my colleagues to support this important legislation.

Mr. SMITH of Texas. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, Congress should not legislate in the absence of a problem. And here, there is no problem. The Supreme Court ruled in 1972 that no reporter's privilege is found in the Constitution or the common law.

In the past 37 years, thousands of stories about malfeasance and scandals have been reported by local, national and international news outlets in the United States. These stories have covered a variety of subjects, many with the participation of anonymous sources.

Yet the premise of H.R. 985 is contradicted by the facts. These stories were written despite no Federal shield bill. In fact, let's examine a real-world example illustrating how the media might use this privilege. Supporters of H.R. 985 often cite the so-called ''BALCO case'' as a justification for the bill. But what really happened? BALCO was an organization involved in the illegal distribution of steroids to professional athletes. Reporters for the San Francisco Chronicle wrote more than 100 stories on the case without benefit of illegally leaked grand jury testimony. But an attorney for one of the defendants eventually leaked testimony, which the reporters used in other stories.

During an investigation, the lawyer stated under oath that he had not leaked information. In fact, he claimed the government leaked it, thereby creating a pretext for him to request that the court dismiss the case against his client. He was eventually exposed and prosecuted. Nothing was done to the reporters who refused to identify their source. In other words, the BALCO reporters used illegally-leaked information they didn't need to report on the

case, all the while protecting a disreputable attorney who perjured himself before a Federal Court. Yet this case is cited as a modern-day justification for a shield bill to protect reporters and ''the public's right to know.''

But what happened in BALCO pales in comparison to what may happen to crime-fighting and national security if this bill becomes law. The Justice Department has developed internal guidelines that govern how they interact with reporters during investigations. For example, these guidelines require U.S. Attorneys to obtain information through alternative sources when possible. But the biggest difference between the guidelines and the bill is that the guidelines are administered flexibly. In an age of terrorism when the timely acquisition of information is indispensable to crime-fighting, U.S. Attorneys should not have to spend time satisfying the multipart test of H.R. 985.

The entire structure of the bill inflexibly requires the Department of Justice to meet certain threshold requirements before they can acquire some information. Exceptions in the bill to provide greater access to such information are limited and do not cover a wide range of Federal criminal investigations. And the prospective nature of some of the exceptions, to prevent a terrorist attack or imminent bodily harm, will not help in investigations after an attack has already occurred.

We have seen time and time again in the last few weeks where rushing legislation through without benefit of a hearing or expert testimony has led to unintended consequences. Regarding this bill, we still haven't heard what the Attorney General or the Director of National Intelligence thinks about it. We do know that in the last administration, all these individuals opposed it.

Today, only 20 minutes are allowed in opposition to this bill. Yet it might well lead to heinous crimes that could have been prevented or solved. Terrorism hasn't gone away since the election. Neither has domestic crime. The primary function of government is to protect people. And this bill greatly complicates the ability of the government to prevent and solve crime. The press doesn't need H.R. 985 to do its job. And the public can't afford to have the government make it easier for terrorists and other criminals.

Madam Speaker, I hope my colleagues will oppose this well-intentioned but ultimately misguided piece of legislation.

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

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

Madam Speaker, I strongly urge the passage of the Free Flow of Information Act. It is legislation which confers upon reporters a privilege either to refrain from testifying in certain circumstances or to refrain from revealing confidential information sources. But the purpose of our legislation is not to protect reporters. It is to protect the public's right to know, to ensure that sensitive information that can only come from an inside source reporting on something that is happening to the disadvantage of government, because of corruption in a bureau or agency, or a harm to society that is occurring because of misdeeds in a large organization like a corporation or a large public charity can, because of an act of conscience by that inside person, come to public scrutiny in a way that the public can then take corrective action by passing a statute, by initiating a lawsuit, or by initiating a criminal prosecution. And if that inside person is not assured confidentiality, if there is an opportunity for that person's identity to be exposed, that person is going to be very reluctant to share information with a reporter to bring that information to public light. That person has a tremendous amount to lose if his or her identity is revealed. That person can be punished by firing from his or her job or through more subtle means.

So, in the absence of the ability of the reporter to extend the pledge of confidentiality, there is the very real risk that that vital information will never come to public light.

This legislation is carefully balanced. It has protections for the national security which are deeply embedded within the measure. And those were placed there through the careful bipartisan work of the House Judiciary Committee when we had our extensive markup of this measure 2 years ago. The bill before us today is identical to that measure. It passed the House 2 years ago by a vote of 398–21. And it is deserving today of the same strong support by the House of Representatives.

So, Madam Speaker, I strongly encourage the passage of the Free Flow of Information Act. I thank the bipartisan cosponsors and all of those who have participated with us as this measure has been written.

Ms. PELOSI. Madam Speaker, I rise today in strong support of legislation that helps to ensure freedom of the press. This right is a cornerstone of our democracy, and a principle that we cherish and promote around the world.

Arthur Hays Sulzberger once said, ''Freedom of the press . . . belongs to everyone—to the citizen as well as the publisher . . . The crux is not the publisher's 'freedom to print'; it is, rather, the citizen's 'right to know.' ''

The right to know, as provided by a free press, keeps our nation informed and holds those of us in government accountable.

It is appropriate that we debate media shield legislation in the same week that we will debate the federal budget. Because this legislation will make clear to confidential sources that they will be protected in most circumstances when they bring forward public evidence of waste, fraud and abuse in government and in the private sector.

News organizations are facing serious economic challenges across the country. Our policies should enable our news organizations to thrive and engage in the news gathering and analysis the American people expect.

Essential to this effort is the media shield law we debate today.

Nearly all states have recognized the importance of a free press with some form of a press shield protecting the confidentiality of journalists' sources. However, that protection is lacking at the federal level and in federal courts.

This has hampered the essential work of the press. In recent years, more than 40 reporters have been subpoenaed for the identities of confidential sources in nearly a dozen cases.

The federal government's policies and actions should protect and preserve the press's ability to speak truth to power. This legislation does so with appropriate national security safeguards, striking a careful balance between liberty and security.

Freedom of the press has long been an issue of importance to many of us in this body. When I was Ranking Member of the Intelligence Committee, I encouraged President Clinton to veto an Intelligence Authorization bill that would have made it easier to prosecute journalists. We fixed those provisions and passed a bill that both protected our nation and protected our fundamental freedoms.

Madam Speaker, today we have an opportunity to strengthen and protect the freedom of the press that has served our nation so well and to protect all journalists.

As we protect and defend our nation, we must now protect and defend the Constitution by enabling our press to be free, as our Founders envisioned. I urge my colleagues to give this legislation the strong bipartisan vote it deserves.

Mr. WU. Madam Speaker, I rise today in strong support of the Free Flow of Information Act, and I thank the chairman for his work on this important legislation.

Madam Speaker, our nation's founders understood that a free and independent press is the lifeblood of a functioning democracy.

Confidential sources supply journalists with critical information on matters of public importance. The freedom of the press to cultivate relationships with confidential sources facilitates this vital exchange.

These relationships should be protected, because it is fundamentally in the interest of our republic that the free exchange of ideas and information remain unadulterated.

We must never silence those who inform our democracy.

I urge my colleagues to join me in supporting this important legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 985.

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

A motion to reconsider was laid on the table.

ALIEN SMUGGLING AND TERRORISM PREVENTION ACT OF 2009

Ms. JACKSON-LEE of Texas. Madam Speaker, I move to suspend the rules

and pass the bill (H.R. 1029) to amend the Immigration and Nationality Act and title 18, United States Code, to combat the crime of alien smuggling and related activities, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1029

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 ''Alien Smuggling and Terrorism Prevention Act of 2009''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Alien smuggling by land, air and sea is a transnational crime that violates the integrity of United States borders, compromises our Nation's sovereignty, places the country at risk of terrorist activity, and contravenes the rule of law.

(2) Aggressive enforcement activity against alien smuggling is needed to protect our borders and ensure the security of our Nation. The border security and anti-smuggling efforts of the men and women on the Nation's front line of defense are to be commended. Special recognition is due the Department of Homeland Security through the United States Border Patrol, United States Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement, and the Department of Justice through the Federal Bureau of Investigation.

(3) The law enforcement community must be given the statutory tools necessary to address this security threat. Only through effective alien smuggling statutes can the Justice Department, through the United States Attorneys' Offices and the Domestic Security Section of the Criminal Division, prosecute these cases successfully.

(4) Alien smuggling has a destabilizing effect on border communities. State and local law enforcement, medical personnel, social service providers, and the faith community play important roles in combating smuggling and responding to its effects.

(5) Existing penalties for alien smuggling are insufficient to provide appropriate punishment for alien smugglers.

(6) Existing alien smuggling laws often fail to reach the conduct of alien smugglers, transporters, recruiters, guides, and boat captains.

(7) Existing laws concerning failure to heave to are insufficient to appropriately punish boat operators and crew who engage in the reckless transportation of aliens on the high seas and seek to evade capture.

(8) Much of the conduct in alien smuggling rings occurs outside of the United States. Extraterritorial jurisdiction is needed to ensure that smuggling rings can be brought to justice for recruiting, sending, and facilitating the movement of those who seek to enter the United States without lawful authority.

(9) Alien smuggling can include unsafe or recklessly dangerous conditions that expose individuals to particularly high risk of injury or death.

SEC. 3. CHECKS AGAINST TERRORIST WATCHLIST.

The Secretary of Homeland Security shall, to the extent practicable, check against all available terrorist watchlists those persons suspected of alien smuggling and smuggled individuals who are interdicted at the land, air, and sea borders of the United States.

SEC. 4. STRENGTHENING PROSECUTION AND PUNISHMENT OF ALIEN SMUGGLERS.

Section 274(a) of the Immigration and Nationality Act (8 U.S.C. 1324(a)) is amended—

(1) by amending the subsection heading to read as follows: ''BRINGING IN, HARBORING, AND SMUGGLING OF UNLAWFUL AND TERRORIST ALIENS.—'';

(2) by amending paragraphs (1) through (2) to read as follows:

''(1)(A) Whoever, knowing or in reckless disregard of the fact that an individual is an alien who lacks lawful authority to come to, enter, or reside in the United States, knowingly—

''(i) brings that individual to the United States in any manner whatsoever regardless of any future official action which may be taken with respect to such individual;

''(ii) recruits, encourages, or induces that individual to come to, enter, or reside in the United States;

''(iii) transports or moves that individual in the United States, in furtherance of their unlawful presence; or

''(iv) harbors, conceals, or shields from detection the individual in any place in the United States, including any building or any means of transportation;

or attempts or conspires to do so, shall be punished as provided in subparagraph (C).

''(B) Whoever, knowing that an individual is an alien, brings that individual to the United States in any manner whatsoever at a place, other than a designated port of entry or place designated by the Secretary of Homeland Security, regardless of whether such individual has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such individual, or attempts or conspires to do so, shall be punished as provided in subparagraph (C).

''(C) Whoever commits an offense under this paragraph shall, for each individual in respect to whom such a violation occurs—

''(i) if the offense results in the death of any person, be fined under title 18, United States Code, and subject to the penalty of death or imprisonment for any term of years or for life;

''(ii) if the offense involves kidnapping, an attempt to kidnap, the conduct required for aggravated sexual abuse (as defined in section 2241 of title 18, United States Code, without regard to where it takes place), or an attempt to commit such abuse, or an attempt to kill, be fined under title 18, United States Code, or imprisoned for any term of years or life, or both;

''(iii) if the offense involves an individual who the defendant knew was engaged in or intended to engage in terrorist activity (as defined in section 212(a)(3)(B)), be fined under title 18, United States Code, or imprisoned not more than 30 years, or both;

''(iv) if the offense results in serious bodily injury (as defined in section 1365 of title 18, United States Code) or places in jeopardy the life of any person, be fined under title 18, United States Code, or imprisoned not more than 20 years, or both;

''(v) if the offense is a violation of paragraph (1)(A)(i) and was committed for the purpose of profit, commercial advantage, or private financial gain, or if the offense was committed with the intent or reason to believe that the individual unlawfully brought into the United States will commit an offense against the United States or any State that is punishable by imprisonment for more than 1 year, be fined under title 18, United States Code, and imprisoned, in the case of a first or second violation, not less than 3 nor more than 10 years, and for any other violation, not less than 5 nor more than 15 years;

''(vi) if the offense is a violation of paragraphs (1)(A)(ii), (iii), or (iv), or paragraph (1)(B), and was committed for the purpose of profit, commercial advantage, or private financial gain, be fined under title 18, United States Code, or imprisoned not more than 10 years, or both;

''(vii) if the offense involves the transit of the defendant's spouse, child, sibling, parent, grandparent, or niece or nephew, and the offense is not described in any of clauses (i) through (vi), be fined under title 18, United States Code, or imprisoned not more than 1 year, or both; and

''(viii) in any other case, be fined under title 18, United States Code, or imprisoned not more than 5 years, or both.

''(2)(A) There is extraterritorial jurisdiction over the offenses described in paragraph (1).

''(B) In a prosecution for a violation of, or an attempt or conspiracy to violate, subsection (a)(1)(A)(i), (a)(1)(A)(ii), or (a)(1)(B), that occurs on the high seas, no defense based on necessity can be raised unless the defendant—

''(i) as soon as practicable, reported to the Coast Guard the circumstances of the necessity, and if a rescue is claimed, the name, description, registry number, and location of the vessel engaging in the rescue; and

''(ii) did not bring, attempt to bring, or in any manner intentionally facilitate the entry of any alien into the land territory of the United States without lawful authority, unless exigent circumstances existed that placed the life of that alien in danger, in which case the reporting requirement set forth in clause (i) is satisfied by notifying the Coast Guard as soon as practicable after delivering the alien to emergency medical or law enforcement personnel ashore.

''(C) It is not a violation of, or an attempt or conspiracy to violate, clause (iii) or (iv) of paragraph (1)(A), or paragraph (1)(A)(ii) (except if a person recruits, encourages, or induces an alien to come to or enter the United States), for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officer of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least one year.

''(D) For purposes of this paragraph and paragraph (1)—

''(i) the term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States; and

''(ii) the term 'lawful authority' means permission, authorization, or waiver that is expressly provided for in the immigration laws of the United States or the regulations prescribed under those laws and does not include any such authority secured by fraud or otherwise obtained in violation of law or authority that has been sought but not approved.''.

SEC. 5. MARITIME LAW ENFORCEMENT.

(a) PENALTIES.—Subsection (b) of section 2237 of title 18, United States Code, is amended to read as follows:

''(b) Whoever intentionally violates this section shall—

''(1) if the offense results in death or involves kidnapping, an attempt to kidnap, the conduct required for aggravated sexual abuse (as defined in section 2241 without regard to where it takes place), or an attempt to commit such abuse, or an attempt to kill, be

fined under such title or imprisoned for any term of years or life, or both;

''(2) if the offense results in serious bodily injury (as defined in section 1365 of this title) or transportation under inhumane conditions, be fined under this title, imprisoned not more than 15 years, or both;

''(3) if the offense is committed in the course of a violation of section 274 of the Immigration and Nationality Act (alien smuggling); chapter 77 (peonage, slavery, and trafficking in persons), section 111 (shipping), 111A (interference with vessels), 113 (stolen property), or 117 (transportation for illegal sexual activity) of this title; chapter 705 (maritime drug law enforcement) of title 46, or title II of the Act of June 15, 1917 (Chapter 30; 40 Stat. 220), be fined under this title or imprisoned for not more than 10 years, or both; and

''(4) in any other case, be fined under this title or imprisoned for not more than 5 years, or both.''.

(b) LIMITATION ON NECESSITY DEFENSE.—Section 2237(c) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(c)'';

(2) by adding at the end the following:

''(2) In a prosecution for a violation of this section, no defense based on necessity can be raised unless the defendant—

''(A) as soon as practicable upon reaching shore, delivered the person with respect to which the necessity arose to emergency medical or law enforcement personnel;

''(B) as soon as practicable, reported to the Coast Guard the circumstances of the necessity resulting giving rise to the defense; and

''(C) did not bring, attempt to bring, or in any manner intentionally facilitate the entry of any alien, as that term is defined in section 101(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(3)), into the land territory of the United States without lawful authority, unless exigent circumstances existed that placed the life of that alien in danger, in which case the reporting requirement of subparagraph (B) is satisfied by notifying the Coast Guard as soon as practicable after delivering that person to emergency medical or law enforcement personnel ashore.''.

(c) DEFINITION.—Section 2237(e) of title 18, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) the term 'transportation under inhumane conditions' means the transportation of persons in an engine compartment, storage compartment, or other confined space, transportation at an excessive speed, transportation of a number of persons in excess of the rated capacity of the means of transportation, or intentionally grounding a vessel in which persons are being transported.''.

SEC. 6. AMENDMENT TO THE SENTENCING GUIDELINES.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, if appropriate, amend the sentencing guidelines and policy statements applicable to persons convicted of alien smuggling offenses and criminal failure to heave to or obstruction of boarding.

(b) CONSIDERATIONS.—In carrying out this section, the Sentencing Commission, shall—

(1) consider providing sentencing enhancements or stiffening existing enhancements for those convicted of offenses described in subsection (a) that—

(A) involve a pattern of continued and flagrant violations;

(B) are part of an ongoing commercial organization or enterprise;

(C) involve aliens who were transported in groups of 10 or more;

(D) involve the transportation or abandonment of aliens in a manner that endangered their lives; or

(E) involve the facilitation of terrorist activity; and

(2) consider cross-references to the guidelines for Criminal Sexual Abuse and Attempted Murder.

(c) EXPEDITED PROCEDURES.—The Commission may promulgate the guidelines or amendments under this section in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987, as though the authority under that Act had not expired.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

□ 1800

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Ms. JACKSON-LEE of Texas. I yield myself such time as I may consume.

Madam Speaker, this legislation, sponsored by BARON HILL of Indiana, is particularly important to Texas, and I want to congratulate the gentleman for his foresight and his leadership. Maybe in his research he knows that just a few short years ago we lost a number of individuals, obviously smuggled for wrong reasons into Texas, who died in an overheated 18-wheeler. And so this is a legislative initiative that is long overdue.

The legislation gives Federal prosecutors and agents stronger enforcement weapons against human smuggling in all its forms, including human trafficking and slavery, smuggling related to terrorism or espionage, and smuggling that involves kidnapping, rape, serious injury or death.

The previous version of this bill passed the House in the last Congress 412–0.

As I noted, in Texas, we see these losses regularly, including in our sister States, individuals dying who have been trafficked or smuggled, dying in the desert out of desperation and thirst. And as I indicated, the particular case that was so egregious in Texas, people smothered to death in an 18-wheeler in the heat of the summer.

Like the previous bill, H.R. 1029 amends the alien smuggling provisions in the Immigration and Nationality Act, as well as the criminal provision for failure to ''heave to,'' to provide for extraterritorial jurisdiction, to increase maximum penalties for serious offenses, and to clarify the necessity defense that applies to legitimate maritime rescues.

The bill also establishes for the first time in Federal law that it is a serious felony to transport persons under inhumane conditions, such as in an engine or storage compartment, or to intentionally run vessels ashore at high speed to escape apprehension. Those kinds of inhumane practices have resulted in death or serious injury to numerous alien passengers.

The bill directs the Department of Homeland Security to check against all available terrorist watch lists those who are suspected of smuggling, as well as smuggled individuals who are interdicted at U.S. land, air and sea borders.

I want to thank the gentleman for his foresight. As a member of the Homeland Security Committee as well, and a member of the committee, the chairperson of the committee that has oversight over the watch list, I know how important an act this is, that it further ensures the security of America.

It provides tough penalties for the kind of serious smuggling offenses I have just described, while distinguishing those offenses from family reunification or humanitarian efforts, for which the penalties are appropriately severe.

While strengthening the current offense language, the bill preserves important case law. For instance, it will remain a violation of Federal law not only to bring illegal aliens to the United States, but to bring any alien across the border through places other than those designated as official entry ports.

This is especially critical as Congress mandates that the Department of Homeland Security institute biometric entry and exit systems. For an orderly and fair immigration system to work, people must come in through the designated sites. And certainly, I agree with the gentleman as we look toward fixing that broken system.

Finally, the bill directs the Sentencing Commission to consider providing sentencing enhancements for particularly egregious offenses, smuggling aliens in a life-threatening manner, abandoning them in the desert or on a spit of land that will be submerged at high tide, or smuggling aliens to facilitate acts of terrorism.

I commend BARON HILL for his leadership and his persistence on this bill. And I commend Chairman JOHN CONYERS and Ranking Member LAMAR SMITH of the Judiciary Committee, and Chairman BENNIE THOMPSON and Ranking Member PETER KING of the Homeland Security Committee for their work in improving this bill and making it a consensus, bipartisan measure.

I would like to include in the RECORD at this point an exchange of letters between our two committees.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, March 27, 2009.

Hon. JOHN CONYERS, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you regarding H.R. 1029, the ''Alien Smuggling and Terrorism Prevention Act of 2009,'' introduced on February 12, 2009, by Congressman Baron P. Hill. This legislation was initially referred to the Committee on the Judiciary and, in addition, to the Committee on Homeland Security.

I recognize and appreciate your desire to bring this bill before the House in an expeditious manner. Accordingly, I am willing to waive further consideration of H.R. 1029. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over H.R. 1029.

Further, I request your support for the appointment of Committee on Homeland Security conferees during any House-Senate conference convened on this or similar legislation. Finally, I request that a copy of this letter be included in the Congressional Record during floor consideration of H.R. 1029. I look forward to working with you on this legislation and other matters of great importance to this nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, D.C., March 26, 2008.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 1029, the Alien Smuggling and Terrorism Prevention Act of 2009.

I appreciate your willingness to support expediting floor consideration of this important legislation. I acknowledge that H.R. 1029 contains provisions under the jurisdiction of the Committee on Homeland Security. I understand and agree that your willingness to waive further consideration of the bill is without prejudice to your Committee's jurisdictional interests in this or similar legislation in the future. In the event a House-Senate conference on this or similar legislation is convened, I would support your request for an appropriate number of conferees.

I will include a copy of your letter and this response in the Congressional Record in the debate on the bill. Thank you for your cooperation as we work towards enactment of this legislation.

Sincerely,

JOHN CONYERS, Jr.,
Chairman.

I urge my colleagues to support this important legislation.

Mr. Speaker, this legislation, sponsored by BARON HILL of Indiana, gives Federal prosecutors and agents stronger enforcement weapons against human smuggling in all its forms, including human trafficking and slavery; smuggling related to terrorism or espionage; and smuggling that involves kidnaping, rape, serious injury, or death.

The previous version of this bill passed the House in the last Congress unanimously, 412 to 0.

Like the previous bill, H.R. 1029 amends the alien smuggling provisions in the Immigration and Nationality Act, as well as the criminal provision for failure to ''heave to,'' to provide for extraterritorial jurisdiction, to increase maximum penalties for serious offenses, and to clarify the necessity defense that applies to legitimate maritime rescues.

The bill also establishes for the first time in Federal law that it is a serious felony to transport persons under inhumane conditions, such as in an engine or storage compartment, or to intentionally run vessels ashore at high speed to escape apprehension. Those kinds of inhumane practices have resulted in death or serious injury to numerous alien passengers.

The bill directs the Department of Homeland Security to check against all available terrorist watch lists those who are suspected of smuggling, as well as smuggled individuals, who are interdicted at U.S. land, air, and sea borders.

It provides tough penalties for the kind of serious smuggling offenses I've just described, while distinguishing those offenses from family reunification or humanitarian efforts, for which the penalties are appropriately less severe.

While strengthening the current offense language, the bill preserves important case law. For instance, it will remain a violation of federal law not only to bring illegal aliens to the United States, but to bring any alien across the border through places other than those designated as official entry ports.

This is especially critical as Congress mandates that the Department of Homeland Security institute biometric entry and exit systems. For an orderly and fair immigration system to work, people must come in through the designated sites.

Finally, the bill directs the Sentencing Commission to consider providing sentencing enhancements for particularly egregious offenses—smuggling aliens in a life-threatening manner, abandoning them in the desert or on a spit of land that will be submerged at high tide, or smuggling aliens to facilitate acts of terrorism.

I commend BARON HILL for his leadership and persistence on this bill. And I commend Chairman JOHN CONYERS and Ranking Member LAMAR SMITH of the Judiciary Committee, and Chairman BENNIE THOMPSON and Ranking Member PETER KING of the Homeland Security Committee, for their work in improving this bill and making it a consensus, bipartisan measure.

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

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

Mr. HILL introduced H.R. 1029, the Alien Smuggling and Terrorism Prevention Act of 2009, which improves the Federal Government's ability to combat alien smuggling. I am a cosponsor of this legislation.

But alien smuggling defines a group of crimes that involve the recruiting, transportation or harboring of an alien who does not have the lawful authority to be in the United States of America. This legislation is a direct response to the increasing concern of Federal prosecutors that the current alien smuggling statute is inadequate in the face of rampant alien smuggling and human trafficking by organized criminal syndicates.

The current statute is a patchwork of amendments that does not provide the tough penalties necessary to punish these dangerous criminals and to deter the criminal organizations that dominate the smuggling world today. These organizations are increasingly sophisticated, international, profitable, and their means are ruthless and inhumane.

For example, the recent media reports indicate kidnappings on the rise in Phoenix, Arizona. There were almost 370 reported kidnappings for ransom there last year. However, it is difficult to know how many kidnappings actually occurred because many kidnappings were not reported to law enforcement officials.

Most of the kidnappings involve drug smugglers and human traffickers preying on one another. The kidnap victims are typically drug or alien smugglers or their family members who are taken by fellow criminals and held for ransom. These victims are inviting targets because they often have a lot of money, or can raise large sums of cash on short notice, and are unlikely to go to law enforcement.

It may only be a matter of time before the kidnappers start targeting law-abiding citizens, so we must do more to deter, identify and arrest these alien smugglers.

H.R. 1029 directs the Department of Homeland Security to check the names of alien smuggling suspects who have been interdicted at a land, air or sea border against all available terrorist watch lists.

The bill also creates enhanced penalties for alien smuggling, including tough sentences for smuggling that results in serious bodily injury or death. Any person convicted of kidnapping, aggravated sexual abuse or an attempt to kill as part of an alien smuggling scheme will now face life in prison.

H.R. 1029 imposes a penalty of up to 30 years imprisonment for smugglers who know that the alien they bring to the United States intends to engage in terrorist activities.

Lastly, the bill amends the criminal statutes to add penalties for maritime offenses committed in the course of smuggling, trafficking, shipping, stolen property or drug trafficking.

H.R. 1029 will help Federal law enforcement and prosecutors put alien smugglers behind bars and send a clear message that these criminal syndicates and the violence they pose to innocent civilians will not be tolerated.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is my pleasure to now yield to the distinguished sponsor of the legislation, Mr. BARON HILL of Indiana, for such time as he might consume.

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

Mr. HILL. Mr. Speaker, in the year 2007, I introduced the Alien Smuggling and Terrorism Prevention Act. And as has already been mentioned, it passed

this House without any opposition, and it has bipartisan support.

When I came to Congress, back to Congress, I should say, in the year 2006, immigration was a very hot issue, and so I wanted to look at ways that we could provide Americans some relief. And one of the shocking things that I learned was the fact that if you smuggle an illegal alien in here, either against their will or willfully, it is only a misdemeanor, with a prison term for under 1 year and a small fine; and I didn't think that that was justified.

As has already been mentioned here by Congresswoman JACKSON-LEE, it passed overwhelmingly without opposition, and this year it does have, again, bipartisan support. The bill failed in the Senate. For whatever reason, the Senate did not pass it. That is the reason why I have introduced it again, and have bipartisan support.

I'm glad that Representative CHAFFETZ is on the bill, and also the ranking member of the Judiciary Committee, Representative LAMAR SMITH.

My bill, as has already been said, would significantly increase penalties against human smugglers and traffickers, raising the crime from a misdemeanor to a felony.

Smugglers would see increased prison time if convicted of smuggling persons under inhumane conditions, or for the purpose of criminal exploitation, or in the event that they are smuggling someone into the United States with the intent to carry out acts of terror.

In the case of serious bodily injury, rape or murder, the smuggler or trafficker could face upwards of life in prison.

This bill serves two important goals. First, it holds those who smuggle and traffic persons into the United States responsible for their crimes. It is estimated that over 17,000 people are smuggled into the United States each year. These are people who are forced into awful situations against their will. Those found trafficking for those purposes deserve a fitting punishment, and my bill works to ensure that justice is served.

Second, H.R. 1029 works to stem the flow of illegal immigration. I believe this bill will act as a deterrent for illegal alien smugglers and, therefore, greatly cut down on illegal immigration.

I believe that we need to ensure that our Border Patrol and Coast Guard have the tools they need to keep our borders safe.

This bill is critical in bolstering our economic and national security and, therefore, I strongly urge the passage of H.R. 1029.

Mr. CHAFFETZ. Mr. Speaker, I would just inquire as to how many more speakers.

Ms. JACKSON-LEE of Texas. I have the right to close. I believe there are no more speakers.

Mr. CHAFFETZ. I have no more speakers as well. I yield back the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, again, I'd like to congratulate the gentleman from Indiana (Mr. HILL) for his leadership on this issue. This is a legislative initiative that really is long overdue. And I'd like to respond as well to the point that he made that was very, very succinct but also very, very potent about the need for comprehensive reform. He is right. As he returned to the United States Congress, it was an enormously vigorous debate. I believe some of the satellite hearings might have wound up in Indiana that were held by the U.S. House of Representatives.

If we are to complement this legislation, we also need to engage in comprehensive immigration reform so there are laws that will govern the ingress and egress of individuals here in the United States. That is a very important statement and challenge that we have. And, therefore, as we move this legislation along and give a firm response of intolerance to those who would human traffic or engage in trafficking slaves, or to cause the loss of life or the dastardly treatment of individuals, we are making the statement that we will take it seriously and that they will be punished.

In addition, I think it's very important that we complement this legislation with strong response to the violence at the border that has occurred due to drug cartels. I look forward to having the opportunity to present to our Judiciary Committee legislation that I will introduce on this issue of providing more resources for the, if you will, inhibiting and prohibiting the kind of dastardly violence that is occurring and providing the resources for DEA and ATF that I think are so very necessary.

Mr. Speaker, again I want to congratulate Mr. HILL on this legislation, and I would enthusiastically urge my colleagues to support this important legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 1029, "Alien Smuggling and Terrorism Prevention Act of 2009." I want to thank my colleague Congressman BARON HILL of Indiana for introducing this resolution.

Mr. Speaker, as a Member of the Committee on Homeland Security, and as a Member of the Subcommittee on Immigration, I have long been an outspoken leader on this issue. Alien smuggling is not only a threat to our national security, but it also diminishes the value of human lives, and as the world's moral leader we must take a tough stance against these horrific practices. In fact as part of the Save America Act, immigration legislation that I introduced, I address this very issue. My legislation would create a special class of aliens who act as informants to assist U.S. authorities in the prosecution and apprehension of alien smugglers. In special cases these individuals would receive permanent resident status if the information substantially led to a successful prosecution and apprehension of those involved in alien smuggling.

A few years ago in Texas, prosecutors indicted 14 people who allegedly organized or facilitated the smuggling incident when a crowded trailer was found abandoned at a truck stop in Victoria, 100 miles southwest of Houston, Texas. The 14 were charged with various counts of conspiracy to conceal or transport immigrants. Twelve could face the death penalty if prosecutors decide to pursue it. More than 70 immigrants from Mexico, Central America, and the Dominican Republic were crammed into the tractor-trailer. Among the dead was a 5-year-old boy from Mexico. Seventeen immigrants died at the scene, and 2 others died later.

My preference is to provide the Border Patrol with the additional agents, equipment, and resources it needs to secure the border. I have introduced legislation that would meet these needs by providing critical resources and support for the men and women who enforce our immigration, customs, and other laws. This would include adding 15,000 Border Patrol agents over the next five years, increasing the number of agents from 11,000 to 26,000. It would require the Secretary of Homeland Security to respond rapidly to border crises by deploying up to 1,000 additional Border Patrol agents to a State when a border security emergency is declared by the Governor. It would add 100,000 more detention beds to ensure that those who are apprehended entering the United States unlawfully are sent home instead of being released into our communities. And, it would provide critical equipment and infrastructure improvements, including additional helicopters, power boats, police-type vehicles, portable computers, reliable radio communications, hand-held GPS devices, body armor, and night-vision equipment.

Mr. Speaker, I rise in strong support of this legislation for the following reasons. This bill makes a strong statement against alien smuggling while maintaining core Democratic principles. It is a tough yet fair approach to border security. It is a holistic anti-smuggling regime that reaches those who recruit aliens in their home countries, smuggle aliens across the land borders, or transport or harbor aliens in the United States.

This legislation ensures border security. It recognizes the contribution of the Border Patrol, Coast Guard, Customs & Border Protection, Immigration & Customs Enforcement, FBI, Assistant United States Attorneys, and Department of Justice prosecutors who are on the front lines of interdiction and investigation of alien smugglers. It gives agents and prosecutors tools to address alien smuggling and terrorism by re-structuring the Alien Smuggling statutes.

This legislation is tough on crime. It brings in new penalties of up to life in prison for rape, kidnapping, or attempted murder in the course of alien smuggling. H.R. 1029 revises the current statutes to provide stiff sentences for those who commit alien smuggling that facilitates terrorist activity, or those whose smuggling results in serious bodily injury or placing the life of another in jeopardy. It creates the first federal crime that recognizes transportation in inhumane conditions as a ground for an increased sentence.

The Act recognizes the needs of the Coast Guard for effective maritime anti-smuggling tools, including tough penalties for those who do not heave to, and risk their passengers' lives by intentionally beaching their vessels at high speed in an attempt to discharge their

human cargo. It directs the Sentencing Guidelines Commission to put "teeth" into the statute by adopting sentencing enhancements for terrorism, moving large groups of aliens, or abandoning aliens in harsh conditions such as the desert or at sea. It maintains the current sentencing structure in which smuggling for profit or to facilitate a crime results in mandatory minimum sentences, and maintains the current sentencing structure in capital cases.

Alien smuggling will not stop until we establish an immigration policy that substantially reduces the need for illegal entry into the United States.

I urge my colleagues to support this legislation.

I yield back my time.

The SPEAKER pro tempore (Mr. LUJÁN). The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and pass the bill, H.R. 1029, as amended.

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

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. CON. RES. 85, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–70) on the resolution (H. Res. 305) providing for consideration of the concurrent resolution (H. Con. Res. 85) setting forth the congressional budget for the United States Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1664, PAY FOR PERFORMANCE ACT

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–71) on the resolution (H. Res. 306) providing for consideration of the bill (H.R. 1664) to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1256, FAMILY SMOKING PREVENTION AND TOBACCO CONTROL ACT

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111–72) on the resolution (H. Res. 307) providing for consideration of the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, which was referred to the House Calendar and ordered to be printed.

□ 1815

MIAMI DADE COLLEGE LAND CONVEYANCE ACT

Ms. JACKSON-LEE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 838) to provide for the conveyance of a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, to facilitate the construction of a new educational facility that includes a secure parking area for the Bureau of Prisons, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 838

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 "Miami Dade College Land Conveyance Act".

SEC. 2. CONVEYANCE OF BUREAU OF PRISONS LAND TO MIAMI DADE COUNTY, FLORIDA.

(a) CONVEYANCE REQUIRED.—The Attorney General shall convey to Miami Dade College of Miami Dade County, Florida (in this section referred to as the "College"), all right, title, and interest of the United States in and to a parcel of land held by the Bureau of Prisons of the Department of Justice in Miami Dade County, Florida, consisting of a parking lot approximately 47,500 square feet and located at 35 NE 2 Street, for the purpose of permitting the College to use the parcel as a site for a new educational building that includes a parking area, of which not less than 118 secure parking spaces shall be designated for use by the Bureau of Prisons of the Department of Justice.

(b) REVERSIONARY INTEREST.—If the Attorney General determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Attorney General, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Attorney General under this subsection shall be made on the record after an opportunity for a hearing.

(c) SURVEY.—If the Attorney General considers it necessary, the Attorney General may have the exact acreage or square footage and legal description of the land to be conveyed under subsection (a) determined by a survey satisfactory to the Attorney General. The College shall bear the cost of the survey.

(d) EXEMPTION.—Section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not apply to the conveyance of land under subsection (a).

The SPEAKER pro tempore (Mr. LUJÁN). Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Ms. JACKSON-LEE of Texas. I yield myself such time as I may consume.

Mr. Speaker, H.R. 838, the Miami Dade College Land Conveyance Act, introduced by Representative ILEANA ROS-LEHTINEN, will authorize the Department of Justice's Bureau of Prisons to convey a parcel of land to Miami Dade College in Miami, Florida.

Currently, the BOP's Miami Federal Detention Center's satellite parking lot occupies the land. Miami Dade College plans on building an educational facility on this land, which will include covered and secured ground floor parking for BOP employees at no cost to the agency.

The Bureau of Prisons does not have the authority to transfer this parcel of land to the college. However, this bill, which the agency supports, would permit the transfer to take place.

The college will make good use of the 47,500-square-foot area of land while also providing as many as 118 Bureau of Prisons parking spaces. This, obviously, is a good, collegiate way to work with an institution of higher education and our need for detention facilities, and this legislation allows that decision and that action to go forward. I urge all of my colleagues to support this helpful legislation.

H.R. 838, the Miami Dade College Land Conveyance Act, introduced by Representative ILEANA ROS-LEHTINEN, will authorize the Department of Justice's Bureau of Prisons to convey a parcel of land to Miami Dade College in Miami, Florida.

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The Bureau of Prisons does not have the authority to transfer this parcel of land to the college. However, this bill, which the agency supports, would permit the transfer to take place.

The college will make good use of the 47,500 square foot area of land, while also providing as many as 118 BOP parking spaces.

I urge all of my colleagues to support this helpful legislation.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 838, the Miami Dade College Land Conveyance Act. This bill was introduced

by the gentlewoman from Florida (Ms. ROS-LEHTINEN). The act would convey a parcel of land held by the Bureau of Prisons to the Miami Dade College, which is adjacent to the Bureau of Prisons facility. The parcel of land is now used as a parking lot by the Bureau of Prisons facility.

As a result of this act, the college will be permitted to use the parcel as a site for the new building that will include a garage parking area. That parking area will contain 118 secured parking spaces that will be designated for use by the Bureau of Prisons.

This conveyance outlined in this bill will benefit both the Bureau of Prisons and the Miami Dade College. The Department of Justice has reviewed the bill, and does not oppose its enactment. I urge my colleagues to support H.R. 838.

I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. I reserve the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I would like to yield such time as she may consume to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to see that the Miami Dade College Land Conveyance Act is before the House today. This is a great example of Federal-local partnerships truly benefiting both Miami Dade College and the Bureau of Prisons. This bill will facilitate the construction of a new educational facility in downtown Miami as well as provide secured parking for the Bureau of Prisons.

Miami Dade College has been an essential institution in South Florida for over half a century. It was born of the idea that anyone with a desire to get a college degree should be given that opportunity.

By 1967, the college was the largest institution of higher education in our great State of Florida. Today, it has built upon that position, and is now the largest institution of higher education in the United States, serving over 160,000 students last year, all the while maintaining an affordable and exceptional course of study.

Miami Dade College has been instrumental in the development and success of thousands of students, and I am proud to say that my father, my brother and I are all graduates of this fine institution. It serves our community with fine distinction. In fact, 96 percent of the students enrolled at Miami Dade College are residents from our local area. Just 2 years ago, the college reached a truly incredible milestone. It welcomed its 1.5 millionth student. We are only a community of 2.3 million, so the sheer amount of lives that the college has influenced is astonishing.

When I say that Miami Dade College is central to the educational, social and cultural fabric of South Florida, know that this is no exaggeration. The college also embodies the essence of diversity. Almost 80 percent of its students come from a minority background. It enrolls more minorities than any other college or university in the United States, and in Florida, 33 percent of all minority students attending community colleges are attending Miami Dade College.

This bill will allow for the much needed expansion of the facilities in downtown Miami, and it will allow the college to offer more courses to more students. All this has been made possible by the stellar performance, leadership and guidance of the college president, Dr. Eduardo J. Padron, himself an alum of Miami Dade College. He is a man of unyielding strength and a passion for education. He has spent his entire career making sure that all students have the tools and the opportunities to succeed. His time at Miami Dade College has been defined by growth and greater academic accreditation. He has truly made a positive difference in the lives of countless individuals, and I commend him for all that he continues to do in support of our college.

I thank the Speaker; I thank the Members who have given me this opportunity, and I urge all Members to vote in favor of this legislation, supporting a fine institution of higher learning and the many wonderful students who will benefit from this expansion.

I thank the gentleman for his time, and I thank my good friend from Texas (Ms. JACKSON-LEE) for her time as well.

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me congratulate the gentlewoman for not only providing this facilitation for this institution of higher learning but for helping out the Bureau of Prisons, which is the Judiciary Committee's jurisdiction.

As I close, let me just acknowledge the legislation, H. Res. 290, that Congresswoman BARBARA LEE offered today and add my sympathy to the people of California. I thank Congresswoman LEE for bringing forward legislation that honors the lives that were lost—Sergeant Mark Dunakin, Sergeant Ervin Romans, Sergeant Daniel Sakai, and Officer John Hege, who were members of the Oakland Police Department in California.

In the month of May, we will be honoring law enforcement officers who have fallen across America. We have done that every year since I have been in the United States Congress. Tragically and sadly, we will do it again, even honoring those who have come from Texas and Houston. So H. Res. 290 has my sympathy as well. Before I closed, I wanted to acknowledge that.

Let me now close on this legislation, H.R. 838, and indicate my support and ask my colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON-LEE) that the House suspend the rules and pass the bill, H.R. 838, as amended.

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

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES NAVAL ACADEMY

The SPEAKER pro tempore. Pursuant to 10 U.S.C. 6968(a), and the order of the House of January 6, 2009, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Naval Academy:

Mr. RUPPERSBERGER, Maryland
Mr. CUMMINGS, Maryland
Mr. KLINE, Minnesota
Mr. FRELINGHUYSEN, New Jersey

THE ECONOMIC CRISIS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, tomorrow and for the rest of the week, this body will engage in a very important, principled debate that really responds to the calamity that we have been facing over the last 6 to 8 months, and that is the economic crisis.

The administration has put forward its initiative that addresses the principles of a budget. This Congress, along with several caucuses, has offered budgets to be able to address the pain of the American people.

What I am so proud of and the reason I am standing here today is that Democrats have come together around principles that will help to heal the economy: the infusion of dollars into education, into health care, a continued commitment to energy reform, and the review of energy opportunities across, if you will, the spectrum of resources. Certainly, we recognize the needs of our veterans and of our soldiers across the land.

I hope we will have a vigorous debate on behalf of the American people.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

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

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

HONORING THE LIFE, SERVICE AND HEROISM OF ARMY SERGEANT SCOTT B. STREAM

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

Mr. GUTHRIE. Mr. Speaker, while recent weeks have brought about serious challenges here at home, we must not allow them to distract our thoughts and prayers from the brave men and women fighting the war on terrorism around the world. These men and women are proudly serving our country, and are facing challenges far greater than most of us could ever imagine.

I rise today to pay tribute to Sergeant Scott B. Stream, 39. Sergeant Stream was killed on February 24, 2009, in Kandahar, Afghanistan, in support of Operation Enduring Freedom.

I had the honor of attending the funeral for Sergeant Stream. As I walked in, they handed me a program of events for the funeral. Inside was an insert of an e-mail that Sergeant Stream had sent home to his family on December 31, 2008.

As I sat there, waiting for the funeral to begin, I read it over and over, and I decided that I needed to share this with our grateful Nation because it says a lot about Sergeant Stream. Also, I think it says a lot about the men and women we have serving us overseas. I would like to read this e-mail and enter it into the RECORD.

This is Sergeant Stream's e-mail:

''When I think about what surrounds me—the institutional corruption, the random violence, the fear and desperation—I feel the reasons why I'm here more and more sharply.

''As we grow in our soldier skills, surviving by finding the hidden dangers, seeing the secret motives in the shifting politics, we grow a set of skills that is unique and powerful in this situation.

''We also see what you cannot see in the States. You are surrounded by the love of Christ and faith in freedom and humanity. Like a fish, you think water is a 'puff of air' because it is always there. You do not notice it. We who are out of water look back and see the world we love surrounded by enemies, poison and envy, that wants to fall on you like a storm of ruin. We who joined with vague notions of protecting our country see how desperate the peril, how hungry the enemy and how frail the security we have for you.

''The more I love and long for home the more right I feel here on the front lines standing between you and the seething madness that wants to suck the life and love out of our land. Does that mean I cannot go home? I hope not, because I want this just to be the postponement of the joy of life, not the sacrifice of mine. If it costs me my life to protect our land and people then that is a small thing. I just hope that fate lets me return to the promised land and remind people just how great our land is.

''War is a young man's game, and I am getting an old man's head. It's a strange thing. I just hope that I am not changed so that I cannot take joy in the land inside the wire when I make it home. I want to be with you all again and let my gun sit in the rack and float on my back in a tube down a lazy river.''

Sergeant Stream didn't make it home, but he left behind a family. And I would like to read their names and let him know that we're all praying for him: His wife Rasa, his daughters Megan and Laura, his parents Sherman and Gayle Stream, his siblings and their mates, Shawn and Michelle Stream, and Shannon and Michael Pape and his grandmother Vera.

When I read that e-mail, it so reminded me of the dedication and the love that these young men and women had for this country. Their willingness to fight, their willingness to sacrifice. And what struck me the most he says, ''If this cost me my life, that is a small gift.'' That is someone of maturity. That is someone of patriotism. And that is a hero.

□ 1830

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

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

ELMO D. ROEBUCK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

Mrs. CHRISTENSEN. Mr. Speaker, this week in my district, the U.S. Virgin Islands, the people are gathering to bid farewell to one of our native sons, the honorable Elmo D. Roebuck. After having lived a life of public service, community activism, and cultural promotion, Roebuck passed away last week at the age of 74.

A political mover and shaker, Roebuck was one of the men who led and molded the U.S. Virgin Islands in its formative years. He, along with others, was responsible for the early successes of the territory on its road to self-governance. He was a mentor, a strategist, and a fervent fighter for the cause of the people of the Virgin Islands.

He was born in 1934 to Ector and Nathalia Roebuck and graduated valedictorian of the class of 1952 at the Charlotte Amalie High School in St. Thomas, U.S. Virgin Islands. In 1956, he graduated from what is now Hampton University in Virginia with a bachelor of arts degree in business administration. Returning to the Virgin Islands, Roebuck taught at the Charlotte Amalie High School and held several government posts before becoming the youngest Virgin Islander to hold a Cabinet-level post in 1964, when he was named by the late Governor Ralph Paiewonsky to head the Department of Housing and Community Renewal.

He later joined the Unity Party and then became one of the organizers of the new Democratic Party of the Virgin Islands in the 1970s, running as a candidate for Lieutenant Governor with the late Alexander Farrelly. The team lost that election, but he entered politics once again in 1972, becoming the highest vote-getter in the St. Thomas-St. John district in the race for a seat in the Virgin Islands Legislature.

Roebuck went on to serve six consecutive terms in that body, becoming chair of the finance committee in the 10th and 14th legislatures, and the President of that body in the 11th, 12th and 15th legislaures.

Mr. Roebuck is most remembered for his leadership in transforming housing in the territory. As commissioner of Housing Community Renewal, he was responsible for the formulation of an aggressive plan that provided a safe, decent home for every Virgin Islander. He oversaw the clearance of blighted, slum areas and the creation of modern neighborhoods across the Virgin Islands.

In 2005 in an interview with the online newspaper the VI Source, Mr. Roebuck recounted that his biggest accomplishment was the ''shepherding through of the Coastal Zone Management Commission,'' the body that oversees the development and preservation of one of the Virgin Islands most treasured resources, its coastal areas.

During his tenure in the VI Legislature, he was responsible for the creation of the Post Audit Division, which improved that body's ability to track government finances and advise senators on critical issues before that body.

Roebuck was also a Virgin Islands tradition bearer. Having learned the art of telling folktales with music and humor from his father Ector, he would share them with schoolchildren and anyone who wanted to enjoy the rich history and culture of the Virgin Islands people.

Mr. Speaker, the people of the U.S. Virgin Islands are saddened by the loss of Elmo Roebuck, whose community spirit was well noted in his legislative and administrative accomplishments; his service to his church and service organizations; and his sharing of Virgin Islands stories with young and old.

During his lifetime, he was knighted by the Queen of Denmark and honored by the Virgin Islands Legislature in 2003. This week he is being remembered for his cultural contributions with a storytelling wake at the Virgin Islands Legislature, and on Thursday, he will be laid to rest in a final goodbye by the people who served and loved him well.

I would like to express my condolences to his wife and his children and grandchildren. May they be comforted at this difficult time with the knowledge that his life was a life well lived.

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

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

THE DEBT ON OUR CHILDREN'S GENERATION

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

Mr. GUTHRIE. Mr. Speaker, last year when I began deciding whether or not I wanted to serve in Congress or run for Congress, my wife and I were talking quite a bit about it, and our big concern was our children. I have a 15, 13, and 11-year-old girl/boy/girl, and our biggest concern was, what would campaigning and being in Washington and commuting do to our children? And as my wife and I began discussing that even further, it wasn't even what this was going to do to our children but what could our service or my service do here in Washington for our children and our children's generation.

And that has been the concern as we go into this week, and we are beginning to look at the budget that's being proposed, the debt that we're going to put on our children. That's what drove me to run for office. And I was really concerned about the debt that was going to be moving forward, the debt that we had and here we are increasing and increasing the debt and the burden on our children. And that is a concern that I have.

I have a great love for my children and their generation. I believe that we need to be very careful about any debt that we put on our children or their generation.

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

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

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

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

OUR AUTO INDUSTRY NEEDS HELP

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

Ms. KAPTUR. Mr. Speaker, these are daunting times for communities in the Great Lake States. Our region's communities have served as production platforms for our Nation for generations—for the generations when America built a solid middle class. Our region did not simply trade wealth, as do Wall Street and other mega-banking centers. We made it.

Our Nation's economy and, frankly, our defense industrial base depend on production platforms such as the motor vehicle industry for jobs, for industrial might, and for real wealth creation for the Republic. One of every seven jobs in our country is tied to the motor vehicle industry. Over half of semiconductors are used in auto production, nearly half of the carpeting, as well as plastics, glass, metals, electric wiring, machine tools, and the list goes on.

In my district and throughout the industrial Midwest, the Big Three and their suppliers still form the bedrock of our economy. And although elite opinion makers try to deny it, the reality remains that as the motor vehicle and auto industry go, so goes the economy of the United States. And that economy isn't looking too good these days.

President Obama is correct in saying that we cannot and must not and will not let our auto industry vanish. Those of us in our Nation's heartland have always known that. America cannot lead the global economy unless it leads in the global auto and truck center. No modern industrial power has ever survived without a thriving domestic motor vehicle industry whose capabilities undergird its defense industrial base. Japan understands that. China understands that. India understands that. Germany understands that. Do we understand that?

Now, we can take a look at the severe challenges facing this industry today. The most important reason that this industry is facing difficulties at the moment is because of the credit crunch and the inability of Wall Street to reach Main Street despite billions, hundreds of billions of dollars put into the TARP that isn't working. Any sales-dependent industry, like the automotive industry, must have credit lines open to the dealerships and to consumers who want to buy those cars.

So that TARP bailout overrides everything else happening. We need to see it. Straightening out what is being done by the U.S. Treasury, aided and abetted by the somnambulant Federal Deposit Insurance Corporation and the Securities Exchange Commission, is essential to righting our economic ship of state. And the failure of those agencies to monitor, let alone regulate, has created today's financial wreckage.

Mark-to-market accounting is killing more value inside this economy than the bailout can possibly replace. And as Treasury and Wall Street still fiddle, Main Streets across this country implode, including those where the automotive sector is predominant.

I am glad the President talked about the pain that is felt across our auto industry. Let me just say, look at the hands and the faces and the legs of autoworkers. They know their work is hard. The predicament we're in isn't their fault. It is a crisis of leadership, as the President has said, starting right here in this city.

Thomas Friedman, a writer, is wrong. He says the world is flat. Well, it's not. It has mountains and has huge valleys, and our auto industry has had to compete on a very unlevel playing field. Take this fact: over half the vehicles sold in this country actually come from other places in the world. In Japan's market, the second largest market in the world, only 3 percent of their cars come from any place else in the world.

Whose market is open? Whose market is closed?

Mr. Speaker, tax policy operates against this industry, and if we look at the number of cars, including the new Buick LaCrosse that was rated No. 1 by J.D. Power, we have an industry ready to compete. Let's give it a chance.

MOM, APPLE PIE, AND HYUNDAI?

THE AUTO INDUSTRY HAS BEEN A BULWARK OF THE AMERICAN MIDDLE CLASS. IF WALL STREET WARRANTS A BAILOUT, WHY NOT DETROIT?

(By Pat Choate)

In those happy days of the 1950s, my friends and I anxiously awaited the moment when the local auto dealers began displaying their new car models. My uncle was a Chrysler-Plymouth dealer, and we always began our tours there. Then we would go from one showroom to another, collecting the brochures, sitting behind the wheels of the new Corvettes, Chrysler 300s, Plymouth Sport Furies, and Thunderbirds, opening the hoods and admiring the powerful engines. Rare was the teenager of that era who did not know the specifications of virtually every model produced by General Motors, Ford, and Chrysler.

''Car people'' such as Lee Iacocca, then at Ford, were in charge of America's Big Three automakers. They loved their cars as much as their customers did. The carmakers and their suppliers produced an ever changing set of engines, transmissions, accessories, and gadgets that made buying a car a family treat unlike any other. So many different types of hubcaps were produced that there were hubcap stores in all the major cities. In Texas, stealing them was a state pastime for teenaged boys.

The differentiated line of cars produced by General Motors was also a measure of social and economic status. A Chevrolet was for those starting out. A Cadillac was for those who had arrived. Pontiacs, Oldsmobiles, and Buicks were stop-offs for those on the way up or down. A jump from a Chevrolet to a Buick was an event noticed and commented upon by neighbors as a measure of success—or of someone acting above himself.

In that postwar period, Americans were on the go, and though Charlie Wilson was ridiculed for commenting, ''What's good for General Motors is good for America,'' he was right. The Great Depression and World War II were memories, people had well-paying jobs, credit was easy, and a new car could be bought with a small downpayment. GM and the auto industry were a major part of the economy and an important contributor to that prosperity.

The Big Three autos, coupled with the construction of the 42,500 mile Interstate Highway System and the establisment of a vast network of safe and inexpensive motels such as Holiday Inns, opened the continent for inexpensive family vacations. Dinah Shore's perky signature song captures the essence of America's love affair with its cars: ''See the USA in your Chevrolet. America is asking you to call. America is the greatest land of all.''

But success bred complacency and hubris in the industry. By the mid-1960s and early 1970s, management of the Big Three had shifted from the car people to ''numbers guys,'' who were more interested in squeezing every possible penny of profit from the vehicles. To avoid costly worker strikes, Big Three management made major concessions to labor on pensions, healthcare, and vacations, costs it then passed on to consumers. Meanwhile, quality slipped. Designs were unimaginative. Buyers would ask whether a car was produced on a Monday or Friday, fearing that either the workers were too exhausted and hungover after the weekends to do a good job or too anxious to leave on Friday to care.

By the late 1960s, the Big Three had become an easy target for Japanese and European competitors. In 1980, Chrysler faced bankruptcy, and General Motors' management seriously considered exiting the auto business altogether. As part of that strategy, GM bought Hughes Electronics and Ross Perot's EDS.

Perot and the GM management quickly soured on each other. He wanted to manufacture the best cars in the world, and they wanted to enter into businesses in which they were inexperienced. One of the more interesting business lectures captured by the Harvard Business School in its case studies is Perot's speech to the GM board on the day he concluded his sale of stock back to the company. He ticked off what he thought was wrong with GM and what it needed to do to assure its prosperity in the auto industry. The essence of his message was to treat workers well, be innovative, settle for nothing less than making the best cars in the world, and sell them at the lowest possible price. His advice was ignored, of course, and GM continued to lose position in its domestic market.

Eventually, GM, Ford, and Chrysler's plodding efforts to build better vehicles began to pay off in the early and mid-1990s. Quality improved, styling began to matter once again, and the Big Three produced the kinds of vehicles Americans wanted—big, comfortable, powerful, and safe. Easy credit and cheap gas made owning the behemoths inexpensive, and Detroit seized control of the market for full-size pickups, vans, and SUVs.

A key moment for the Big Three and UAW came after their signing of the 1996 labor contract. GM thought it had bought three years of labor peace. But the union unexpectedly staged a series of local strikes in facilities that produced strategic parts, the shortage of which could stop all GM production. These snap strikes closed GM for part of 1997 and cost the company billions of dollars. For whatever advantage the union may have gotten, its actions enraged GM management, which accelerated its investment in duplicative plants in other parts of the world, staffed with nonunion workers.

In 1999, GM spun Delphi, its parts division, into a new corporation that entered Chapter 11 reorganization in 2005. The UAW contract was broken, and the workers were left with $14 per hour jobs, no healthcare, and no defined-benefit pensions. President Lyndon Johnson was once asked if half a loaf of bread was better than none. He replied, ''A slice is better than none.'' The Delphi workers got a slice.

Over the past two decades, each of the Big Three has been through extensive management changes, downsizing, and layoffs. Chrysler even became part of the German company Daimler, which could not make the acquisition profitable and eventually sold 80 percent of its interest to Cerberus, a private investment fund.

It is difficult to teach an elephant to waltz, but it can be done. While the Big Three have been slow to change, they have adapted well enough that they still hold half the U.S. market share. It is an amazing turnaround.

Consider quality. In 2007, Ford won 102 quality awards, including AutoPacific's Best in Class for three models and Germany's largest auto magazine's Auto 1 of Europe Award for its S-MAX. Forbes awarded the 2008 Chrysler 300 ''the highest-quality car in the near-luxury category'' over the Audi A4, BMW 3 Series, Lexus IS, and Mercedes-Benz C Class. Of the 15 global finalists for the 2008 Motor Trend Car of the Year Award, the Big Three manufactured nine, the Japanese four, and the Europeans two. The 2008 winner was GM's Cadillac CTS, which Motor Trend described as ''proof that Detroit can still build a world-class sedan.''

As for innovation, General Motors, Ford, and Chrysler invest almost $12 billion annually on R&D, making them a major source of technology development. In 2007, the U.S. Patent and Trademark Office granted these three corporations 1,030 patents.

James E. Malackowski, CEO of Ocean Tomo LLC, a merchant bank that specializes in intellectual property products and services, recently compared four of the green, clean, and energy efficient patent portfolios held by the Top 15 global automakers—emission control, catalytic converters, and related chemistry; fuel cells; hybrid/electric vehicles, mostly motor and battery innovation; and emerging related technologies, including solar, wind, and other green inventions.

GM has higher average quality and newer green technology and patents than the other 14 auto manufacturers combined. Together with Ford it holds approximately one-third of all green-technology patents and the related value. Moreover, GM has 70 percent of the patents in the emerging-technology category. This domestic share increases to 85 percent if Ford is added. Finally, Ford owns 30 percent of all patents with a similar related-value measure in emission-control innovation. These Big Three technologies have great potential for stimulating overall U.S. economic and job growth and creating a greener and more fuel-efficient world.

There is much of value to be saved in this vital industry, but relief has been slow in coming. When Wall Street recklessly gambled with borrowed monies and lost, federal aid was characterized as a ''bailout.'' The present auto crisis was created by powerful economic forces, many beyond Detroit's control. Federal efforts to save the U.S. auto industry would constitute a ''rescue.''

The primary causes of the current U.S. auto-industry crisis are threefold: a financial freeze in which even well-qualified borrowers are denied credit to buy vehicles; fluctuating oil prices that have driven the price of gasoline from less than $2 per gallon to more than $4 and then back to $2, all in less than 10 months; and a consumer panic that has cut retail sales to 15-year lows.

The failure of the U.S. Treasury Department and Securities and Exchange Commission to monitor, let alone regulate, Wall Street has created today's financial wreckage and the resulting consumer panic. And despite the obvious need for a far-sighted energy policy, the last four presidents and Congress have done little but encourage more drilling.

The longer-term inability of America's auto industry to export competitive products has its origins in U.S. trade policies that accept closed foreign auto markets and the payments of massive export rebates by other governments to their automakers. How can U.S. automakers be expected to compete in a world where German producers get a 19 percent export subsidy on every vehicle sold in the United States, China undervalues its currency by up to 50 percent, Japan keeps its auto market tightly closed, and the U.S. government allows South Korean automakers to sell more than 700,000 subsidized vehicles in this market annually, but tolerates Korea's restriction of U.S. imports so tightly that fewer than 7,000 American-made vehicles are sold there each year? The Big Three and the UAW are not at fault for these distortions of competition.

The three overarching questions that President-elect Obama and the 111th Congress face are: what will happen if the Big Three are not saved, how much will it cost, and what is the best way to execute the rescue?

As to the first question, federal inaction would be costly and destructive in ways America has not experienced since the Great Depression. The Center for Automotive Research—appropriately, CAR—projects that a 100 percent closedown of the Big Three auto producers would result in the loss of almost 3 million U.S. jobs in the first year. The majority of those losses would be Main Street jobs distributed across the country that depend on spending by the Big Three—steel, glass, and rubber producers and the 20,000 dealers, who are major purchasers of advertising in local newspapers, radio, television, and other small business services provided by lawyers, accountants, real estate contractors, and landscapers.

A 50 percent reduction in the Big Three's operations would be almost as costly. CAR estimates that 2.47 million jobs would be lost in the first year, 1.5 would still be unfilled in year two, and slightly more than 1 million in year three. The lost revenues from either scenario would devastate federal, state, and local budgets, creating further economic upheavals. CAR estimates that a 100 percent shutdown would cost $156 billion in lost tax receipts and increased transfer payments. A 50 percent shutdown would cost $108 billion.

Job loss is only part of the risk. The U.S. defense industrial base would be greatly weakened if the Big Three failed. The collection of machine tools, robots, production lines, and skilled workers of the auto industry gives the United States the capacity to shift quickly from domestic production to the manufacture of tanks, airplanes, and other war materiel as happened in World Wars I and II. The foreign auto transplants are not a substitute, for they are mostly facilities for putting together kits manufactured abroad.

As for the cost of the auto rescue, it is impossible to estimate the final number. Certainly, $38 billion for an operational bridge loan is too little and will require supplements. GM alone has a cash-burn rate of $2 billion per month, and will use its portion of the first loans within months. Yet the earliest that GM says that it can produce its new line of vehicles is 2010. Inevitably, the automakers will be back for more, much like the banks and insurance companies.

As CAR has documented, however, the costs of inaction will also be great. Its estimates of a collapse, moreover, do not include the costs of shifting more than $100 billion of Big Three pension liabilities to the Pension Benefit Guaranty Corporation, which is currently operating with a $10 billion deficit. Only about a quarter to a third of the Obama administration's proposed stimulus of massive investment infrastructure expenditures will be felt in 2009, half in 2010, and the remainder thereafter. As presently defined, it will have little effect on the Big Three.

They need more sales now. The fastest and surest way to stimulate such activity is for the federal government to give a massive one-to-three-year tax deduction for sales of U.S. vehicles with a high U.S. or North American content, such as 70 percent. This

would help clear the dealer backlog and immediately put people to work. It also would allow taxpayers to get great bargains on new vehicles.

Some have suggested that Chapter 11 is the only viable option for the Big Three. But it would create an economic avalanche in which dozens, if not hundreds, of suppliers and dealers would be forced into bankruptcy. No institution other than the federal government is now able to provide the billions of dollars necessary for the industry to operate during reorganization. And at the very moment that these auto giants need to act quickly and be flexible, they would be constrained by a federal judge and trustees to get approval for even the most basic decisions. Those who advocate bankruptcy need only look at the cumbersome and costly Delphi experience, which is now in its fourth year.

But rescuing the American auto industry will require more than vast sums of public monies. Basic policy changes in trade and tax laws are essential. One of the most difficult, but unavoidable, challenges will be to end the Value Added Tax discrimination faced by the Big Three in both their domestic and foreign markets. Soon after World War II ended, U.S. trade negotiators agreed to allow the rebate of Value Added Taxes on their exports and the imposition of VAT equivalents on their imports of U.S. goods and services. Europe was rebuilt decades ago, but 153 nations now have a VAT, and its average rate is 15.5 percent. Japan has a 5 percent VAT, China's is 17 percent, Germany's is 19 percent, and France imposes 19.6 percent. The economic consequences to the Big Three and other U.S.-based manufacturers have been devastating.

When a German automaker exports a vehicle into the U.S. that costs $50,000, for instance, it receives from the German government a 19 percent VAT export rebate, worth about $9,500. But when one of the Big Three exports a $50,000 vehicle to Germany, it must pay the German government a 19 percent, $9,500 VAT-equivalent tax at the dock. Thus the Big Three products are price disadvantaged in both markets. Moreover, these discriminatory VAT rules provide a powerful incentive to outsource production from the United States. In the Tokyo, Uruguay, and Doha trade negotiations, the U.S. Congress instructed American trade negotiators to eliminate this tax disadvantage, but other governments refused to discuss the issue.

In addition to pressing for the adoption of new global trade rules to end VAT discrimination against U.S. manufacturers, the incoming administration should focus on eliminating the many protectionist national tariff and non-tariff trade barriers crippling the Big Three. India, for example, imposes a 100 percent tariff on imported U.S. vehicles. China's tariff rate is 25 percent. Korea has long-run national anti-import campaigns that include targeting for tax audits anyone who buys a foreign car. Unless foreign economic protectionism is confronted immediately and at the highest levels of the U.S. government, the American auto industry cannot survive.

Three other principles are essential to the rescue. First, taxpayers should receive substantial equity in these ventures, plus long-term warrants, whose purchase price is set at today's stock values. After all, we are taking the risk. When any public loans are repaid, the terms and conditions should require a sale of those stocks, hopefully at a substantial public profit. Taxpayers made almost a 30 percent profit on the Chrysler loans three decades ago.

Second, demands for a reduction in worker pay should be eschewed. The UAW and its members have already made massive wage and benefit concessions in recent negotiations. Delphi is only one example. Almost a century ago, Henry Ford paid his workers a then unheard of $5 per day so they could buy the products they were making, and the auto industry led the way in creating an American middle class. This rescue should not undermine broader efforts to provide secure jobs and benefits, nor should it allow the pitting of well-paid American workers against the penny-wage labor of other countries.

Without question, the UAW has often been smug, arrogant, and inflexible. But rather than punishing it by requiring reduction in its members' pay, we should expect the union to contribute to the rescue. It should enter into a no-strike agreement until the federal loans are paid and invest its $1 billion ''rainy day'' reserve, commonly called its ''strike fund,'' in the preferred stock of the Big Three until the loans are satisfied. The rainy day has come, and if taxpayers are putting up money to save UAW jobs, so should the union.

While U.S. antitrust laws allowed the UAW to target one company at a time, those same laws prevented the Big Three from negotiating together on an industry-wide contract. Any rescue should permit the Big Three and UAW to negotiate an industry wage and benefit package.

Third, executive pay at the Big Three should be capped at some simple multiple of the average annual pay of Big Three workers, such as 10 or 15 to 1, with any bonuses being provided in corporate stock, at least until any federal loans are paid off. Also, the Big Three executive pension funds should be required to have at least a majority of its capital invested in Big Three stock. The goal, of course, is to create a common incentive for labor and management to work together.

As of mid-November 2008, the U.S. Treasury and the Federal Reserve had advanced $2 trillion to salvage the financial wreck created by Wall Street. In late November, the FDIC announced that it was ready to loan another $1.4 trillion to stabilize the banks. The Bush administration and Congress seem to have no limits to their concern about Wall Street.

The Big Three automakers, their suppliers, and dealers are on Main Street. They employ millions of workers and provide essential goods for American consumers. If the Big Three fail, an economic tsunami will quickly roll across the United States, destroying jobs, incomes, and national confidence at historic levels. The challenges faced by the new administration at that point would be similar not to those faced by Franklin Roosevelt, but to those that confronted Herbert Hoover in the first years of the Great Depression.

In this instance, what is good for General Motors is good for America.

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

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

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

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

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

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

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

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

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

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

THE ECONOMIC SITUATION WE NOW FACE

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

Mr. AKIN. Mr. Speaker, I come here this evening to the floor to talk about a subject that is arresting the attention of Americans everywhere. It arrests their attention because it very much involves their futures, their future hopes, and the hopes of their children and grandchildren: that is, the economics and the economic situation that we now face.

Over the past, we have, over the past 6 and 7 years, heard repeatedly in our media the tremendous cost, particularly of the war in Iraq. We were told every day not only of people that were dying there but also of how it's just draining and siphoning money from the American economy.

And so, we come today in a curious situation. If you were to add all of the money that was spent in Iraq in the war there, add it all up for 6 years, and then take the money that was spent in the war in Afghanistan, add it up for 7 years, and you put those two sums of money together, you would come up with less money than this U.S. Congress spent in the first 5 weeks that we

were in session when we passed the supposedly stimulus bill.

That, perhaps, casts a certain amount of light and helps to put in perspective what $840 billion in taxes that we actually don't have, but $840 billion dollars in spending that we approved here on this House floor.

□ 1845

What has happened since that time is we have spent other money, and there have been other large chunks of change, and I think it gets a little bit confusing in people's minds exactly how much is the Congress spending.

And so I have here immediately to my left a chart that talks a little bit about some of the money that we have spent in the past, and we do this on the eve of the fact that we have the new budget coming up which will be discussed and debated tomorrow. That budget is a whopper of a budget, but first, let's put it into context.

First of all, in the fall of last year, as Wall Street was becoming weaker and as there were demands for money to bail out Wall Street, the Congress approved $700 billion for the Wall Street bailout. The first $350 billion were spent last year, with an additional $350 billion this year.

Theoretically, this money was supposedly offered with transparency, so we could know what it was going to be used for and how we were getting something good from it. However, in spite of the fact that we spent the first $350 billion, we saw the stock market sliding and sliding. Then we spent the second $350 billion, and people continued to ask whether this money was really an effective tool.

As we asked many questions, even last fall on this subject, what we found was that particularly some people that worked on the savings and loan crisis some more than 10 years ago said that there was a way to help deal with our financial crisis, and particularly the toxic mortgage and bad loans that had been made, there was a way to deal with that without spending a lot of money. In fact, during the savings and loan crisis, we did not spend any of this kind of money, even though the situation was not dissimilar. That involved things like mark-to-market and other accounting kinds of principles that could have been followed rather than going into the American taxpayers' pocket for $700 billion.

Well, this year we spent $350 billion of that. Moving forward to this economic stimulus—I call it the porkulus bill—we spent another $787 billion. Let's put that into perspective. In an area that I work, which is on the sea force committee, sea power committee, and one of the big ticket items that we deal with are aircraft carriers. People that know something about the Navy know that aircraft carriers are expensive, and we protect them by putting other ships around them. We only have 11 of them currently in service, and they average about $3 billion historically. That's what we paid for them.

And so if you were to divide the $3 billion into this $787 billion, what you'd find out is that you have got, you know, over 200 aircraft carriers. Picture 200 aircraft carriers tied end-to-end. That's a whole lot of money that we're spending that we don't have. Or if you want to put it another way, just the interest and the debt service on this money that we don't have that we're spending would be enough to buy nine new aircraft carriers every single year.

And what is there in this economic stimulus package that's so important? Well, as it turns out, it isn't even the good old Keynesian, the good old FDR, ''government spend its way out of trouble'' kind of package. It doesn't have those kinds of things in it. You'd think it would have in there hard manufacturing kinds of jobs, building ships, pouring concrete to make hydroelectric plants or nuclear power plants. You would think it might have a lot of money for roads, something for small businesses to get them going. It turns out it's not. It turns out what it is, it's a whole lot of spending on items that are just budgetary items of the Federal Government. It's just a whole lot of spending on social programs.

It does include some money to protect an endangered mouse in Speaker PELOSI's district. It contains things about education for HIV. It has some money for ACORN and things like that. These are regular old social government programs, but nothing that's really stimulative particularly.

And so this tremendous amount of money added to the debt is something that has very much captured people's attention, but we haven't stopped there unfortunately. We have seen no sign in the economy or in the stock market that this money is doing any particular good. In fact, all of the evidence economically would suggest that it won't. In fact, when you take a good look at the people that came up with this whole idea of stimulating the economy by government spending money, it doesn't even make much common sense.

Think about your average American family. Hey, we've got hard trouble with the budget this year, what are we going to do? Oh, let's go buy a brand new car and spend a whole lot of money. Nobody's that dumb in our country except for the Federal Government, and of course, we want to spend a lot of money. There isn't any economic justification. In fact, Henry Morgenthau, who was the Secretary of the Treasury under FDR, after they did this lovely theory of spending tons and tons of money—and this is all through the 1930s and 1939—Secretary Morgenthau comes before the House Ways and Means Committee. He said, We have tried spending a whole lot of money and it doesn't work. He's pretty straightforward. It doesn't work. Our unemployment is as bad as it's ever been, and we have a tremendous amount of debt to boot.

So, so much for little Lord Keynes' theory. It was tried by the Japanese back in the 1990s, and the Japanese economy was sick because they just kept spending more and more government money, and it didn't help their economy at all.

So, so much for the theory of a whole lot of government spending is going to make the economy go well. Actually, considering the number of trillion dollars in debt, if the government spending was what made things went well, why we would all be millionaires ourselves if that theory worked. Of course, it doesn't work, and this of course, does not work.

Then we have the appropriations for 2009 which was another $410 billion, and you start putting this together, and it starts to add up to real money. And now we have the new budget that has been proposed, a $3.6 trillion budget, and that includes some different, interesting items.

One that I think is of significance, the President promised us while he was in this very Chamber, he promised us that if you were making under $250,000 you didn't need to worry about taxes because he wasn't going to raise your taxes any. I thought, I'm glad because I don't make $250,000 a year, so I don't need to worry about tax increases.

Well, you better hang on to your wallet in Washington, D.C., because what is this cap-and-tax? This is a tax on electricity and heating fuel, propane, natural gas, things like that. And what's that going to mean? Well, some economists took a look at what that was going to cost, and this is a very credible organization. I believe it was MIT. I forget which university it was. Their estimate was $3,100 for every household in America. So, so much for the $250,000. Sure, we're going to tax those guys that own small businesses, but we're going to tax every household in America on an average of $3,100 every year.

I see a good friend of mine from Indiana, a very respected statesman on this floor, and I would yield to my good friend, Congressman BURTON.

Mr. BURTON of Indiana. Well, I really appreciate you saying that, and I just hope everybody in my district in Indiana heard you say that because I want to make sure they appreciate me. So thank you very much for saying those nice things.

The thing that I wanted to mention is you're absolutely right. The amount of money that this is going to cost the average homeowner is just unbelievable, and it's going to be a tax increase that's going to be borne by every single person in this country.

But in addition to that, the inflationary pressure that's going to be created by all this printing of all this money is unbelievable. They're talking about something like over the next decade 7, 8, 9 trillion dollars in spending, and that's going to result in a tremendous amount of printing presses being run over at the Treasury Department. And when that money gets into

circulation, it's going to cause a tremendous amount of pressure as far as inflation is concerned.

As a matter of fact, I know my colleague knows this, but just in the last couple of weeks we found out that the money supply in this country has been almost tripled in the last couple of years. And because of that, we already have a built-in inflationary pressure that will be taking place I think in the next couple of years. So I think there's going to be a spike in inflation.

But I'd just like to add one more thing.

Mr. AKIN. If I could reclaim my time, you talk pretty fancy words about how this is going to create all this inflation and stuff. I want to just see if that connects to what I'm saying.

Back in my district, the poor people are investing in lead, and the more well-to-do people are investing in gold. The poor one, it's the lead shells for different types of rifles, pistols and shotguns; the other one is gold coins. Maybe they're thinking along the same lines as you are, with inflation, you have got to do something to protect yourself, and the government is just running the printing presses.

Mr. BURTON of Indiana. If the gentleman will yield, there's no question that the inflationary pressure is very real, and the taxation that people are going to face is very real, and it's not something that we're just making up for political purposes. It's going to happen, and it's going to happen very quickly on the tax issue, and the inflation issue is going to come in just the next couple of years, in my opinion.

But one of the things I wanted to mention—and I appreciate my colleague taking this time—and that is, that there's a book out called ''The Forgotten Man,'' and it's a book that I hope everybody who's interested in what happened during the Great Depression and how that correlates to what's happening today, if they're interested in that, they really ought to read it because there's tremendous parallels between what happened between 1929 and 1941 with what's going on here today. And that depression that we went through in this country lasted for over 10 years, and that's something that we don't want to see happen in the United States.

Mr. AKIN. Reclaiming my time, I have heard great things about that book. My own father read it, and he just said it's something you can read on an airplane. It's fascinating.

Mr. BURTON of Indiana. Well, I do read it on the airplane.

Mr. AKIN. Fascinating. So I appreciate you mentioning it. ''The Forgotten Man''?

Mr. BURTON of Indiana. Yeah, but the thing about it that's important is we're making the same basic mistakes we've made in the past during the 1920s and the 1930s that led to the Great Depression and caused a tremendous amount of unemployment and heartache for the people of this country.

And the thing that really bothers me is that we went through a very large recession back in the late 1970s. When Ronald Reagan, your hero and my hero, came into office in 1980, he immediately moved to cut taxes across the board, and because of that, even though that economic problem we faced back then was worse than it is now, we came out of that and had the longest period of economic growth that we've had in my memory, and that's because he cut taxes. He didn't raise spending like this. He cut taxes so people and businesses had disposable income that they could use to invest and buy things. That's what we need to be doing today.

Mr. AKIN. Just reclaiming my time, what you're talking about, Ronald Reagan, a lot of times people say that Republicans, well, all we do is say ''no,'' we don't have any answers. But the fact of the matter is that this idea that Keynes had and Morgenthau had about the government spending lots of money to fix the economy, it doesn't work, it's never worked. So we vote ''no'' on what doesn't work.

But what does work? Well, what you're saying is, one, you want the government to spend less money, but the other thing is certain types of tax cuts, not every tax cut, but certain types, particularly the tax cuts that put liquidity into the pocket of those small businessmen—that's 70 percent of the jobs in this country are created by these entrepreneurs, these investors, the small businessmen that get their things going. So that's what Ronald Reagan did, and boy, did it work. He wasn't the only one that did it. JFK did it, didn't he?

Mr. BURTON of Indiana. That's right. He did it, and Reagan did it. Reagan cut taxes for business, as well as for individuals, and today, if we cut the capital gains tax in half or cut it out all together for maybe a year and if we cut the income tax out for just two or three months, that would cost a great deal less than we're spending, and I have no doubt that it would stimulate a real rapid growth in the economy of this country.

So I'd just like to say to my colleague and my other colleague that just showed up on the floor, I want to thank you both for taking this Special Order. The American people really ought to appreciate what you're doing by explaining what in the Dickens is going on around this place, and I'm very happy that you're doing that.

Mr. AKIN. Just reclaiming my time for a minute, let me ask you: on this chart this is the historic budget in balance. Everything below this line, we spent more money than we had. Anything above the line, we spent less than we had. Every single bar is a year going back to the 1980s and 1990s. You come across here. Does it strike you as being a little bit odd that in 2009 we have this tremendous level of spending? Does that look like a good sign to you? You know something about economics. I yield.

Mr. BURTON of Indiana. There's just no question in my mind that the tremendous amount of spending that we're doing right now is going to be very bad, not only for us but for the future generations. The kids and the grandkids that we're going to be having are going to be bearing the burden of higher taxes and inflation, and it's not necessary if we did the right thing today by cutting taxes across the board.

And I see both my colleagues are here, and I really appreciate. And I'd just like to say one more thing before I yield the floor to my colleague, and that is, everybody ought to take a hard look at what happened in the Great Depression and what happened in the 1970s and the 1980s with Ronald Reagan. And you will see a real contrast between trying to spend our way out of a problem instead of cutting taxes and let the American people spend the money the way they want to spend it and the way business wants to spend it. Because if the American people have more money to spend and if business has more money to invest, then they're going to start doing the things that will stimulate economic growth and make the economy work; whereas, government trying to control everything and trying to spend our way out of these problems we're facing, it only leads to disaster.

It did in the 1920s. It did in the 1970s, and they will do it again right now if we don't get real and start cutting taxes instead of increasing spending across the board.

□ 1900

With that, let me yield to my colleague, and I really appreciate you taking the time tonight to do this.

Mr. AKIN. I sure appreciate my colleague from Indiana and his wisdom. He's been in the Chamber for some number of years, keeps an eye on these things, and Congressman BURTON is a great leader down here.

Mr. Speaker, Congressman SCALISE is somebody who hasn't been here as long but is readily and rapidly earning the respect of his colleagues on the floor, particularly for the fact that he is paying immediate attention to the number one top priority, which is what's going on fiscally.

Mr. Speaker, I'm going to yield the remaining time for this hour and would hope that Congressman SCALISE could then pick that up.

The SPEAKER pro tempore. Without objection, the gentleman from Louisiana will control the balance of the time.

There was no objection.

Mr. SCALISE. Thank you, Mr. Speaker. I thank my friend from Missouri for participating in helping lead this hour-long debate on the issue that is right now most important facing our country, and that is not only how to get out of this economic crisis that we're in, but how to sustain and get our country back on footing in terms of budget policy.

In many ways, we've got problems in our financial systems, but we've got big problems here in Washington as it relates to spending and borrowing and taxing.

This week, we're going to be voting on the President's budget. His budget resolution is on the floor later this week. It's a budget that causes us great concern because of its record levels of spending, record levels of borrowing, and record levels of taxing not only small businesses but every family in this country that uses energy on the energy cap-and-trade plan that just got filed yesterday—the President's cap-and-trade policy that adds a $646 billion tax increase which will fall on the backs of every American family.

So when we talk about all of these policies, let's look graphically at just what this means in terms of spending as it's relating to the past decades in our current national debt.

Right now, if you look at the trend over the last few years, the budget deficit was actually going down. It was still too high. For those of us who do not support deficit spending, it was still too high, but at least it was trending down towards getting back to a balanced budget.

Unfortunately, the first budget that President Obama filed increases deficit spending—actually, record levels. Next year would be a $1.9 trillion national deficit added to a record level of debt.

When we talk about the level of debt—and I think you're seeing across the country this budget has got a lot of people concerned, not only for what it does in the first year of spending, but this comes on top of the stimulus bill, that massive spending bill, over $800 billion of deficit spending that the President signed in his first few weeks in office. But then this budget thrown on top of that, when we look at what this means to future generations, this is where the real concern comes in.

This is a chart that actually shows since the history of our country since 1789, when George Washington took the oath of office, through the period of time that George W. Bush left the White House in January of this year. This country accumulated $10 trillion of national debt.

Now it's a level that I'm not comfortable with and many people are not comfortable with. But when you compare that with President Obama's budget, he mushrooms the national debt from $10 trillion, which is the national debt he inherited, to $23 trillion, when his budget that is going to be voted on late this week is taking effect.

Now, obviously you see graphically why so many of us oppose this record level of spending and borrowing. The fact that one President in just one budget resolution can double the national debt to do what it took 43 other Presidents to do in 220 years of our country's history, this President will double that number, to go from $100 trillion in national debt that all 43 previous President's accumulated, to going up to $23 trillion when President Obama's budget is fully implemented—if it's fully implemented.

That's what brings us here tonight—the fact that this budget resolution has not passed yet. It's a proposal. It's a proposal by the President that I don't support, that many of us don't support, and I'm not sure that a majority of us don't support it, because we will have a vote and there is a chance that this budget will pass. That's why we're trying to lay out these facts.

These are facts. These haven't been disputed. These are verified by the Office of Management and Budget, the Congressional Budget Office. Everybody that's looked at this has confirmed that the President's budget will more than double the national debt. Yet, we are presented with this vote later this week.

Those of us on the Republican side have presented an alternative budget. In fact, we've laid out a plan to get us back to surpluses; a plan that pays down, goes down on deficits—brings our deficits back down to where we're only spending as much money as we're taking in.

Just like American families across the country during these tough economic times—they are cutting back, they are making do with what they have—this Congress should do the same. This President should do the same. The Republican budget that we have laid out now will do just that.

It doesn't add new taxes. In fact, it cuts taxes so that small businesses can go out and hire more people. But then it responsibly spends to a level where we will finally have a balanced budget, something that is critical—for our country to spend within our means.

So my friend from Missouri I know has been talking about this same thing. I want to yield back to him some time so that he can further expound on it.

Mr. AKIN. I appreciate the gentleman yielding. There are a couple of things. In spite of how deadly serious this is and the tremendous impact it's having in terms of lost jobs and just hammering people's pensions and people struggling with their payments, one of the things that is so odd about what we do in the government sector is we pass these laws and they have unintended consequences.

I'm just thinking about, Here we go again. We're just about to pass another silly law. And I'm thinking about how are my people in the great State of Missouri going to react.

We've got this cap-and-tax tax increase that you're talking about. That tax increase is going to be not on people over $250,000, but what this is going to be is a tax increase on the use of energy—of electricity, natural gas, propane, or whatever you're heating your house with.

So just think about it a minute. This has been estimated to be $3,100 per family in America per year. That is a pretty big tax increase. That is like my entire property taxes on the house that I have now.

So I'm picturing, Congressman, if you think about it a little bit, and all of a sudden your energy is going up at such a tremendous rate and you're having to pay $3,000 more in taxes, what in the world are you going to do?

Well, people in my State are going to get that steel chain saw out, they're going to be cutting up firewood, they're going to get themselves a wood-burning stove, and they're going to start burning firewood instead of natural gas. What's the effect of that going to be? Well, not as complete and clean a combustion.

So we're going to put more CO_2 and other types of gasses in the air by passing this bill and it's going to have the exact opposite effect of what it's supposed to do.

It's like when some brilliant genius put this MTBE in our gasoline to make the air cleaner and people figured out that it was ruining the water and the water table because it was washing out of gasoline that was spilled and poisoning the water. So we do something that is supposed to be making the environment better—and we make it worse.

Here we go. We're going to tax everybody's use of home energy. And what's going to happen? They're just going to get wood-burning stoves. It's going to smell nice like a barbecue going on all the time. But this is just another really bad idea, particularly in these hard times, to be laying one more heavy tax burden.

Now we heard a lot about President Bush spending too much money. As a Republican, I voted against some of those proposals. But let's do a comparison here of exactly where we are because you talk about trillions and billions of dollars, it makes my head spin. But I can do a simple comparison.

Here the average annual deficit under President Bush is $300 billion, and what is being proposed by the current President is $600 billion. I can understand the difference. There's twice as much spending going on here as there was under Bush.

Here's the highest deficit. George W. Bush, when the Democrats ran the House, that was when there was the most spending going through—$459 billion. Under President Obama, he's looking at $1.2 trillion. That's two times more deficit spending.

Increase in the national debt. Under all of the years of President Bush, $2.5 trillion. Well, that's not good. Again, President Obama has got him beat two to one.

So I think it's helpful to try and put numbers in perspective. What we are talking about is unprecedented spending—and guess what the result of that is going to be? You guessed it. Something that none of us like. Jobs lost. That's what's happening.

When you start spending too much money, taxing too much, borrowing too much, you start to lose jobs. Small

businesses shrink down. The guy that made $250,000, now he's getting taxed and not putting that money back in his business.

It's making all Americans across our country hurt. This is something we can talk about numbers. But we're also talking about people, Congressman.

I appreciate your yielding some time here because this isn't the way we should be going. What we should be doing is tightening the belt in government like everybody else is tightening their belt.

Understand that this is not government money, this is hard-earned dollars not of ours, not of our children. It's our grandchildren's hard-earned dollars that are being spent. We just can't allow this to go on.

I'm going to stand here, I know you're going to stand here, and we're going to fight until every American understands what is at stake. I believe when America wakes up to what's happening here, they're going to say: No more spending, no more taxes. Back off, Washington, D.C., and let us do what we have always done so well and that is let America free enterprise and the American Dream pull us out of this mess.

I yield back.

Mr. SCALISE. Reclaiming my time, I want to thank my colleague and friend from Missouri for laying out not only the stark realities but the optimistic tone that this is not something that has happened yet. This is an issue that the American people are recognizing when they see the concerns that they have, which are the same concerns that we have, that the President's budget spend too much, taxes too much, and borrows from our children and grandchildren—money that we don't have.

So why is this bad? Because the numbers that you showed, the numbers that we show right here on this chart, the fact that President Obama is doubling the national debt, something that took over 220 years and 43 Presidents to accumulate. He is more than doubling that with his record level of spending.

What's interesting is right now, just today, they started a summit in Europe. The President went to Europe today and he is going to be meeting with other world leaders in Europe.

Just last week, European leaders—now we're seeing American people all across the country speaking out against this record level of spending, recognizing the problems and dangers that it's going to pose not only to them in terms of higher interest rates, lost jobs, inflation, but also in terms of what we will be leaving to our children and grandchildren. All of this debt that would be saddled on the backs of future generations.

So Europe is actually taking notice. In fact, the Czech prime minister and the current European Union President, Mirek Topolanek, said last week that ''the biggest success of last week's EU summit was its refusal to copy the U.S. example. We need to read the history books and the lessons of history. And the biggest success of the EU is the refusal to go this way.''

You had the head of the European Union telling the President that he's spending too much money and that he's concerned about President Obama's spending. It's almost like when Otis, the town drunk, tells you he's concerned about your drinking problem.

I think you need to take notice when leaders in Europe are telling the United States that this President is spending too much money. I think that's very riveting. In fact, it's a major concern that a lot of us have.

That's why those of us on the Republican side and we invite our Democrats to join us in a bipartisan way to join with our budget resolution, not a budget that spends too much, borrows too much, and taxes too much, but a budget that actually balances the Federal budget, that does not raise taxes that will actually create jobs.

We filed this bill in a bipartisan way. We're reaching out to our Democratic colleagues to reject the path of doubling the national debt. So, hopefully, they'll join with us.

Somebody that is joining with us is my friend from Ohio, Mr. JORDAN, who's on the Budget Committee and has been participating in some of these discussions and helping draft this alternative plan. So I yield time.

□ 1915

Mr. JORDAN of Ohio. I thank the gentleman from Louisiana and our colleague from Missouri for this Special Order hour, and appreciate the chance to be with you.

You know, you hear ''tax and spend'' politicians. I would argue it is actually the opposite, it is spend and tax. Spending always drives the equation. Spending requires the increase in taxes. Spending requires the increase in borrowing. Spending is what hurts the future of our kids and our grandkids. And I know this has been pointed out because I see the chart that the gentleman from Louisiana has displayed.

This budget, the Obama Democratic budget in the next 6 years adds more to the national debt than it took the previous 43 Presidents to accumulate. So, from George to George, from Washington to Bush, we didn't pile up as much debt as this administration is going to do in the next 6 years. And I would argue this: When you pile up that much debt, when you borrow and spend and spend and borrow and spend and tax that much, it is actually an attack on freedom.

When you tax that much, it is obviously an attack on the freedom of taxpayers today, because we no longer have as much money, as much purchasing power, as much of our income to use on the goals and dreams and those objectives that we have as individuals and families. But probably more importantly, when you spend and tax and spend and borrow as much as this budget does, it is an attack on the future freedom, the freedom of future generations of Americans.

And I read this in Budget Committee last week, Congressman, and it I think captures what is at stake here and why this is actually a moral question, in my mind. About 2 weeks ago in our district, Andrew and Emily Beck from Carey, Ohio gave birth to their first child, their son, Olen, nine pounds, three ounces, 19½ inches long, named after his grandfather. Little does Baby Olen know, but he already owes more than $30,000 in debt; and, if this majority's budget is passed, that debt will go to $70,000 by the time he is able to write his name. I mean, Baby Olen already with that kind of debt, and in just a few years it will reach $70,000 that every single person in this country is going to owe when you think about the amount of spending, the amount of taxing, the amount of borrowing that takes place in the majority's budget.

Americans get it. I know the gentleman from Louisiana, my friend and colleague, was talking about the optimism that we heard from our friend from Missouri as well. Americans get it. It is why you are seeing all across the country these taxpayer tea parties, where people are showing up and expressing their outrage at this kind of spending, this kind of behavior from their government, their Congress.

In fact, we had just 3 weeks ago in Ohio, on the first nice spring Sunday afternoon in Cincinnati, Ohio, we had over 4,000 people show up in Cincinnati to say: Enough is enough. Stop the craziness, stop the insanity, stop this ridiculous level of spending. Exercise a little discipline, exercise a little fiscal restraint. Make those tough decisions that we sent you to Washington to make.

And it is always easy, I think I related this story another time on the floor. I had a coach in high school who talked about discipline every single day in practice. He talked about it in the classroom, he taught chemistry and physics, he would talk about it in the wrestling room, he talked about it every day: Self-discipline is the key. You have got to have self-discipline. He would talk about it all the time. And he had a great definition. I got sick of hearing him talk about it, as many teenagers would, but I am glad he did. He had a great definition. He said: Discipline is doing what you don't want do when you don't want to do it. Basically, that meant doing things his way when you would rather do them your own way. It meant doing things the right way when you would rather do them the convenient way.

And that is what we need around here. The easiest thing in the world for politicians to do is to get ahold of the taxpayer wallet and spend the money. The tough thing to do is usually the right thing to do, and that is to say, you know what, we are going to have

to prioritize. We can't spend and spend and spend. We are going to have to slow down this spending, quit borrowing, quit mortgaging the future of Baby Olen and other kids around this country and say we are going to do the right thing, which is get spending under control.

That is why this budget is wrong. That is why we will have an alternative that will have some fiscal restraint, will lower taxes on the American families that are already overtaxed, and do those things that we think will help improve the future economic situation of this country.

With that, I yield back to my colleague. And I appreciate, again, his hard work on this Special Order hour and this hard work in the Congress, along with our colleague from Missouri.

Mr. SCALISE. I want to thank my friend from Ohio. And when he talks about the hard work and doing the hard work, doing the right thing even when the easy way out might be more appealing, he has got a little bit of humility but he did that hard work and was a two-time national champion wrestler. So, somebody who has been wrestling with the budget. But he has got some good experience, and he speaks I think some very poignant words.

And when my friend from Ohio talked about those tea parties that are going on, when we talk about tea parties nowadays, it is not a couple people sitting around in sun dresses drinking hot tea; it is something that hearkens back to the days of our Revolution, the founding of our country when the Boston Tea Party was that symbol, that tipping point that many people had where they said enough is enough. And then they revolted against taxation.

What we are seeing today in the country is a similar revolt against the spending, not just the taxing, but the spending and the borrowing, where thousands of people—and these are events that are organized not by community organizers, not by government institutions. It is just regular citizens on their own, in many cases without much media attention, that are saying: We want to speak out against this spending. And thousands of people show up at these rallies.

In fact, on April 15, on tax day, which for many of us is not our most pleasant day we look forward to, but on that day we have got two of those tea parties in my district, in Covington, Louisiana, and in Metairie, Louisiana, because citizen activists said we want to speak out against this spending that is being proposed in Washington, D.C.

And I think the real sign of encouragement that they have is that since much of this hasn't happened, some of it has happened but much of this debt hasn't been added yet to the rolls; and before it does, they want to speak out so that we here in these halls in Congress hear those voices.

And we are hearing them here, and we are proposing an alternative. It is not just a matter of being opposed to something that we think is bad; we proposed an alternative and a balanced budget, a budget resolution that, unlike the President's, brings us down a road to increased national debt, doubling of the national debt, higher taxes. We actually have a budget that has no taxes, that actually cuts taxes for small businesses to create good middle-class jobs at a time when we need to be creating jobs, and actually gets spending under control, brings us to a balanced budget. That is something that we should all support, Democrats and Republicans.

And this is what the two proposals look like right here. President Obama's budget is in red, and you can see the graph continuing to go up in record spending and debt that is going to be increasing. And then you can see the Republican Budget, actually getting the spending under control and bringing it back down, bringing us to a balanced budget.

With that, I yield back to my friend from Missouri (Mr. AKIN).

Mr. AKIN. I appreciate the gentleman yielding. It has been such a beautiful day here, we have got the cherry blossoms in full bloom in Washington, D.C., and yet we are talking about a very, very serious and very difficult problem with a government that is really out of control in spending. And I appreciate the gentleman from Ohio, Congressman JORDAN, talking about the discipline. We don't have the discipline.

But, you know, part of it is that we have forgotten some of the lessons that the founders that came to this country understood. And I have thought back a little bit, how is it that we got off track? And if you will allow me to just wax a little bit philosophical.

This country was put together, and unlike any other country in the world America is a Nation that was founded on a creed. There are many things that are distinctive about America. We have the oldest Constitution. We have won a number of wars and ceded no territory. We have named no emperors, crowned no kings. And what we did was we taxed ourselves to rebuild.

America is a very unique place, and there are many reasons why Americans could be proud of this country. But America also is a Nation that has, if you will, a political or religious creed, and that is stated in our own Declaration of Independence, why we went to war. And the sentence says: We hold these truths to be self-evident that all men are endowed by their Creator with certain inalienable rights. And it goes on to say: Among these is life, liberty, and the pursuit of happiness. Earlier versions of Jefferson's documents were life, liberty, and property.

And then it goes on to say: Governments are instituted among men, deriving their just powers essentially to do, what? To protect life, liberty, property; life, liberty, pursuit of happiness.

So if you take a look at that formula, what it is saying in simple terms is, there is a God. God grants all human beings certain basic rights, and the job of the government is to protect those rights now.

Now, fast forward from 1776 to 1944, to the inaugural address by FDR. He said, well, that first Bill of Rights—which wasn't a Bill of Rights; it was a Declaration of Independence, life, liberty, pursuit of happiness—was okay for a while. But it wouldn't be any good if Americans are hungry or if an American needs a coat, or if some American is not secure. So we propose a second Bill of Rights, and that is that the government should give you jobs and education and health care and things like that.

You note the clever twist here. The first rights are things that naturally occur to all people under God, the right to free speech, the right not to be killed, the right to own some property. These other kinds of things we are talking about now have a strange, strange parallel.

We laughed some years ago in my past when we watched the Berlin Wall fall down and we said, we knew those commies or the USSR, that system would never work, communism, socialism. It won't work. Why was that? Well, because the government is going to give you your health care, the government is going to give you your food and your housing, the government is going to provide a job, the government is going to provide an education. And don't talk about God, because if you talk about God then you know you have natural rights from God, not rights that come from a government.

So what we are doing in America with this kind of budget? What we are doing in America is the government is going to give you health care, the government is going to give you a job, the government is going to give you food and a place to live. The government is going to give you an education. How are we so different from the system we just watched fail?

That is why the Europeans are laughing in their beers, looking at us and saying, has America been smoking those funny cigarettes or what? What are we doing? And I think that is the question we are trying to raise.

I don't mean to be too philosophical, but where did we got off track? We got off track on the road to socialism, to the idea that the government is going to be all things to all people. And it does a lousy job of doing that.

What we should be doing, quite simply, is protecting life and protecting people's basic liberties. And what are we talking about doing? We are talking about saying we are going to have a bureaucrat in D.C. to monitor what you put on your radio program. We are going to call that The Fairness Doctrine.

We are going to take away your right to be able to vote without being compelled or feeling pressure, because we are going to get rid of the secret ballot election when it comes to joining a union or not.

We are talking about taking away people's freedom to own a piece of property because some local government wants to take it and turn it into a strip mall so you don't have any private property rights.

I mean, what is going on? How come we are giving up freedom? I don't think we are on the right track.

I appreciate the gentleman with this hour, and I just felt like it was important to get back to what is basic in America, which is limited government that provides and protects our life, our liberty, and our property, instead of doing this institutionalized theft.

Mr. SCALISE. Again, I thank my friend from Missouri. And when you talk about the Founding Fathers and that great document, the U.S. Constitution, which I would argue is the second most important document ever written, next to the Bible. And when the Founding Fathers really talked about and articulated the foundation of our country when they were forming it, they really did believe in those things, and they sacrificed tremendously for that liberty, for that freedom, to create what has been the greatest experiment in democracy in the history of the world. And we still are that great democracy. And the reason we are here tonight is because we want to preserve that democracy, not just for ourselves, but for our children and for our grandchildren.

Every generation in this country has a fine tradition of passing on a better Nation than the one that they inherited. And many of us feel that if we go down this road, we would be in jeopardy of leaving a worse Nation behind. And so it is well worth fighting for those principles that our Founding Fathers talked about are critically important. It is why we were elected. It is why we took the oath of office here in this Chamber in January, to uphold the principles that that document articulates.

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And when you look at this budget, when you look at the contrast, go back to World War II, and you will see this massive spike in public debt held as a percentage of GDP. And of course we were fighting a world war. We won World War II. And it was expensive. And as soon as World War II was over, we came out of it, and we got back to a regular level of spending. Then you see this massive spike, this red spike, which is representative of President Obama's budget contrasted by this green line, which is the Republican alternative.

This bill, this is an alternative budget resolution that we filed. Too often we hear, and some of our friends on the other side like to reinvent history and they say, ''the Republicans have no alternatives. They are just against the President's budget.'' I guess they don't know how to read this document. We have copies right here on the House floor, and we are distributing to them to anybody who wants to see it. In fact, it is on the Internet. You can go and look it up on the Internet and read the details of what we propose. And that is a budget that is balanced. That is an interesting concept here in Washington, D.C. these days. But it is a budget that we actually balance.

We don't raise taxes. In fact, we cut taxes for middle-class families and for small businesses to create jobs, to get our economy back on track, and so we can get control again on this runaway spending that so many people are speaking out about.

One of the other points that this budget does that concerns many of us is it borrows from Social Security. So what do these policies, what does ''deficit spending'' really mean? Well, first of all, last week when the Treasury Department went out to sell debt—on occasion, a few times a week, the Treasury Department actually goes out and sells debt. And last week they had a hiccup. There was a problem because some people weren't buying the debt at the levels they were expecting. And you saw the stock market tank that day. Unfortunately these days, we see a lot of tanks in the stock market as reactions to some of the things happening here where you have the Federal Government, literally the government trying to tell private companies like GM whom to hire as their corporate CEO. These are not healthy signs for our country. But that debt had a cost.

Another cost to that borrowing and deficit spending is that in just the first 4 years, in President Obama's first term, he will actually raid the Social Security trust fund of $910 billion taken away from Social Security. That is a cost of this deficit spending. That is why so many of us are speaking up against this deficit spending, because senior citizens out there who are on fixed incomes expect that obligation to be met by the Federal Government. Young people that are working today are paying in, paying those Social Security taxes. Some may be cynical and think they are not going to get anything for it. But it is an obligation that is made to them because they pay taxes into that system for that system to be there for them. And how is that system going to be there for them if this President in just 4 years raids the Social Security trust fund of $910 billion? These are real consequences to this runaway spending.

So as we talk about these things, I'm going to yield back to my friend from Ohio to share his thoughts.

Mr. JORDAN of Ohio. I appreciate the gentleman yielding.

Mr. Speaker I wanted to talk about the point we were on earlier, the greatness of this country and the freedom that we have enjoyed for over two centuries. My friend from Louisiana made the point about one of the things that makes us special, that makes us the greatest nation in history, is this idea that parents make sacrifices for their kids so they can have life a little better than they did. And then that generation in turn, when they become parents, does the same thing for the next. And it has been that continuation that has led to the amazing standard of living we enjoy in this country and prosperity and wealth over the years. It is a fascinating principle that parents make the sacrifices to help their next generation. Unfortunately, what you see in this budget is exactly the opposite. We are taxing and spending and borrowing and mortgaging the future of our children and our grandchildren in exactly the wrong direction that we need to proceed.

Our colleague from Missouri talked about the loss of freedom. And if you think about this budget, I want to just talk about four things. There is an attack on liberty. There's an assault on freedom, as our friend from Missouri pointed out. The tax increases contained in this budget, when you tax people more and take more of their money, you are taking away their ability to go after their goals and dreams, to pursue those objectives and those initiatives that have meaning and significance to them and to their kids and their family and their small business. When you increase spending at this rate, we talked about this before, when you have this kind of spending and this kind of debt piled up, you limit the liberty and freedom of future generations of Americans. And when you impose in this budget, which is in the document, this tax on energy that we have called the cap and trade or cap and tax, this cap-and-trade concept which places a tax on all the energy in our economy, when you do that, you limit the freedom of the entrepreneur and the small business owner out there to get the energy he or she needs to grow their business and help our economy improve. It is a direct attack on freedom for small businesses owners.

Probably the one that gets Americans the most is this idea that in this budget we are going to create this national health board which is going to be in the business of determining what kind of health care you and your family get. Instead of you and your doctor and your family sitting down and figuring out what kind of health care treatment you're going to get, we are going to have this national board. Money is set aside in this budget to pursue this advancement of nationalized health care. I think, just what we need, the Federal Government determining how we get our health care. That is a direct attack on freedom for families across this country.

One of the things I know about Americans for sure, it is just part of who we are as a people, we hate being told what to do. We hate this concept. Our colleague from Missouri was talking about the folks who settled this place. They came here because they wanted to practice their faith in the way they felt was most appropriate. They didn't like the idea they were

told what they were going to be taxed and what they were going to do and didn't have representation. Americans hate being told what to do. My friend from Louisiana may have heard the old line, for most Americans when they are traveling down the highway and they see the sign that says ''55,'' for most Americans that is not the limit. That is the challenge. That is just the way we are. It is part of being an American. And this budget tells so many Americans, ''we are going to take away your freedom. We are going to tell you how things are going to be. We are going to take more of your money. We are going to mortgage your kids' future. We are going to impose a cap and trade on this economy which is going to hurt the ability of our economy to recover and make it tougher for business owners to get the energy they need to grow their business and improve and create jobs. And we are going to tell you and your family what kind of health care treatment you're going to get.''

Americans aren't going to stand for it. Again, we keep coming back to this. But consistent with the American tradition, it is great to see families and Americans and taxpayers all over this country, and they are all going to do it again on April 15 at these taxpayer tea parties, they are going to stand up and say ''do you know what? We are not going to take it.'' Just like we have done for over 200 years, we are going to tell our elected officials, we are going to tell the government, we are going to tell the Congress that we don't want our liberties attacked, and we want things done right. And it is great to see that again.

I appreciate the leadership of our colleague and friend from Louisiana and our friend and colleague from Missouri for making these points and letting me join them this evening. I yield back to our friend from Louisiana.

Mr. SCALISE. I thank my friend from Ohio for joining us tonight. And the things he said are so true, that great entrepreneurial spirit that makes this the greatest country in the world where people literally envision the American Dream, where industrialists like Henry Ford revolutionized the auto industry and the manufacturing industry with the assembly line and changed the way Americans can get around and can see the country, people like Bill Gates who dropped out of college to pursue a dream and change the way all of us communicate, literally, our day-to-day lives. That entrepreneurial spirit is still out there. But people don't want it taken away by government literally coming in and trying to control all of these areas of our life with this cap-and-trade energy tax which would put a $600 billion tax on the production of energy in the United States, which would equate, by most estimates, to more than $3,000 per American family in higher energy costs.

That is part of this budget that we are talking about that spends too much, taxes too much and borrows too much. It is why we are opposing it. It is why we are proposing an alternative budget, a budget that actually balances the Federal budget, that cuts taxes and that gets Americans back to work. We actually have this online. It is at gop.gov. We put it out there so that people can go see the details and compare it to what President Obama has proposed, which is a doubling of the national debt.

We have just a few minutes left. I want to have a final word shared with us by my friend from Missouri.

Mr. AKIN. Well, I thank you very much. And I appreciate your calling attention to the fact that we are on the wrong track financially here. It is true that doing the wrong thing financially impacts our freedom in America. And particularly it impacts something that is precious to every red-blooded American, and that is the American Dream. If you think back in the beginning of our country there were all these crazy people that came to America, starting with a group called the Pilgrims. They came to this land, and they had the idea of building an entirely new civilization on a different set of principles. And after they had been here about a month, half of them died. And the captain of the Mayflower comes to them and says, ''Things haven't gone too well. Maybe it is time for you to go back to jolly old England with me.'' So he gives the commands. The boatswain squares the yardarms, the anchor cable is wound up from Plymouth Harbor, at first large and then small, that Mayflower sails out and beyond sight. And here on the shore, with the wind blowing across the pine trees, is a little group of 50-plus people that had a dream of a new country based on new principles.

It has been that way all the way along. There have been these crazy people that came to America with some crazy idea, and then it became maybe a vague possibility. And then they wrote something down, and eventually it became actually reality. And it happened so often that we gave it the name the ''American Dream.'' But it happened because there was a rarified environment of freedom in America where people could succeed. But they could also fail. They understood that there was a discipline that the gentleman from Ohio was talking about. Congressman JORDAN understands discipline. There is a discipline. If you want to have freedom, you also have to have responsibility. And that is part of the American Dream. And that is being stomped out by this budget.

We won't take it. And I appreciate your taking the leadership and scheduling this hour and particularly your leadership financially here on this floor, Congressman. Thank you.

Mr. SCALISE. Thank you, again. I appreciate my friend from Missouri joining us in this hour debating and talking about what is at stake with this budget, the President's budget, that will be voted on here in this House Chamber later this week. The fact that one President with one budget, one 10-year budget proposal, can double the national debt what it took 43 Presidents in over 220 years in our country's history to rack up $10 trillion in debt, this President, one President with one budget proposal will more than double that. That is what is at stake here. That is why we are joining in this debate. That is why American people all across the country are going to these rallies, these tea parties, to speak up.

We all understand that there is a role government must play. But it has to be a limited role. It has to be a role that is based in fiscal responsibility, not just for us, but for future generations, for our children and grandchildren who want the same things, who want a better life. And that is why people come to this great country.

Again, when we talk about what is happening in Europe right now, the President is over there, it is very ironic that the Czech leader, the head of the European Union last week was lashing out, lashing out at the President on his spending proposal, expressing concern. And it must say a lot when leaders in Europe are concerned about the spending that is going on here.

But it is not just leaders in Europe. It is people all across this country. And some people have talked about the fiscal irresponsibility of Congresses past, both Republicans and Democrats, those of us who weren't there back then, those of us who didn't vote for those budgets. A lot of us came up here to fix those problems because we don't think it is responsible to spend money we don't have.

That is why I am the cosponsor of a balanced budget amendment to our Constitution so that we can force fiscal discipline in a place where unfortunately it doesn't exist right now. But it is not too late because this budget resolution hasn't passed yet. The vote will occur on this House floor later this week. And everybody will have to take a position. I know I will be voting against that budget because of what it does, not only to our generation, to our freedoms, but to future generations. And that is why I'm supporting the alternative, which is a budget that is balanced, a budget that actually cuts taxes to help get our economy back on track. These are proven principles. These are things that have not been tried and failed before. The only thing that we know that has been tried and failed in the past is massive spending. And you can go back to the Great Depression in the 1940s when the Federal Government spent and spent and spent. And even the Treasury Secretary under FDR said the spending didn't work, 8 years of spending, and there was higher unemployment.

Ultimately, we can fix this problem. But it starts with this vote on this budget resolution that we are trying to defeat later this week.

I yield back. Thank you, Mr. Speaker.

THE POPULIST CAUCUS

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

Mr. BRALEY of Iowa. Mr. Speaker, I'm excited to be here tonight to talk about the Populist Caucus and to spend some time with members of that caucus talking about issues that are important to the people of America.

One of the things that I think is important to talk about is why we decided to start this caucus and what it is going to do. So it is important for people to understand that populism is not a bunch of people walking around with pitchforks. It is people who care about middle-class economic values and how those values are translated into public policy that is set here in Congress and at the White House.

And to give a brief history lesson, this is not the first Populist Caucus that has ever been organized in Congress. In fact, the very first Populist Caucus that we have been able to identify was formed in February of 1983. And I think it is striking because of some of the members who were part of that first Populist Caucus. Most of these members were Midwest Democrats. They included my Senator from Iowa who was a representative at the time, TOM HARKIN. It also included Berkley Bedell, an entrepreneur from Spirit Lake, Iowa, my friend Lane Evans from Rock Island, Illinois, former Senate majority leader Tom Daschle, former Vice President Al Gore, Senator BYRON DORGAN from North Dakota, our good friend JIM OBERSTAR from Minnesota, who is Chair of the House Transportation and Infrastructure Committee, and the current Governor of New Mexico, Bill Richardson.

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Now, one of the things that drew these members together, back in 1983, was an economic crisis that was having a profound impact in farm country out in the Midwest. And the first Chair of the Populist Caucus was TOM HARKIN. And the caucus was organized to fight for economic goals like fairer tax structures, lower interest rates and cheaper energy, because we were experiencing an energy crisis in 1983. And one of the first things that that Populist Caucus did was ask constituents from their districts to mail them their gas receipts to show the rising price of gas and how it was affecting their ability to take care of their families.

Even though the new Populist Caucus is organized on a very broad coalition, with members from all over the country, with representatives of the Blue Dogs, the New Democrats, and the Progressive Caucus, with members from the Congressional Black Caucus, the Congressional Asian Caucus and the Congressional Hispanic Caucus, we wanted to bring a laser beam focus to the types of economic issues that affect middle class Americans and people struggling to get into the middle class. And one of the reasons we chose to do that is because we know that this country has been strongest when it is focused on promoting values through public policy that are going to protect and expand the middle class. And that's why we were very excited when we formed the caucus this year.

I'm going to be introducing some of my friends tonight who are members of the caucus, including some of the vice chairs. But let's talk about why now is the time and now is the place for this caucus.

We know that the middle class is the economic engine that drives America's growth. We know that when policies in Washington reflect middle class values, it does more to expand economic opportunity throughout this country. And we know that when there are gross disparities in income between the middle class and the upper class, which we've seen played out over and over in this current economic crisis, it creates conflict that divides us as a country, rather than bring us together.

And so what we're going to be talking about tonight is some of the values that we think are critical for the American people to be focused on in this economic crisis, values that our members reflect every day back in their district, values that their constituents live every day back in their districts.

And one of the things that I want to do is talk briefly about how we take this philosophy of strengthening and expanding the middle class, and translate it into action.

One of the first things we did as a caucus was talk about what our founding principles were going to be. And again, we wanted to go back to these shared values that reflect the entire diversity of our Democratic Caucus and how that is translated into the people we represent in diverse districts all over America. And some common themes kept coming back to us, and those themes are, good jobs, middle class tax cuts, affordable health care, quality education, fair trade agreements, and consumer protection and corporate accountability.

Now, we've heard a lot lately about corporate accountability. We're going to be spending some time talking tonight about how corporate accountability isn't just a restriction on how corporations operate, but it's part of their fundamental compact they make with the American people to be responsible stewards of their investors' assets and to provide value to all Americans, not just to their shareholders, in the way they conduct their business, the way they hold themselves out, and the way they lived responsibly under the protections and legal opportunities that they are allowed to operate under in each State of the United States.

So I'm going to start now by introducing one of the vice chairs of the caucus, my good friend from the State of New York, and his name is MIKE ARCURI. And MIKE is going to talk a little bit about what motivated him to be one of the founding members of the Populist Caucus, and where he sees this caucus moving in the future as we focus with a laser beam on these economic values to help our constituents.

Mr. ARCURI. I want to thank my good friend for yielding, and I want to thank him for having the idea and for bringing this to fruition. It's taken, certainly, a lot of work and a lot of effort, not only on your part, but on the part of your staff, to bring this together, and I want to thank you for that, because, I thank you on behalf of, not just my constituents in New York State, but for constituents and middle class throughout the country.

The things that I think the Populist Caucus stands for are the issues that are important to middle class. And also, I think it's critically important that there is a grain of truth that the middle class gets. They need to have someone out there defending them, looking out for their interests and, most importantly, telling them the truth.

And you know, I was listening with interest, as I know you were, just a couple of moments ago to my colleagues on the other side of the aisle talk about some of the budget proposals of President Obama, and some of the points that I think we'll probably end up talking about at some point during the evening. But they talk about the fact that the numbers in the budget are the largest that they've seen, that there has been in years.

The thing that they don't tell you about that, however, is the fact that, for the first time in our history, the cost of the war is actually put on the books so that the American people get the truth. They actually know how much is being spent. In past administrations that was never on there. We just borrowed the money as we went along and, as we say it, funded the wars off the books. So the American people never knew actually how much it was costing for our war, how much all of these things were costing. This is an honest, this is a true budget.

But the thing about it, and I think the thing that's most important is this is really not just a budget. This is a long-term plan for the future of America, for the future of America's middle class.

And I listen to my colleagues, and I hear them talk, and I hear them criticize, but I did not hear a single alternative proposal with respect to what they were proposing to make the life of the middle class, to make the life of Americans better, to help Americans find jobs, to help Americans improve their quality of life. That's what we're looking for. That's what we, I think, as populists, look for and try to promote.

During the height of the Depression, Franklin Roosevelt once said some words that now adorn the monument to

him that's located just a short distance from where we are right now. And those words are as powerful today as they were when he said them so many years ago. ''The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little.'' Very profound words then, and very profound words today.

However, over the past 8 years, the Republican White House and Congress have largely ignored the fundamental truth in favor of the policies that focused on a top-down economic and social policies that benefit, frankly, big business, the wealthy and the well-connected, and don't look out for America's middle class. And that's why we're here.

As a result, the middle class families that have always been the true engines for our national economy, the center of our culture, and the foundation for our national security, have been left behind with the devastating results of our entire Nation. And now we're all paying the price.

The mission of the Populist Caucus is to re-establish the core middle class American values that made this country great as the guiding principles of our political discourse and our government here in Washington.

As history has repeatedly demonstrated, a prosperous middle class means a more prosperous America. A vibrant growing middle class has been the hallmark of our strength as a Nation over the past 70 years.

The Populist Caucus will aggressively fight for the passage of commonsense legislation focusing on the expansion and prosperity of the American middle class.

You mentioned just a little earlier, of late we've been hearing a lot in the media of the so-called populist rage and the anger of the middle class at the AIGs of the world.

Now, we are not here to incite or stir this populist rage, nor to promote class warfare in any way, shape, fashion or form. But we are here to see to it that the issues and interests of the middle class are protected and promoted at all costs.

Specifically, the caucus will focus on legislation that invests in working Americans, improves access to quality education for our children, creates jobs for the middle class that will bolster our economy, increase access to health care for all Americans, ensure that trade is not just free trade, but is fair trade, that the food you eat and the toys that your children play with are safe, and that we promote fiscal responsibility, accountability and discipline, and create a government that actually works for, not just the richest Americans, but for all Americans.

These are the fundamental building blocks that will create a strong foundation for sustained long-term economic recovery and growth in this country. In fact, these priorities are the only proven and time-tested blueprint for long-term economic growth in America. Enacting these reforms represent our best chance at restoring the American Dream here at home, as well as continuing our role as the beacon of freedom and hope for the rest of the world.

I'd again like to thank you for inviting me to be here tonight, for organizing this, and I look forward to a very enjoyable discussion this evening.

Mr. BRALEY of Iowa. I thank my friend for those profound and insightful comments. And I just want to respond to one of the comments you made before I yield to my friend from Ohio.

You talked about how important it is to the populist values and middle class values to be open and candid with the American people. And I think that's one of the things about the President's budget proposal and the proposal we're voting on here that is lost in all of this chatter you hear on cable TV and on talk radio; is that, for the first 2 years that the three of us served in the House, all of these costs associated with the war in Iraq, the war in Afghanistan, were put into supplemental appropriations bills that were outside the normal budget process, and they were enormously expensive. And yet they were never part of the total numbers associated with President Bush's budget proposal to Congress. And the American people were being misled to believe that the budget numbers in the President's budget were an accurate reflection of their tax burden to support those ongoing efforts.

In fact, I introduced an amendment to the Defense Authorization bill that went even beyond that and said, we need to be truthful in disclosing to the American people the true cost of the war in Iraq and Afghanistan.

And all of us had prior professional experiences where we dealt with people who would place a long-term economic calculation on someone's loss of life, what their cost was for restitution, if you're prosecuting someone for committing a crime for the injury they caused to somebody. And you can hire economists that take the life expectancy of an individual, what their medical needs are going to be, especially if you consider the signature injuries in Iraq, which are post-traumatic stress disorder, traumatic brain injury and amputations.

And yet, we were getting nothing from the Department of Defense and the Bush administration about those defined, long-term costs that we owe to the veterans of this country who sacrificed honorably to protect and defend us. And yet, that is a huge component of the cost of the war that we have been prosecuting.

So I think you made an excellent point about what's really in this budget message is we're going to be honest with you; we're in a difficult time economically, but it's time for the American people to hear the plain truth about what it costs to run this government and put us back on a positive track. And I thank you for that.

And with that, I'm going to yield to my good friend from Ohio, BETTY SUTTON, who's been a strong advocate for middle class values, for populist messages and for the working trade group. And I would like you to share with us some of the reasons why you decided to join the Populist Caucus, and where you see this adventure going in the future.

Ms. SUTTON. Well, I thank my friend. And I too want to just extend our appreciation for your vision in organizing, not only this evening and all that we're here to do by way of introducing the Populist Caucus, but for forming the caucus in the first instance, because it is so critical that the people across this country know that their voices matter. And we are going to be a part of expressing those voices within the halls of this Congress, putting a face on the statistics that we so often rely on here. And sometimes it kind of gets away from some that those statistics actually refer to people and to families and what is happening to them.

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So I am very, very proud to be a member of the Populist Caucus and to be a part of bringing Members together who believe in investing in the middle class as well as in those who aspire to being middle class, because we know that that is what is vital for the strength of America.

As a caucus, we are committed to restoring, as my friend from New York has said and as you have said, Mr. Chairman, the core middle class values that made this country great, and we are committed to ensuring that our government's policies are in line with those values. A vibrant, growing middle class has been the hallmark of the strength of this country. It was the middle class that built this great Nation. A strong America depends on a strong middle class. Without a strong middle class, our country does not achieve as much as we all know it is worthy of. The middle class is the heart of this Nation. It is the engine that drives productivity.

Reflecting back on my youth, I grew up in a blue-collar community in Ohio, a community by the name of Barberton. I was the youngest of six kids—the proud daughter of a man who worked in a boilermaker factory. My mom worked at the city library. Because of their hard work, our family of eight had a good chance; we had food on the table, and we had the promise of the middle class before us and of all the opportunity that it delivered, and we took advantage of it, but that was a time when people could depend upon a good job. Oftentimes, those good jobs were manufacturing jobs, and you could rely upon them and sometimes work, as my dad did, in the same place for many years.

Now it is much more difficult. With health care costs rising, with insurance not available to all, with pensions a little shaky out there, to say the least,

and with many things that we, as young people, had the benefit of that are now at risk in this country, the promise of the middle class is slipping away from far too many. After 8 years of failed Bush policies, the middle class, frankly, and the country have been sorely hit.

They pushed through economic policies that benefited the wealthy and the well-connected. It is not just that. They did so at the expense of the rest of us. They allowed the banks and Wall Street to have seats at the table, often leaving working families left outside. They watched as millions lost their jobs, lost their health care, lost their homes, and sadly, lost their dreams.

The national unemployment rate has risen to a staggering 8.1 percent. In Ohio, it is at 9.4 percent. These are statistics that I'm talking about, but attached to those statistics are families, families who are going without even though all they want is a chance to make a living. They don't want things handed to them. They just want to have the opportunity in this great country to have a job where they can go to work, and they want to provide the things that we all had the great benefit of having as young people. The economic recession continues to challenge the resolve of the middle class as they strive to pay for life's basic necessities.

Now, here with this caucus and with our colleagues in this Congress, we are called on to chart a new path, one that is in line with the needs of the middle class, one that is in line with the hopes and the dreams of those who aspire to get there. That is the reason I was proud to join this caucus—to help find the road back to middle class values and to ensure that that dream becomes a reality again.

The needs of the middle class have been ignored for far too long, and it just has to end. We, the members of the Populist Caucus, will focus on the policies, as you have laid out here, that strengthen and improve the lives of American families, not policies that leave them behind. We must make the promise of the middle class in the 21st century what it once was—the moral and economic backbone of our Nation.

I think that the comments that you and Representative ARCURI have made, Representative BRALEY, are so on point, because, when we talk about the moral and economic backbone of our Nation, frankly, nothing reflects that any more than the budget. So your points about the budget, about what is contained in the budget and about the honesty of the budget are all critical to our government operating in a way that is worthy of the people whom we represent.

With that, I will yield back.

Mr. BRALEY of Iowa. Well, I think you've made some excellent points.

You know, one of the things that happens every day to every Member of Congress is we have constituents from our districts who come out and visit us. Many times these constituents will say to me, ''Congressman, what can we do to help you deal with this important issue that we have come here, all the way to Washington, D.C., to share with you?''

My answer is always the same: ''By helping put a human face on the public policies we are setting, you give me the best arguments to make on why this policy is worthwhile.''

I think you made a very good point when you talked about the fact that we have 25 members of our Populist Caucus now, and I think every one of us grew up in a middle class home, and every one of us has our own, unique life story that explains why these values are so important to us. I just want to share a story from my own family experience.

When I was 2 years old, my father was working at a grain elevator in my small Iowa town, Brooklyn—a small town of 1,500 people, a little farming community. There were four kids in my family at the time, and my mom had left her teaching career to raise a family. My father was taking a lid up to the top of this grain bin, and he was about 30–35 feet in the air when he fell and shattered his leg. It changed his life. He was fortunate there was a safety net in place to help take care of our family needs because, without it, we would not have survived as a family, but he had to completely change his career and do something else with his life.

Without affordable health care, people placed in that situation fall between the cracks. The statistics show us that more and more bankruptcies every year are due to the fact that middle class families can no longer afford to pay their medical bills or their insurance premiums.

Then, as a result of that injury, my mother ended up going back to school to get her 4-year teaching degree because she had had a 2-year teaching certificate. She drove 26,000 miles. Without that education she was able to get, she would not have been able to have been a valuable breadwinner for our family during that period of time.

When we were much younger, many of us worked from an early age to help pay for our college educations, and we had the benefit of very low interest, federally insured student loans and work study programs. We know, because this is based on pure economic theory and analysis, that the more educational opportunities you have, the higher your standard of living is going to be over your lifetime. There is a direct relationship. So all of these things that are up here are reflected in our own life histories and in the people whom we represent, and that is why they are so important to us.

So I am going to yield back to my friend from New York so he can talk a little bit about his life experiences, the people he represents and about some of these individual values that bring us here tonight.

Mr. ARCURI. Well, thank you for yielding.

There are a couple of points that I would like to make and just touch on. I think you touched upon health care, and I think health care is so important.

One of the things that the President talks about and what I think our budget will reflect—I even hesitate calling it a ''budget'' because I feel like it is more of a blueprint, again, as to the future of how we see the country moving forward over the next several years. One of the things about it is, for the first time, we actually have a budget. It is taking into consideration funding for health care for all Americans. I mean think about that—and I think you did. I certainly did when I ran for office the first time. One of the main reasons that I decided to run was the fact that I could not understand why there were 47 million Americans who did not have health care in this, the richest country in the world, one of only two industrialized countries that does not have any form of universal health care, and we do not have health care.

This proposal, this budget, will have in it for the first time—how shall I say?—a sketch, an outline, of how we will go forward and of how we will pay for health care for all Americans. That is critical. In contrast to what my colleagues said earlier, it is not about dictating to Americans what they need to do, what they have to do. It is about giving them the tools, about giving them access to quality, affordable health care just like the rest of the world has. One of the bills that I have been working on and that I hope to introduce in the near future deals with that, and that has a lot to do with where I'm from.

One of the things that I have found that people do not understand is, when someone's children go to a 4-year college or to a 2-year college, they generally are covered under their parents' health care. However, there is a gap, and there are millions of children who go to technical schools to get certifications who are not covered under their parents' plans. There is no coverage for health care. That is very unfortunate. I mean those are middle class families who have children who want to go, who maybe are not going to go to college to be engineers or who are not going to go to college to be teachers but who are going to go to college to get a very important degree, a very important certification in a technical trade. We need to do that. We need to promote that. That is a middle class value. That is something that we should be helping families do, not hindering it by not giving them insurance. That is one of the things that, I think, populists do. They ensure that all Americans have the ability not only to get health care but to improve their stations.

As my colleague from Ohio said, the ability to aspire to the middle class—to

make better of themselves, to do better for themselves than their parents were able to do—is what, I think, we as populists advocate and work for on behalf of the middle class. So I am really proud to be able to be a part of that.

I look back over what working people have accomplished in their lives, and I see it a lot in my district in Upstate New York—in the Mohawk Valley—in the Utica-Rome area and in Auburn. One of the things that I find most interesting is when looking at the productivity of our workers. I tour plants and facilities all over my district, as I know you do. What is the thing that you always hear from the people who own the plants? ''The productivity of our workers is great.'' The productivity of American workers has dramatically, dramatically increased over the past 20 years. Yet, in that 20-year period when the productivity has gone through the roof for American workers—in fact, they are one of the most productive workforces in the world—the real wages of that workforce have decreased. So we have individuals who are doing more for the people for whom they work, who actually are far more productive and who are allowing the people who own their factories and who own their small businesses to do better, to produce more, which is a good thing. However, they are not earning more than they earned 10 or 20 years ago.

You know, we sometimes hear people say, ''Oh, the problem with the American people is that they charge too much.'' Well, the fact of the matter is you don't charge too much because you want to. When your son or your daughter comes home from school and says, ''Mom and Dad, I need a new pair of sneakers. I'm trying out for basketball tomorrow, and my sneakers don't fit me, and the coach says I need a new pair of sneakers,'' if you don't have the money, you go and you charge it because that is something you do as a parent, but if you're making less than you made 10 years ago or 20 years ago, you don't have that money. That's the kind of thing that, I think, we stand for as populists, the kinds of things that we want to make sure of.

Hey, if the productivity of American workers goes up, then the salaries and the wages that American workers earn should go up as well. It is the fair thing. It is the right thing. It is the American thing. It is what has made America great. Those are things that, to me, are most important in our caucus, and they are the things that, I think, are most important for me as a populist.

Again, I am so pleased to be able to be here to talk about these issues and to bring them to the forefront and to let the American people know that there are many of us here in Congress who are working hard to see to it that the middle class prospers, continues to prosper and achieves all that they can possibly achieve.

Thank you. I yield back.

Mr. BRALEY of Iowa. Thank you, my friend.

Also, I just want to point out how the description you just provided us is a perfect example of why having good jobs is a core populist, middle class value. Think back to the way things were. Some of our friends in the preceding hour were talking about Franklin Delano Roosevelt and about how his policies drove us towards, as they described it, socialism. Think about it:

Before Franklin Delano Roosevelt, a college education was a rare thing for anyone in this country to have, and it was not until World War II when men and women from all over this country, but primarily from middle class families, met together and served their country with honor and distinction in the Pacific theater, in the European theater, in Africa, and in Asia. It was a great melting pot experience, introducing people from different regions, people who never thought they had anything in common but who learned they really did have a lot of common values. When they came home, we did something remarkable, an incredible populist piece of legislation. It was called the GI Bill.

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And we saw an explosion in admissions to colleges all across the country. And the GI Bill wasn't just an educational bill, it was also a home-buying program, because low-interest loans were provided to veterans, and it exploded, the homeownership and the house building market in this country. It put people to work, it created something called suburbs, which now are a prevalent thing in every district in this country.

But those are examples of what we're talking about here, which is how the Federal Government reflecting populist values can be a motivating factor in driving economic policy in a positive way that benefits all Americans.

And I want to come back and talk about some of these other issues.

Mr. ARCURI. Would the gentleman yield for just a minute?

Mr. BRALEY of Iowa. Absolutely.

Mr. ARCURI. I am glad you mentioned that, and I didn't want to let the moment go by without commenting on it.

I consider myself a direct recipient of the GI Bill—of the World War II GI Bill because my dad was a poor kid from the east side of Utica who would never have had an opportunity to attend college, but he served his country in the military, came back, and he was able to go to Cornell University, and as a result of which, he insisted that—my sisters and myself—that we attend college.

So it isn't just a single generation but multigenerational. It is really, as you say, probably the greatest populist piece of legislation that this country ever passed.

And I thank you for bringing that forward and for yielding to me.

Mr. BRALEY of Iowa. That is a perfect example of the human drama that every one of us has as part of our life experience that is a reflection of these values.

And now I want to introduce one of our other new Members of Congress, a rising star from the Old Dominion of Virginia, TOM PERRIELLO. And TOM is going to talk about some of the reasons that motivated him to join the Populist Caucus and some of these core values that are reflected in the people that he represents in Virginia.

And with that, I will yield to my friend from Virginia.

Mr. PERRIELLO. Thank you.

This is, indeed, a desperately needed caucus because we have not had enough of a voice from either party standing up for the middle class and these basic values.

I spent the weekend meeting with workers who had recently been laid off as another factory had closed down and gone overseas. These are people who worked for 20, 30 years at a time. I talk constantly, also, to people who have just recently gone through college, everything we're supposed to be encouraging right now in our society in order to compete in this global economy, but they come out shackled with so much debt with the cost of college that they can't serve their community in the way that they had hoped to, people that wanted to become teachers and come back to rural communities, like the ones in my district, but simply cannot afford to do it.

And we have gone from investing in a future middle class to crushing the current middle class because we started a cycle of debt. Instead of coming out of college with that opportunity in the world before you, you come out already in that kind of debt from college. And instead of those years that we used to spend saving money for a down payment to buy that first home, that next great step for middle class families, you spend those years, instead, spending all of your savings to get out of those loans. So by the time you go to purchase that home, you may have zero down on that house, and we all know how that story ends.

We aren't giving people that opportunity to do the very things we need them to do: to save, to invest, to educate, to prepare themselves to compete in the global workforce. And the cycle of debt continues.

Then we have credit card companies and predatory lenders coming out so that people continue to try to eke by month by month living from debt cycle to debt cycle. This is the new story of yesterday's middle class.

It is time, once again, to have the kind of values in this country that reward work and good behavior, reward the people who are saving and doing everything right to play by the rules instead of investing—instead of shifting our priorities too often away from the very people that are at the backbone of this country.

So I believe this is a much-needed effort to restore the middle class. And one great place to begin is by making college affordable. And I am proud that we have already put forward a $2,500 tuition tax credit to help middle class families afford that dream. But we know that's not enough to go forward to make college affordable.

But it's also something that is helping our displaced workers be able to go back and maybe pick up a community college course, move into the health care sector or another field where they can earn a living wage to support their family. But they say to me, ''That's a 2-year program. What am I going to do during those 2 years when I have just lost my job?''

We are not in an economy that reflects—we are not supporting policies that reflect the economy we now face. We no longer have an economy where people have one job for 30 years and that company takes care of them.

And last of all, I just want to mention, why is it that through this recent economic crisis our community banks have remained rock solid in most of our communities, good Main Street values, Main Street capitalism that has continued to make good loans to good people that still believe in the honesty of a handshake and looking somebody in the eye. This has remained solid while the speculators and others have played poker with our pension funds and our future. It's time to start getting support back to those people who are the bedrock of our community, Main Street and the middle class. And I look forward to working with you on that.

Mr. BRALEY of Iowa. I thank the gentleman for those important observations, and it brought to mind some of the issues that we have been talking about in our Populist Caucus meetings.

And one of the things that we frequently talk about is the whole issue of corporate accountability. And one of the things that has come to light in recent years is how corporations have gone away from an employment philosophy that many of us, when we entered the workforce, were very proud of. And that was there was a sense that if you come and work for a company, there will be job security. In fact, employers marketed this. When they tried to hire employees, they would show the number of long-term employees who had worked for them, and they said, ''If you come and work for us, you're going to have these types of benefits. We will take care of you. When you complete your employment career with us, you're going to have a retirement savings build-up that's going to allow you to enjoy your life and be a proper reflection as a reward for the sacrifice you have made to help us and make us a profitable company.''

And in the last 20 years, we have seen that whole concept of job security disappear from the workforce. And it is a rare employer now that rewards longevity and even promotes that concept. And we see a lot of transfer among employment as people move from job to job. And if you ask most employers in the workforce, employees in the workforce today, what their understanding of their job security was, they would say there is none.

So one of the things that we've talked about tonight is how the policies that you implement are reflected in the values that American consumers have, that American homeowners have, that American employers have, and that's why one of the things we need to do a better job of in this Congress is acknowledging the people who do it right and who are responsible corporate citizens and use that as a motivation to get others to aspire to behave like them.

And a good example of that came out last week during our food safety hearings in the Energy and Commerce Committee. And we heard a lot about the peanut butter hazard coming out of the Georgia peanut butter plant. And one of the things that came out in those hearings is that some companies were using an independent inspection group that was giving them certifications that their product was not contaminated even though they had tests that showed it was contaminated.

I happened to be fortunate enough to have a company, Nestle Corporation, that has a plant in my district in Waverly, Iowa. And when Nestle was faced with that very same choice, they decided to send one of their own independent auditors there to give them the straight scoop on what was going on in that plant. And their auditor came back and said, ''We should not be a part of this deal,'' and they refused to participate.

So one of the things we're trying to do by promoting these middle class values is get back to a point where people are responsible to each other, both as employees and employers, and to create that type of environment where they both benefit from the increased productivity that my friend from New York was talking about earlier.

And with that, I am going to yield back to my friend from New York, and I would like to talk a little bit about some of the things that we have been dealing with recently in terms of corporate accountability.

Obviously, the whole issue with AIG has been a paramount issue, but it's much deeper than just AIG and the way it conducted its affairs. It's part of this whole culture that we have seen on Wall Street that does not reflect the values on Main Street that most of us grew up with.

Mr. ARCURI. I thank the gentleman for yielding.

I would like to talk a little bit about the corporate accountability and also a little bit about consumer protection.

But first, with respect to corporate accountability, as you know, I am on the Rules Committee, and today we had a hearing with respect to the bill which I anticipate will be on the floor tomorrow with respect to—and you and I discussed it a little bit earlier—with respect to putting limitations on the amount of compensation that executives can get for companies that receive TARP funding.

And I guess I look at it this way. And I listened to the argument and the debate today in detail. And, you know, there is a great deal of dissatisfaction with AIG, and certainly I can understand that. We all can understand that people are critical of what happened at AIG. I am. We all are. And I listen to my colleagues on the other side of the aisle, and I can understand that some of them are critical with the legislation that we will be considering tomorrow which puts limitations on compensations for executives.

The thing I can't understand is how people can be critical of both of those because if you are unhappy with what happened at AIG, then you really have to support the legislation, if you're a Member of Congress, that we're putting forward tomorrow because that legislation will enable Congress to help put the kind of limitations on and do the kind of oversight that we were all sent to Congress to do.

So I think that if there is dissatisfaction within this House with respect to AIG and what happened there, then we should support and we should vote for the bill that will be on the floor tomorrow because that does give Congress the ability to, again, do what Congress is supposed to do. And that is regulate.

You know, you look back at how it is that we have been and how we are put in this place that we are, and the common denominator, the answer that you keep getting is the lack of regulation.

And I tell the story this way. It was funny because when all of these things were happening with the stock market, with the banks, my daughter called me from home and she said—she plays soccer, and she was telling me about her soccer game, and as most children do, she was complaining about the referees. They lost the game, and she was blaming the referees.

And I listened to her, as most parents do, and it came to me—and I said goodnight to her, goodbye. And it came to me later on that night. And I said to her the next day, I said, ''I know that you feel that you didn't get a fair shake from the referees, but can you imagine what that game would have been like if the referees were off the field?''

Well, that is what has happened over the past 10 years. We have taken the referees off the field. We have done away with the kind of regulation that is necessary. The SEC has fallen on its face and has not done the kinds of things—and we end up with scandals like the Madoff scandal. Those are the kinds of things that we need to put back in. We need to put the regulation back in.

People talk about regulation like it is a bad thing. They don't understand that that's exactly what people elect

us to Congress to do, and this is to ensure that the referees stay on the field and they keep an eye on things, and they keep the playing field level.

With that, I yield back.

Mr. BRALEY of Iowa. I think you have raised a very important point, and that is the populist values do not reflect that more regulation should be just burying people in red tape, because I don't know anybody on either side of the aisle who thinks that burying people in mindless paperwork and keeping people occupied processing paper is effective regulation. But there is a big difference between that and completely giving up the regulatory field, as we did with the credit default swaps when we had a chance to place them under some type of regulatory oversight in 2000 and failed to do it. And that led to a $55–63 trillion problem that nobody can get a handle on now.

So we have learned some lessons, and part of our responsibility to the American public is to apply these values in effective, meaningful, minimal oversight that accomplishes the results that we want to see happen.

I want to yield now to my friend from Virginia because he was the one who had the brilliant idea to add this corporate accountability value to our Populus Caucus themes.

And I would like you to talk a little bit about why this is such an important value and how it reflects on the middle class and their ability to go ahead and to have a productive and meaningful life.

Mr. PERRIELLO. I thank the gentleman for yielding.

I want to pick up on the point that you just raised which is the idea that accountability is anti-Wall Street.

The money managers that I know are looking for certainty. One of the worst things we can say to the market is to introduce the uncertainty of not knowing what the rules are, because the fact is one of the middle class values you discussed is basic responsibility. When we reward responsibility, that is a good thing for the middle class. There were many, many investment firms and others on Wall Street who knew the mortgage-backed securities were out there who could have taken—had much better quarters in the short-term, but they chose not to engage in these very high-risk speculative investments.

□ 2030

What we did instead was we have now bailed out some of the least responsible, most speculative agencies, and not rewarded the responsible ones, and we see the same things on Main Street.

And you talked about no extra paperwork. It is so important that we draw a distinction between our community banks, who have been responsible through all this, and the megabanks, who have been driving the problem, so that we don't respond by punishing the responsible actors in our community who have really held things together when we've been right on the brink of a depression.

Mr. BRALEY of Iowa. Just a personal observation, this is one of the things that drives me crazy about how our policy shifts back and forth, depending upon a boom or bust economy.

But I have a very clear memory of buying my second house. It was probably about 1992, and I had bought my first house in 1984. I had completely renovated it myself with my wife. We sold it for a small profit and moved to another neighborhood where we bought a house that was less expensive than the one we were selling, and this is right after the savings and loan debacle that led to a tightening of credit restrictions in the lending market.

I will never forget when I was applying for this loan, the bank officer said, you have to fill out an affidavit explaining to us why you're buying a home that's less expensive than the one you're selling. And I thought to myself, what is wrong with this picture? Because growing up in a small Iowa town, with parents who grew up in the Depression, I was always taught that you don't spend beyond your means; you're supposed to be out there trying to be good stewards of what you have and share it with other people. And yet you're having to justify making a responsible purchasing decision.

We've gone from that era to one where you're getting zero percent interest, no money down, take as much as you want, and I think one of the things we want to see is we want to come back to some commonsense lending values and commonsense purchasing values, and these values are a two-way street. Let's be honest. We want to promote responsible decision-making across the board, and that's why I think that your point was so on target.

And I yield back.

Mr. PERRIELLO. I would say Madoff wasn't the only one running a Ponzi scheme. In many of these lending institutions it was the same thing. When you start getting debt equity ratios of 10:1, 30:1, 100:1, that is not an accountable system. And we found people who are trying to find every loophole they can push through with huge amounts of capital to do high risk. And they want all the upsides during the good years, and then they don't want to have to face the downsides in a bad cycle.

Now, we're all in this together. The President's been very clear about that, and he's right to speak to that. But the fact is, part of how we're in this together is to make sure that those people who made horrible mistakes are held accountable.

I think we need to look seriously at issues of fraud, fraud in many of these institutions and elsewhere, and even continuing to see the way that some of the markets are fluctuating based on reporting in January and February versus March as we head to the end of the quarter.

We need to have basic accountability so that the average middle class investor has some guarantee that when they are looking at the market they're getting accurate information; if they're being responsible enough to save and have a 401(k), that they're not going to see that disappear just because of Ponzi schemes being run on Wall Street.

And our job is to make sure that the common good is protected, and when we put basic rules in place, not paperwork, but basic rules of accountability that reflect these middle class values, then the market flourishes. We have entrepreneurship that is unmatched anywhere else in the world. We have capital in this country, and we have workers ready to work. We can and must still out-compete the rest of the world. We do that by creating a system that allows people to have a certainty to make those investments, to start that business, and we need to make sure that we are encouraging that kind of innovation.

I come from a part of the country that has been hit hard by global trade over recent years. We've been devastated as furniture factories, textile mills, and tobacco jobs have all gone overseas. We have an opportunity now to turn yesterday's tobacco area into tomorrow's green energy area, but part of how we do that is get private capital moving investing in these areas and creating the kind of small businesses and middle class jobs of the next generation. But we can only do that if we have a system of accountability in place that can give people the certainty that they need.

You talked about the importance of deferred gratification as a middle class value, not spending the money that you haven't yet saved. Well, we have instead seen a culture of instant gratification, whether it's the greed is good mentality that we've seen by some on Wall Street, to the get rich or die trying attitude that you see in hip-hop. This goes from pop culture to the elites and across the board.

What we need to do is get back to that idea of basic personal responsibility and rewarding responsibility, and that's an environment I think in which entrepreneurship and hard work will flourish.

Mr. BRALEY of Iowa. I want to thank you for making an important connection between a couple of the middle class values that we've been talking about all night, and that is, corporate accountability and how it affects fair trade. And one of the things that we know is that there are still some lingering so-called free trade agreements that have been negotiated by the Bush administration that are still on the table and are going to be considered in some way, shape or form in the future.

And one of the trade agreements that's still outstanding is President Bush's Panama Free Trade Agreement, and this is where we get into some of these values issues on corporate accountability because the GAO recently did a study identifying Panama as one

of eight countries, and the only current country and prospective trading partner, that was listed on all of the major tax haven watchdog lists. In fact, Panama has been a key target of the Organization for Economic Cooperation and Development for resisting international norms in combating tax evasion and money laundering.

And now to tie this all into one big bow, we've learned that AIG, arrogance, incompetence, greed, has sued the U.S. Government demanding more than $306 million in taxes it paid, twice the amount of what it paid in the now infamous executive bonuses.

Here is what AIG is claiming. AIG is claiming it overpaid taxes related to the activities of its AIG-linked Panamanian corporation, Star International Company, which is chartered in the tax haven of Panama. And if President Bush's Panama Free Trade Agreement is ratified, AIG's largest shareholder, which is this derivative in Panama and other offshore companies, would have expansive new rights to challenge U.S. tax laws.

In fact, there are currently 350,000 foreign firms that are registered in Panama where there are zero to low regulations and taxing restrictions. So we know that, if this treaty is ratified, these policies will inhibit the ability to protect the American people, crack down on money laundering and tax cheating and shady financial deals.

So one of the things that we've learned is that there is linkage between the important concept of corporate accountability, fair trade policies, and I want to yield to my friend from New York to talk a little bit about how those issues combine and how they affect the people that he represents in upstate New York.

Mr. ARCURI. Well, first off, I would like to say thank you and commend my colleague from Virginia for his well-thought-out and very articulate presentation with respect to corporate accountability. We certainly can use that kind of passion here in Congress, and I thank you for that, what you said, and what you talked about.

You know, one of the things that I'd like to talk about just for a moment is something we haven't touched on yet tonight but is a very important part of the populist values, as articulated by you earlier, and that's with respect to consumer protection.

You and I took a trip down to the Port of Nogales last year to work with and get a firsthand view of some of the things we're seeing with respect to the border patrol. But one of the things we did see is the fact that the Port of Nogales is one of the largest ports for bringing fruits and vegetables into this country, many of which are from Mexico. And one of the things that I think is very important is that we need to ensure that the fruits, the vegetables, the food that we eat, the toys that our children play with are high quality. They need to be safe.

We put these strict standards on domestically produced food, on the kind of fertilizers that our farmers can use, on the kind of pesticides they can use, to ensure that the food that they produce is safe. And yet, we have these free trade agreements and we have the ability of some other countries to bring products into our country that don't follow the same kind of protections and don't have the same kind of laws that we have here, which I think jeopardizes the quality of the food we get and certainly the products that we get.

So that's something that's so important to us, to the people that I represent back home and I think the people all through America.

So it's an important thing, and I know we're running out of time here, but I think it's something that we need to discuss more and we need to spend a great deal of time on here in Congress because there's nothing more important than keeping the food that we eat and the goods that our family uses as safe as possible.

Before I yield back, I would just like to say one last thing. You know, I want to quote another Roosevelt. I started off quoting Franklin Roosevelt. I want to finish by quoting Teddy Roosevelt, and he said, The welfare of each of us is dependent fundamentally upon the welfare of all of us. That sounds an awful lot like what President Obama is saying, that we're all in this together. We can't forget that whether you're a corporate executive or you're a worker on the line, what is good for the executive is good for the worker, and what is good for the worker is good for the executive.

We are all in this together, and as my colleague from Virginia said, it is important that we remember the things that we do affect each and every American, regardless of where you are or where you work.

So, with that, I would again like to thank my friend for organizing this today.

Mr. BRALEY of Iowa. I thank you, and before I yield to my friend from Virginia for a closing comment, I just want to point out that the Populist Caucus is not anti-trade. We are not protectionist, but we want American companies and American employees and American consumers to be on a level playing field with their competitors. And when you have trade agreements that don't have the same level of commitment to enforceability, then you don't have a level playing field, and that's why fair trade agreements are important to protect all interests in the United States.

And with that, I want to yield back to my young friend from Virginia for some closing comments and want to thank him for the important contributions and voice he has added to our caucus.

Mr. PERRIELLO. Thank you for yielding. I just want to take a moment on this issue of trade.

I think there's an attitude among the elites and among the mainstream media that assumes anything other than blind, free trade is somehow idiotic, and there's a concern that this populism is about mob rule. Well, populist values aren't about pitchforks. They're about pragmatic results.

And I think for every model someone can show me on free trade, I can show you reality and empirics. This is not about a theory cooked up in academia about trade. It's about the reality of how the tiger economies and others have competed. It has not been some blind march to trade liberalization. It has been smart, strategic decisions by each of those countries to play to their comparative advantages.

I think that we have been negotiating from a position of weakness in these trade deals instead of negotiating from strength, and I think it's cost the middle class and the working class jobs. I think sometimes there's an incredibly naive attitude by those who would look down their noses at those who would engage in middle class and populist values, when in fact I think the empirics are on our side.

So I think what's important in this, again, is not that we pick up the pitchforks but that we produce results. I think what we're about is looking at pragmatic solutions that take back some of the raw deals that the middle class has gotten for the last 20 years, particularly the last few years, and starts to stand up for those middle-class families and working class families who are getting up every morning and working hard and playing by the rules and suddenly being asked to bear the brunt of everyone else's mistakes.

□ 2045

THE SANCTITY OF HUMAN LIFE

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

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here tonight. Before my colleagues leave the floor, I hope they can hear a little bit of an alternative viewpoint, that being that this news flash, for especially my colleague from Iowa, corporations don't pay taxes, Mr. Speaker. Corporations collect those taxes from end users, consumers, retail people, and then they aggregate the taxes from the consumers and they pass them on to the Federal Government or State government or whatever the tax collecting body might be.

For that reason, no matter what the circumstances are, we are not going to be able to chase these corporations. We're not going to be able to chase these corporations around the world and collect that taxes from them because they will always find another way to pay taxes or, of course, the obligation they have it to pass it onto the consumer.

This is a fundamental principle when it comes to holding this economy together and how we're going to build the

economy in this country and how we're going to compete with the rest the world. If we get that wrong, if we get it wrong and we think that we can somehow squeeze this capital out of these corporations that have lost about 40 percent of their asset value over the last year or so if you just simply look at the Dow, you'll find out that you can drive this free-market economy into oblivion and the free world will not make progress.

So we need to get that fundamental principle correct. We can't simply get corporations to pay taxes without them passing it on to consumers. And that is the bottom line, Mr. Speaker.

I didn't come to talk about that, but as I listened to my colleagues from the Populist Caucus—I discovered a new caucus here in the House of Representatives, Mr. Speaker—I raise another issue, the very vague and undefinable position of being for fair trade.

If someone stands up and says they're for fair trade, that means they're not for free trade. They can be for free trade and for smart trade, but you can't be for fair trade and also be for free trade.

Now that might seem like a little bit of alliteration gobbledegook, Mr. Speaker, but the truth is that there is no such thing as fair. Anyone who has raised more than one child—two or more children, I might further define—understands there's no such thing as fair. A three-year old can figure out that their four-year old brother or sister got an extra benefit along the way. They'll argue: That's not fair. As soon as they argue that, of course its subjective.

There's no such thing as fair when it comes to raising children, there's no such thing as fair when it comes to trade, because another country will have a different view on what is fair trade compared to what we will here in the United States.

Those are the fundamental principles. If we go down this path of this nice feeling rhetoric of fair trade as opposed to having justice and equity and balance and free marketing, if we go down this path of seeking to tax corporations and punish them, then we will continually be frustrated by trying to shape a policy that will never be achieved.

And that would be my comments to the gentleman who I think gave a heartfelt presentation here over the last hour, Mr. Speaker.

I didn't come, as I said, to talk about that. I came here to the floor of the House of Representatives tonight to talk about an issue that has to do with innocent unborn human life and these timeless values of the sacredness of the unborn child and the sacredness of all human life.

I have often made this case, especially to our high school and our middle school students, but also across this country, that we have these rights that come from God, and they are delineated in the Declaration of Independence, Mr. Speaker.

What our Founders drafted in the Declaration of Independence are the right to life and liberty and the pursuit of happiness. That was not a random stream from the quill of Thomas Jefferson, Mr. Speaker. That was very specific, very carefully thought out, very prosaic designed phrase—the right to life, liberty, and the pursuit of happiness. Prioritized rights, Mr. Speaker. That right to life—the right to life is paramount to anyone's liberty. And the right to liberty is paramount to pursuit of happiness.

So let me say that in my pursuit of happiness, if I should encroach upon someone's liberty, my pursuit of happiness loses its right out of deference to a higher priority right of liberty trumps pursuit of happiness. In pursuit of liberty, if I were to choose a pursuit of liberty that would violate someone's right to life, the right to life trumps anyone's pursuit of liberty.

So our Founders understood these are prioritized rights. There's a right to life. That human life is sacred in all of its forms and we have to choose a time, we have to choose an instant when life begins because we simply cannot err. So I choose that instant at conception. Today, it's conception/fertilization. When that happens, we have the biological beginning of life.

I believe that's the moment that God puts the soul in that little child. From that instant on, they're a unique individual. There will never be another one identical to that unique individual. And they are all the solutions to the problems in the world, aside from those that come from above, come from those little children that are coming into this world.

They have a right to life. We need to guarantee that right to life. That right to life trumps anyone's right to liberty, as much as the right to liberty trumps anyone else's pursuit of happiness.

I can continue to give these examples, Mr. Speaker, but I think where we are at this point is, having laid the foundation, I recognize I have the gentleman here from New Jersey, who has, I think, put together a very strong and compelling case here in this Congress; someone who I can count on every time to be with us every day as we stand up for the innocent unborn human life. He's someone who brings a passion to the scholarship, the conviction, the faith, the core principles to this cause, an individual I get to count as a friend and a colleague and someone who it's an honor for me to be serve with.

I'd yield to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. I thank my good friend and colleague, Mr. KING, for his leadership, for his consistency in promoting human rights, and for bringing to this floor tonight another opportunity for us to affirm the dignity and the value of all human life, including that of the unborn.

Mr. Speaker, last week, Secretary of State Hillary Clinton visited the Catholic Basilica of Our Lady of Guadalupe in Mexico City, presented bouquet of flowers on behalf of the American people—a very nice gesture—and then went on to Houston, Texas, to receive the Margaret Sanger Award from Planned Parenthood.

In her remarks, Secretary Clinton said she was ''in awe''—I repeat, ''in awe''—of Margaret Sanger, the founder of Planned Parenthood. To our distinguished Secretary of State, I respectfully ask: Are you kidding? In ''awe'' of Margaret Sanger, who said in 1921, ''Eugenics is the most adequate and thorough avenue to the solution of racial, political, and social problems.'' And who also said in 1922, ''The most merciful thing that a family does to one of its infant members is to kill it.''

Later, in 1939, Sanger wrote, ''We should hire three or four colored ministers, preferably with social service backgrounds and with engaging personalities.'' She wrote, ''The most successful educational approach to the Negro is through a religious appeal. We don't want the word to go out that we want to exterminate the Negro population,'' she goes on, ''and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members.''

Secretary Clinton in her speech said that Margaret Sanger's life and leadership was ''one of the most transformational in the entire history of the human race.'' Mr. Speaker, transformational, yes. But not for the better if one happens to be poor, disenfranchised, weak, a person of color, vulnerable, or among the many so-called undesirables who Sanger would exclude and exterminate from the human race.

To me, and to many, including my distinguished colleague in the well, the juxtaposition of the last week's two very public events in Mexico City and in Houston bring into sharp focus two huge and irreconcilable world views.

On the one hand, the miracle of Our Lady of Guadalupe has for five centuries brought a message of hope, faith, peace, reconciliation and protection for the weakest, most vulnerable among us. On the other hand, each year, Margaret Sanger's Planned Parenthood kills approximately 300,000 unborn baby girls and boys in their abortion clinics scattered throughout the United States.

Worldwide, the loss of innocent human life at the hands of Planned Parenthood is in the millions. Planned Parenthood even supports the hideous brain-sucking method of abortion called partial birth abortion.

On a visit to the Basilica in Mexico City in 1999, Pope John Paul II publicly entrusted protection of all at-risk human life, including especially unborn children and their mothers, to Our Lady of Guadalupe because the miracle she wrought 500 years ago resulted in an end to the barbaric practice of human sacrifice to a serpent God that claimed anywhere between 20,000 and 50,000 victims a year.

Indeed, the miraculous story of Our Lady of Guadalupe, known so well especially in Latin America, but really around the world, has been extraordinarily compelling and inspirational for centuries.

In 1531, the Blessed Mother appeared to Juan Diego, a native American at Tepeyac, near Mexico City, and asked that a church be built on the site of the apparition. The Catholic bishop was skeptical and asked for a sign. At the behest of the Blessed Mother, and despite the fact it was winter, Juan Diego gathered roses from the site into his tilma for presentation to the Bishop.

When Juan Diego met with Bishop Juan de Zumarraga with the roses tucked under his apron, a miraculous image suddenly appeared on the cloth. The Bishop was stunned, and he believed. The image of the Blessed Mother wasn't painted. There are no brush strokes. To this day, the image defies all scientific explanation as to its origin.

Within a few years of the miracle, more than 9 million Aztecs converted to Christianity and a strong devotion to Our Lady of Guadalupe began that continues to this day. Each year, some 18 million to 20 million pilgrims visit the miraculous image in Mexico City.

Last Thursday, Hillary Clinton visited the shrine. On Friday, she paid homage to Planned Parenthood and to Margaret Sanger.

Margaret Sanger is the founder of Planned Parenthood. She was a self-described pro-abortionist eugenist and a racist who considered charity care for impoverished, disenfranchised women, including women of color, especially pregnant women, to be ''cruel.''

In her book, ''The Pivot of Civilization,'' Margaret Sanger devoted an entire chapter that she entitled: ''The Cruelty of Charity,'' to her inhumane case for not helping—and I repeat that—not helping poor pregnant women with prenatal and maternal care.

Sanger said in the book—and I read her book—''We are paying for and even submitting to the dictates of an ever increasing, unceasingly spawning class of human beings who never should have been born at all.''

In chapter 5—again, chapter 5 is called: ''The Cruelty of Charity''—she writes, ''Organized charity itself is the symptom of a malignant social disease.'' Sanger writes, ''Those vast, complex, interrelated organizations aiming to control and diminish the spread of misery and destruction and all the menacing evils that spring out of this sinisterly fertile soil are the surest sign that our civilization has bred, is breeding, and is perpetuating constantly increasing numbers of defectives, delinquents, and dependents.'' That's Margaret Sanger, founder of Planned Parenthood.

She continues, ''My criticism therefore is not directed at the failure of philanthropy but rather at its success.'' Sanger goes on to say, ''There's a special type of philanthropy or benevolence now widely advertised and advocated both as a Federal program and as worthy of private endowment, which strikes me,'' that is to say Sanger, ''as being more insidiously injurious than any other. This concerns itself directly with the function of maternity and aims to supply gratis medical and nursing facilities to slum mothers.

''Such women are to be visited by nurses and receive instruction in the hygiene of pregnancy, to be guided in making arrangements for confinement, to be invited to come to the doctors' clinics for examination and supervision. They are, we are informed, to receive adequate care during pregnancy, at confinement, and for 1 month afterwards. Thus, are mothers and babies to be saved, childbearing is to be made safe.''

Construing to demean the generosity of pregnancy care centers, Margaret Sanger goes on to say, ''The work of the maternity centers in the various American cities, which they have already been established and in which they are supported by private contributions and endowment, it is hardly necessary to point out is carried out among the poor and the most docile section of the city, among mothers least able, through poverty and ignorance, to afford the care and attention necessary for successful maternity.

''The effect of maternity endowments of maternity centers supported by private philanthropy would have perhaps already have had exactly the most dysgenic tendency. The new government program would facilitate the function of maternity among the very classes in which the absolute necessity is to discourage it.

''Such benevolence,'' she goes on to say, ''is not merely superficial and nearsighted.'' Sanger continues, ''It conceals a stupid cruelty. Aside from the question of the unfitness of many women to become mothers, aside from the very definite deterioration in the human stock that such programs would inevitably hasten, we may question its value even through the unfortunate mother.

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Simon concludes, ''The most serious charge that can be brought against modern benevolence is that it encourages''—and I say this again—''the perpetuation of defectives, delinquents, and dependents.'' Such audacity, such an inhumane view of human life.

Mr. Speaker, in her speech at the Planned Parenthood gala accepting the Margaret Sanger award—and I have many other quotes from Sanger that I will put into the RECORD, and I invite Members and the American people to look at those quotes, and there is so much more.

But in her speech last Friday, Secretary Clinton said she admired Sanger for her vision, was in awe of her, and that Margaret Sanger's work here and in the United States and certainly across the globe is not done.

Translated, ''not done'' means more abortions here in the United States, in Latin America, Africa, and Asia, the world. Planned Parenthood's mission statement, documents, and work in the field make it absolutely clear that they seek a global unfettered right to commit violence against unborn children at all stages of development. Planned Parenthood seeks integration of all health care with abortion, with no conscience rights whatsoever for medical practitioners, no parental consent or notification whatsoever for minors. And all of this paid for by the United States taxpayer.

Which begs the question, Mr. Speaker. Is our Secretary of State unaware of Margaret Sanger's inhumane beliefs? Was she not briefed on Margaret Sanger's cruel and reckless disregard for poor, pregnant women? Respectfully, Secretary Clinton should at a minimum return the Sanger award.

More importantly, Congress and the White House must at long last take a long, hard, second look at the multimillion, almost billion, dollar corporation called Planned Parenthood, Child Abuse Incorporated.

Let's be honest, Mr. Speaker. Abortion is violence against children. It dismembers and chemically poisons a child to death. It hurts women physically, psychologically, and spiritually. There is nothing whatsoever compassionate, benevolent, ennobling, benign, or empowering about abortion. It is a violation of a child's fundamental human rights.

Rather than partnering with Planned Parenthood and like-minded NGOs to promote abortion worldwide with hundreds of millions of taxpayer dollars, the United States should affirm the inherent value, dignity, worth of both victims of abortion, mother and child. We need to promote nonviolent, life-affirming solutions to women both here as well as abroad. Women deserve better than abortion. We should always and in every way affirm the precious lives of both. And on that score, Margaret Sanger and far too many others would disagree.

I strongly urge my colleagues to take that second look at Planned Parenthood. It is time to respect the value and the dignity of all human life.

Mr. Speaker, last week, Secretary of State Hillary Clinton visited the Catholic Basilica of Our Lady of Guadalupe in Mexico City, presented a bouquet of flowers on behalf of the American people—a nice gesture—and then went on to Houston, Texas to receive the Margaret Sanger Award from Planned Parenthood.

In her remarks, Secretary Clinton said she was ''in awe'' of Margaret Sanger, the founder of Planned Parenthood. To our distinguished Secretary of State, I respectfully ask, are you kidding? In ''awe'' of Margaret Sanger who said in 1921 ''Eugenics is . . . the most adequate and thorough avenue to the solution of racial, political and social problems'' and in 1922 said, ''The most merciful thing that a

family does to one of its infant members is to kill it.''

Later in 1939 Sanger wrote ''We should hire three or four colored ministers, preferably with social-service backgrounds, and with engaging personalities. The most successful educational approach to the Negro is through a religious appeal. We don't want the word to go out that we want to exterminate the Negro population and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members.''

Secretary Clinton said in her speech that Margaret Sanger's ''life and leadership'' was ''one of the most transformational in the entire history of the human race.'' Mr. Speaker, transformational yes, but not for the better if one happens to be poor, disenfranchised, weak, disabled, vulnerable, or among the many so called undesirables who Sanger would exclude and exterminate from the human race.

To me—to many—the juxtaposition of last weeks two very public events—in Mexico City and in Houston—bring into sharp focus, two huge and irreconcilable world views.

On the one hand, the miracle of Our Lady of Guadalupe has for 5 centuries brought a message of hope, faith, love and protection for the weakest, most vulnerable among us. On the other hand, each year Margaret Sanger's Planned Parenthood kills approximately 300,000 unborn children in their abortion clinics throughout the United States. Worldwide the loss of innocent human life at the hands of Planned Parenthood is in the millions. Planned Parenthood even supports the hideous brain sucking method of abortion called partial birth abortion.

On a visit to the Basilica in Mexico City in 1999, Pope John Paul II publicly entrusted protection of all at risk innocent human life, including and especially unborn children and their mothers, to Our Lady of Guadalupe because the miracle she wrought 500 years ago resulted in an end to the barbaric practice of human sacrifice to a serpent god that claimed 20,000 to 50,000 victims a year.

Indeed, the miraculous story of Our Lady of Guadalupe has been extraordinarly compelling and inspirational for centuries.

In 1531, the Blessed Mother appeared to Juan Diego, a Native American at Tepeyac, near Mexico City, and asked that a church be built on the site of the apparition.

The Catholic Bishop was skeptical and asked for a sign.

At the behest of the Blessed Mother, and despite the fact that it was winter, Juan Diego gathered roses from the site into his tilma for presentation to the Bishop.

When Juan Diego met with Bishop Juan de Zumarraga with the roses tucked in his apron, a miraculous image suddenly appeared on the cloth.

The Bishop was stunned, and believed. The image of the Blessed Mother wasn't painted—there are no brush strokes—and to this day the image defies all scientific explanation as to its origin.

Within a few years of the miracle, more than 9 million Aztecs converted to Christianity and strong devotion to Our Lady of Guadalupe began, that continues to this day. Each year some 18–20 million pilgrims visit the miraculous image in Mexico City.

Last Thursday, Hillary Clinton visited the Shrine. Then on Friday she paid homage to Planned Parenthood and Margaret Sanger.

Margaret Sanger, the founder of Planned Parenthood was a self-described pro-abortion eugenist and racist who considered charity care for impoverished, disenfranchised women, including women of color, especially pregnant women, to be ''cruel.'' In her book, the Pivot of Civilization, Margaret Sanger devoted an entire chapter entitled ''The Cruelty of Charity'' to her inhumane case of not helping—I repeat not helping—poor, pregnant women with prenatal and maternal care.

Sanger said in the book, ''We are paying for and even submitting to the dictates of an ever increasing, unceasingly spawning class of human beings who never should have been born at all.'' In Chapter 5 of that book Sanger writes:

'' . . . Organized charity itself is the symptom of a malignant social disease.

''Those vast, complex, interrelated organizations aiming to control and to diminish the spread of misery and destitution and all the menacing evils that spring out of this sinisterly fertile soil, are the surest sign that our civilization has bred, is breeding and is perpetuating constantly increasing numbers of defectives, delinquents and dependents.''

Sanger continues, ''My criticism, therefore, is not directed at the 'failure' of philanthropy, but rather at its success. . . .''

Sanger goes on to say, ''there is a special type of philanthropy or benevolence, now widely advertised and advocated, both as a federal program and as worthy of private endowment, which strikes me (Sanger) as being more insidiously injurious than any other. This concerns itself directly with the function of maternity, and aims to supply gratis medical and nursing facilities to slum mothers. Such women are to be visited by nurses and to receive instruction in the ''hygiene of pregnancy''; to be guided in making arrangements for confinements; to be invited to come to the doctors' clinics for examination and supervision. They are, we are informed, to ''receive adequate care during pregnancy, at confinement, and for one month afterward. Thus are mothers and babies to be saved, 'Childbearing is to be made safe.' ''

Construing to demean the generosity of pregnancy centers Sanger continues, ''the work of the maternity centers in the various American cities in which they have already been established and in which they are supported by private contributions and endowment, it is hardly necessary to point out, is carried on among the poor and more docile sections of the city, among mothers least able, through poverty and ignorance, to afford the care and attention necessary for successful maternity. . . . The effect of maternity endowments and maternity centers supported by private philanthropy would have, perhaps already have had, exactly the most dysgenic tendency. The new government program would facilitate the function of maternity among the very classes in which the absolute necessity is to discourage it.''

Such ''benevolence'' is not merely superficial and nearsighted.

Sanger continues to write: ''it conceals a stupid cruelty . . . Aside from the question of the unfitness of many women to become mothers, aside from the very definite deterioration in the human stock that such programs would inevitable hasten, we may question its value even to the normal though unfortunate mother.''

Sanger concludes, ''the most serious charge that can be brought against modern 'benevolence' is that it encourages the perpetuation of defectives, delinquents and dependents.''

Sanger also said:

''The most merciful thing that a family does to one of its infant members is to kill it.''

''Birth control must lead ultimately to a cleaner race.''

Margaret Sanger, Woman, Morality, and Birth Control. New York: New York Publishing Company, 1922. Page 12.

''We should hire three or four colored ministers, preferably with social-service backgrounds, and with engaging personalities. The most successful education approach to the Negro is through a religious appeal. We don't want the word to go out that we want to exterminate the Negro population and the minister is the man who can straighten out that idea if it ever occurs to any of their more rebellious members.''

Margaret Sanger's December 19, 1939 letter to Dr. Clarence Gamble, 255 Adams Street, Milton, Massachusetts. Original source: Sophia Smith Collection, Smith College, North Hampton, Massachusetts. Also described in Linda Gordon's Woman's Body, Woman's Right: A Social History of Birth Control in America. New York: Grossman Publishers, 1976.

''Eugenic sterilization is an urgent need . . . We must prevent multiplication of this bad stock.''

Margaret Sanger, April 1933 Birth Control Review.

''Eugenics is . . . the most adequate and thorough avenue to the solution of racial, political and social problems.

Margaret Sanger. ''The Eugenic Value of Birth Control Propaganda.'' Birth Control Review, October 1921, page 5.

''As an advocate of birth control I wish . . . to point out that the unbalance between the birth rate of the 'unfit' and the 'fit,' admittedly the greatest present menace to civilization, can never be rectified by the inauguration of a cradle competition between these two classes. In this matter, the example of the inferior classes, the fertility of the feeble-minded, the mentally defective, the poverty-stricken classes, should not be held up for emulation . . .

''On the contrary, the most urgent problem today is how to limit and discourage the overfertility of the mentally and physically defective.''

Margaret Sanger. ''The Eugenic Value of Birth Control Propaganda.'' Birth Control Review, October 1921, page 5.

''The campaign for birth control is not merely of eugenic value, but is practically identical with the final aims of eugenics.''

Margaret Sanger. ''The Eugenic Value of Birth Control Propaganda.'' Birth Control Review, October 1921, page 5.

''Our failure to segregate morons who are increasing and multiplying . . . demonstrates our foolhardy and extravagant sentimentalism . . . [Philanthropists] encourage the healthier and more normal sections of the world to shoulder the burden of unthinking and indiscriminate fecundity of others; which brings with it, as I think the reader must agree, a dead weight of human waste. Instead of decreasing and aiming to eliminate the stocks that are most detrimental to the future of the race and the world, it tends to render them to a menacing degree dominant . . . We are paying

for, and even submitting to, the dictates of an ever-increasing, unceasingly spawning class of human beings who never should have been born at all.''

Margaret Sanger. The Pivot of Civilization, 1922. Chapter on ''The Cruelty of Charity,'' pages 116, 122, and 189. Swarthmore College Library edition.

''The undeniably feeble-minded should, indeed, not only be discouraged but prevented from propagating their kind.''

Margaret Sanger, quoted in Charles Valenza. ''Was Margaret Sanger a Racist?'' Family Planning Perspectives, January–February 1985, page 44.

''The third group [of society] are those irresponsible and reckless ones having little regard for the consequences of their acts, or whose religious scruples prevent their exercising control over their numbers. Many of this group are diseased, feeble-minded, and are of the pauper element dependent upon the normal and fit members of society for their support. There is no doubt in the minds of all thinking people that the procreation of this group should be stopped.''

Margaret Sanger. Speech quoted in Birth Control: What It Is, How It Works, What It Will Do. The Proceedings of the First American Birth Control Conference. Held at the Hotel Plaza, New York City, November 11–12, 1921. Published by the Birth Control Review, Gothic Press, pages 172 and 174.

''The marriage bed is the most degenerative influence in the social order . . .''

Margaret Sanger (editor). The Woman Rebel, Volume I, Number 1. Reprinted in Woman and the New Race. New York: Brentanos Publishers, 1922.

''[Our objective is] unlimited sexual gratification without the burden of unwanted children . . .''

Margaret Sanger (editor). The Woman Rebel, Volume I, Number 1. Reprinted in Woman and the New Race. New York: Brentanos Publishers, 1922.

''Give dysgenic groups [people with 'bad genes'] in our population their choice of segregation or [compulsory] sterilization.''

Margaret Sanger, April 1932 Birth Control Review.

In her speech at the Planned Parenthood Gala, accepting the Margaret Sanger award, Secretary Clinton said she admired Sanger for her ''vision,'' was in ''awe of her'' and that ''Margaret Sanger's work here in the United States and certainly across the globe is not done.''

Translated, ''not done'' means more abortions here in the United States, in Latin America, Africa, Asia—the world. Planned Parenthood's mission statement, documents, and work in the field make it absolutely clear that they seek a global unfettered right to commit violence against unborn children at all stages of development. Planned Parenthood seeks integration of all health care with abortion, with no conscience rights whatsoever for medical practitioners, no parental consent or notification for minors, and all paid for by the taxpayers.

Which begs the question: is our Secretary of State unaware of Margaret Sanger's unhumane beliefs? Was she not briefed on Margaret Sanger's cruel and reckless disregard for poor pregnant women? Respectfully, Secretary Clinton should at a minimum return the Sanger award. More importantly, Congress and the White House must, at long last take a long hard second look at the multimillion corporation Planned Parenthood—Child Abuse Inc.

Let's be honest, Mr. Speaker. Abortion is violence against children. It dismembers and chemically poisons a child to death. It hurts women physically and psychologically and spiritually. There is nothing whatsoever compassionate, benevolent, ennobling, benign or empowering about abortion. It is a violation of a child's fundamental human rights.

Rather than partnering with Planned Parenthood and like minded NGOs to promote abortion worldwide, with hundreds of millions of taxpayer dollars, the United States should affirm the inherent value, dignity and worth of both victims of abortion—mother and child. We need to promote both at home and abroad. We should always and in every way affirm the precious lives of both. On that score, Margaret Sanger and far too many others would disagree.

I thank my good friend and yield back to him.

Mr. KING of Iowa. I thank the gentleman from New Jersey. And I appreciate the privilege to stand here and hear those words, the nonviolent, life-affirming philosophy that we are here and that we join together in, and the question that was presented, that is this question: Did Hillary Clinton understand? Did the Secretary of State understand the cruel, racist, elitist philosophy of Margaret Sanger in whose name she accepted the award? Did she understand the implications that come with such an award?

And I don't know the answer to that, Mr. Speaker. But I have to believe that someone who has been engaged in public policy all of her life, even as an undergraduate at Yale, this is not something that has not crossed her mind. I cannot believe that the Secretary of State would be ignorant of the philosophy of Margaret Sanger. I cannot believe that. If that were the case, then I would suspect that she is ignorant of many other things, and I don't buy that. I think this is a well-educated, very astute lady, a smart lady.

And as I listened to the gentleman from New Jersey's presentation, I think about something that takes us even to another level here, and this is a statement where we have an individual that has been nominated into this administration in a confirmation, a Senate confirmation position, Office of Legal Counsel, who actually is even more of an advocate of abortion and someone who even takes the position of Margaret Sanger to another level, and that is Dawn Johnsen, Office of Legal Counsel. And I have a quote.

Now, Dawn Johnsen has been appointed, Mr. Speaker, to head up the Office of Legal Counsel. This is the most influential, most powerful position that you have never heard of if you are an average, regular person in America.

The Office of Legal Counsel provides opinions on the constitutionality of the activities of the entire administration, and gives advice to the President of the United States.

The Office of Legal Counsel, the person who heads that up, this would be Dawn Johnsen, should she be confirmed by the United States Senate, has the opportunity to whisper into the President's ear over and over again Constitutional recommendations, which are actually considered to be binding precedent unless it happens to be overturned by the courts, so very seriously taken, and the opportunity to advocate for policy.

This is Dawn Johnsen, who says that: Abortion should not be rare. And actually went so far as to take issue with Hillary Clinton whom, in the presidential campaign, who said abortion should be safe, legal, and rare. At least rare is the right direction to go, and legal is another question. But here is Dawn Johnsen's statement:

The notion of legal restrictions as some kind of reasonable compromise, perhaps to help make abortion safe, legal, and rare, thus proves nonsensical.

In other words, she even took issue with Hillary Clinton's position that abortion should at least be rare. I will give Hillary Clinton that, Mr. Speaker, that she has at least made the statement, whether she has followed through on it or not. And she has accepted the Margaret Sanger award, which would actually contradict this statement about abortion being rare.

Margaret Sanger's philosophy was very elitist, very racist, very much focused on the idea of eugenics, and that we could perfect the species of Homo sapiens by selective breeding processes and by selective abortions. And data shows that in the African American community, as much as 50 percent of the African American babies conceived in the United States of America meet their death by abortion. Half of the population that would be here, that could laugh, live, love, play, contribute to this society, be part of this whole America, could enjoy a right to life and the right to fulfillment of that life lose that right to life in the abortion clinics.

And if I listened right to the gentleman from New Jersey, 300,000 altogether meet their end annually here in the United States of America at the hands of Planned Parenthood and their abortion clinics, 300,000 out of perhaps a number that is around 4,000 a day, multiplied across every day here in the United States. And this is just the United States of America.

Then we have the Advocacy for International Abortion, which comes continually here. Every year we deal with that debate.

Mr. Speaker, I remember this debate that we had on the floor here where we stand. It was the first debate on the Mexico City policy that took place in the 110th Congress, the first debate on Mexico City policy that fell underneath the gavel of Speaker PELOSI.

And I remember those of us who stand up for innocent, unborn human life lost that debate and lost that vote

here. And I will never forget looking across over on this side, Mr. Speaker, where I saw the advocates that thought that they wanted to compel American taxpayers to fund abortions in foreign lands clapping, cheering, jumping up and down, hugging each other, maybe even in tears of joy, for compelling Americans to fund abortions in foreign lands, something that is abhorrent to I believe a majority of Americans. And yet, the cheer came up over here, Mr. Speaker. Nearly impossible to understand.

I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. I thank the gentleman for bringing that up.

Back in 1984, when President Reagan first announced the Mexico City policy, it was designed to separate abortion from family planning. It got its name, as I know the gentleman knows, Mexico City policy because it was at a U.N. conference that the venue was in Mexico City; hence, its name. But it was a very well calibrated, very thoughtful policy which said that there ought to be a very bright line of demarcation between family planning and abortion, and that we would only fund those foreign nongovernmental organizations that divested themselves of lobbying, promoting, and performing abortions as a method of family planning.

It was a policy that worked. NGOs got funding. We are the largest provider of family planning in the world. But now, the organizations that will receive those funds, and we are talking about over one-half billion dollars per year of taxpayer funding, will be used to promote abortions in Africa, in Latin America, in Asia, Europe, everywhere where the law still protects and safeguards the sanctity of human life.

Most of the African countries, most of the countries in Latin America protect the lives of their innocent unborn children as a matter of human rights. Now, abortion organizations, backed with huge subsidies from the Federal Government—and President Obama was the one who signed the executive order that reversed the Mexico City policy. And, as the gentleman said, and I offered the amendment on the floor that he was talking about that regrettably failed, the misguided cheers and happiness about giving money to an organization that completely targets innocent babies in the womb for destruction.

We live in 2009. As the gentleman knows, ultrasound technology, prenatal surgeries have shattered the myth that an unborn child is human and alive. Of course they are. A child in utero may need a blood transfusion or microsurgery or some other intervention, medically speaking, to abate or mitigate some anomaly before birth. I chair the Spina Bifida Caucus. Some of the early interventions for spina bifida children can have a marvelous quality of life impact later on, from birth on. But you do it before birth.

Bernard Nathanson, as my distinguished colleague knows, was the leading abortionist in the seventies. He founded, along with Betty Friedan and Lawrence Lader, NARAL, one of the biggest pro-abortion organizations in this country. He changed positions after he was doing surgeries and looking at the unborn child as a patient at St. Luke's Hospital in New York. He ran an abortion clinic, was a big activist for years, and then became a prolifer. And he wrote in the New England Journal of Medicine, and I quote, ''I have come to the agonizing conclusion that I have presided over 60,000 deaths.'' And then he became a prolifer. And now he has spoken out for many years on behalf of the human rights of the unborn, and that the women are injured, the babies are victimized and killed, and that this death and destruction to our offspring and to our women and to mothers must cease.

We now are exporting. We don't export enough. We certainly don't export enough commodities. Our economy has been hurting for a number of months now and even years. What we are exporting, tragically, is abortion, and the taxpayers of America are the ones who are subsidizing that, enabling that promotion of abortion in Africa and Latin America and elsewhere.

There was a famous movie years ago, and my friend and colleague from Iowa probably saw it, The Ugly American. You know, I love what we can do foreign policy-wise to help and to ennoble and to make healthier people around the world, whether it be on AIDS treatments and all the other things that occur internationally, hunger alleviation, clean water, safe blood.

□ 2115

But abortion takes all that. It tells people in the developing world, just like the vision of Margaret Sanger that we don't want you. That your children are not—are dehumanized and are expendable. As the great Henry Hyde used to say, liable to extermination. You can terminate the innocent and inconvenient with such ease. Who is to speak out for them? They can't speak for themselves because of their immaturity and their dependency.

So I congratulate the gentleman because the time has come, the time has truly come for America to begin a great awakening when it comes to the value, the dignity and the sanctity of human life. Abortion is violence against children. Despite all of the platitudes, all of the cheap sophistry that routinely is employed to cover up abortion, it is violence. Dismembering a child, chemically poisoning a child, inducing a miscarriage whereby the child then dies very early because of the inability to cope after being separated from the mother, all of these methods of abortion have one goal in mind, the killing of the unborn child.

Recently I watched and read a statement that Father Pavone, a priest for life actually put together. And he talked about Dr. Haskell, who is the man who came up with the partial-birth abortion method. And one of the main reasons why, and maybe the primary reason why that method was crafted, where a baby is half born, his or her brain is pierced in the back of the head and the brains are literally sucked out, was to ensure that the abortion didn't produce a live birth. Years ago, the Philadelphia Inquirer, which is just south of my district, had a big story called ''The Dreaded Complication'' and spoke about the fact that every year something on the order of 500 children survived later-term abortions only to die maybe a day later, several hours later, but some went on to be adopted. For the abortionist, this was a complication, a dreaded one. So Haskell and others decided to do away with that possibility by completely collapsing the brain cavity and sucking the brains out of a child. We get accused of inflammatory rhetoric by the pro-abortion side when we describe what it is that they do in abortion clinics. It is violence. It hurts women.

And finally, as Dr. Elvita King has said so eloquently—the niece of Dr. Martin Luther King, a woman who used to be on the other side of this issue, who had two abortions herself, and has spoken out on behalf of the unborn child and his or her mother—abortion is the ultimate civil rights movement of our day. She is the niece of Martin Luther King. She knows a thing or two about human rights and civil rights. And she says that as a society, it is time to look carefully, get rid of the platitudes, get rid of the euphemisms that have stifled true debate, words like ''choice.'' Choice to do what? To destroy an unborn child in a very vicious way. We need to protect both.

One of the most beautiful things of the group that she is a part of called ''Silent No More,'' made up exclusively of women who have had abortions, is that they reach out to women who are in crisis, who have the post-traumatic stress disorder, have grave misgivings, not right away, but maybe a couple years later, maybe several years later, and say there is a path to reconciliation and peace. That is what the prolife movement is all about. We have never been about judgment. We have always been about enfranchisement. Protect the baby. Protect the mother in the first place. And for those who have already had abortions, who like Martin Luther King's niece, Elvita King in Silent No More and other women who have bravely spoken out on behalf of the unborn and their mothers, there are two victims, one is killed, one is injured. They need our help, our love and our compassion.

Unfortunately, they don't get that from the other side. It is called ''empowerment.'' There is nothing empowering about destroying an unborn child. And it is time—and I would hope, as the gentleman would hope, that there would be a campaign that men and women in America, Members of

Congress, who have for a long time voted the pro-abortion side, would take a second look, look at Planned Parenthood this second time. To look at, as you pointed out, what Dawn Johnson has said when she says ''Women are not fetal containers,'' that degrades the beauty and the magnificence of procreation and of life and the way we all came into this world.

So I thank the gentleman for this time and hope that there will be a new, a re-evaluation, a new reappraisal of what the culture of death has done. Fifty million unborn children have been killed since 1973, a staggering loss of human life. And as you have pointed out previously, Mr. KING, there has been a very suspicious disproportionality when it comes to how many African Americans have been killed. And many, including Dr. King and others, are more than suspicious, especially given Margaret Sanger's and others' viewpoint about who is desirable and who is undesirable. So I strongly urge this re-evaluation. It needs to take place now.

Finally, and I said ''finally'' before, but this will be final, President Obama sadly and tragically, with the enormous support and the wellspring of goodwill that is being afforded him, is the abortion President. Every move he has made, whether it be the reversal of Mexico City, his embrace of the Freedom of Choice Act, which may come up on this floor some time, we don't know when, the move to get rid of conscience protections that men and women in the medical profession absolutely need so they are not complicit in killing innocent human life, taxpayer funding for abortion, the embrace of embryonic stem-cell research at a time when induced pluripotent stem cells, which are embryo like but do not require the killing of an embryo and can come right off your skin and mine and be manipulated in a way that will be lifesaving, cord blood, all the adult stem cells, the alternatives to embryonic work, embryonic has not worked, and yet with great fanfare he has embraced that at every turn. And the one that the gentleman brings to the floor tonight, Dawn Johnson, in what is truly an outrageous view, an inhumane view, a tragic view towards the sanctity of life, people of her kind and people with her perspective are embedded all over the Obama administration and will daily be promoting and proffering policies, very often in a stealthy way, that will promote the culture of death.

And to our friends in Africa, Latin America and elsewhere, watch out. The abortionists are coming. And they are coming from the Obama administration. I thank my friend.

Mr. KING of Iowa. I thank the gentleman from New Jersey. And I would hope that he can stand by. I have a couple of questions I would like to present that way and first make a statement. And that is, Mr. Speaker, with regard to partial-birth abortion, it has occurred to me that if an abortionist can go in and turn that child around so the baby is born breech, that being feet first, and bring that baby to delivery for everything but the head and in fact, part of the head, and then, hold the baby there so that the baby isn't fully born and then take a scalpel and insert that into the back of the skull and put some scissors in there and open up the hole and suck the brains out of that child while that child struggles for life and struggles for mercy, it occurs to me as I picked up the film, ''Silent Scream'' years ago when our children were about 10 or 12 years old and showed that to them one time, and one time was enough, that silent scream, the word of that movie that showed the violence of abortion, it occurs to me that this society can't abide the screams of the innocent. And so they had to devise a means of abortion that would stop the life of that innocent child an inch before that child could fill its lungs full of free air and scream for its own mercy. That, I think, is the psychology behind this. Even the abortionists couldn't stand the sound of the scream of the child screaming for its own mercy. And I think that is how partial-birth abortion was devised.

I would pose this question to the gentleman from New Jersey, and having been the individual that offered the amendment to preserve the Mexico City policy and having lost that debate and lost that vote on this floor, and having seen the display of glee and joy and hugging and clapping and cheering and perhaps even tears of joy on this side of the aisle, Mr. Speaker, the joy that they were going to compel the American taxpayers to fund abortions in foreign lands, what kind of a person, the sons and daughters, the grandsons and granddaughters of Margaret Sanger, the mother of abortion, the mother of ''family planning'' in quotes, the eugenic idea of producing a more perfect race, Hitlerian idea, what could cause a person to be so full of joy about compelling you or me or the people who agree with us to fund abortions in foreign lands? I can't understand that, Mr. SMITH. And I would be very interested in your analysis.

Mr. SMITH of New Jersey. I say to my good friend, Mr. KING, I have been offering the Mexico City Policy since 1984. I have been here for 29 years, and I offered it the first time. And I remember members on the other side of the aisle saying that none of the family planning NGOs will take the money with that kind of conditionality. They were so focused and filled with their wanting to provide abortions.

That didn't happen. NGOs lined up. The money went out the door. And we had that line of demarcation between abortion and family planning for years. Bill Clinton reversed it, and during the course of his presidency, we fought hard to restore it. And in the end, for the last 2 years of the Clinton administration, we had first a modified and then the full Mexico City Policy back. President Bush, by executive order, re-established it, and family planning moneys flowed, but without abortion promotion or performance.

And then, President Obama, like I said, just a couple of days after being sworn in, re-established, or reversed I should say, the Mexico City Policy with more money now flowing to those organizations. Why the joy and the happiness on the side of those who promote abortion? It is bewildering in the extreme. Father Pavone's Web site, and I encourage people to check it out, he talks about a meeting when this Dr. Haskell, the man who devised this child-abuse method called partial-birth abortion, as you pointed out where the baby's brains are literally sucked out, he presented that method, as Father Pavone points out in one of his speeches, it actually has much about what happened in this conference, and the conference was filled with abortionists. And when the baby actually died, it was being killed, because he had it all on film, they broke into applause at the demise, at the death of that child.

That is pathetic. It is beyond tragic. I said during the debate, and remember Bill Clinton vetoed partial-birth abortion not once but twice, that when my young girls, and we have two girls, four children totally, but when they were young, if they were to play ''doctor,'' the girls, and take their dolls as they had when they were 5 and 6, turn them around and pierce the back of their skulls and then suck their brains out, we would seek, as would any parent, immediate counseling. Something would be wrong. When someone embraces the death of a child, something is very, very dangerously wrong.

I have seen on this floor time and again—and I would say we won the debate, I would say to my friend, but lost the vote on Mexico City Policy. And when we have lost fights on partial-birth abortion, for example, not in vote count, but in vetoes by the previous administration, it never ceases to amaze me that one could be joyous over allowing, facilitating and enabling more death to children and more wounding of their mothers.

That is what this is all about. I believe passionately, and I have been in Congress 29 years, and I spend much of my time working on human rights issues, humanitarian issues around the world, whether it be in Africa working on human trafficking or on trying to mitigate and stop terrible things like torture. I wrote four torture victims relief acts—laws—they are not bills, they are laws, and many, many other laws, microcredit financing for the developing world, three human trafficking laws beginning with the Trafficking Victims Protection Act of 2000, I believe passionately in human rights. But birth is not the beginning of a person's life. We need to see it as an event that happens to each and every one of us, and that those children in utero are no less human and alive than you and me. They are definitely dependent.

They are immature, as is a newborn, as is a 1 year old. And a compassionate and sane society would seek to enfranchise, not disenfranchise.

So when they expressed on the other side, and a few on our side of the aisle, happiness over the loss of the Mexico City policy, it was very clear to me. I had nothing but sorrow because there is one predictable consequence, more dead babies and more wounded mothers.

I yield back.

□ 2130

Mr. KING of Iowa. I thank the gentleman from New Jersey. And as I listened to that description of the audience breaking into applause at a video of a baby who has been a victim of partial birth abortion, had its brain sucked out and stopped struggling, it became apparent that the baby was dead, that they would cheer, break into applause, that indexes to the cheer and the applause and the hugging that went on here when the Mexico City Policy was defeated on the floor of the House of Representatives, Mr. Speaker.

And I understood it differently. And I think it was because of a gap in the knowledge and experience that's been filled in by Mr. SMITH from New Jersey. I explained that emotion over here as not being a rational, logical emotion, but an emotion that simply divorced itself from the sacred nature of human life, and was simply cheering because they had scored a victory over our side.

And how could anyone go through life and think they had accomplished something by compelling others to fund abortions in foreign lands? That's a psychology that I cannot connect with, Mr. Speaker. And so I could only rationalize it on the part that they know we hold innocent life dear. We hold all human life dear. And we believe that it's sacred in all of its forms, from the instant at conception and fertilization to natural death.

And Mr. SMITH, among others, have been one of the stalwarts in leading and defending innocent human life, especially in this Congress. And I thought that that cheer was for having scored points against the value system, the core value system of those of us on this side.

Mr. Speaker, I'm not sure of that, because the people sitting inside that room who were watching that film of that partial birth abortion, the struggling child who ceased to struggle when it's obvious that the baby was dead, that broke into a cheer, they didn't do that because they scored points on the other side. That doesn't relate over here to a political contest which should always transcend our fundamental, timeless values. However I might try to rationalize their emotions, when you tie the two of them together, it's almost unexplainable. I can't explain an emotion or thought process that would want to end innocent human life and consider it to be a right, a fundamental right.

So I ask this question, and I ask this question continually in our public schools and our parochial schools across the land when I have the chance. And I say, especially to young people, you'll be called upon to make a profound moral decision in this society and this civilization; if you're 14, 15, 16, 18 years old, 19, 20 years old, you will, or you will be among those who will have to make that profound decision, the moral decision.

And you ask only two questions. It's very simple, and it's this simple. The first question is, do you believe in the sanctity of human life? Is human life sacred in all of its forms? Is your life sacred? Is the person next to you, is their life sacred, people on either side, are their lives sacred? And it becomes almost a universal yes. I've actually never had a student say, no, I don't think so. I don't think my life is sacred and I shouldn't be treated in a sacred fashion. I've never had that happen. They nod their heads. It's universal that we believe that life, human life is sacred in all of its forms.

So once we establish the answer, yes, to the first question, is human life sacred, the only question to follow that up with is, then at what instant does life begin? You have to choose an instant. And I describe it this way. You can't guess at it. What if somebody came by the gymnasium or the auditorium and stuck a gun in the door and turned their head the other way and pulled the trigger and ran down the hallway without looking back. If they were captured outside the building, you could ask them, did you kill somebody or didn't you? And their answer might be, I don't know. But we know that if the gymnasium emptied and there's someone in there who's dead, with a bullet hole in them, yes, the answer is, he did kill somebody.

And if it results in a dead baby, someone was killed. And you cannot guess when it comes to life. You can't err when it comes to life. You must choose that instant that life begins. It can't be a first trimester, a second trimester, a third trimester; it can't be viability outside the womb. We know it goes up beyond 24 weeks or below 24 weeks for viability today. There's no baby that's born, now, 9 months, full-term that really is viable without being nurtured by its mother and by its parents. And they've got to be nurtured. And so whether it's the instant before they're born or the instant after, when does life begin?

I remember asking that question when this first little miracle, that firstborn of our family, was put into my hands. And I looked at that child and I was struck by the awe of the miracle. And I don't remember that I thought this through on that day, but I remember going to work the next day and I was sitting there thinking this through. And I still believe there's a certain aura about that firstborn child.

And I asked myself, here's this miracle that's been in my arms within the last hours. This little child, this miracle, could someone take his life today? And of course the answer is no. Could they have taken his life yesterday, the day he was born? No. Could they do so the minute after he was born? No. The minute before he was born? No. What about 10 minutes before or 2 hours before or a day or a week or a month before he was born? The answer is no, no and no, Mr. Speaker. And so if you can't do that, if it's abhorrent to us to think about the idea of ending the life of our unborn child a day, a week or a month before they're born, just as we couldn't think of that a day a week or a month after they're born, then we've got to take this back to an instant, an instant that their life begins. And it's that simple.

And this has become a political argument that's destroyed the lives of 50 million babies, to the point where we argue that this civilization has a hole in it, in the generation.

I remember standing down on the Mall, this would be, I believe, a year ago, January 22, on the March for Life. And if you looked out across that Mall, there were over 100,000 there that day. This year there was a far bigger number in the March for Life, many, many young people.

And I made the point that if you are under 30 years old, and you're standing next to somebody that's under 30 years old, look at each other. And the ghost of one-third of your generation stands between you. That's the aborted generation, the generation that didn't have that opportunity for life, the generation that are the victims of Margaret Sanger, the victims of a political agenda, the victims of a lack of belief in the sanctity of human life, the people that would argue that babies are inconvenient, that an abortion should never be rare, the people like Dawn Johnsen who would argue that mothers are fetal containers. My mother a fetal container? CHRIS SMITH's mother a fetal container? That the only emotion you feel—this is Dawn Johnsen again—the only emotion you feel when you have an abortion is relief, not trauma; that it never comes back to you; that it's simply off one's conscience.

We know that that has motivated—that women deserve better—the organization that CHRIS SMITH talked about.

Dawn Johnsen spoke that women who get pregnant are simply the losers in the contraceptive lottery, and that they no more consent to pregnancy than pedestrians consent to being struck by drunk drivers.

And yet, I'm standing in my kitchen on Sunday, talking with my daughter-in-law, who's the mother of our third grandchild. And I told her that I'm jealous because I'll never get to be a mom. And yet, no matter what she wants to do with her career, some of that career is going to be slowed down because she's busy being a mom.

And she looked at me and she said, I know you're jealous. You've told me that before. You'll never be a mom.

And I think being a mom is worth the tradeoff of slowing down my career because I think it's great being a mom.

And that's the love that flows. That lady is not a fetal container. She's a mother, a mother that's brought love to each of the children that God's gifted this family with, just like the millions and millions of mothers across the planet who have done so, done so out of love, out of faith, out of conviction.

And I can't understand the people that would cheer and celebrate the tax dollars of American people going to any place that provides abortion services and counseling.

That is what happens, Mr. Speaker. And I know the gentleman from New Jersey has a few more words.

Mr. SMITH of New Jersey. Just a couple of final comments. And I again thank my friend and colleague for his leadership on this fundamental human rights issue of protecting the unborn child.

You know, the most persecuted minority in the world today are unborn children. The acceptable bias today is abortion. To be prejudiced against unborn children is somehow acceptable. It's certainly legal in this country. And that is a very significant tragedy for our society.

It is time we called it for what it is. It is child abuse, abortion. It is violence against children. It is prejudice. And I would hope that Members—you know, I've heard some of our finest leaders in the pro-life movement say over the years that Americans won't stop abortion until they see it. We have to push away the euphemisms that have cloaked this for the last three decades and figure it out, not figure it out, just simply spend some time focusing on what it is that the abortionist does. It is violence against children. It actually engenders pain for the unborn child.

My friend and colleague will know that 3 years ago, 4 years ago I offered legislation on this floor called the Unborn Child Pain Awareness Act. We got 250 votes, bipartisan votes for at least advising a woman that, from at least the 20th week on, her child might feel significant pain. The evidence clearly suggests that a child who is killed by dismemberment or some other hideous method of abortion, feels pain that is up to four times more excruciating than a newborn or an older child because the nerve endings are so close to the skin, and the ability of the body to dampen pain has not matured sufficiently.

There's a method of abortion known as the D&E. The method literally involves hacking off the arms and the legs of an unborn child, decapitation, takes upwards of 30 minutes for that method to effectuate its kill. And at least in the beginning moments of that abortion, the child feels excruciating pain.

Today, because of the great work of people like Dr. Anand and others, when prenatal surgeries are performed and the child needs to be surgically opened up to do some procedure that is benign and life-affirming, he or she gets anesthesia. An unborn child gets no such consideration. We treat animals with more benevolence and in a more caring way in terms of pain mitigation than we do unborn children.

That legislation should be on this floor. A child should not only not suffer the cruelty of being killed, but also the pain that goes along with it. Most Americans are woefully unaware. Some of my colleagues, our colleagues are probably woefully unaware as well that pain is real for these children as they die a death due to abortion.

I yield back.

Mr. KING of Iowa. And I very much thank the gentleman from New Jersey. And it brings to mind an image that many of us have seen of an in-utero surgery where that—not only does that little unborn child feel the pain, but that little child reached up out of the incision and grasped the finger of the surgeon. I'll never forget that image. And it was something that floated around the Internet for a long time, and I think it would be worth bringing to this floor. Very, very human.

And as I listened to Mr. SMITH, the gentleman from New Jersey, I have to reflect back on our dear departed friend and colleague, Henry Hyde, who was a stalwart on the life issue. And I wrote this down from the back of the program at his funeral in Chicago that day. His last day on this Earth was November 29, 2007. And I think it's a good place, Mr. Speaker, to close this special order with a quote from Henry Hyde. And he said this:

''When the time comes, as it surely will, when we face that awesome moment, the final judgment, I've often thought, as Fulton Sheen wrote, that it's a terrible moment of loneliness. You have no advocates. You are there alone, standing before God. And a terror will rip through your soul like nothing you can imagine. But I really think that those in the pro-life movement will not be alone. I think there will be a chorus of voices that are not heard in this world that will be heard in the next, beautifully and clearly. And they will plead for everyone who has been in this movement, they will say to God, spare him because he loved us, and God will look at you and say not did you succeed, but did you try.''

Mr. Speaker, I will yield back.

□ 2145

THE CONCERN OF AMERICA'S FUTURE DIRECTION

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

Mr. CHAFFETZ. Thank you. I appreciate the impassioned gentlemen and their commitment to a pro-life agenda. I truly do.

I stand tonight and rise because of my concern about the direction of this country. I was elected here as a freshman. I did not create this problem in Washington, D.C., but I am here to help clean it up. We have the greatest opportunities ahead of us. The United States of America is the single greatest country on the face of the planet, and every time we are faced with a challenge, we overcome the obstacles that are thrown ahead of us. I would like to see our government get out of the way and stop being an impediment. I want to make sure that it is the American entrepreneur who is emboldened. It has always been the American entrepreneur who has driven this country forward.

As I rise today, my concern is that often what we hear and see in Washington, D.C., is not a reflection of the reality. The rhetoric has been very strong, but with all due respect to our President, of whom I have the greatest admiration—he is a great success story—what I hear and what I see tend to be two different things. There has been some good work done by Phil Kerpen of the Americans for Prosperity. I appreciate the work that he has done. I want to touch on a few points that I have great concern about.

We were promised by this administration and by the Speaker of the House, Mr. Speaker, that we would have this sunlight before signing things. In this body right here, the House Republicans and Democrats unanimously passed a resolution that said we would have 48 hours to review a bill before we would sign it. Yet, shortly thereafter, the single largest spending bill in the history of the United States passed out of the Rules Committee. It was just around midnight when we got the final copy of the bill, the so-called ''stimulus bill.'' Just over 13 hours later, we had to vote on it. That is absolutely the wrong direction.

Then candidate Barack Obama said, ''Too often, bills are rushed through Congress and to the President before the public has the opportunity to review them. As President, Obama will not sign any nonemergency bill without giving the American public an opportunity to review and comment on the White House Web site for 5 days.'' That does not happen on a regular basis, and it is wrong. It needs to change. We need to live up to those campaign commitments. They are not happening now.

The American people were promised that lobbyists would not be participants in this administration. On the Barack Obama Web site, it says, ''No political appointees in an Obama-Biden administration will be permitted to work on regulations or contracts directly and substantially related to their prior employer for 2 years, and no political appointee will be able to lobby the executive branch after leaving government service during the remainder of the administration.'' That

is not happening. That is not happening.

During the campaign, we talked about there being no tax hikes on the poor. On September 12, 2008, in Dover, New Hampshire, the President said, ''I can make a firm pledge. Under my plan, no family making less than $250,000 a year will see any form of tax increase—not your income tax, not your payroll tax, not your capital gains tax, not any of your taxes.'' What was one of the first bills that the President signed? A tax increase. It was the SCHIP bill. It was under the disguise that we were going to help children with their health care insurance. He raised the taxes on cigarettes. That affects a host of Americans. Now, I don't smoke; I don't advocate smoking, but the reality is there are a whole lot of smokers who make less than $250,000 a year. That was a tax increase. That was in opposition to what the President said he would do. There are other examples.

We were encouraged by the President to pass in this body legislation free of earmarks. We were promised earmark reform. The statement on earmarks that came out on March 10: ''The system is broken. We can no longer accept a process that doles out earmarks based on a Member of Congress' seniority rather than the merit of the project. We can no longer accept an earmarks process that has become so complicated to navigate that a municipality or nonprofit group has to hire high-priced D.C. lobbyists to do it, and we can no longer accept an earmarks process in which many of the projects being funded fail to address the real needs of our country.''

When the President addressed the joint session of Congress, I was sitting right there in the seventh row. The President said he wanted no earmarks. The very next day, the United States Congress, despite a lot of us who voted ''no'' against it, passed a $410 billion appropriation with no less than 8,500 earmarks. The President signed it.

Big government: In the joint address to Congress, the President said, ''Not because I believe in bigger government—I don't.'' Now, I want to believe the President when he says he doesn't believe in big government, but we have the single largest expansion of government in the history of the United States happening, one of the largest tax increases in the history of the United States of America.

So, when I look at the President's budget, when I look at what NANCY PELOSI is proposing as the Speaker of the House, Mr. Speaker, I have serious questions and reservations because I believe that this budget that I am looking at and that we are going to be asked to vote on very soon spends far too much money; it taxes us on too much money, and it borrows too much money. We are fundamentally compromising our future.

You know, I have worked for big companies. I have worked for small companies. I have owned my own company. I have spent 16-plus years in the local business community. I have hired people in the past, and there is a fundamental thing that I look for. I just want to hire people who will do what they say they are going to do. I think the American people should demand that with regard to what is happening in Washington, D.C. I think we should demand that at every level of government.

Earlier today, we saw the next nominee for the Secretary of Health and Human Services admitting that she had failed to pay taxes. Shouldn't there be a standard, a level, that says, ''You know what? If you can't figure out how to pay your taxes accurately or if you can't hire the right person to get your taxes done properly, then you're probably disqualified for being a secretary-level person in this United States Government''? It is so disappointing. It is so disappointing.

We have great hurdles, great opportunities ahead of us. There is probably nothing stronger in this country and more fundamental to what we should be doing in this government than our national security. I am joined today by somebody who is passionate about national defense, about the great work that men and women are doing all across the world to help us, to protect us.

During my campaign, I had an opportunity to meet a number of soldiers who did not come home to this same kind of welcoming that they thought they would. They were injured. They came back to families who were so concerned because the breadwinners in their families could no longer win the bread. These were brave men and women, soldiers, who fought and sacrificed for our country. I fundamentally do not believe we are taking as good of care of them as we should be. These are people who are giving so much. It is not welfare. It is not a handout for us to take care of the men and women who are taking care of us.

So, as I look at all of these broken promises, at all of these things that we are supposed to be doing—basic, fundamental things within our government—I find that one of the true, proper roles of government and that one of the things we really should be doing is making sure we are taking care of our military.

So I would like to take a moment, if I could, and yield for a time to my friend, the gentleman from California, Mr. DUNCAN HUNTER.

Mr. HUNTER. I thank the gentleman from Utah. Thank you for your leadership and for your courage in telling the American people and in telling the Members of Congress what is really going on and what the money is being spent on that the President is asking for and that the Democrats are asking for. Thank you for your kind words as well.

I have been to Iraq twice as a United States marine, and I have been to Afghanistan once. We are probably at the biggest tipping point that we have ever seen since World War II when it comes to national defense and to national security. We have more violence along our border region than we have ever had in this country. Right now, with those two, large, pressing issues, we are spending a pittance on those two issues—the national security issues that involve the border and that involve Iraq and Afghanistan and China and North Korea and Russia—compared to what we are spending in giving money to the failed companies run into the ground by their executives who have been ruled by greed. I would like to go over some of those shortfalls in the President's defense budget coming up.

First off, in fiscal year 2010, the President's budget is $30 billion less than what the Joint Chiefs of Staff asked for. The Joint Chiefs of Staff are the ones who are the experts on the military and on what the American military needs to sustain itself and to fight future threats and future enemies. We are $30 billion short. They asked for $584 billion for fiscal year 2010. The President is only going to give them $533 billion. This is a 10 percent decrease over what the joint chiefs asked for over 10 years. That is a $1.3 trillion deficit for the U.S. military at a time when we are fighting in Iraq and Afghanistan and when we are prosecuting terrorists around the world for our security here at home.

We have veterans returning home, and we have people coming home who have given that ultimate sacrifice, those who have paid that ultimate price, who have given that final measure of devotion. We are going to cut spending for them. We are going to cut their benefits here at home. We are going to cut the money that goes towards their armor and their bullets and their food and their medicine. We are going to cut that right now. In this time of gluttonous spending, we are going to choose to cut spending for our U.S. military.

Our Navy fleet has declined from 568 ships in the late 1980s to 276 ships now. We need over 300. The average age of the airplanes in the Air Force has risen from 9 years in 1973 to 24 years old. I mean the average age of each of the Air Force's airplanes is over 27 years old. They used to have 37 fighter wing equivalents in the '80s. Now they have only 20. This past year alone, ship maintenance funding is $417 million short. That is not what I would call putting America's security first. That is putting America's security last.

When I hear the President talking about national security or when I hear the Democrats giving a moment of silence in this room for our military, it seems insincere to me that they would do that on one hand and tell the American people that they are helping out and that they are doing everything that they can do for national security's sake while, at the same time, they are

going to cut defense spending. JFK spent more on defense than we are spending now. Ronald Reagan spent more on defense than we are spending now. While in the middle of two wars, we need to increase, if anything, defense spending and keep it at 4 percent of our GDP to keep America safe. We have more threats now than we have ever had.

I would like to yield back to the gentleman from Utah.

Mr. CHAFFETZ. Well, thank you, and thank you for your personal service to this country. I know that you have served and have served with honor, and I know that your father has served in this body. He was a great inspiration to me and to a lot of Americans, and I appreciate your commitment to making sure that our United States military is taken care of.

You know, when we passed the stimulus bill, I did not vote for it. In fact, 100 percent of the Republicans did not vote for it. It took $1 trillion and sprinkled it over 106 Federal programs and grew government. The loser in this budget, in addition to the American people with the debt that they are saddled with and the overspending that is there and the borrowing that has to happen, is the military. We are in the middle of armed conflicts, and the United States of America can never, ever be second. It can never, ever be close to somebody else.

We have to have the very best intelligence. We have to have the very best equipment. We have the best men and women, but we are not taking care of those men and women. I wish this budget that we are looking at would take care of those men and women and would take care of the weapons systems and things that we need to do to keep this country safe and to keep the world safe. The sacrifice that those men and women give and that the families give is just unparalleled. It is absolutely amazing.

I want to tell a quick story here—a little perspective if I could—of a man who served in Vietnam. He happens to be my brother Alex's father-in-law. His father-in-law is named Bob Johnson. You know, when I think about this budget and about what is happening, I think about Bob. I think: What about Bob? You know, what about Bob? Because Bob is just a great American. He is working hard. He is doing exactly what we want him to do. Yet this budget and this administration seem to want to punish success and reward failure.

□ 2200

It is exactly the opposite of what I think we ought to be doing.

And on March 16 of 2009, the President said—I want to read a quote from an address he gave related to small business, and I am extracting one paragraph, but I would encourage everybody to go back and read it for themselves.

In one paragraph, he said, ''Small businesses are the heart of the American economy. They are responsible for half of all private sector jobs—and they create roughly 70 percent of all new jobs in the past decade. So small businesses are not only job generators, they are also the heart of the American dream. After all, these are businesses born in family meetings around kitchen tables. They're born when a worker takes a chance on her desire to be her own boss. They are born when a part-time inventor becomes a full-time entrepreneur, or when somebody sees a product that could be better or a service that could be smarter, and they think, 'Well, why not me? Let me try it. Let me take a shot.' ''

The President delivers it a little bit better than I do. I understand that. He's the President of the United States.

I agree with everything that he said in that paragraph. But as I look at this budget, it fundamentally does not help the small businessman. Because it extends spending, it increases taxes, and puts borrowing at record levels. Literally double.

Let me tell a really quick brief story here about Bob Johnson, what about Bob, in Topeka, Kansas.

Bob has lived his whole life in Kansas. He was raised on a farm with six brothers and sisters. After high school, Bob joined the Marines. He wanted a better life for himself. He served in Vietnam and was honorably discharged.

He went back home to Kansas, married his high school sweetheart, Janet. Together they raised a daughter, Christy. Bob spent his days and nights learning a trade, and when he mastered that trade, he opened up his own transmission shop in Topeka, Kansas. And for the past 30 years, Bob Johnson has worked his tail off to make sure that the Topeka Transmission Service is the most successful, most disciplined, cleanest-run shop in town. People who know Bob know they are going to get good service, and a lot of people in town know Bob. He's using the skills he learned as a farmer and a marine to teach his employees that character, skill, and hard work are the formula for success. And Bob has undoubtedly been successful.

His daughter was the first in their family to graduate from college, the University of Kansas, the Jayhawks. His business has been successful. His employees have earned their paychecks. Bob cares about their success and his customers being happy. And Bob's business pays their taxes so this Congress has resources to spend.

So I ask what have we done to support Bob lately? Bob is the heart and engine of the United States. He's the heart and soul of the dream. It's what drives this country forward.

Well, lately he's probably seen his savings get obliterated like the rest of the hardworking Americans. As a small business owner, he appears to be the target for a tax increase. That's Bob's reward. Work hard for 30 years, do everything right, and now suddenly we're going to tax him more, we're going to spend more and we're going to leave his family and his grandkids, Jake and Taylor, a legacy of debt.

So what do you think Bob's choices will be? Do you think he will be in a position to give his employees a raise? Do you think he will be in a position to hire more people? Or do you think Bob Johnson will get more protective of what he has and worry more about how he's going to meet his payroll and how he's going to keep the employees he has and the savings he's worked so hard for over the last 30 years?

I don't think we're doing him any favors with this budget. There is nothing in the stimulus, there is nothing in the bailouts, there is nothing in our tax policy that rewards Bob Johnson. And yet Bob Johnson—I agree with the President—he's the heart and soul of what is going to drive this country forward representing 70 percent of the new jobs.

The Obama budget spends at record levels, it taxes at record levels and doubles our national debt by spending, taxing and borrowing too much. That's what we're doing to destroy the American dream.

I have another colleague here who is also a freshman. He didn't create any challenges, but like me, he's here to help clean it up.

I would like to yield some time to my friend from Ohio, Mr. AUSTRIA.

Mr. AUSTRIA. I thank the gentleman from Utah. I thank you for the great work you are doing for the State of Utah and our country as a freshman. Thank you for putting this on today.

I want to thank my other colleague from California. Thank you for your service to our country. Thank you for putting things in perspective for our military.

And I want to add one thing. We had an opportunity to change some of this budget, and another freshman—it seems like the freshmen now are taking the lead role on some of this stuff, which is good—Congressman HARPER from Mississippi and myself cosponsored an amendment in the budget that would put the troops' increase, their pay increase where it should be at 3.4 percent where it has been lowered and marked down in this budget to 2.9, which is the minimal amount required by statute.

When we have troops that are now fighting in two wars, we're increasing the number of troops in Afghanistan—I have had an opportunity, I represent the largest single site employer in the State of Ohio Wright Patterson Air Force Base. I have four military facilities in my district. I have had an opportunity to attend a number of deployments for men and women in the military. And I have to say, they are the greatest people I have had an opportunity to meet, and I would go so far as to say it's the next greatest generation that's serving our country today.

And when these—we're asking these men and women to serve and the deployments are lengthier than what was expected, more often than what was expected. There are tremendous sacrifices that are being made by their families, by our troops. I think that the least we can do in this budget is not cut what was expected as far as their pay but give them the increase that they deserve, and in my opinion earned. They are doing a spectacular job in protecting us, and we thank them for their sacrifices to protect our freedom.

But unfortunately, that amendment was shot down and was voted down in Budget by the other side of the aisle. And so we had an opportunity to try to fix some of that, and we didn't do that in the Budget Committee, and I hope that we can get our priorities straight on that.

Let me build off of my colleague from Utah. Let me talk about Ohio because you two are out west and some of the things that you talked about—the difficult times that small businesses are going through, families are going through out west—we are experiencing these things in the midwest.

I represent the State of Ohio, the heart of the midwest. And I can tell you we have over 900,000 small businesses in the State of Ohio. And within the last few weeks, in particular, our phones in the district offices have been ringing. Business have been calling us, families have been calling us. They are going through very difficult times right now. They are making sacrifices for our country. Small businesses are calling us, and they are having difficulty getting the financing, the credit that they need to be able to meet their payroll, to be able to save the jobs that are out there, much less create new jobs and sustain those jobs in the long term.

The Bob Johnsons that you just talked about. We have a lot of Bob Johnsons, those types of businesses in Ohio, and they are the economic engine of our State and this country. As you mentioned, they create 60 to 80 percent of the jobs across this country. And I think here in Congress we can do better.

As freshmen, we've been in Congress now for less than 100 days, and we have been faced with a $700 billion TARP financial market bailout that has not worked, in my opinion. It has been a disaster because there's been no—there hasn't been the accountability needed, there hasn't been the transparency as to how that money has been in place. There is no plan in place.

The Treasury Department did not have a plan in place. We had Secretary Geithner come into the Budget Committee, and we asked him about the financial bailout, the market bailout. And he could not give us specific answers as to how the money that has been spent has been spent and how their plans on the future dollars on how they were going to be spent.

And then we had the stimulus package, $791 billion spending package, I call it, $1.1 trillion over the next 10 years of taxpayers' dollars. In that stimulus package was a paragraph in there on a bill that not one Member of Congress had an opportunity to read completely before we voted on that, said, You know what? We can now take your tax dollars, we can use it as a bailout, give it to a company like AIG, and they can pay out $165 million in bonuses, 73 of those being over $1-million bonuses. One lucky guy got a $1.64 million bonus, and twelve of them don't even work for the company.

These are hardworking American taxpayers' dollars that are paying out these bonuses. As the public begins to understand what is happening here in D.C., they are outraged. They are outraged by this stuff, and it shouldn't be happening. We can do better than that.

Now we have a $3.9 trillion budget before us. And guess what is in this budget? We're now going to tell you how we're going to pay for the historical amount of debt that we just built up. We're going to start taxing the American people.

In this bill, there is nearly a $2 trillion tax hike over the next decade: $2 trillion of taxes. That's going to further weaken America's prospects with sustained economic growth and job creation well into the future. And let me tell you who's going to be paying for this. It is going to be many of our small business owners that are struggling to make paycheck to paycheck, that are struggling to not just save jobs but create jobs and be able to sustain those jobs. Now they know they have a tax increase coming at them. I mean, is that how we're going to expand and create new jobs?

American families, 95 to 100 percent of the American families across this country, we're now going to hit you with higher costs on energy, taxes. This little thing that's stuck in the budget—and I appreciate your chart up there because I think it helps put things in perspective as to how we're paying for this debt. We're going to stick this proposal in there that's cap-and-trade. It sounds harmless. It is not harmless. We're talking about $629 billion of tax increases on families, families that are making sacrifices right now that are struggling to make it paycheck to paycheck.

Anyone who uses natural gas, who turns on your light switch, who uses electricity, heats their home, fills up their gasoline tank, you know what we're going to do now in this budget we're going to raise the cost of energy on you for the average American family of about $1,600 per household.

So everybody's electricity rates—anybody that uses any type of CO_2 or carbon, your energy costs are now going up.

And then this tax is also—this is what worries me in Ohio because we have a lot of manufacturing in Ohio. It's the number one industry with agriculture. It's going to further erode the job growth in the U.S. manufacturing sector. It's going to put American companies at an even greater competitive disadvantage with China and other companies—or other countries. I apologize. It's late tonight.

And this is what is supposed to be turning our economy around creating jobs, this cap-and-trade proposal, which should be called a cap-and-tax proposal. We can do better. We should be doing better. And let me tell you, the reality is that all of this infusion of spending in government and expanding government, the reality is we are serving our constituents in our district, and we have constituents that are out there that are asking for our help right now. They don't know where to go. This is not good for them. They can't get the financing, they can't get the credit to help save and create new jobs. And we can do better. We should be targeted on our small businesses, on those families that are struggling.

And I know both in your States, Utah and California, and across this country, they are going through the same thing.

So I thank the gentleman for yielding. I will yield back. I know you've been wanting to jump in on this.

Mr. CHAFFETZ. Thank you. The people in Ohio, so much like what is happening in California and which is what is happening in Utah.

I look at the State budget in the State of Utah for the entire State. Everything they need to do is roughly $11 billion. And here this Federal budget is going to be nearly $4 trillion. It's a number so big we can't even fathom how big it is.

I heard this great stat that is just mind boggling. It says if you spend $1 million a day every day, it would take you nearly 3,000 years to get to $1 trillion. And we're going to spend 4? The numbers are so astronomical.

I really believe the heart and soul of what we've got to do is get back to the proper role of government. The former Secretary of Agriculture wrote a great talk that's turned into this pamphlet. It talks about the proper role of government. And the essence of it is we can't be all things to all people. The government is there to provide some very basic needs and services to protect the community.

But it is not there to be all things to all people. We vote on a regular basis in the United States Congress for things we, as a Federal Government, have no business doing. And when we have men and women, businesses that are struggling, how can we look at a budget and look at this chart here, where based on the President's own numbers, his scenario, that we will double the debt? How can you look at—look. We cannot run this government on a credit card. We've been doing it. Too many people in the United States have been doing it. But it just gets you further and further into trouble.

I feel a duty and obligation to leave this country better than how we found

it. When you have a budget that spends this much and taxes to the degree it does and it borrows at these record levels, I just don't think that we can sustain that. And certainly for my kids it is not going to leave the world a better place.

Nearly 30 cents in this budget, nearly 30 cents of every dollar. Think about that. Nearly 30 percent, 30 cents of every dollar will be spent by the Federal Government.

What about Bob? Who do you think is better to run Bob's transmission shop? Bob or Washington, D.C.? The Federal Government? It's Bob. And that's fundamentally what I have challenges with.

I would like to yield some time to the gentleman from California, DUNCAN HUNTER.

□ 2215

Mr. HUNTER. I thank the gentleman.

You know, as freshmen, we can honestly say that we're not responsible for what's going on right now, but we are trying to fix it.

We came into this Congress in January with President Obama; and, frankly, I believe what he said when he was campaigning. When he talked about making tough choices, when he talked about not spending so much, when he talked about tax cuts for the middle class, when he talked about our foreign debt and the money that we owe China and money that we owe the rest of the world, I believed him, along with majority of the American people.

But it turns out that those tax cuts and that spending reduction and that reduction in debt and that reduction in borrowing were simply campaign talking points because they don't exist in the administration's budget as it exists now.

I would like to know where those tough choices are. Where are those cuts? Where is Bob's tax cut? First, how are we going to pay for all of this spending? For that chart that shows that debt, how are we going to pay for it?

As my colleague from Ohio mentioned, we're going to raise taxes on people who use electricity. I have news for the administration; this is everybody. Everybody uses electricity. We're going to put a $640 billion tax on Americans who use electricity. For every small business that uses electricity, that has carbon emissions, this cap-and-trade tax is going to kill American business. We're going to raise taxes on small businesses. We're going to raise taxes on the middle class. Bob's tax cut isn't there.

You know, we talk about energy right now. I would encourage my colleagues to be extremely skeptical over any talking points that talk about energy in this country and becoming self-sufficient on energy when it doesn't mention nuclear. If you don't mention nuclear, then it is not a real alternative to using oil that we get from foreign countries, especially when we are going to tax the American people for using electricity.

It's hard to trust the administration when they talk about fixing the economy, but they want to tax small businesses and the middle class, and we maintain record trade deficits with countries around the world.

We're not talking about trade right now. No one is talking about fixing our trade relations with China so that American companies and American manufacturing firms are punished right now for making American goods and trying to ship them overseas. They're being punished, but we're not talking about helping them out. We're going to tax them more.

When we talk about national security, the administration wants us to think that they're going to be good on national security while at the same time cutting defense. Where are these hard choices?

Right now, every man, woman, and child in this country owes $35,000 in debt that you show on that chart. With the President's plan, that's going to increase to $70,000 in 8 years. Every man, woman, and child is going to owe $70,000. I have three children, too. Each one of them is going to owe $70,000 in 8 years if the administration budget goes through.

I would like to say to my colleagues and to the President; we don't need anymore stimulus. We don't need any more TARP, no energy tax, no small business tax raise, no tax raise on the middle class. The President is spending, taxing, and borrowing into oblivion. It is time that he put the checkbook down.

Mr. CHAFFETZ. I thank the gentleman from California. You're exactly right. I mean, just look at this chart. You look at the spending, and yet, didn't we all hear in the campaign from the President that we were going to rein in spending? How many times did we hear during the campaign, ''a debt we inherited''?

Well, I ran against it. I ran against the Republicans. I'm a Republican and I ran against it. I said, look, they had the House and Senate and the Presidency and they blew it, they overspent, but somehow we were going to change. That change under this budget represents a doubling of the debt and all-time record-high expenditures.

No matter which financial statistic you want to do, this is the biggest, especially if you look at it as a percentage of the gross domestic product, nearly 30 cents of every dollar.

Mr. AUSTRIA. If the gentleman would yield for just a moment, because I think what these tax hikes are doing, they're giving the illusion that they're not really increasing the deficit or the debt as much as they really are. And the fact is, without any spending restraints—and you have got your chart up there—that this illusion is only going to last so long, because even with all these tax increases, the budget's spending growth is so explosive that it outpaces the revenue for the entire budget. I mean, the entire budget period, you know, the spending outpaces the revenue that even these huge tax hikes can bring in.

And I think it's a feel-good thing. I think it's one of those where the Federal Government right now thinks that they can just spend all they want for as long as they want, just continue to borrow, and now they're going to start taxing families and all so that they can keep this feel-good spending going on. And I think the Americans, as they begin to realize what's going on here in D.C., are becoming more and more outraged, and businesses are already very concerned on how they're going to be able to continue to survive.

I thank you for yielding.

Mr. CHAFFETZ. Again, September 12, 2008, in Dover, New Hampshire, Barack Obama said, ''I can make a firm pledge. Under my plan, no family making less than $250,000 a year will see any form of tax increase. Not your income tax, not your payroll tax, not your capital gains tax, not any of your taxes.''

One of the very first bills he signed, tax increase on cigarettes. That affects Americans across the board. This energy tax, the so-called cap-and-trade, will affect 100 percent of Americans. Every single American's going to have to pay this tax because those energy needs affect every single industry, every single product, and every single household.

This is not the time to be raising taxes, and I think there's something to be said about self-restraint, self-responsibility, personal responsibility.

You know, you look at Wall Street and you look at some of these big fat cats, and you see this greed and it makes you mad. It makes you mad, especially when you know that the government went into everybody's pockets—I mean, this is what I try to tell my staff, my kids, myself. When we have an expenditure before the United States Congress, what you really need to ask yourself is, is it right for the government to reach into the people's pockets, everybody's pockets, and pull out money and give it to somebody else over here? Is that right? I mean, that's the prism by which I think we should be asking are these expenditures proper, are they right, and is this what we should be doing.

And yet, as I look at that, I just think, my goodness, we cannot keep pulling money out of people's pockets. We just can't keep doing that. There's no way for the American entrepreneur to thrive if you continue to do that. What about the Bobs of the world? How are they going to grow their business?

So I look at that, and I get so infuriated because we have such great opportunities. We're the greatest country on the face of the planet, but as I look at this idea of personal responsibility, you know, cable television in this country is not a right. It's not a right. You have to get out there and earn it.

You've got to go take care of it, take care of yourself, take care of your family. We're turning into this nanny State.

People get all uppity when I say we're turning into this socialist Nation. How can you look at the definition of that and say, no, that we're going in the opposite—we're just not going in the right direction. We seem to have this socialist mentality that we've got to take care of everyone and everything, and yet this country was founded on the idea of the right to life, liberty, the pursuit of happiness.

Remember when President Kennedy said those famous words, probably some of the most famous words ever uttered by a President of the United States: Ask not what your country can do for you but what you can do for your country? And yet look at where we are today. Everybody's got their hand out, and it just feels so wrong and so wrong that our government just wants to pull more out. They want to spend more, and if they don't have the revenue, well, they just keep borrowing more.

So we have to have I think a gut-check and a realization in this country that we can't be all things to all people. We're going to have to make some hard decisions. The President campaigned on that. I campaigned on it. I think you gentlemen campaigned on that. We've got to make some hard decisions around here. We can't be all things to all people.

With that, I'd like to yield a moment to my friend, DUNCAN HUNTER from California.

Mr. HUNTER. I thank the gentleman from Utah for yielding, and you're absolutely right.

Whoever thinks that we can spur this economy back into action by taking money out of the American people's pockets is delusional. Whoever thinks that we can bring this economy, the greatest economy in the world still, put it back on its feet by taxing people for using electricity is delusional. Whoever thinks that by increasing the per capita debt for each man, woman, and child in this country from $35,000 to $70,000 in 8 years, that that's going to help the country out, they're delusional.

I'd like to read a letter here from a small business owner in my district in eastern San Diego: ''President Obama has unleashed his massive grassroots army in an attempt to sway Members of Congress to support his bloated $3.55 trillion budget.'' I think it's actually higher now. It was 3.55 when this letter was written.

''I urge you to resist such attempts, and oppose his irresponsible budget plan that would usher in massive tax hikes, including the imposition of a global warming carbon tax, a doubling of the publicly held national debt, and a permanent expansion of the Federal Government.

''There is no measure of fiscal responsibility and accountability with this budget. Instead we are merely breaking the backs of hardworking taxpayers and passing the buck on to our children.

''Any budget that doesn't have the best interests of the American people at heart must be opposed.''

And that's the key to this budget. It does not have the best interests of the American people at heart. What it has at heart is the biggest government Federal grab of power that this country has ever seen. From our founding—the gentleman from Utah is absolutely right—it's been about rugged individualism and individual responsibility, people taking responsibility for their actions.

Right now, we're punishing those people that take responsibility for their actions, punishing those people that pay their mortgages, punishing those people that actually can get out there and start businesses and hire people. And we're doing it so we can help out those who maybe don't want to help themselves, who look to us here in this Congress as their savior.

When this stimulus bill was passed, one of our Democrat colleagues from Florida actually said that this stimulus bill will heal the sick, feed the hungry, and house the homeless. The stimulus bill was not the Messiah. I have news for him: it was not the Messiah. It will not do any of those things.

What it will make happen is make the American people more dependent on a failing Federal bureaucracy that's growing at an unprecedented rate.

I thank the gentleman from Utah and the gentleman from Ohio for their leadership in this and for pointing out to our colleagues in Congress and to the American people the evils that are about to befall us in this country if we have unrestrained spending, unrestrained taxing, and unrestrained borrowing, which is exactly what the President's budget gives us.

Mr. CHAFFETZ. Thank you. I think you're exactly right. Somebody has to pay the bill. You know, you can't just take and take and take and not actually produce things.

I worry that this country has this mentality that manufacturing's bad. Manufacturing's good. We have to remember in this country, we succeeded when we created things, and that manufacturing is so critical and important to our future. We actually have to create and invent and get up out of our seats. When the going gets tough, we ought to get going.

And I would expect that people take on their own personal responsibility, that they set greed aside, that they remember the words of John F. Kennedy: Ask not what your country can do for you but what you can do for your country? Great words. The reason we learned them in school is because they're so profound and they withstand the test of time.

And so I still have the greatest optimism about the United States of America. The reason we spend time away, all of us, from our families night after night to serve in the United States Congress—it's a great honor, it's a great privilege—but the reason I think we fight and have that passion and we're fired up about the United States of America is we want it to go the right direction.

□ 2230

I, too, was elected. I think if we can get back to those core principles of fiscal discipline, limited government, and a strong national defense, that will empower the Bob Johnsons of the world to be that entrepreneur, be the best they can be, provide for their family, get up off their tush and actually get out there and make things happen.

I know that the gentleman from Ohio shares those same values. I want to yield my time.

Mr. AUSTRIA. Let me tell you, it has been an honor tonight to stand up here with my colleagues, all of us being new Members here. Congressman CHAFFETZ from Utah, you are doing an outstanding job in representing your great State; to have a Member who's served in our military, and we thank you for your service, Congressman DUNCAN from California; two of my outstanding colleagues that I have had the honor to come in with in this class. There's 22, I think, Republicans, and 34 Democrats, if I'm not mistaken. Just outstanding talent. And to join the two of you.

I also have a family at home. I have three sons. When I came to Congress, I came to Congress because I thought I could make a positive change. I thought we had opportunities to change the direction this country was going and to really move in the right direction to help our small businesses, to help strengthen our economy, to help those families that were out there that are suffering right now going through difficult times.

Let me tell you, I did not come up here to run up the deficit, to create historic amounts of debt for my three sons at home, for our children and our grandchildren that will have to pay for this in years to come.

We have a budget that we will be debating this week and voting on this week that's now going to, all of a sudden, start taxing. This is how we are going to all of a sudden start paying down some of this debt and start taxes American families, as we have talked about tonight, by hitting them at home where it hurts most, we know, with heating their homes, filling their cars with gasoline, and electricity, as we mentioned multiple times.

It's not the way to go. I think we can do better. I think the American people expected better last November. They expected us to work in a bipartisan manner to move good public policy forward. Quite frankly, I haven't seen that in my first 100 days. What I've seen is business as usual here in Washington, D.C. It's been partisan politics, it has been legislation decided by a small group on one side of the aisle

only that has been pushing this stuff through.

I think the American people know, as they are beginning to realize what is going on—and many of them have gotten their quarterly statements. Their retirement accounts are down significantly. Their children's education funds are down significantly. Their savings accounts are down significantly.

It's starting to sink in what is really happening here. The concern is tremendous. We have a responsibility to be accountable for those hardworking Americans tax dollars. That's our responsibility in Congress, is to ensure that there's accountability, there's transparency, and that we do have a plan to turn this country around.

So, again, I thank my two colleagues for allowing me to join them tonight. Every day I walk into my office, I take off my coat, roll up my sleeves. I've got a wonderful intern by the name of Louis who comes in and says, Congressman, what fight do we have today?

I can tell you, we're not going to give up that fight. We're going to keep fighting and fighting for the hardworking Americans out there and hardworking taxpayers out there and being accountable for their tax dollars. Thank you for yielding.

Mr. CHAFFETZ. Thank you. It really is about personal accountability, about getting up, whatever your situation in life is and, believe me, people are hurting. We know that. The question is how do we best move forward. There's some that would argue that only government, only government, can solve these problems. I don't think so. I beg to differ.

I think it's the American entrepreneur, it's the American families, it's the strength of the individuals collectively within this country that, given the right set of freedoms, the right set of liberties, that can pursue their own happiness. That's what makes this country great. That's what makes this country so strong.

It's also the right and the opportunity to vote and participate. I've got concerns about another big initiative that's being slammed down the Americans peoples throats, and that is card check. I recognize the right of people if they want to gather together and join a union. But how we do that—if we don't get the process right, we can't ever get good results.

I look at the way we look at things in the United States Congress. When the single-largest single spending bill in the history of the United States came before this body and we just over 13 hours to review it, there was not one Member of the United States Congress able to read it. It's physically impossible to go through the 1,400 pages of a $1 trillion bill, the single largest bill in the history of the United States, and actually try to consume that.

So if you don't get the process right, it's really hard to get a good result.

Mr. GOHMERT's here with us from Texas. I'd appreciate it if he would join us. I'd like to yield to him because I'm really concerned about this card check and what it's going to do to the American way of life.

Mr. GOHMERT. I appreciate my friend for yielding. He knows about scoring points—going back to school—but this is outrageous.

Here, the economy is hurting. And, as my friend so eloquently put it, the government doesn't do things better than business. Business always does a better job than government. Yet, here we are. We are piling on.

I don't know if most people are aware, but virtually every week we are putting more of our energy resources off limits. So we are going to run up the price of energy as we approach the summer—and the prices are already going up on their own. And then you have got this ridiculous spending that's going crazy. Begging the Chinese to keep loaning us money. We're going to print money. Inflation is going to hit it.

On top of that, we're going to really hammer free enterprise by saying, in effect—you guys wouldn't know this, but my elementary school teachers, who I think were all Democrats, were liars. Because they told me growing up in school that you cannot have a free society, a Democratic country, if you don't have a secret ballot. That's what they told me. And I believed them. I still believe them.

Yet, here is this bill, they call it card check, but it's the anti-secret ballot initiative by the Democratic leaders. Obviously, it's being pushed by the people they owe a great deal to.

But Fox News had a story on about the Dana Corporation Auto Parts in Albion, Indiana, and they said that the card check process has nearly torn the 50-person plant apart after harassment and intimidation from the United Auto Workers Union forced them to a secret ballot vote.

The union organizer, they said, came to the plant 2 years ago, asking employees to join the UAW because the company had signed a neutrality agreement with the union. The meeting didn't go well.

One of the people interviewed, Larry Guest, said, ''He was using real rough language—cursing. It didn't go over well with the women at all. There were a couple that just got up and left.

So employees said the union representatives approached them in the break room, at the plant doors, and even followed them to their cars and just harassed them and even followed them home—and the employees verified this—and they said, ''We're in a little town. We're in a plant of 50 some people. The last thing you need is to have a union come to your door saying: I want your name.''

But that's all it took under the card check process. They didn't get a secret ballot. All they needed was their name. So if it meant following them home, following them to their car, going to their kids' baseball games, whatever it took until they finally got them to sign just to get them off their backs.

As one employee said, Jamie Oliver, ''When they approach you every day, every day, every day, after a while it's like 'Okay. Fine. I'll sign the card.' ''

The UAW collected the necessary signatures but plant employees appealed to the NLRB—the employees appealed. Then they finally got it overturned. The card check didn't make their life better, it made it more miserable. So here you have got companies struggling to stay afloat.

Now I have had private businesses in my district say: I'm barely staying afloat. If this card check bill passes, I'm going to have to let everybody go. I'm too old to keep putting up with it. I've heard this from a number of people. We're going to let them go. And the card check will put a bunch more people out of business.

Here, at a time when the economy is already struggling, and I think my friend is so right—my friend from Utah nailed it—the American people are what makes this country great.

I was visiting with some students here from the Big Twelve. We have A&M, Baylor. They're still here, but the House rules say you can't acknowledge people in the gallery, so I won't. But we have some from Missouri, from Texas Tech. From around the Big Twelve. They get it. They know that the American people are the real strength of this country. And for the government to try to cram this stuff down on them and say, We do it better, is really outrageous.

So I appreciate all of my friends here today making that point to the American people.

Mr. CHAFFETZ. Thank you. Thank you for your service. It's an honor to serve with you. We're on a committee together.

I want to talk about another bill that recently passed the United States Congress—something that I voted against. It's the so-called GIVE Act. Now think about this. Again, I think the way we ought to be looking at whether we ought to be spending money is to say: Is it right, is it proper to put the government's hand in everybody's pockets and pull money out and give it to somebody else. If the answer is yes, so be it.

National defense? Absolutely. It's in the Constitution, it's in all of our best interests. We have to have it in order to survive. Yet, that is the place that the President is trying to cut the budget. That's a proper role of government.

The so-called GIVE Act was going to be a program for paid volunteers. Now, to me, that is an oxymoron. It doesn't seem right. We are going to pay and compensate volunteers. It's just amazing to me.

PETE ROSKAM pulled out these quotes—a colleague of ours here in the House—the President said, ''The question we ask today is not whether our government is too big or too small, but whether it works.'' Moments later, he

said, ''Where the answer is yes, we intend to move forward. Where the answer is no, the programs will end.''

I also remember the President said ''we go line-by-line through the budget.'' Line-by-line. Have you heard anything that we're going to cut, other than national defense, one of the key cornerstones of things that has to happen in this country? I haven't heard that.

Where is that middle-class tax cut. I haven't seen it. To think you're going to get an extra $10. You can barely get through Quiznos to do that.

Yet, they pass this GIVE Act—over $5 billion in new money. There's a great Web site out there called ExpectMore.gov. It's put out by the Office of Management and Budget. There are over 1,100 Federal programs. Go to that Web site—ExpectMore.gov. You can look it up for yourself.

One of the things that was funded in the GIVE Act was Learn and Serve. According to the Office of Management and Budget, it is described as, ''not performing; results not demonstrated.''

It also funds AmeriCorps, the National Civilian Community Corps, which the OMB described as, ''not performing. Ineffective.'' Yet, they just got a huge funding increase. And the President promised us, ''Where the answer is yes, we intend to move forward. Where the answer is no, the programs will end.''

I hope partly what I can do, Mr. Speaker, in my career, leaving at whatever point I do, that I can leave some mark at some point to say that we shrunk the size and scope of government, because we can no longer be all things to all people. We cannot take 30 cents of every dollar in this economy and spend it through the Federal Government. That is not the way to prosperity, that is not the way to pursue life, liberty, and the pursuit of happiness.

It's the American entrepreneur, it's the American family, it's the American businesswoman, it's my 16-year-old son who's getting ready to go in the world. And look at the debt. Governments going to do everything. No, it's not. And until the American people get fed up, they stand up, they call their representatives. There are a good number of people here on both sides of the aisle.

But we cannot be all things to all people. We have to say ''no.'' You do it in your life, business does it every day. And this government and this President fails to do it every day.

Get fired up. Get all a hold of your representatives. We cannot have a budget that spends this much, that taxes this much, and that borrows this much. You're going to double your debt. Would you let that happen in your family? No. Would you let that happen to your business? No. Your government's doing it right now.

Please, stand up and get involved. Mr. AUSTRIA from Ohio, Mr. HUNTER from California, a host of other people, they are passionate about this. We can't do it ourselves.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. CHRISTENSEN) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BACA, for 5 minutes, today.

Mr. SHERMAN, for 5 minutes, today.

(The following Members (at the request of Mr. GUTHRIE) to revise and extend their remarks and include extraneous material:)

Mr. FLAKE, for 5 minutes, today.

Mr. SMITH of New Jersey, for 5 minutes, today and April 1.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 681. An act to provide for special rules relating to assistance concerning the Greensburg, Kansas tornado, to the Committee on Education and Labor.

ADJOURNMENT

Mr. CHAFFETZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 1, 2009, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1099. A letter from the Undersecretary for Personnel and Readiness, Department of Defense, transmitting the Department's report on the demonstration project notices, amendments, and changes requested by the Science and Technology Reinvention Laboratories during calendar year 2008, pursuant to Public Law 110-181, section 1107(d); to the Committee on Armed Services.

1100. A letter from the Principal Deputy, Department of Defense, transmitting authorization of 2 officers to wear the authorized insignia of the grade of major general, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

1101. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's Office of Justice Programs' Office of Juvenile Justice and Delinquency Prevention Annual Report for 2008, pursuant to 42 U.S.C. 5617, section 207; to the Committee on Education and Labor.

1102. A letter from the Director, Regulations Policy and Mgmt. Staff, Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Immunology and Microbiology Devices; Classification of Enterovirus Nucleic Acid Assay [Docket No. FDA-2008-N-0517] received January 30, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1103. A letter from the Acting Chairman, Federal Energy Regulatory Commission, transmitting the Commission's 88th Annual Report covering the fiscal year from October 1, 2007 through September 30, 2008; to the Committee on Energy and Commerce.

1104. A letter from the Secretary, Department of Defense, transmitting the Department's fifteenth report, pursuant to Public Law 110-252, section 9204; to the Committee on Foreign Affairs.

1105. A letter from the Secretary General, Inter-Parliamentary Union, transmitting notification that the Parliamentary Conference on the Global Economic Crisis will take place in Geneva at the United Nations European Headquarters — the Palais des Nations — on May 7 and 8, 2009; to the Committee on Foreign Affairs.

1106. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-37, ''Records Access Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1107. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-36, ''SOME, Inc. Tax Exemption Temporary Amendment Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1108. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 18-35, ''Randall School Development Project Tax Exemption Temporary Act of 2009,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Oversight and Government Reform.

1109. A letter from the Acting Chairman, Consumer Product Safety Commission, transmitting the Commission's Notification and Federal Employees Antidiscrimination and Retaliation Act of 2002 Annual Report for fiscal year 2008; to the Committee on Oversight and Government Reform.

1110. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1111. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's fourth Annual No FEAR Report to Congress for Fiscal Year 2008, pursuant to Public Law 107-174, section 203; to the Committee on Oversight and Government Reform.

1112. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Fiscal Year 2008 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1113. A letter from the Chairman, Merit Systems Protection Board, transmitting draft legislation to reauthorize the U.S. Merit Systems Protection Board for a period of five years; to the Committee on Oversight and Government Reform.

1114. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2008-

0271; Directorate Identifier 2007-NM-267-AD; Amendment 39-15784; AD 2009-01-05] (RIN: 2120-AA64) received March 27, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1115. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Net Operating Loss Carryback Election Under Section 1211 of American Recovery and Reinvestment Tax Act of 2009 (Rev. Proc. 2009-19) received March 19, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Pennsylvania: Committee on House Administration. House Resolution 303. Resolution dismissing the election contest relating to the office of Representative from the First Congressional Ditrict of Hawaii (Rept. 111–68). Referred to the House Calendar.

Mr. TOWNS: Committee on Oversight and Government Reform. Oversight Plans for All House Committees (Rept. 111–69). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 305. Resolution providing for consideration of the concurrent resolution (H. Con. Res. 85) setting forth the congressional budget for the United States Government for fiscal year 2010 and including the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014 (Rept. 111–70). Referred to the House Calendar.

Mr. PERLMUTTER: Committee on Rules. House Resolution 306. Resolution providing for consideration of the bill (H.R. 1664) to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards (Rept. 111–71). Referred to the House Calendar.

Mr. POLIS: Committee on Rules. House Resolution 307. Resolution providing for consideration of the bill (H.R. 1256) to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products (Rept. 111–72). Referred to the House Calendar.

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. NYE:

H.R. 1803. A bill to amend the Small Business Act to establish a Veterans Business Center program, and for other purposes; to the Committee on Small Business.

By Mr. TOWNS (for himself, Mr. SKELTON, Mr. WAXMAN, Mr. LYNCH, and Mrs. DAVIS of California):

H.R. 1804. A bill to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes; to the Committee on Oversight and Government Reform, 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. WAMP:

H.R. 1805. A bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for State and local sales tax, the deduction for qualified tuition and related expenses, and the deduction for mortgage interest premiums, and to modify to the homebuyer credit; to the Committee on Ways and Means.

By Mr. MEEK of Florida:

H.R. 1806. A bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity; to the Committee on Ways and Means.

By Mr. THOMPSON of Pennsylvania:

H.R. 1807. A bill to provide distance learning to potential and existing entrepreneurs, and for other purposes; to the Committee on Small Business.

By Ms. SPEIER (for herself and Mr. THOMPSON of California):

H.R. 1808. A bill to amend the Internal Revenue Code of 1986 to provide for consumer rebates for purchases of certain new passenger motor vehicles; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself and Ms. BORDALLO):

H.R. 1809. A bill to amend title 10, United States Code, to expand the geographical coverage of TRICARE Prime to include Puerto Rico and Guam; to the Committee on Armed Services.

By Mrs. BACHMANN:

H.R. 1810. A bill to open Federal Bureau of Land Management and National Forest lands to leasing for exploration, development, and production of oil shale resources, and for other purposes; to the Committee on Natural Resources.

By Mrs. BACHMANN:

H.R. 1811. A bill to authorize the President to review and approve oil and gas exploration, development, and production projects under existing Federal oil and gas leases, both onshore and offshore, and to limit administrative and judicial proceedings with respect to such projects, upon finding that such a project complies with all applicable Federal laws, and for other purposes; to the Committee on Natural Resources.

By Mrs. BACHMANN (for herself, Mr. PAUL, and Mrs. SCHMIDT):

H.R. 1812. A bill to amend the Internal Revenue Code of 1986 to reduce the recovery periods for certain energy production and distribution facilities; to the Committee on Ways and Means.

By Mrs. BACHMANN (for herself and Mr. MCHENRY):

H.R. 1813. A bill to terminate or provide for suspension of the application of Federal laws that restrict exploration, development, or production of oil, gas, or oil shale, to facilitate the construction of new crude oil refineries, and for other purposes; 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. BARRETT of South Carolina (for himself, Mr. INGLIS, Mr. PAUL, Mr. WESTMORELAND, Mr. AKIN, and Mrs. BACHMANN):

H.R. 1814. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to extend the discretionary spending limits through fiscal year 2014, to extend paygo for direct spending, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTON of Texas (for himself, Mr. RADANOVICH, Mr. ROGERS of Michigan, Mrs. BLACKBURN, Mr. SESSIONS, Mr. WHITFIELD, Mrs. MYRICK, Mr. BLUNT, Mr. GALLEGLY, Mr. GINGREY of Georgia, Mr. SULLIVAN, Mr. BARTLETT, Mr. PUTNAM, Mr. TERRY, Mr. STEARNS, Mr. PITTS, and Mr. THORNBERRY):

H.R. 1815. A bill to clarify the applicability of certain provisions in the Consumer Product Safety Improvement Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BERMAN (for himself, Mr. HALL of Texas, Ms. BORDALLO, Ms. LEE of California, Mr. VAN HOLLEN, Mr. MCGOVERN, Mr. MCDERMOTT, Mr. BOUCHER, Mr. KING of New York, Mr. GENE GREEN of Texas, Mr. WOLF, Ms. KILROY, Mr. BURTON of Indiana, Mr. ISRAEL, Mr. HINCHEY, Mr. SESTAK, Ms. DELAURO, Ms. SHEA-PORTER, Mrs. MALONEY, Mr. MCMAHON, Ms. WASSERMAN SCHULTZ, Mrs. CAPPS, Mr. SERRANO, Mr. FARR, and Ms. EDWARDS of Maryland):

H.R. 1816. A bill to amend the Public Health Service Act to authorize the Director of the National Cancer Institute to make grants for the discovery and validation of biomarkers for use in risk stratification for, and the early detection and screening of, ovarian cancer; to the Committee on Energy and Commerce.

By Mrs. BLACKBURN (for herself, Mr. COHEN, and Mr. DAVIS of Tennessee):

H.R. 1817. A bill to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the ''John S. Wilder Post Office Building''; to the Committee on Oversight and Government Reform.

By Mr. BURTON of Indiana (for himself, Mrs. MILLER of Michigan, Mr. LOBIONDO, Mr. ROHRABACHER, Mr. COURTNEY, Mr. RODRIGUEZ, Mr. LATTA, and Mrs. MCMORRIS RODGERS):

H.R. 1818. A bill to amend title 10, United States Code, to extend military commissary and exchange store privileges to veterans with a compensable service-connected disability and to their dependents; to the Committee on Armed Services.

By Mr. CAO:

H.R. 1819. A bill to amend the Digital Television Transition and Public Safety Act of 2005 to extend the interoperable emergency communications grant program through fiscal year 2012; to the Committee on Energy and Commerce.

By Mrs. DAVIS of California (for herself, Mr. WAXMAN, Mr. BERMAN, Mr. FILNER, Mr. COSTA, Ms. ZOE LOFGREN of California, Ms. WOOLSEY, Ms. MATSUI, Mr. BECERRA, Mrs. TAUSCHER, Mr. BACA, Mr. MCNERNEY, Mr. HONDA, and Mr. STARK):

H.R. 1820. A bill to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the ''Cesar E. Chavez Post Office''; to the Committee on Oversight and Government Reform.

By Mr. FILNER:

H.R. 1821. A bill to amend chapter 31 of title 38, United States Code, to increase vocational rehabilitation and employment assistance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRANKS of Arizona (for himself, Mr. ADERHOLT, Mr. AKIN, Mrs. BACHMANN, Mr. BARRETT of South Carolina, Mr. BOOZMAN, Mr. BROUN of Georgia, Mr. BURTON of Indiana, Mr.

COLE, Mr. CONAWAY, Mr. FORBES, Mr. FORTENBERRY, Mr. GARRETT of New Jersey, Mr. HUNTER, Mr. KING of Iowa, Mr. LAMBORN, Mr. LATTA, Mr. LINDER, Mr. LIPINSKI, Mr. MCCOTTER, Mr. MCHENRY, Mr. PENCE, Mr. SCALISE, Mrs. SCHMIDT, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUDER, Mr. TAYLOR, and Mr. WILSON of South Carolina):

H.R. 1822. A bill to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 1823. A bill to amend the Immigration and Nationality Act to improve communication between the Secretary of Homeland Security and State and local law enforcement officials regarding the treatment of aliens who have been ordered removed and also charged with an aggravated felony under State law; to the Committee on the Judiciary.

By Mr. HOYER (for himself and Mr. BLUNT):

H.R. 1824. A bill to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Education and Labor.

By Mr. JORDAN of Ohio (for himself and Mr. ELLSWORTH):

H.R. 1825. A bill to amend title 18, United States Code, to deter public corruption; to the Committee on the Judiciary.

By Mr. LARSON of Connecticut (for himself, Mr. NADLER of New York, Ms. PINGREE of Maine, Mr. JONES, Mr. PLATTS, Mr. COOPER, Mr. HOLT, Mr. COHEN, Mr. HEINRICH, Mr. POLIS of Colorado, Ms. EDWARDS of Maryland, Mr. CAPUANO, and Mr. DOYLE):

H.R. 1826. A bill to reform the financing of House elections, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI:

H.R. 1827. A bill to amend title 49, United States Code, to provide for the establishment of a flexibility incentive grant program; to the Committee on Transportation and Infrastructure.

By Mr. POLIS of Colorado (for himself, Mr. PERLMUTTER, Ms. DEGETTE, Mr. SALAZAR, and Mr. COFFMAN of Colorado):

H.R. 1828. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to expand the category of individuals eligible for compensation, to improve the procedures for providing compensation, and to improve transparency, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMEROY (for himself, Mr. TIM MURPHY of Pennsylvania, Ms. BALDWIN, Ms. DELAURO, Mr. RUPPERSBERGER, Mr. ROSS, Mr. OLVER, Mr. TURNER, Mr. FARR, Mr. KIRK, Mr. PITTS, Mr. GERLACH, Mr. HIGGINS, Mr. CHANDLER, Mr. MORAN of Kansas, Mr. ROGERS of Kentucky, Mr. INSLEE, Mr. GRAVES, Mr. SHUSTER, Mr. CONAWAY, Mr. MICHAUD, Mr. PAUL, Mr. LANGEVIN, Mr. HINCHEY, Mr. BISHOP of Utah, Mr. PLATTS, Mrs. EMERSON, Mr. BLUMENAUER, Mr. MEEK of Florida, Mr. SESTAK, Mr. NEAL of Massachusetts, Mr. SHIMKUS, Mr. WILSON of South Carolina, Mr. PUTNAM, Mr. MCGOVERN, Mr. BUTTERFIELD, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DEFAZIO, Mr. ISRAEL, Mr. BISHOP of Georgia, Mr. TIERNEY, Mr. ROHRABACHER, Mrs. CAPPS, Mr. LOEBSACK, Mr. GRIJALVA, Mr. ROGERS of Alabama, Mr. ELLISON, Mr. OBERSTAR, Mr. WU, Mr. FRANKS of Arizona, Mrs. MALONEY, Mr. JONES, Mr. GARY G. MILLER of California, Mr. YOUNG of Alaska, Mr. GENE GREEN of Texas, Mr. KILDEE, and Mr. ALTMIRE):

H.R. 1829. A bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat Medicare beneficiaries without a requirement for a physician referral, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TAUSCHER (for herself and Mr. SPRATT):

H.R. 1830. A bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes; to the Committee on Armed Services.

By Mr. THOMPSON of California (for himself, Mr. CANTOR, Mr. BLUMENAUER, Mr. BRADY of Texas, Mr. DAVIS of Alabama, Mr. DOGGETT, Mr. ETHERIDGE, Mr. HIGGINS, Mr. KIND, Mr. LARSON of Connecticut, Mr. ROSKAM, Ms. SCHWARTZ, Mr. YARMUTH, Mr. ALTMIRE, Mr. BACHUS, Ms. BALDWIN, Mr. BISHOP of New York, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. BURTON of Indiana, Mrs. CAPPS, Mr. CARDOZA, Mr. CARNAHAN, Mr. CARNEY, Mr. CHANDLER, Mr. CONAWAY, Mr. CONNOLLY of Virginia, Mr. COSTA, Mr. COURTNEY, Mrs. DAHLKEMPER, Mr. DELAHUNT, Ms. DELAURO, Mr. DENT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DINGELL, Mr. EHLERS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FORTENBERRY, Mr. FRELINGHUYSEN, Mr. GERLACH, Ms. GIFFORDS, Mr. GOODLATTE, Mr. HALL of New York, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. HIRONO, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. KAGEN, Mr. KENNEDY, Mr. KILDEE, Mr. KING of New York, Mr. KISSELL, Mr. KRATOVIL, Mr. LANGEVIN, Mrs. LOWEY, Mrs. LUMMIS, Mr. DANIEL E. LUNGREN of California, Mrs. MALONEY, Ms. MARKEY of Colorado, Mr. MCCOTTER, Mr. MCINTYRE, Mr. MCNERNEY, Mr. MICHAUD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MITCHELL, Mr. MURPHY of Connecticut, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. OLVER, Mr. PAULSEN, Mr. PERRIELLO, Ms. PINGREE of Maine, Mr. PITTS, Mr. POLIS of Colorado, Mr. PRICE of North Carolina, Mr. PUTNAM, Mr. PAUL, Mr. ROSS, Mr. SALAZAR, Mr. SCHAUER, Mr. SCHIFF, Mr. SESTAK, Mr. SHULER, Mrs. TAUSCHER, Mr. THORNBERRY, Mr. WAXMAN, Mr. WEINER, Mr. WITTMAN, Mr. WOLF, and Ms. WOOLSEY):

H.R. 1831. A bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions; to the Committee on Ways and Means.

By Mr. WEXLER (for himself and Ms. KAPTUR):

H.R. 1832. A bill to amend part D of title XVIII of the Social Security Act to limit the increase in premium costs for beneficiaries under the Medicare prescription drug program to no more than the Social Security cost-of-living adjustment, and to direct the Secretary of Health and Human Services to negotiate lower prescription drug prices on behalf of Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEKSTRA (for himself, Mr. WOLF, Mr. AKIN, Mr. ALEXANDER, Mrs. BACHMANN, Mr. BARRETT of South Carolina, Mr. BARTLETT, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BOEHNER, Mr. BOOZMAN, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. BUCHANAN, Mr. BURTON of Indiana, Mr. CAMP, Mr. CAMPBELL, Mr. CANTOR, Mr. CARTER, Mr. COLE, Mr. CONAWAY, Mr. DAVIS of Kentucky, Mr. DEAL of Georgia, Ms. FALLIN, Mr. FLEMING, Mr. FORTENBERRY, Mr. FRANKS of Arizona, Mr. GINGREY of Georgia, Mr. GOHMERT, Mr. GUTHRIE, Mr. HARPER, Mr. HELLER, Mr. HENSARLING, Mr. HERGER, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. JORDAN of Ohio, Mr. KINGSTON, Mr. KLINE of Minnesota, Mr. LAMBORN, Mr. LATTA, Mr. LUCAS, Mrs. LUMMIS, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCAUL, Mr. MCCLINTOCK, Mr. MCCOTTER, Mr. MCHENRY, Mr. MCKEON, Mr. MORAN of Kansas, Mr. NEUGEBAUER, Mr. PENCE, Mr. PITTS, Mr. PLATTS, Mr. PRICE of Georgia, Mr. RADANOVICH, Mr. ROE of Tennessee, Mrs. SCHMIDT, Mr. SESSIONS, Mr. SHADEGG, Mr. SHIMKUS, Mr. SOUDER, Mr. SULLIVAN, Mr. TERRY, Mr. TIAHRT, Mr. WAMP, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WILSON of South Carolina, and Mr. WITTMAN):

H.J. Res. 42. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H. Con. Res. 90. Concurrent resolution expressing the sense of the Congress regarding the removal from the United States of aliens charged under State law with aggravated felonies; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mr. HASTINGS of Florida, Mr. SULLIVAN, Ms. FUDGE, Mr. WATT, Mr. SCOTT of Virginia, Mr. PAYNE, Mrs. CHRISTENSEN, Mr. ELLISON, Mr. BUTTERFIELD, Mr. MEEKS of New York, Mr. DAVIS of Illinois, Mr. AL GREEN of Texas, Ms. WATSON, Ms. WATERS, Ms. JACKSON-LEE of Texas, Mr. MEEK of Florida, Mr. RANGEL, Mr. JOHNSON of Georgia, Mr. CUMMINGS, Mr. SPRATT, Mr. CLYBURN, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DAVIS of Alabama, Mr. FATTAH, Ms. CORRINE BROWN of Florida, Ms. KILPATRICK of Michigan, Ms. MOORE of Wisconsin, Mr. CARSON of Indiana, Ms. NORTON, Mr. RUSH, Mr. CONYERS, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. CLEAVER, Ms. EDWARDS of Maryland, Mr. LEWIS of Georgia, Mr. BISHOP of Georgia, Ms. CLARKE, Mr. CLAY, Ms. RICHARDSON, and Mr. SCOTT of Georgia):

H. Res. 302. A resolution honoring and recognizing the life and achievements of John Hope Franklin, one of the Nation's most distinguished scholars; to the Committee on Oversight and Government Reform.

By Mr. BRADY of Pennsylvania:

H. Res. 303. A resolution dismissing the election contest relating to the office of Representative from the First Congressional District of Hawaii; considered and agreed to. considered and agreed to.

By Mr. BRADY of Pennsylvania (for himself and Mr. DANIEL E. LUNGREN of California):

H. Res. 304. A resolution electing Members to the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to. considered and agreed to.

By Mr. HASTINGS of Florida (for himself, Ms. ROS-LEHTINEN, Mr. FRANK of Massachusetts, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. MEEKS of New York, Mr. POLIS of Colorado, Ms. WATSON, Mrs. CAPPS, Ms. BALDWIN, Ms. MOORE of Wisconsin, Ms. SCHAKOWSKY, Ms. CORRINE BROWN of Florida, and Ms. LEE of California):

H. Res. 308. A resolution honoring the life, legacy, and memory of Pedro Pablo Zamora y Diaz, an extraordinary educator and activist, and a pioneer in the battle against the HIV/AIDS epidemic; to the Committee on Energy and Commerce.

By Mr. KING of New York (for himself, Mr. MEEKS of New York, Ms. ROS-LEHTINEN, Ms. BORDALLO, Mr. BURTON of Indiana, Mr. TOWNS, Mr. GARRETT of New Jersey, Mr. COURTNEY, and Ms. WATSON):

H. Res. 309. A resolution expressing the sense of the House of Representatives that North Korea should immediately stop any hostile rhetoric and activity towards the Republic of Korea and engage in mutual dialogue to enhance inter-Korean relations; to the Committee on Foreign Affairs.

By Mr. SHULER (for himself, Mr. BUTTERFIELD, Mr. COBLE, Mr. ETHERIDGE, Ms. FOXX, Mr. JONES, Mr. KISSELL, Mr. MCHENRY, Mr. MCINTYRE, Mr. MILLER of North Carolina, Mrs. MYRICK, Mr. PRICE of North Carolina, and Mr. WATT):

H. Res. 310. A resolution honoring the life of Coach Kay Yow in remembrance of her passing, and recognizing her dedication to the sport of basketball, her commitment to women and women's health, and her contributions to the State of North Carolina; to the Committee on Education and Labor.

By Ms. WATSON (for herself, Mr. MICHAUD, Ms. BORDALLO, Ms. LORETTA SANCHEZ of California, Ms. MATSUI, Mr. CAO, Mrs. MCMORRIS RODGERS, Ms. KILPATRICK of Michigan, Ms. JACKSON-LEE of Texas, Mr. STUPAK, and Mr. BISHOP of Georgia):

H. Res. 311. A resolution expressing the support of the House of Representatives for the goals and ideals of Red Cross Month; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. DELAHUNT and Mr. BISHOP of Georgia.

H.R. 23: Ms. SUTTON, Mr. KANJORSKI, Ms. BERKLEY, Mr. YOUNG of Alaska, Mr. GUTIERREZ, Mr. ROHRABACHER, Ms. SHEA-PORTER, and Mrs. MALONEY.

H.R. 179: Mr. COHEN.

H.R. 182: Mr. ACKERMAN.

H.R. 197: Mr. PERRIELLO, Mr. LATTA, and Mr. BARRETT of South Carolina.

H.R. 211: Mr. YOUNG of Florida, Mr. HASTINGS of Florida, and Ms. WATSON.

H.R. 233: Mr. ELLISON and Mr. FLEMING.

H.R. 235: Mr. BOCCIERI, Mr. HINOJOSA, Mr. MITCHELL, Mr. CLEAVER, Ms. LEE of California, Mr. LARSEN of Washington, and Mr. POLIS of Colorado.

H.R. 391: Mr. BROUN of Georgia.

H.R. 444: Mr. GORDON of Tennessee.

H.R. 509: Mr. SESTAK.

H.R. 510: Mr. BRIGHT and Mr. BROWN of South Carolina.

H.R. 557: Mr. BONNER and Mr. SCALISE.

H.R. 564: Mr. DICKS and Ms. VELÁZQUEZ.

H.R. 574: Mr. PITTS and Mr. PAUL.

H.R. 673: Mr. KING of New York and Mr. HUNTER.

H.R. 676: Mr. TOWNS.

H.R. 678: Mr. ISSA, Mr. MORAN of Virginia, and Mr. CONNOLLY of Virginia.

H.R. 690: Mr. SESSIONS.

H.R. 731: Mr. MARSHALL.

H.R. 745: Mr. SNYDER.

H.R. 775: Mrs. EMERSON, Mr. CANTOR, Mr. BISHOP of Utah, Mr. POLIS, Mr. WEXLER, Mr. ETHERIDGE, and Mr. HEINRICH.

H.R. 847: Mr. CONYERS.

H.R. 873: Mr. FRANK of Massachusetts.

H.R. 879: Mr. THORNBERRY.

H.R. 919: Mr. FILNER and Mr. KAGEN.

H.R. 949: Ms. BERKLEY.

H.R. 982: Mr. BUYER, Ms. FALLIN, Mr. MORAN of Kansas, Mr. MARIO DIAZ-BALART of Florida, and Mr. SMITH of New Jersey.

H.R. 1016: Mr. LUJÁN, Mr. TIAHRT, Mr. CONNOLLY of Virginia, Mr. PETERS, and Mr. SCHAUER.

H.R. 1029: Mr. CHAFFETZ.

H.R. 1050: Ms. JENKINS.

H.R. 1151: Mr. SIRES.

H.R. 1152: Mr. SIRES.

H.R. 1153: Mr. SIRES.

H.R. 1154: Mr. SIRES.

H.R. 1157: Mr. ROTHMAN of New Jersey.

H.R. 1158: Mr. HARE.

H.R. 1182: Mr. BURGESS, Mrs. MCMORRIS RODGERS, Ms. BORDALLO, Mr. MOORE of Kansas, Mr. WILSON of South Carolina, Mr. BACHUS, Mr. ALTMIRE, Mr. LATTA, Mr. SPRATT, and Mr. GOODLATTE.

H.R. 1189: Mr. WALDEN, Mr. WITTMAN, and Mr. FRANK of Massachusetts.

H.R. 1196: Mr. CONNOLLY of Virginia.

H.R. 1204: Mr. THORNBERRY.

H.R. 1206: Mr. TIAHRT.

H.R. 1207: Mr. CARTER.

H.R. 1208: Mr. SHADEGG, Mr. SESSIONS, and Mr. YOUNG of Florida.

H.R. 1209: Mr. DEAL of Georgia, Mr. PAULSEN, and Mr. TIBERI.

H.R. 1210: Mr. ROGERS of Alabama.

H.R. 1211: Mr. GORDON of Tennessee and Mr. FILNER.

H.R. 1214: Mr. COSTA, Mr. STARK, Mr. WALZ, Mr. POLIS of Colorado, and Ms. KILPATRICK of Michigan.

H.R. 1220: Mr. COLE, Mr. SMITH of Nebraska, Mr. SULLIVAN, Mr. WESTMORELAND, Mr. ROSS, and Mr. PLATTS.

H.R. 1261: Mr. TURNER, and Ms. GRANGER.

H.R. 1277: Mr. BOEHNER, and Mr. ADERHOLT.

H.R. 1302: Ms. TITUS.

H.R. 1330: Mr. BISHOP of Georgia.

H.R. 1382: Mr. ABERCROMBIE.

H.R. 1386: Mr. BILBRAY.

H.R. 1425: Mr. MEEKS of New York and Mr. ROSKAM.

H.R. 1428: Mr. Luján and Mr. RODRIGUEZ.

H.R. 1449: Mr. KISSELL.

H.R. 1454: Mr. SABLAN.

H.R. 1519: Ms. FOXX.

H.R. 1521: Mr. CARTER, Mr. SESSIONS, Mr. MCCAUL, Mr. MCMAHON, Mr. PALLONE, Mrs. BACHMANN, and Mr. UPTON.

H.R. 1547: Mr. COURTNEY and Mr. SESTAK.

H.R. 1549: Mr. CUMMINGS.

H.R. 1550: Mr. CARNAHAN, Mr. SARBANES, and Mr. SCHAUER.

H.R. 1587: Mr. TIAHRT, Mr. SOUDER, Mr. SKELTON, Mr. WESTMORELAND, and Mr. LINDER.

H.R. 1616: Mrs. MALONEY, Ms. CASTOR of Florida, Mr. PAYNE, Mr. MCDERMOTT, and Mr. LEWIS of Georgia.

H.R. 1623: Mr. LATOURETTE.

H.R. 1624: Mr. LATTA.

H.R. 1625: Mr. LEE of New York, Ms. HIRONO, Ms. WASSERMAN SCHULTZ, and Mr. CHAFFETZ.

H.R. 1640: Mr. STARK, Mr. POLIS and Mr. HONDA.

H.R. 1670: Mr. KENNEDY, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. GERLACH, and Mr. MASSA.

H.R. 1705: Ms. SCHAKOWSKY, Mr. ELLISON, Mr. TIERNEY, Mr. GEORGE MILLER of California, and Mr. WELCH.

H.R. 1708: Mr. ABERCROMBIE, Ms. KILPATRICK of Michigan, Ms. BALDWIN, Mr. KAGEN, Mr. TIERNEY, Mr. VAN HOLLEN, Mr. YARMUTH, Mr. CASTLE, Mr. MURPHY of Connecticut, Mr. PLATTS, Mr. BOUCHER, Mr. BRALEY of Iowa, Mr. ENGEL, and Mr. FRANK of Massachusetts.

H.R. 1712: Mr. CHAFFETZ and Mr. LAMBORN.

H.R. 1717: Mrs. MYRICK and Mr. OLSON.

H.R. 1740: Mr. MCGOVERN, Mr. MCHENRY, Mr. LARSEN of Washington, Mr. ADLER of New Jersey, Mr. HOLDEN, and Mr. CARDOZA.

H.R. 1751: Mrs. CAPPS, Mr. GRIJALVA, Mr. HINOJOSA, Ms. LINDA T. SÁNCHEZ of California, Mr. FARR, Mr. GONZALEZ, Mr. ACKERMAN, Mr. CAPUANO, Mr. ENGEL, Mr. FILNER, and Mrs. MCCARTHY of New York.

H.R. 1760: Mr. CARNAHAN and Ms. MCCOLLUM.

H.R. 1770: Mr. GERLACH.

H.R. 1786: Mr. ROGERS of Michigan.

H.R. 1788: Ms. LINDA T. SÁNCHEZ of California.

H. Con. Res. 28: Ms. GIFFORDS.

H. Con. Res. 50: Mr. CLAY.

H. Con. Res. 78: Mr. SOUDER, Mr. CONAWAY, and Mr. WESTMORELAND.

H. Con. Res. 81: Mr. BERMAN, Mr. ISSA, Mr. FLAKE, Mr. ROTHMAN of New Jersey, Mrs. EMERSON, Mr. YOUNG of Alaska, Mr. GRAVES, Mr. DELAHUNT, Mr. KUCINICH, Mr. GINGREY of Georgia, Mr. YOUNG of Florida, Mr. FRELINGHUYSEN, Mr. OBEY, Mr. PETRI, Mr. ANDREWS, Mr. CAPUANO, Mr. ROHRABACHER, Mr. SKELTON, Mr. MINNICK, Mr. MORAN of Virginia, Mrs. MALONEY, Mr. DEFAZIO, Mr. BARROW, Mr. KILDEE, Mr. KAGEN, Mr. HONDA, Mr. HASTINGS of Florida, Mr. SPRATT, Mr. DINGELL, and Mr. HILL.

H. Con. Res. 83: Mrs. KIRKPATRICK of Arizona.

H. Res. 20: Mr. PITTS.

H. Res. 22: Mr. WHITFIELD.

H. Res. 42: Mr. LANCE, Mr. NEUGEBAUER, Mr. BUYER, Mr. FRANKS of Arizona, and Mr. MCCAUL.

H. Res. 191: Mr. MCNERNEY, Ms. BORDALLO, and Mr. FRANK of Massachusetts.

H. Res. 230: Mr. SIRES, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BURTON of Indiana.

H. Res. 236: Mr. PAYNE and Mr. ROSKAM.

H. Res. 260: Mr. SERRANO, Mr. CONYERS, Mr. MOORE of Kansas, and Mr. YARMUTH.

H. Res. 267: Mr. CARSON of Indiana.

H. Res. 290: Mr. GARY G. MILLER of California.

H. Res. 301: Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. HASTINGS of Florida, Mr. TOWNS, Mr. MORAN of Virginia, Mr. TIERNEY, Mr. SNYDER, Mr. JACKSON of Illinois, Ms. DELAURO, Mrs. MALONEY, Mr. PAYNE, Mr. RUSH, Mr. CLYBURN, Mr. OLVER, Mr. LEVIN, Mr. SCOTT of Virginia, Mr. ROSS, Mr. SERRANO, Ms. MOORE of Wisconsin, Ms. CASTOR of Florida, Mr. BLUMENAUER, Mr. SCHIFF, Mr. FRANK of Massachusetts, Mr. WELCH, Mr.

KIRK, Ms. DEGETTE, Mr. OBERSTAR, Mr. POMEROY, Mrs. CAPPS, Ms. MATSUI, Mr. HOYER, Mr. COOPER, Ms. BALDWIN, Mr. Perriello, Mr. CARSON of Indiana, Ms. FUDGE, Ms. CLARKE, Ms. WATSON, Mr. JOHNSON of Georgia, Mr. BECERRA, Ms. ROYBAL-ALLARD, Ms. LEE of California, Ms. CORRINE BROWN of Florida, Mr. LEWIS of Georgia, Mr. MEEK of Florida, Mr. FATTAH, Mr. WEXLER, Mr. DELAHUNT, Mr. ROTHMAN of New Jersey, Mr. ELLISON, Ms. EDWARDS of Maryland, Ms. RICHARDSON, Mr. DAVIS of Illinois, Mr. CLAY, Ms. JACKSON-LEE of Texas, Mr. EDWARDS of Texas, and Mrs. NAPOLITANO.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative FRANK of Massachusetts, or a designee, to H.R. 1664, to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.