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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
April 22, 2009.

I hereby appoint the Honorable TIM HOLDEN to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

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

Lord God, Father and Creator of all, this Nation is singular and powerful by the very fact that Congress begins its workday with prayer, setting an example for all students and workers of this great land.

By seeking Your presence in moments of prayer each day, we humbly lay before You our limitations and our hopes. We display our openness to Your creative light to guide us in the decisions that need to be made to stay the course of government of Your free people.

By being attuned to Your power, our vision is expanded and our compassion for our brothers and sisters is turned into action.

In You and with You, America's ideals are realized and equal justice for all is within reach both now and forever. 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 gentlewoman from Michigan (Mrs. MILLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. MILLER of Michigan led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

COMPREHENSIVE IMMIGRATION REFORM

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

Mr. BACA. Mr. Speaker, I am touched by the unwavering spirit of the American people during these tough economic times. We continue to work hard and last week we all paid our taxes. In fact, thousands of immigrants also paid into our tax system through payroll taxes and sales taxes.

There are 12 to 14 million undocumented immigrants that are living and working in this Nation trying to build a better life for their families. I state, a better life for their families. We cannot forget that this country was founded by immigrants who prayed for a better life and who were willing to work hard to make it happen.

By providing a path to citizenship, it is estimated that new legal immigrants would provide $407 billion to strengthen the Social Security system over the next 50 years. We must bring this working population out from the shadows and allow them to become active contributing members of our society.

I urge my colleagues to work with the CHC and President Obama to support comprehensive immigration reform that will fix our economy and respect all families.

TAXED ENOUGH ALREADY

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

Mr. POE of Texas. Mr. Speaker, when the British Crown initially ignored the Boston Tea Party in 1773 and regarded the participants as rabble, authorities thought nothing would come of the protest. They, of course, were wrong. Early Americans were objecting to the British government for not responding to the concerns of the people.

Now, this year, TEA parties, which means taxed enough already, were held throughout the country where citizens exercised the absolute right under the first amendment ''to peaceably assemble and petition government for redress of grievances.'' Most people seemed to be protesting spending and taxation.

The critics said no one would show up. They, of course, were wrong. Many in the media didn't want to cover the events because, frankly, they were politically opposed to the idea, so they responded by calling the protesters kooks and extremists, sort of like the British calling the colonists rabble and troublemakers.

But thousands of Americans, normal taxpayers who work for a living and not beholden to government giveaway programs showed up to let government know that citizens don't like the government spending so much of their money, borrowing money from China and taxing citizens out of existence. Government would do well to listen.

And that's just the way it is.

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FREEDOM AND DEMOCRACY IN VIETNAM

(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. Mr. Speaker, I rise today in support of House Resolution 334, which I introduced yesterday. This resolution calls for the release of 118 Vietnamese citizens who have been arrested, detained or harassed for signing the Manifesto on Freedom and Democracy in Vietnam.

The manifesto is a peaceful, nonviolent declaration demanding political freedom and respect for Vietnam's citizens.

House Resolution 334 also directs the Secretary of State to establish a ''Countries of Particular Concern'' list to condemn the government of Vietnam and other countries for engaging in particularly harsh human rights violations. Vietnam's ongoing denial of its citizens' fundamental human rights and political liberties is unacceptable.

I introduced H.R. 334 to mark the 3-year anniversary of the original signing of the manifesto and to raise awareness of the Vietnamese Communist government's failure to improve its human rights record.

In May we will honor the 15th anniversary of Vietnam Human Rights Day. I urge my colleagues to stand up for human rights and to join me in this resolution.

DETROIT FREE PRESS WINS PULITZER PRIZE

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

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to congratulate the Detroit Free Press for winning journalism's most esteemed award, the Pulitzer Prize, in the category of Local Reporting. Through old-fashioned hard work and investigative journalism, reporters Jim Schaefer and M.L. Elrick helped to secure their newspaper's prize by uncovering evidence which revealed endemic corruption at Detroit City Hall.

The Free Press's journalistic prowess and integrity provided a needed check to government power and corruption, a tradition which is firmly rooted in America's great tradition of a free press. The reporting of Schaefer and Elrick, and their work in uncovering the truth for the people of Detroit, is something that this entire country can be proud of.

Regardless of all of the ways that the media have changed in recent years, one thing that will never go out of style in America is the ability of a free press to keep the public accurately and honestly informed about its government.

Congratulations to the Detroit Free Press. You make us all proud, and you truly exemplify the spirit of the first amendment.

WATER FOR THE WORLD

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

Mr. BLUMENAUER. Mr. Speaker, one of the greatest environmental threats in the entire globe is the supply and quality of water.

In honor of the 39th annual Earth Day Celebration, I'm proud to introduce the Paul Simon Water for the World Act of 2009. The purpose of this act is to empower the United States Government to respond to the pressing environmental, poverty and security threats presented by mismanagement and shortage of global fresh water.

Today, one-fifth of the world's population relies on fresh water that's either polluted or inadequately supplied. The lack of safe drinking water and sanitation remains the world's greatest health problem, accounting for 2 million deaths and half the illnesses in the developing world.

The bipartisan ''Water for the World Act'' builds upon the framework of our 2005 Water for the Poor Act, expanding United States foreign assistance capacity, elevating sustainable water and sanitation policy, and investing in low-cost, high-impact solutions.

There are lots of things that divide us here in Congress, but one of the things that brings us together is a commitment to make the world and its environment better. And I deeply appreciate the leadership of my colleagues, Congressmen DONALD PAYNE, WAMP, ROHRABACHER, BOOZMAN and BURTON in joining me on this Earth Day to enact this important legislation.

LOUISIANA STATE REPRESENTATIVE PATRICK WILLIAMS COMPLETES 226–MILE WALK TO BATON ROUGE

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

Mr. FLEMING. Mr. Speaker, I rise today to commend Louisiana State Representative Patrick Williams, who recently completed the 226-mile walk from Shreveport, Louisiana, a major city in my district, to the State capitol in Baton Rouge to raise awareness for autism and childhood obesity.

Autism is a serious developmental disability in the United States, with one in 150 children likely to have some form of this disability.

Representative Williams also brought attention to a serious factor affecting childhood obesity—nutrition in the home, especially among poor families.

And let me say parenthetically that for every obese child, we very likely have a future diabetic.

After completing his walk, Representative Williams made a promise to talk to Congress and the U.S. Department of Agriculture to promote healthy eating in regards to food stamp recipients, as well as encouraging them to buy more fruits and vegetables.

As a family physician, I couldn't agree more, and look forward to working with Patrick Williams to find solutions to both of these medical issues.

SUSTAINABLE ENERGY AND ENVIRONMENT CAUCUS

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

Ms. TITUS. Mr. Speaker, I rise today, on Earth Day, as a member of the Sustainable Energy and Environment Caucus, the so-called Green Dogs, to talk about the importance of investing in clean, renewable energy to help build a new green economy.

Investing in homegrown American renewable energy will create thousands of new American jobs that cannot be shipped overseas. In my State of Nevada, a thriving renewable energy industry will help diversify our local economy, which we so desperately need. Whether it is the researcher in the lab developing new generation biofuels, or the electrician on the roof installing solar panels, these jobs will stay right here in the United States.

We are currently losing clean energy jobs and market share to China, Germany, Korea and other countries, but now we have the opportunity to make a real difference. I look forward to working with my colleagues on both sides of the aisle to ensure that we make the investments necessary today to help create clean energy jobs for tomorrow.

UNREASONABLE RENEWABLE ENERGY REQUIREMENTS

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

Mrs. BLACKBURN. Mr. Speaker, the Democrat leadership is moving forward on the change that they've promised. Last week, the EPA, Environmental Protection Agency, moved forward to regulate carbon dioxide emissions under the Clean Air Act, with or without congressional consent.

This week the Committee on Energy and Commerce is holding hearings on cap-and-tax legislation. And this is what we're learning. The renewable energy requirements in the bill are entirely unrealistic.

Currently, 3 percent of our electricity that is generated is by renewable energy, and the chairman's bill is mandating 25 percent by 2025. That would require 20,000 megawatts of renewable energy to come online every year until 2025. That is far above what the projections are, the government-generated projections.

So our question is, are we saddling our States and our energy consumers

with unrealistic demands and mandates at prohibitively high prices? Well, basically, the Democrat leadership presents a choice. We can acquiesce to bad regulation that will have certain and disastrous impacts on our economy, or we can legislate an even more harmful system.

Basically, Mr. Speaker, it's as though, when faced with a gun to our heads, we are taking it and opting to shoot ourselves in the chest.

EARTH DAY

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

Mrs. DAHLKEMPER. Mr. Speaker, 39 years ago, then-Senator Gaylord Nelson from Wisconsin established a day on which millions of Americans across the country could demonstrate their support for the most precious resources we have, a healthy, sustainable environment.

For nearly four decades tens of millions of Americans continue on this tradition every April 22, a day we call Earth Day.

I want to acknowledge the commitment and vision of the millions of forward-thinking citizens who use this day to do their part, whether planting a tree, picking up litter, or teaching their children what they can do each day to better the world. Each and every one of these individuals is playing a crucial role as we work to meet the challenges that we all face as a Nation and as a world.

Mr. Speaker, I have always been a proponent of the environment. In fact, I founded and operated the Lake Erie Arboretum at Frontier Park in Erie, Pennsylvania, and I have tried to impart upon my children the important role they can play in meeting the environmental challenges of the 21st century.

In the House of Representatives, I'm proud to continue this work as we take proactive steps to protect our environment and our way of life.

This week we will consider the National Water Research and Development Initiative Act to help improve our environment by securing fresh, clean water for all Americans. To this end, I'm very proud to have attached my amendment that encourages reuse and recycling of our water to promote conservation and sustainability for generations to come.

Thank you to all Americans and those around the world doing their part not only today—Earth Day—but each and every day.

□ 1015

TEA PARTIES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I come to the floor today with a message from a few of my constituents. This scroll is a petition signed by hundreds of Centre County residents who participated in one of the many TEA parties that took place this past week in my district.

Not only do I agree with their message that the Federal Government has overstepped its bounds and continues to spend, tax and borrow too much, but I am proud of these folks who took a stand.

I came to Washington in January to be a part of democracy in action, and today, I can say that I am proud of my constituents who spoke out in their displeasure with this broken process that we call Washington. I am proud that they exercised their first amendment rights.

You see, Mr. Speaker, what occurred this past week is democracy. It's what our forefathers envisioned when drafting the Constitution and, later, the Bill of Rights. It's what our soldiers fight for each and every day. Mr. Speaker, it is the American way.

With that, I thank my colleague from Texas for his assistance.

THE 10-YEAR ANNIVERSARY OF THE TRAGEDY AT COLUMBINE HIGH SCHOOL

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

Mr. PERLMUTTER. Thank you, Mr. Speaker.

I rise today to recognize and mourn the 10-year anniversary of the Columbine High School tragedy in Littleton, Colorado.

On April 20, 1999, the people of Colorado and across our Nation learned about the senseless act of violence which took 13 lives that day. My friend Congressman COFFMAN represents Columbine High School. I represent an area where many of the families attended Columbine High School. One of my daughters played soccer against a girl who was killed at Columbine. Our neighbors had a nephew who was killed at Columbine. It was a tragedy that affected our community deeply and affected this country deeply; but from a terrible tragedy such as that, with unspeakable evil and violence, we've seen the growth of a community, the coming back together of a community, and we've learned from the families of the victims of this terrible violence.

There is a memorial now built at Clement Park to honor the victims. It is near where I live, and it serves as a reminder of the loss but also of the growth we can develop from that point on. It was a terrible day in Colorado 10 years ago, but if you take a look at the people who have risen from those ashes, so to speak, we have five kids who attended Columbine that year who are now teachers at the high school. There is growth in this country. We deal with evil from time to time, but when we come back together, we are a stronger Nation for it. I know my community is stronger for the terrible tragedy that we suffered 10 years ago.

TAXPAYER CONSCIENCE PROTECTION ACT OF 2009

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

Mr. OLSON. Mr. Speaker, yesterday I was proud to introduce H.R. 1981, the Taxpayer Conscience Protection Act of 2009. This bill would require individual State departments of health to document whether they are providing any Federal funds they receive through Medicaid to organizations that perform, promote or refer for abortions.

No matter where you stand on the questions of life, this bill would protect the fundamental right that every American taxpayer should enjoy and, frankly, should expect—the right to know whether their money is being spent on activities or organizations to which they are morally opposed.

This administration and this Congress have pledged a new era of government transparency. The legislation would bring increased transparency for the millions of pro-life Americans who are currently in the dark regarding whether and how much of their tax dollars are being funneled to abortion providers.

Only by shining the light of day onto this area of government can we ensure that Federal tax dollars do not fund morally objectionable practices.

ARMENIAN GENOCIDE

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

Mr. COSTA. Mr. Speaker, I rise today to commemorate the 94th anniversary of the start of the Armenian genocide, which was the first genocide of the 20th century. Sadly, that template has been a cycle that continues to this day.

In this case, it was established by history that from 1915 to 1923 the Ottoman Empire systematically killed an estimated 1.5 million Armenians and drove hundreds of thousands of others into exile from their ancestral homeland.

President Obama made promises during his campaign that he would finally recognize the Armenian genocide. It is vital to our Nation and to our foreign policy that we accurately reflect history. My district, in the San Joaquin Valley of California, is home to thousands of Armenian Americans, many of whom are the sons and daughters of survivors. We are quickly approaching the 100th anniversary of the start of the Armenian genocide. I am hopeful we don't have to wait until then to bring justice to my Armenian friends and neighbors.

We know that genocide, sadly, continues to this day. The United States

cannot continue a policy of denial regarding the Armenian genocide. I encourage the passage of House Resolution 252 to recognize the Armenian genocide in our Nation.

THE REAL THREAT TO HOMELAND SECURITY

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

Mr. PITTS. Mr. Speaker, I rise today to bring to the Members' attention a report from the Department of Homeland Security, Secretary Napolitano, entitled ''Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment.''

On page 2, under Key Findings, the footnote states, ''Rightwing extremism in the United States can be broadly divided into those groups, movements and adherents that are primarily hate-oriented (based on hatred of particular religious, racial or ethnic groups) and those that are mainly antigovernment, rejecting Federal authority in favor of State or local authority or rejecting government authority entirely. It may include groups and individuals that are dedicated to a single issue, such as opposition to abortion or immigration.''

On Page 7, under Disgruntled Military Veterans, they're listed as having the potential to boost the capabilities of the extremists.

Mr. Speaker, this is the same Cabinet member who will no longer use the words ''terrorist'' or ''war on terror'' and who now wants to call some of our veterans and pro-life activists ''terrorists.'' This is outrageous.

President Obama, your Cabinet Secretary is the real threat to our security.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

HONORING SOJOURNER TRUTH

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

Mr. SCHAUER. Mr. Speaker, first, I rise to thank Representative JACKSON-LEE for her leadership of her resolution today in honoring Sojourner Truth.

As the Congressman representing Battle Creek, Michigan, I rise on behalf of a community that is proud of its citizen Sojourner Truth, who lived her last 26 years there.

My hometown was home to a pilgrim born into slavery, unable to read or write, who traveled the country, eloquently confronting the injustices of slavery and the unequal treatment of women. She spoke truth to power, and she changed the world. Her life is testimony to the endurance of the human spirit.

Every day that I come to work at my office, I sit across from a portrait of Sojourner Truth, which hangs on my wall. It lifts me and it grounds me, and I know that the memorial in Emancipation Hall, along with a monument at her resting place in Battle Creek, will do the same for the millions of citizens who will view them over the years to come.

EARTH DAY

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

Mr. POLIS. Mr. Speaker, I rise today to highlight and support the many communities, volunteers, teachers, students, and individuals celebrating Earth Day and their efforts to protect our environment. For 39 years, Earth Day has remained an annual opportunity to remind ourselves of our daily, ongoing responsibility.

Our Nation has experienced an environmental renaissance as of late with business, popular culture and political leadership getting ''green'' and becoming galvanized by the challenge of climate change.

The industries and communities of my district in Colorado are on the front lines of a changing climate—from a shrinking ski season and fewer tourist dollars to an increased threat of wildfire and water resources stretched even thinner. My district's economic well-being has a lot riding on a healthy environment.

Mr. Speaker, I commend all of those who will work, volunteer, teach, and learn about the ways we can protect our Earth and economy. I rise in strong support of all of those who work to make Earth Day every day and who understand the fact that our communities and economies are firmly rooted in a healthy environment.

BUDGET DEFICIT

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

Mr. YARMUTH. Mr. Speaker, for the last 2 weeks when I was home in my district, I heard from many of my constituents who were justifiably concerned about the large amounts of deficits that we face, about the borrowing that we will have to do and about the spending that we are proposing to do in the President's budget that he approved recently. You know, those who have sought to, maybe, take advantage of that fear have said, ''Nobody ever borrows their way to prosperity.'' Oh, really?

In fact, virtually everyone who has grown wealthy in this country—every corporation and any individual—has borrowed to make that possible, and that's exactly what we're doing. We face a choice. We face a choice of having a dysfunctional health care system, of having an energy system that makes us insecure and that damages our environment, and of having an education system that relegates our citizens to a dismal future.

What we are doing in the budget we passed is to borrow, yes, but to invest in those very important matters that will guarantee a brighter life for our society and for our people, and that is what we are committed to do.

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.

COMMENDING CAPTAIN RICHARD PHILLIPS, U.S. NAVY SEALS, AND THE U.S. NAVY IN SOMALI PIRATE HIJACKING

Mr. LANGEVIN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 339) expressing the sense of the United States House of Representatives regarding the hijacking of the Maersk Alabama, the kidnapping of Captain Richard Phillips by Somali pirates, the rescue of Captain Phillips by United States Navy SEALs and the crews of the USS Bainbridge,USS Boxer, USS Halyburton and Patrol Squadron (VP) 8, and for other purposes.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 339

Whereas on April 8, 2009, a group of armed Somali pirates hijacked the Norfolk, Virginia-based Maersk Alabama, a U.S. flagged cargo ship;

Whereas this attack represents the first such attack on a U.S. flagged vessel in modern history;

Whereas Captain Richard Phillips of Underhill, Vermont, commander of the Maersk Alabama, graduated from the Massachusetts Maritime Academy and has over 20 years of maritime experience;

Whereas Captain Phillips and the crew of the Maersk Alabama were delivering a life-sustaining USAID shipment of over 8,000 metric tons of food aid to Kenya, Somalia, and Uganda when the ship came under pirate attack;

Whereas the crew of the Maersk Alabama overpowered one of the pirate attackers, and Captain Phillips offered himself up in return for the safe release of his crew and ship;

Whereas four pirates then fled with Captain Phillips to an 18-foot lifeboat;

Whereas the United States Fifth Fleet immediately dispatched Maritime Patrol (P–3) Aircraft to locate and positively identify and monitor the Maersk Alabama to vector the closest U.S. Navy ship to the scene;

Whereas the United States Navy destroyer USS Bainbridge, which had been patrolling

the region due to increased pirate activities, arrived on the scene;

Whereas the USS Bainbridge, under the command of U.S. Navy Commander Frank Castellano, monitored the conditions on the lifeboat and prevented the pirates from escaping;

Whereas Commander Castellano served as the on-the-scene coordinator for the combined rescue efforts of the State Department, Federal Bureau of Investigation hostage negotiators, and the U.S. Navy;

Whereas U.S. Navy SEALs quickly deployed to the scene;

Whereas, while being held by pirates, Captain Phillips attempted a daring escape, diving into the ocean and trying to swim to safety before being recaptured;

Whereas the pirates held Captain Phillips at gunpoint for 5 days;

Whereas the Navy SEALs once again demonstrated their extraordinary bravery, skill, and professionalism in rescuing Captain Phillips;

Whereas the USS Halyburton assisted the USS Bainbridge with the rescue operation, by skillfully ensuring that the pirates were blocked in their attempt to reach the Somali coast;

Whereas the USS Boxer assisted in the rescue operation by standing by to provide immediate medical support, which was thankfully not needed in this operation.

Resolved, that the United States House of Representatives—

1. commends the crew of the Maersk Alabama and Captain Phillips, who selflessly placed himself in harm's way to protect his crew;

2. recognizes the United States Navy, the crews of the USS Bainbridge, Boxer, Halyburton, and Patrol Squadron (VP) 8 for their role in the rescue;

3. congratulates the Navy SEALs on the scene for their decisive action that resulted in the rescue of Captain Phillips; and

4. joins all Americans in expressing great relief that the crew has returned home safely.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Rhode Island (Mr. LANGEVIN) and the gentleman from Colorado (Mr. COFFMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Rhode Island.

GENERAL LEAVE

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

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

There was no objection.

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

I am honored to rise this morning to recognize the efforts of some true heroes during the hijacking of the Maersk Alabama and its aftermath. Like millions of Americans, I watched as the ordeal unfolded from the initial attack, to the crew's quick response, to the captain's selfless sacrifice, to the Navy's breathtaking rescue.

Today, I hope all of our colleagues will join me in congratulating and in thanking the many brave Americans who played a role in the successful resolution of what could have been a terrible tragedy.

First, let me thank the gentleman from Vermont, my friend, PETER WELCH, for spearheading this effort. I'm honored to sponsor this resolution with him. I would also like to thank Chairman SKELTON and Ranking Member MCHUGH for working with us to bring this resolution so quickly to the floor.

The story of the merchant vessel Maersk Alabama is miraculous, not just for the safe return of its entire U.S. crew but also for the incredible bravery and professionalism displayed by the men and women of the U.S. Navy as well as Captain Richard Phillips, who gave himself up to ensure the safety of his crew.

□ 1030

We're all familiar with the story by now. On April 8, a group of armed Somali pirates hijacked the Norfolk, Virginia-based Maersk Alabama, a U.S.-flagged cargo ship—the first such attack on a U.S.-flagged vessel in modern history. Captain Phillips and his crew were delivering a life-sustaining USAID shipment of over 8,000 metric tons of food aid to Kenya, Somalia, and Uganda when the ship came under pirate attack. The crew overpowered one of the attackers, and Captain Phillips offered himself up in return for the safe release of his crew and ship. The four pirates then fled with Captain Phillips on an 18-foot lifeboat.

After receiving the distress call, the United States Fifth Fleet immediately dispatched maritime patrol aircraft to locate and monitor the Maersk Alabama and aid in directing the United States and the Navy destroyer USS Bainbridge to the scene.

The USS Bainbridge, under the command of Navy Commander Frank Castellano, immediately undertook efforts to monitor conditions on the lifeboat, and along with the USS Halyburton, would prevent the pirates from escaping. At one point, Captain Phillips attempted an escape by diving into the ocean but was recaptured. When it appeared that the captain's life was in imminent danger, the Navy SEALs did not hesitate. They drew on their training, and, most importantly, their courage and took decisive action to end the standoff and save the life of Captain Phillips.

Mr. Speaker, the resolution before us today recognizes the bravery of the captain and the crew of the Maersk Alabama and congratulates the Navy SEALs and the crews of the USS Bainbridge, Boxer, Halyburton and Patrol Squadron (VP) 8 for their decisive action in ensuring the safe return home of all concerned.

Again, I want to thank Congressman WELCH for his work on this legislation, and I ask all of our colleagues to vote for its passage.

I reserve the balance of my time.

Mr. COFFMAN of Colorado. Mr. Speaker, today I rise in support of House Resolution 339.

I am pleased to join my colleagues, PETER WELCH and JIM LANGEVIN, as well as the many cosponsors of this resolution, in expressing the pride of the United States House of Representatives regarding the heroic actions of Captain Richard Phillips, the crew of the Maersk Alabama, and the professionalism and skill of the crews of the USS Bainbridge, the USS Boxer, the USS Halyburton, Patrol Squadron (VP) 8 and the U.S. Navy SEALs.

On April 8, 2009, in what has now become a well-known story, a group of armed Somali pirates hijacked the Norfolk, Virginia-based Maersk Alabama, which is a cargo ship sailing under a U.S. flag. The Alabama was on a mission to deliver over 8,000 metric tons of vital food aid to Kenya, Somalia, and Uganda. This food aid had been provided by U.S. taxpayers through the United States Agency for International Development. It was highly ironic, then, that the Somali pirates targeted a vessel destined to provide relief to their home country.

When the Alabama came under attack, it was also the first such attack on a U.S.-flagged vessel in modern history. But the surprise that the crew of the Alabama must have felt did little to deter positive action on their part. The crew of the Maersk Alabama overpowered one of the pirate attackers, and the ship's commander, Captain Richard Phillips, offered himself up in return for the safe release of his crew and ship.

Captain Phillips' courageous action is a credit to him, his 20 years of maritime experience, his alma mater, the Massachusetts Maritime Academy, and his hometown of Underhill, Vermont.

Four of the Somali pirates fled with Captain Phillips to an 18-foot lifeboat and set off for the Somali coast. The length of the Somali coastline is vast, roughly the same length as the entire eastern seaboard of the United States.

Despite the diligent efforts of the international community and the U.S.-led Combined Task Force 151 counter-piracy operations, military vessels cannot be every place at once. As a result, the nearest U.S. ship at the time of the incident was more than 300 nautical miles away.

In response to the distress call from the Maersk Alabama, the United States Fifth Fleet immediately dispatched maritime patrol aircraft to locate, positively identify and monitor the Maersk Alabama to direct the closest U.S. Navy ship to the rescue. The United States Navy destroyer USS Bainbridge, which had been patrolling the region due to the increase in pirate activity, soon arrived. The Bainbridge, under command of U.S. Navy Commander Frank Castellano, monitored the conditions on the lifeboat and prevented the pirates from escaping. Commander Castellano also served as the on-the-scene coordinator for the combined rescue efforts of the State Department, Federal Bureau of Investigation hostage negotiators, and the United States Navy.

While being held by pirates, Captain Phillips attempted a daring escape—

diving into the ocean and trying to swim to safety before being captured. Captain Phillips' ordeal cannot be understated. The pirates held him at gunpoint for 5 days until the U.S. Navy SEALs, who had quickly deployed to the scene onboard the USS Bainbridge, rescued Captain Phillips, demonstrating their extraordinary valor and skill.

The captain and crew of the Bainbridge were supported by two additional U.S. Navy ships. The USS Halyburton, an Oliver Hazard Perry-class frigate, assisted the USS Bainbridge with the rescue operation by ensuring that the pirates were blocked in their attempts to reach the Somali coast. The USS Boxer, a Wasp-class amphibious assault ship, assisted in the rescue operation by standing by to provide immediate medical support, which was, thankfully, not needed in this operation.

It is also remarkable to note that the namesake for the USS Bainbridge is Captain William Bainbridge, one of the United States' earliest naval officers who became the country's most famous pirate hostage.

In October 1803, Captain Bainbridge was in command of the USS Philadelphia, a 36-gun frigate, on a mission to blockade North African pirate ships from Tripoli. Following an unfortunate grounding of the Philadelphia on a shallow reef near shore, Captain Bainbridge and his crew of 300 were taken hostage and held in captivity for nearly 2 years. When Captain Bainbridge finally returned to this country, he continued to serve in the U.S. Navy and went on to distinguish himself in the War of 1812.

Now, 200 years later, pirates continue to operate along the coast of Africa, and the U.S. Navy ship named in his honor has played such a critical role in thwarting their efforts.

In conclusion, I urge the international community, as well as President Obama, to apply both private and government means to combat piracy. While the U.S. military can have a significant deterrence on piracy and can play a key role in disrupting pirate attacks, a long-term solution to this problem cannot be found through military force alone.

I also urge my colleagues to adopt House Resolution 339 to recognize the bravery of the crew of the Maersk Alabama, commend Captain Phillips who selflessly placed himself in harm's way to protect his crew, congratulate the United States Navy, the crews of the USS Bainbridge, Boxer, Halyburton, Patrol Squadron 8 and the Navy SEALs on the scene for their decisive action that resulted in the rescue of Captain Phillips and join all Americans in expressing great relief that the crew has returned home safely.

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

Mr. LANGEVIN. Mr. Speaker, I am pleased to yield as much time as he might consume to my friend and colleague, the distinguished chairman of the Committee on Armed Services, the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I rise today in strong support of H. Res. 339, and I thank my friends, Congressmen LANGEVIN and WELCH, for introducing this bill and their leadership on this subject.

Captain Phillips' brave leadership in the defense of his crew and ship, along with the outstanding service of the men and women of the United States Navy, allowed for the safe return of the crew of the motor vessel Maersk Alabama. Both Captain Phillips and his crew's actions clearly demonstrate the bravery that is present in our American Merchant Marines. I commend the sailors on the USS Bainbridge and Halyburton, as well as the Navy SEALs who were involved in the lengthy standoff with the Somali pirates.

On Easter Sunday, every American could be proud and thankful for the commitment and excellence of our servicemembers. The actions of our men and women in uniform highlight the dedication and professionalism present in our Navy servicemembers. This also demonstrates the critical need for the high level of training these sailors have been given which allows them to successfully conduct such a high-risk and complicated operation.

I have long warned of the dangers associated with international piracy. Just last month, I called for and chaired a full Armed Services Committee hearing on international piracy on the high seas. The inherent danger in allowing these types of criminal activities to go unchecked is evident throughout our history. We see prime examples of this when we look as far back as the days of the Barbary pirates, where the pirates were eventually defeated ashore in Algiers; or the recent example of the Straits of Malacca, where it took the combined forces of Malaysia, Indonesia and Singapore working together to secure their waters.

In both of these instances, the international community was dealing with criminals whose sole objective was monetary gain; and when faced with superior forces, they retreated. The pirates off the coast of Somalia are no different. However, like the pirates of the past, they will only retreat as far as they are pushed.

Establishing a working government in Somalia is a solution, but this is a long-term solution. In the short term, it is imperative that the international coalition, already operating in the area, uses its superior force to continue to pursue these pirates into the safe havens where they are operating. This will be the only way to convince these criminals that the risks now outweigh the rewards. The authorities needed to conduct such operations have already been provided in United Nations Security Council Regulations 1846 and 1851.

I applaud the commitment of the international community to solve the problem, but additional work must be done to advance the current international coalitions operating in the region. Just this weekend we were reminded of the imminence of the ongoing problem. Hostages were freed by Dutch forces, but the gang of pirates responsible were subsequently released due to the lack of a detainment policy within the NATO task force.

The United States must encourage all of our coalition partners to adopt a single set of rules of engagement and authorities. I am encouraged by Secretary Clinton's call on the international community to hold these criminals accountable and agree with her comments about pursuing the pirate sanctuaries along the Somalia coast. Denying the ability of the pirates to operate ashore is the best solution for stopping these attacks in the short term.

□ 1045

Until the international community decides that it will no longer tolerate piracy in any way, we will continue to see history repeat itself, and the merchants operating in the surrounding waters of Somalia will continue to be at risk.

Mr. Speaker, we will not forget the heroic actions of our United States Navy, the United States Navy SEALs, and the brave men aboard the Maersk Alabama.

We sent a clear signal to the pirates that such a brazen attack on American people will not be tolerated. I look forward to working with my colleagues and friends in the administration to find a short-term solution to the ongoing piracy problem, and I am hopeful that we can work with our international partners to find a permanent solution to this issue.

I thank the gentlemen, Mr. LANGEVIN and Mr. WELCH, for their foresight in offering this resolution.

Mr. COFFMAN of Colorado. Mr. Speaker, I would like to further comment on the issue of piracy and how we address this in that I feel that there is a cost-effective solution available to us.

Right now, in trying to patrol 1.1 million square miles of ocean, we have deployed a carrier strike group and an additional combined task force; and it is a sledgehammer going after a fly when all we need is a flyswatter.

I would like to propose that the administration consider placing a small detachment of United States Marines or sailors with cruiser weapons aboard U.S.-flagged merchant ships sailing through these waters. There is an average of one U.S. flagship per day sailing through the Gulf of Aiden. And so the Department of Defense response was that we are stretched in resources, and it would be difficult to deploy a squad of marines or the equivalent of sailors aboard this one U.S.-flagged merchant ship going through the Gulf of Aiden on a daily basis. Yet, we are deploying over 10 ships on a daily basis in these

waters, which require far more resources than a small detachment of U.S. marines or sailors.

The precedent for this is certainly during World War II, when we did so to protect our U.S.-flagged merchant shipping. I believe the situation exists today where we have cause to do so. And this is not simply a criminal activity. In 1803, when Captain Bainbridge was in command of the USS Philadelphia, President Thomas Jefferson saw fit to see the actions of the Barbary pirates as an act of war, and I view the conduct of the Somalia pirates as the same.

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

Mr. LANGEVIN. Mr. Speaker, I am pleased to yield such time as he may consume to my friend and colleague, the original sponsor of this measure, the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank my colleague from Rhode Island. I thank the Armed Services Committee and Chairman SKELTON and my colleague, Mr. COFFMAN.

We have heard eloquent statements about the urgent problem of piracy and what the United States has to do. I would like to talk a little bit about Captain Phillips and about his hometown of Underhill, Vermont, and what is the good news behind this extraordinary rescue operation conducted by the United States Navy.

Mr. Speaker, Underhill is a small town in Vermont in the shadow of our largest mountain, Mt. Mansfield; about 2,800 people live there. The center of life is the Underhill Country Store where people go for their morning coffee to have conversation about what's going on. Neighbors know neighbors.

The folks who live in Underhill know the Phillips family very well. And it turned out that in that week when Captain Phillips was a hostage, all of the activity, all of the conversation in Underhill, of course, was totally about him, about his wife, Andrea, about Mariah and David, their son and daughter, both in college. And life in some ways went on in the ordinary course. David went over to a neighbor's and did his morning chores; it is what he said his dad would have wanted. And the neighbors did what neighbors do in Underhill and do in Vermont and do in communities all around this country when one of their own is in peril; they helped out. They brought over food. They checked in on their neighbors. They gave privacy and respect to Andrea and their family while they were going through this ordeal.

It is also the story about an extraordinary seaman, Captain Phillips, who, I think, as much as his bravery impressed all of us. His modesty impressed all of us as well. He insisted that he was not the hero. Let me use his own words that he was able to recite when he returned. ''I'm not a hero, the military is,'' the cargo shipper, Richard Phillips, told reporters. ''I'm a small part. I'm just a bit part in this story. I'm a seaman doing the best I can like all other seamen out there.'' Captain Phillips insisted on giving all credit to everyone else—his crew, the extraordinary Navy SEALs, the United States Navy, not taking any of the credit for his heroics upon himself.

Now, why is it that he is that way? You know, oftentimes it is said that a hero is a person who is ordinary but, faced with extraordinary circumstances, does extraordinary things. And certainly Captain Phillips fits that description because, when faced with this danger, he put himself and his life on the line to save his crew. It was an extraordinary act in extraordinary circumstances.

But when you reflect on it, Captain Phillips didn't see it that way. He was a seaman doing his job. And maybe what he is reminding us, all of us in America, is that it is doing our jobs day in and day out, what is required of us, that makes us all have it within our reach to be heroic.

Captain Phillips has as his primary responsibility, the way he defines it and the way the law of the sea defines it, to protect his crew. And on some days protecting his crew may be that he has to guide his ship through troubled waters, but on another day, when his ship was seized by pirates, protecting his crew meant turning over his life and his safety to the pirates in exchange for the safety of his crew. And for him, that was just an ordinary, matter-of-fact decision. He didn't even have to think about it because that was his job. It is what he signed up to do. And when the circumstances required he make that decision, he did.

That is what is so inspiring, I think, to so many of us about Captain Phillips, the matter-of-fact way in which he went about being a captain in the Merchant Marine. And it is the same attitude he displays as a dad when he is home, with the jealous guarding of his time with his family that means so much to him so that he can ski, play basketball, do outdoor activities with his kids and with his friends. He is known in the community as just another guy, and that is the person who he wants to return to be.

The inspiring story here is all up and down the line. When a captain was faced with an extraordinary decision, he made it as though it was just an ordinary decision. When one of America's own ships on the high seas was in peril, our Navy responded as they were trained to do. And when one of the hostages, Captain Phillips, was in imminent danger of losing his life, these Navy SEALs, who had trained quietly, relentlessly, and effectively, did what was required of them, and they went on to live the rest of their lives. So this act is an extraordinary act of heroics because of how Captain Phillips made this an ordinary day in his life.

All of us, of course, are thrilled about the safe return of Captain Phillips to Underhill, Vermont, and the reunification of the family, but we are also very proud of our Navy. We are proud of the Navy SEALs and all the people who were involved in this, doing the jobs they were trained to do, doing it successfully, and then going on about their lives without request for fame or favor.

Mr. LANGEVIN. Mr. Speaker, I am pleased to yield 1 minute to my friend and colleague, one of the newest members of the Committee on Armed Services, the gentleman from Virginia (Mr. NYE).

Mr. NYE. I thank my colleague.

Mr. Speaker, I rise today to commend the actions of all the brave Americans who brought about the safe rescue of the captain and crew of the Maersk Alabama.

I have the distinct honor to represent Naval Station Norfolk, the home port of the USS Bainbridge, the first ship to respond after the Alabama was attacked and her captain taken hostage by pirates.

In particular, I would like to applaud the quick, decisive, and effective action taken by the men and women of the Bainbridge and her commanding officer, Commander Frank Castellano. Throughout his 23 years in the Navy, Commander Castellano has served with distinction and honor and has received numerous awards and commendations. As captain of the USS Bainbridge, he skillfully managed the rescue of the Maersk Alabama, ensured the safety of her crew, and led the hostage negotiations with the pirates. And on April 12, when Captain Phillips' life was in danger, Commander Castellano did not hesitate; he gave the green light for our SEALs to take action.

Over the 4 days of the rescue operation, as the world watched, Commander Castellano and the men and women of the Bainbridge made us all proud and reminded us why the U.S. Navy is second to none. I urge my colleagues to join me in supporting this resolution.

Mr. LANGEVIN. Mr. Speaker, I want to again commend my colleague, Mr. WELCH, for his sponsorship of this resolution. I am proud to join with him. This truly is a story of remarkable heroism and bravery.

I again recognize the leadership of Captain Phillips and his crew and, in particular, the Navy SEALs, and all of our naval vessels and sailors that were involved in this entire effort. They truly are well-trained, and it showed in this. The training paid off.

On a personal note, I have great respect for all of our merchant mariners. Both my grandfather and my great uncle were both members of the Merchant Marine during World War II. I know the sacrifices that these Merchant Marines give in their daily lives day in and day out to make sure that cargo moves safely around the world.

This is truly a good news story, but clearly we have work to do in stopping pirate activities in the future. This is going to be an ongoing effort. I look

forward to working with my colleagues to make sure that this type situation never happens again.

Again, my congratulations to all my colleagues involved in this resolution, particularly Mr. WELCH.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand here today with great jubilation for the successful rescue of Captain Phillips. I urge my colleagues to support H. Res. 339 "Expressing the sense of the United States House of Represensatives regarding the hijacking of the Maersk Alabama, the kidnapping of Captain Richard Phillips by Somali pirates, the rescue of Captain Phillips by United States Navy SEALs and the crews of the USS Bainbridge, USS Boxer, USS Halyburton and Patrol Squadron (VP) 8, and for other purposes."

I believe that Congressional recognition is due to the crews of the USS Bainbridge and other ships on the scene, and especially the incredible skill of the Navy SEALs who rescued Capt. Phillips. Somali pirates boarded the container ship Maersk Alabama about 500 kilometers off the coast of Somalia. The 20 man crew regained control of the Danish-owned, American-operated ship. But the ship's captain—Richard Phillips—was taken hostage as the pirates escaped aboard a lifeboat.

I would like to acknowledge the profound bravery and selflessness that Captain Phillips displayed throughout the entire ordeal. At the time of the hijacking of the Maersk Alabama, Captain Phillips placed himself in harm's way to protect his crew. Phillips offered himself as a hostage after the pirates stormed the U.S.-flagged Alabama. He is a hero, he rose to the occasion and—thankfully—lived to tell about it.

I commend the Navy SEAL snipers on the destroyer USS Bainbridge who killed Captain Phillips's three captors. I applaud President Obama and his administration who gave standing orders for the military to take decisive action if the Captain was in imminent danger.

This is the first time in modern history that the United States has in custody a pirate who carried out an attack on a U.S. citizen. The events that have been taking place off the coast of Somalia are intolerable and I feel that the United States must put an end to piracy.

I am pleased that Captain Phillips is home with his family: his wife, Andrea, and his two children, Daniel and Mariah, in Underhill, Vermont. I wish them all the best as their lives get back to normal.

However, this piracy has not ceased even after the U.S. Navy fatally shot three pirates, who were armed with AK–47 rifles. They are continuing to hijack ships in the Gulf of Aden. More than 200 mariners still remain captives at sea in the hands of pirates. Adm. Rick Gurnon has publicly said, "The pirates have a great business model that works for them: See ships, take ransom, make millions" and that is exactly what they are doing. The pirates from Somalia often launch one or two speed boats with about four or five men aboard. Armed with automatic weapons and in some cases rocket-propelled grenades, they approach unarmed ships, force them to slow down and then board them in order to gain ransom money.

Analysts blame Somalia's nearly 20 years of lawlessness for fueling piracy's rise. Years ago, foreign trawlers began taking advantage of Somalia's civil war to fish its waters illegally and dump toxic waste there. Vigilante Somali fishermen tried to defend their shores, and later morphed into full-blown pirates. Piracy has been a problem in Somali waters for at least 10 years—when Somali fishermen began losing their livelihoods. Their traditional fishing methods were no match for the illegal trawlers that were raiding their waters. Piracy initially started along Somalia's southern coast but began shifting north in 2007—and as a result, the pirate gangs in the Gulf of Aden are now multi-clan operations.

Attacks have risen markedly in recent weeks, and brigands hold at least 17 other ships and around 300 crew. Meanwhile, Somalia called for international help to rebuild its military to combat piracy and train security forces to track down pirates.

I urge the United States to take swift and immediate action against these Somali pirates. It is unacceptable that unarmed Americans or any persons should be attacked and taken hostage on the high seas, with all the resources available to us in this day and age. This is not an American problem, but an international problem, that must be dealt with on a multilateral level. We can not eradicate piracy alone.

I am relieved that Secretary Clinton said the United States wanted to "seek more effective ways to hold these pirates criminally responsible for their actions, which threaten not only the lives of merchant seamen, but the security of critical maritime routes." I believe the meeting which will take place next month in New York with representatives of 24 nations, in order to look at legal measures in the fight against piracy off Somalia is a large first step in ending this madness.

Mr. LANGEVIN. Mr. Speaker, at this time, I have no further requests for time. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Rhode Island (Mr. LANGEVIN) that the House suspend the rules and agree to the resolution, H. Res. 339.

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

A motion to reconsider was laid on the table.

PERMITTING DESIGNATION OF INDIVIDUAL TO DISBURSE CAMPAIGN FUNDS UPON CANDIDATE'S DEATH

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 749) to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF INDIVIDUAL AUTHORIZED TO MAKE CAMPAIGN COMMITTEE DISBURSEMENTS IN EVENT OF DEATH OF CANDIDATE.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432) is amended by adding at the end the following new subsection:

"(j)(1) Each candidate may, with respect to each authorized committee of the candidate, designate an individual who shall be responsible for disbursing funds in the accounts of the committee in the event of the death of the candidate, and may also designate another individual to carry out the responsibilities of the designated individual under this subsection in the event of the death or incapacity of the designated individual or the unwillingness of the designated individual to carry out the responsibilities.

"(2) In order to designate an individual under this subsection, the candidate shall file with the Commission a signed written statement (in a standardized form developed by the Commission) that contains the name and address of the individual and the name of the authorized committee for which the designation shall apply, and that may contain the candidate's instructions regarding the disbursement of the funds involved by the individual. At any time after filing the statement, the candidate may revoke the designation of an individual by filing with the Commission a signed written statement of revocation (in a standardized form developed by the Commission).

"(3) Upon the death of a candidate who has designated an individual for purposes of paragraph (1), funds in the accounts of each authorized committee of the candidate may be disbursed only under the direction and in accordance with the instructions of such individual, subject to the terms and conditions applicable to the disbursement of such funds under this Act or any other applicable Federal or State law (other than any provision of State law which authorizes any person other than such individual to direct the disbursement of such funds).

"(4) Nothing in paragraph (3) may be construed to grant any authority to an individual who is designated pursuant to this subsection other than the authority to direct the disbursement of funds as provided in such paragraph, or may be construed to affect the responsibility of the treasurer of an authorized committee for which funds are disbursed in accordance with such paragraph to file reports of the disbursements of such funds under section 304(a).".

(b) INCLUSION OF DESIGNATION IN STATEMENT OF ORGANIZATION OF COMMITTEE.—Section 303(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 433(b)) is amended—

(1) in paragraph (5), by striking "and" at the end;

(2) in paragraph (6), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(7) in the case of an authorized committee of a candidate who has designated an individual under section 302(j) (including a second individual designated to carry out the responsibilities of that individual under such section in the event of that individual's death or incapacity or unwillingness to carry out the responsibilities) to disburse funds from the accounts of the committee in the event of the death of the candidate, a copy of the statement filed by the candidate with the Commission under such section (as well as a copy of any subsequent statement of revocation filed by the candidate with the Commission under such section).".

SEC. 2. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to authorized campaign committees which are designated under section 302(e)(1) of the Federal Election Campaign Act of 1971 before, on, or after the date of the enactment of this Act.

□ 1100

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. MCCARTHY) 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 to 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.

Mr. Speaker, I rise in support of H.R. 749, a bill to amend the Federal Election Campaign Act. This bill will allow Federal election candidates to designate someone to disburse their campaign funds in the event of their death. The candidate would simply file an appropriate form with the FEC and could also revoke or change the designee at any time.

H.R. 749 will assure candidates for Federal office that the funds raised by their campaign committees will be distributed in accordance with their express wishes after they are deceased.

H.R. 749 is a commonsense fix to the Federal Election Campaign Act. It would provide clear direction to campaign treasurers, who face a wide range of conflicting and confusing State laws. I urge all Members to support this legislation.

I reserve the balance of my time.

Mr. MCCARTHY of California. Mr. Speaker, I yield myself as much time as I may consume.

I am pleased to support H.R. 749, which will permit each Federal candidate to designate an individual who, in the event of the candidate's death, will be authorized to make arrangements for the disbursement of campaign funds.

Every private citizen who decides to become a candidate for public office is driven by issues that inspire and motivate them to want to serve. Often, those issues outlive the individuals who campaign for their ideals.

This bill will ensure that every Federal candidate will have the opportunity to appoint a trusted individual to distribute campaign funds after they have passed. I urge my colleagues to support H.R. 749.

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

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

Mr. MCCARTHY of California. Mr. Speaker, I yield as much time as he may consume to the author, the distinguished gentleman from North Carolina (Mr. JONES).

Mr. JONES. I want to thank the chairman and the ranking member for reintroducing this bill and moving it to the floor. Last year we passed this bill at the end of the session, and it went over to the Senate, and the Senate did not have enough time to move the bill.

It has been explained by Chairman BRADY and Mr. MCCARTHY the importance of this bill. There are times in a person's public life that they don't think about the time that they might be called by God. And this happened to my father, as a matter of fact.

I am going to explain the story with my father, just bring it to an end from my standpoint of why I introduced this bill, to help other candidates who are running for office, to help incumbents, as both have said before me.

My father finished his 26 years in the United States House of Representatives in 1993, and he actually died that year, in the fall of that year. And as we found out, he was one of the last Members of Congress that could actually take the campaign account and use it for personal reasons.

As explained by the chairman, Mr. MCCARTHY, that has changed. Now those funds can be disbursed, given to a charity, can be given to a political party or whatever the individual decides to do.

Well, in my father's situation, the treasurer, a wonderful man, Tom Parrish, a lawyer who was handling my father's campaign account when my father passed, then the attorney in Farmville, North Carolina, where I am from, where my father was from, the attorney who was handling the estate called the treasurer and said we need to transfer those funds to Congressman Walter Jones, Sr.'s account. And the treasurer said, no, this cannot happen. By law, I am responsible for the disbursement and I, by law, cannot transfer the moneys. Anyway, it was resolved.

Now, as we know has been stated, that the campaign account, should a Member of Congress, the United States House or Senate pass on, then the Treasury would be responsible for disbursing those moneys. What this bill would do is allow that candidate or incumbent, sitting Member of the Congress, should that person be called by God, that then the family member that they designate will be able—or a friend, it could be a friend, but the family member would be able to be disburse those moneys knowing the wishes of that individual.

And I want to thank the chairman again, I want to thank Mr. MCCARTHY on the floor today. I think this is a bill that really will make it easy for a family should that Member die while he or she is serving in the United States House or Senate or be a candidate.

So, Mr. Chairman, I want to thank you very much for moving this bill again. I am going to work the Senate if this should pass the House.

Mr. MCCARTHY of California. I have no other speakers. I would just like to thank the gentleman for his work. I yield back the balance of my time.

Mr. BRADY of Pennsylvania. I would also like to thank WALTER JONES for this make-sense resolution. I am in favor of this resolution and urge an ''aye'' vote.

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. 749.

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.

HOUSE RESERVISTS PAY ADJUSTMENT ACT OF 2009

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1679) to provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on active duty for a period of more than 30 days, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1679

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 ''House Reservists Pay Adjustment Act of 2009''.

SEC. 2. REPLACEMENT OF LOST INCOME FOR HOUSE EMPLOYEES ON ACTIVE DUTY UNDER INVOLUNTARY MOBILIZATION ORDER.

(a) PAYMENT.—

(1) IN GENERAL.—For each active duty month of an eligible employee of the House of Representatives who is also a member of a reserve component of the armed forces, the Chief Administrative Officer of the House of Representatives shall pay to the employee the amount by which—

(A) the amount of regular compensation the employee would have received from the House of Representatives if the month had not been an active duty month, exceeds (if at all)

(B) the total monthly military compensation paid to the employee for the month by the Secretary of Defense.

(2) ELIGIBILITY.—An employee of the House of Representatives is eligible for purposes of paragraph (1) with respect to an active duty month if the employee was an employee of the House of Representatives during each day of the 90-day period which ends on the day on which the employee reports for active duty under an involuntary mobilization order.

(b) DETERMINATION OF COMPENSATION EMPLOYEE WOULD HAVE RECEIVED.—

(1) IN GENERAL.—For purposes of subsection (a)(1), the amount of regular compensation an employee would have received from the House of Representatives for a month shall be equal to the amount of compensation the employee received from the House of Representatives for the base month (excluding any bonus or incentive payment made during the month), increased (in a compound manner) by any cost-of-living adjustments applicable to the compensation of employees of

the Office of the Chief Administrative Officer for months occurring after the base month.

(2) BASE MONTH DEFINED.—For purposes of paragraph (1), the term ''base month'' means, with respect to an employee, the most recent month for which the employee received compensation from the House of Representatives which precedes the active duty month.

(c) SPECIAL RULES REGARDING AMOUNT OF PAYMENT.—

(1) REDUCTION FOR AMOUNTS PAID FROM OTHER SOURCES AS REPLACEMENT OF LOST INCOME.—The Chief Administrative Officer shall reduce the amount of any payment made to any individual under subsection (a) with respect to an active duty month by the amount of any payment received by the individual under section 910 of title 37, United States Code, or any other source that is provided to replace income lost by the individual during the month.

(2) MINIMUM AMOUNT REQUIRED FOR PAYMENT.—The Chief Administrative Officer shall not make a payment otherwise required under this section if the amount of the payment (as determined under subsection (a), taking into account the reduction made under paragraph (1)) is not greater than $50.

(d) DEFINITIONS.—In this section—

(1) the term ''active duty month'' means, with respect to an employee of the House of Representatives who is also a member of a reserve component of the armed forces, any month during which the employee is not able to perform duties for the office of the employee's employing authority because the employee is on active duty under an involuntary mobilization order for a period of more than 30 days;

(2) the terms ''armed forces'', ''active duty for a period of more than 30 days'', and ''reserve component'' have the meaning given such terms in section 101 of title 37, United States Code; and

(3) the term ''total monthly military compensation'' has the meaning given such term in section 910(e)(2) of title 37, United States Code.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the applicable accounts of the House of Representatives such sums as may be necessary for payments under this section.

(f) EFFECTIVE DATE.—This section shall apply with respect to active duty months beginning on or after the date of the enactment of this Act.

SEC. 3. ENSURING CONSISTENCY WITH CODE OF OFFICIAL CONDUCT.

Clause 8 of rule XXIII of the Rules of the House of Representatives is amended by adding at the end the following new paragraph:

''(d) Nothing in this clause may be construed to prohibit the disbursement or receipt of any payment authorized under section 2 of the House Reservists Pay Adjustment Act of 2009.''.

SEC. 4. CLARIFICATION OF ELIGIBILITY OF SURVIVORS FOR HOUSE GRATUITY.

The last undesignated paragraph under the center heading ''House of Representatives'' and the center subheading ''Contingent Expenses of the House'' in the first section of the Legislative Branch Appropriation Act, 1955 (2 U.S.C. 125), is amended by adding at the end the following: ''Nothing in this paragraph may be construed to prohibit the Chief Administrative Officer from paying a gratuity to the widow, widower, or heirs-at-law of an employee of the House who dies during an active duty month (as defined in section 2(d) of the House Reservists Pay Adjustment Act of 2009).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. MCCARTHY) 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 to include extraneous matter on this 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. I yield myself as much time as I may consume.

Mr. Speaker, H.R. 1679 will replace lost income for military reservists working for the House of Representatives when they are activated for more than 30 days. I introduced this bill after discussion with several House employees who also serve as members of armed services. When they are called up, these men and women must leave their homes, families and jobs, often for an undetermined and unpredictable amount of time.

While on active duty, men and women earn the wages of full-time servicemen and forfeit their regular salary. Many leading companies have helped families survive during this troubling time by paying the difference between their usual salary and their active-duty pay.

This bill would do the same thing for House employees. It requires the CAO to provide that supplement for House employees when they are activated involuntarily. This is a good bill that honors the devoted public service of House employees who not only serve as stewards of the democracy at home but as her defender abroad.

I thank the ranking member, Mr. LUNGREN, Mr. MCCARTHY and now Mr. HARPER for working with us on this legislation. I urge all Members to support it.

I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT,
Washington, DC, April 21, 2009.

Hon. ROBERT A. BRADY,
Chairman, Committee on House Administration, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN BRADY: We write to you regarding H.R. 1679, the ''House Reservists Pay Adjustment Act of 2009.''

H.R. 1679 contains provisions that fall within the jurisdiction of the Committee on Standards of Official Conduct. Specifically, Clause 8 of House Rule XXIII (the Code of Official Conduct), is amended to provide a new paragraph ''(d)'', providing that ''[n]othing in this clause may be construed to prohibit the disbursement or receipt of any payment authorized under section 2 of the House Reservists Pay Adjustment Act of 2009.'' We write to confirm the mutual understanding of the Committee on House Administration and the Committee on Standards of Official Conduct that this provision does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Standards of Official Conduct to exercise its jurisdiction in this area in the future.

We recognize and appreciate your desire to bring this legislation before the House in an expeditious manner and, accordingly, we do not plan to act on this bill prior to its consideration on the Floor. However, we agree to waive consideration of this bill with the mutual understanding that our decision to forgo action on the bill does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Standards of Official Conduct over certain provisions in H.R. 1679.

Please place a copy of this letter and your response acknowledging the Committee on Standards of Official Conduct's jurisdictional interest in the Congressional Record during consideration of the measure on the House Floor.

We look forward to working with you as we prepare to pass this important legislation.

Sincerely,

ZOE LOFGREN,
Chair.
JO BONNER,
Ranking Republican Member.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, April 21, 2009.

Hon. ZOE LOFGREN,
Chair, Committee on Standards of Official Conduct, House of Representatives, The Capitol, Washington, DC.

Hon. JO BONNER,
Ranking Republican Member, Committee on Standards of Official Conduct, House of Representatives, The Capitol, Washington, DC.

DEAR CHAIR LOFGREN AND RANKING REPUBLICAN MEMBER BONNER: Thank you for your April 21, 2009, letter regarding H.R. 1679, the ''House Reservists Pay Adjustment Act of 2009''.

I agree that certain provisions in H.R. 1679 are within the jurisdiction of the Committee on Standards of Official Conduct. I appreciate your willingness to waive rights to further consideration of H.R. 1679, and I acknowledge that through this waiver your Committee is not relinquishing its jurisdiction over the relevant provisions of H.R. 1679. Specifically, I confirm our mutual understanding that Floor consideration of H.R. 1679 does not waive, reduce, or otherwise affect the jurisdiction of the Committee on Standards of Official Conduct to exercise its jurisdiction in this area in the future.

This exchange of letters will be placed in the Congressional Record as part of the consideration of H.R. 1679 in the House. Thank you for the cooperative spirit in which you have interacted with the Committee regarding this matter. I look forward to working with you as we prepare to pass this important legislation.

Sincerely,

ROBERT A. BRADY,
Chairman.

Mr. MCCARTHY of California. Mr. Speaker, I yield myself as much time as I may consume.

As a member of the House Administration Committee, I am pleased to support H.R. 1679, the House Reservists Pay Adjustment Act of 2009.

I congratulate Chairman BRADY for his leadership in introducing this bill, and I am pleased to support any measure that will alleviate some of the financial burden placed upon our military families.

The men and women of the United States Armed Forces, both Active Duty

and Reservists, make many sacrifices to protect our freedom. When called to active duty, Reservists are asked to spend time away from home, to selfishly put themselves in harm's way and, in many cases, to accept a salary that is less than what they would normally earn in civilian life.

The gap in pay experienced by these servicemen and -women often causes undue hardship to them and their families and increases the already heavy burden placed upon them as they leave for battle. I am pleased that this legislation will empower the House of Representatives to do its part to eliminate the financial hardship for those brave employees and their families.

I urge my colleagues to join me in supporting H.R. 1679.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 1679, the "House Reservists Pay Adjustment Act of 2009". I would like to thank my colleague ROBERT BRADY for introducing this legislation. H.R 1679 moves to require that the Chief Administrative Officer of the House of Representatives to pay an eligible House employee, who is also a member of a Reserve component of the Armed Forces, for each active duty month, the amount by which the employee's regular compensation from the House would have exceeded the total monthly military compensation paid to the employee for the active duty month by the Secretary of Defense.

The men and women in our Nation's reserve program are vital in our country's greatest time of need. They serve as military personnel, taking the time to stay trained and ready to serve this country at anytime when we as Congress vote to send them into combat. Their entire lives are put on hold, and families left behind to pick up the workload when a member is selected for active duty. They also hold civilian jobs like the employees covered under H.R. 1679, those employed by the House of Representatives. This commitment that they make to our country is much greater than the commitment we make today. In passing this legislation we can guarantee that the payment made to these soldiers by the House is the same when these employees are working as civilians or when they are called to active duty. As they watch a family member leave for service and questions of who will do the household duties that they usually perform. The worst thing we as Congress could do is ask them to take a pay cut.

Mr. Speaker, I urge my colleagues to support H.R. 1679, the "House Reservists Pay Adjustment Act of 2009". To require that the Chief Administrative Officer of the House pay House employees, who are also Reservists of the Armed Forces, for each active duty month the amount by which the employee's regular compensation from the House would have exceeded the total monthly military compensation.

Mr. MCCARTHY of California. 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 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. 1679.

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.

CIVIL RIGHTS HISTORY PROJECT ACT OF 2009

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 586) to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 586

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 "Civil Rights History Project Act of 2009".

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds as follows:

(1) A fundamental principle of American democracy is that individuals should stand up for their rights and beliefs and fight for justice.

(2) The actions of those who participated in the Civil Rights movement from the 1950s through the 1960s are a shining example of this principle in action, demonstrated in events as varied as the Montgomery Bus Boycott, the sit-ins, the Freedom Rides, the March on Washington, the drive for voting rights in Mississippi, and the March to Selma.

(3) While the Civil Rights movement had many visible leaders, including Thurgood Marshall, Dr. Martin Luther King, Jr., and Rosa Parks, there were many others whose impact and experience were just as important to the cause but who are not as well known.

(4) The participants in the Civil Rights movement possess an invaluable resource in their first-hand memories of the movement, and the recording of the retelling of their stories and memories will provide a rich, detailed history of our Nation during an important and tumultuous period.

(5) It is in the Nation's interest to undertake a project to collect oral histories of individuals from the Civil Rights movement so future generations will be able to learn of their struggle and sacrifice through primary-source, eyewitness material. A coordinated Federal project would also focus attention on the efforts undertaken by various public and private entities to collect and interpret articles in all formats relating to the Civil Rights movement, and serve as a model for future projects undertaken in museums, libraries, and universities throughout the Nation.

(6) The Library of Congress and the Smithsonian Institution are appropriate repositories to collect, preserve, and make available to the public a collection of these oral histories. The Library and Smithsonian have expertise in the management of documentation projects, and experience in the development of cultural and educational programs for the public.

(b) PURPOSE.—It is the purpose of this Act to create a new federally sponsored, authorized, and funded project that will coordinate at a national level the collection of video and audio recordings of personal histories and testimonials of individuals who participated in the American Civil Rights movement that will build upon and complement previous and ongoing documentary work on this subject, and to assist and encourage local efforts to preserve the memories of such individuals so that Americans of all current and future generations may hear from them directly and better appreciate the sacrifices they made.

SEC. 3. ESTABLISHMENT OF JOINT PROJECT AT LIBRARY OF CONGRESS AND NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE TO COLLECT VIDEO AND AUDIO RECORDINGS OF HISTORIES OF PARTICIPANTS IN AMERICAN CIVIL RIGHTS MOVEMENT.

(a) ESTABLISHMENT OF PROJECT.—

(1) IN GENERAL.—Within the limits of available funds, the Librarian of Congress (hereafter referred to as the "Librarian") and the Secretary of the Smithsonian Institution (hereafter referred to as the "Secretary)", acting jointly, shall establish an oral history project—

(A) to survey, during the initial phase of the project, collections of audio and video recordings of the reminiscences of participants in the Civil Rights movement that are housed in archives, libraries, museums, and other educational institutions, as well as ongoing documentary work, in order to augment and complement these endeavors and avoid duplication of effort;

(B) to solicit, reproduce, and collect—

(i) video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, and

(ii) visual and written materials (such as letters, diaries, photographs, and ephemera) relevant to the personal histories of individuals;

(C) to create a collection of the recordings and other materials obtained, and to catalog and index the collection in a manner the Librarian and the Secretary consider appropriate; and

(D) to make the collection available for public use through the Library of Congress and the National Museum of African American History and Culture, as well as through such other methods as the Librarian and the Secretary consider appropriate.

(2) ROLE OF DIRECTOR OF MUSEUM.—The Secretary shall carry out the Secretary's duties under this Act through the Director of the National Museum of African American History and Culture.

(b) USE OF AND CONSULTATION WITH OTHER ENTITIES.—The Librarian and the Secretary may carry out the activities described in subsection (a)(1) through agreements and partnerships entered into with other government and private entities, and may otherwise consult with interested persons (within the limits of available resources) and develop appropriate guidelines and arrangements for soliciting, acquiring, and making available recordings under the project under this Act.

(c) SERVICES OF EXPERTS AND CONSULTANTS; ACCEPTANCE OF VOLUNTEER SERVICES;

ADVANCE PAYMENTS.—In carrying out activities described in subsection (a)(1), the Librarian and the Secretary may—

(1) procure temporary and intermittent services under section 3109 of title 5, United States Code;

(2) accept and utilize the services of volunteers and other uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized under section 5703 of title 5, United States Code; and

(3) make advances of money and payments in advance in accordance with section 3324 of title 31, United States Code.

(d) TIMING.—As soon as practicable after the enactment of this Act, the Librarian and the Secretary shall begin collecting video and audio recordings and other materials under subsection (a)(1), and shall attempt to collect the first such recordings from the oldest individuals involved.

(e) DEFINITION.—In this Act, the term ''Civil Rights movement'' means the movement to secure racial equality in the United States for African Americans that, focusing on the period 1954 through 1968, challenged the practice of racial segregation in the Nation and achieved equal rights legislation for all American citizens.

SEC. 4. PRIVATE SUPPORT FOR CIVIL RIGHTS HISTORY PROJECT.

(a) ENCOURAGING SOLICITATION AND ACCEPTANCE OF DONATIONS.—The Librarian of Congress and the Secretary are encouraged to solicit and accept donations of funds and in-kind contributions to support activities under section 3.

(b) DEDICATION OF FUNDS PROVIDED TO LIBRARY OF CONGRESS.—Notwithstanding any other provision of law—

(1) any funds donated to the Librarian of Congress to support the activities of the Librarian under section 3 shall be deposited entirely into an account established for such purpose;

(2) the funds contained in such account shall be used solely to support such activities; and

(3) the Librarian of Congress may not deposit into such account any funds donated to the Librarian which are not donated for the exclusive purpose of supporting such activities.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act—

(1) $500,000 for fiscal year 2010; and

(2) such sums as may be necessary for each of the fiscal years 2011 through 2014.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. MCCARTHY) 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 to include extraneous material 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. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 586, which would create the Civil Rights History Project. The bill directs the Library of Congress and the Smithsonian Institution, through the Museum of African American History and Culture, to collaborate and establish an oral history project. This joint venture will collect and preserve audio and video recordings by participants in the civil rights movement.

A fundamental principle of our American democracy is that individuals stand up for their rights and beliefs, and pursue justice through peaceful action. Many who participated in the civil rights movement did so at great personal sacrifice. Their actions were heroic and tireless and challenged the practice of racial segregation in the Nation. They challenged the status quo and won equal rights for all American citizens.

Much of this history has never been written down from the perspective of those who were there. As these pioneers age, it is important that their memories of events are documented so that future generations can witness their testimony regarding the lives and times of that era. This bill would ensure that the record of this important period of our Nation's history is not lost.

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

Mr. MCCARTHY of California. Mr. Speaker, I yield myself such as much time as I may consume.

I am pleased to support H.R. 586, a bill that will allow for the collection and preservation of eyewitness accounts of the civil rights movement from the people who lived through it. This investment in history will allow future generations to both learn and be inspired by the sacrifice of those that came before them.

While some stories of prominent civil rights leaders are well-documented, there are many lesser-known experiences and accounts just as important to the cause and lessons we and future generations can learn. Now is the time to collect the stories of those that stood up for their rights and fought for justice.

I believe that this is an important piece of legislation that will provide future generations with the rich collection of oral accounts from individuals who lived through the civil rights movement, and I strongly urge my colleagues to support it.

Mr. BRADY of Pennsylvania. Mr. Speaker, I submit the following Committee report regarding H.R. 586:

PURPOSE OF THE LEGISLATION

H.R. 586, the Civil Rights History Project Act of 2009, would authorize funding to create a comprehensive compilation of audio and video recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement.

BILL SUMMARY

H.R. 586 would direct the Library of Congress and the Smithsonian Institution's National Museum of African American History and Culture to jointly work to collect and preserve for posterity audio and video recordings of the memories and stories of individuals who participated in and witnessed first-hand the Civil Rights movement during the 1950s and 1960s.

As participants in the Civil Rights movement continue to age, it is important that memories and stories of those individuals who participated in events such as the sit-ins, the Freedom Rides, the drive for voting rights in Mississippi, and the March to Selma are documented so that future generations will be able to access original sources of information regarding the lives and times of that era.

The purpose of this Act is to coordinate at a national level the collection and the preservation of oral and video recordings. It will also serve to complement previous and ongoing documentary work on this subject.

COMMITTEE CONSIDERATION

H.R. 586 was introduced on January 15, 2009 by Representative Carolyn McCarthy of New York along with Representative John Lewis of Georgia. On March 25, 2009, the Committee considered H.R. 151 and, by voice vote, ordered the bill reported favorably without amendment. No recorded votes were taken during the consideration of the bill.

BACKGROUND AND NEED FOR H.R. 586

It is in the best interest of the Nation to undertake the Civil Rights History Project so that future generations will be able to learn of the struggles and sacrifices of those who participated in the Civil Rights movement. A basic principle of democracy is that individuals should stand up for their rights and beliefs and pursue justice. The Library of Congress and the Smithsonian Institution will join forces to develop an extensive collection of oral histories of those participants who played a part and witnessed the American Civil Rights movement.

The Library of Congress and the Smithsonian Institution have jointly signed a letter of intent outlining their agreement to carry out identified activities related to the project to the extent that funding for the project is available through appropriations or donations, specifically committing to create a detailed Memorandum of Understanding within two months of enactment of H.R. 586. That letter is appended to this report.

ANALYSIS OF THE BILL (AS REPORTED)

The Civil Rights History Project Act of 2009 requires the Librarian of Congress and the Secretary of the Smithsonian Institution (acting through the Director of the National Museum of African American History and Culture) to establish an oral history project to: (1) collect video and audio recordings of, and visual and written materials relevant to the personal histories of participants in the Civil Rights movement; and (2) make the collection available for public use through the Library of Congress and the Museum.

Section 1. Section 1 states the short title of the Act, the ''Civil Rights History Project Act of 2009.''

Section 2. Section 2 states that the participants in the civil rights movement hold an invaluable resource in their first-hand accounts of the era. The retelling of their memories and stories will capture the real-life events and actions of those who participated in the civil rights movement from the 1950's through the 1960's. Much is known about the lives of Thurgood Marshall, Dr. Martin Luther King, Jr., Rosa Parks and other prominent leaders of the movement; however, there were many others whose impact and experience were just as important to the cause but whose stories are not well known or documented.

Section 3. Section 3 establishes the joint project at the Library of Congress and the National Museum of African American History and Culture. The initial phase of the project will be to survey the collections of audio and video recordings that are housed

in various archives, libraries, museums, and other education institutions. The next step will be to solicit and collect materials that will create an extensive collection to be made available for public use through the Library of Congress and the National Museum of African American History and Culture.

Section 4. Section 4 requires private support for the Civil Rights History Project. Both the Librarian of Congress and the Smithsonian Secretary are encouraged to solicit and accept donations of funds and in-kind contributions to support the collection of materials.

Section 5. Section 5 authorizes appropriations to carry out this Act—

1) $500,000 for Fiscal Year 2010; and

2) Such sums as may be necessary for each of the Fiscal Years 2011 through 2014.

MATTERS REQUIRED UNDER RULES OF THE HOUSE

Constitutional Authority

Clause 3(d)(1) of House Rule XIII requires each committee report on a public bill or joint resolution to include a statement citing the specific constitutional power(s) granted to the Congress on which the Committee relies for enactment of the measure under consideration. The Committee cites the legislative power granted to Congress in Article I, Section 8, Clause 18.

COMMITTEE VOTES

Clause 3(b) of House Rule XIII requires the results of each recorded vote on an amendment or motion to report, together with the names of those voting for and against, to be printed in the committee report. No recorded votes were taken during the Committee's consideration of H.R. 586.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

Clause 3(c)(3) of House Rules XIII requires the report of a committee on a measure which has been approved by the committee to include a cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the CBA, if timely submitted. The Director submitted the following estimate:

CONGRESSIONAL BUDGET OFFICE,
U.S. CONGRESS,
Washington, DC, March 27, 2009.

HON. ROBERT A. BRADY,
Chairman, Committee on House Administration, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 586, the Civil Rights History Project Act of 2009.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Christina Hawley Anthony, who can be reached at 226–2820.

Sincerely,
for DOUGLAS W. ELMENDORF,
Director.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

MARCH 27, 2009.

H.R. 586 CIVIL RIGHTS HISTORY PROJECT ACT OF 2009

As ordered reported by the Committee on House Administration on March 25, 2009

H.R. 586 would direct the Librarian of Congress and the Secretary of the Smithsonian Institution to establish an oral history project to survey, solicit, reproduce, and collect audio and video recordings of participants in the Civil Rights movement. The bill would permit the Librarian and Secretary to solicit and accept donations of funds and in-kind contributions to support those activities. In addition, H.R. 586 would authorize the appropriation of $500,000 for fiscal year 2010 and such sums as may be necessary for fiscal years 2011 through 2014.

Based on information from the two agencies, and assuming appropriation of the necessary amounts, CBO estimates that enacting H.R. 586 would cost $4 million over the 2010–2014 period.

Because H.R. 586 would allow the Librarian and Secretary to accept and spend donations for projects, enacting H.R. 586 could affect direct spending, but the spending would be offset by the amount of the donations, which would be credited as offsetting receipts. Thus, CBO estimates that enacting the provision would not have a significant net effect on direct spending.

H.R. 586 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Christina Hawley Anthony. The estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

Federal Mandates

Section 423 of the CBA requires a committee report on any public bill or joint resolution that includes a federal mandate to include specific information about such mandates. The Committee states that H.R. 586 includes no federal mandates.

Preemption Clarification

Section 423 of the CBA requires a committee report on any public bill or joint resolution to include a committee statement on the extent to which the measure is intended to preempt state or local law. The Committee states that H.R. 586 is not intended to preempt any state or local law.

Oversight Findings

Clause 3(c)(1) of Rule XIII requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of House Rule X. The Committee has general oversight responsibility of the Library of Congress and the Smithsonian Institution. The Committee has included the findings in the body of the report.

Statement of General Performance Goals and Objectives

Clause 3(c)(4) of House Rule XIII requires committee reports to include a statement of general performance goals and objectives. The Committee believes enactment of the bill would enhance the collections at both the Library of Congress and the Smithsonian Institution. It would gather and preserve invaluable historical information, and provide additional resources to scholars for research, and to the public.

Congressional ''Earmarks''

Clause 9 of House Rule XXI requires committee reports on public bills and resolutions to contain an identification of congressional ''earmarks,'' limited tax benefits, limited tariff benefits, and the names of requesting Members. The bill contains no such items either as introduced or as reported to the House.

Congressional Accountability Act Applicability

Section 102(b)(3) of the Congressional Accountability Act of 1995 (Pub.L. 104–1) (CAA) requires each report on a public bill or joint resolution relating to terms and conditions of employment or access to public services or accommodations to describe the manner in which the legislation apply to the Legislative Branch. H.R. 586 does not impact any provisions covered by the CAA.

Changes in Existing Law Made by the Bill, as Reported

H.R. 586 makes no changes in existing law.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise today in support of my legislation, H.R. 586, the Civil Rights Oral History Project.

I want to thank Chairman BRADY and the Committee on House Administration for moving the bill to the Floor.

I also want to thank my lead cosponsor on the bill, Congressman JOHN LEWIS of Georgia, himself a civil rights hero, for all of his help in developing and generating support for the bill.

Mr. LEWIS was at the forefront of the battle to end segregation and his contribution to ensuring equality in our country cannot be overstated.

I know I speak for all of my colleagues when I say that we are honored to serve with him and grateful for all that he has done and continues to do for all Americans as a steward of justice and equal rights.

We are fortunate to serve in Congress with several other influential civil rights leaders and I would like to extend a heartfelt ''thank you'' for their sacrifices and commitment to the cause of freedom.

The fight for civil rights was one of the most significant social and cultural movements in our Nation's history.

The will of a generation to right centuries of injustice changed the world we live in forever.

The leaders of the civil rights movement displayed tremendous courage and persistence to ensure that all Americans were treated equally and with dignity regardless of their ethnic backgrounds, race or origins.

Many leaders from all walks of life put their lives on the line to make it possible for all people to live freely and have the same fundamental rights.

In my Congressional District, there are many important leaders who fought to ensure equal rights for all Long Islanders.

Brave Americans like Irving C. McKnight from Roosevelt, Mr. McNeil from Hempstead, Mrs. Iris Johnson from Freeport, Fred Brewington and Sal Zaccaro from Malverne and so many others.

We can never overstate the contributions of our Nation's civil rights leaders.

Without their efforts many of the things we take for granted every day would not have come to pass.

It is vital that future generations know and understand the struggles and challenges of those that paved the way for us to live in a free Nation.

These brave Americans' stories must continue to be told to not only inspire future generations, but to remind people of what is possible in America and how far we have come.

Unfortunately, with each passing year, our Nation loses more and more of the people that played major roles in the struggle to secure equal rights for all Americans.

In recent years, we have lost great leaders like Mrs. Coretta Scott King and Mrs. Rosa Parks.

Thankfully, their stories have been well documented in the historic record, but there are many others who have already passed or whose memories are fading.

While we know so much about the lives of the leaders of the Civil Rights Movement, such as Dr. Martin Luther King, our colleague, Congressman JOHN LEWIS, and Thurgood Marshall, it is important that we learn about the everyday people of all races who took a stand during a pivotal time in our Nation's history.

There were so many people who were crucial to the civil rights movement, but have not had as much recorded about their experiences for the public record.

These were the people in many cases that were a part of some of the most significant battles in the fight for equality.

The workers in Memphis that went on strike and marched in protest with Dr. King, the students that held sit-ins at lunch counters in the south, the thousands of people that marched on Washington and witnessed the ''I Have a Dream Speech'' and the millions of Americans that stood up and worked in their own ways to make our country a better place for all people.

These people are heroes of the civil rights movement and we need to make sure that their stories are woven into the fabric of the American story.

That's why I have introduced the Civil Rights Oral History bill.

The purpose of the Civil Rights Oral History Bill is to catalogue and preserve the stories and experiences of the people who were involved with the civil rights movement.

This legislation stresses the importance of capturing the memories and deeds of the Civil Rights generation and will give us a unique insight into the experiences of the people that were really on the frontlines of the civil rights movement.

This bill will create a joint effort between the future National Museum of African American History and Culture and the Library of Congress to collect oral histories of the people that were involved in the civil rights movement and preserve their stories for future generations.

I urge my colleagues to support this bill and take the time to acknowledge the contributions of those great Americans who fought to make our Nation a more fair and just place.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 586, ''Civil Rights History Project Act of 2009.'' I want to thank my colleague Congresswoman CAROLYN MCCARTHY of New York for introducing this legislation.

I urge my colleagues to support the ''Civil Rights History Project Act of 2009,'' which will require the Librarian of Congress and the Secretary of the Smithsonian Institution (acting through the Director of the National Museum of African American History and Culture) to establish an oral history project to: (1) collect video and audio recordings of, and visual and written materials relevant to the personal histories of, participants in the Civil Rights movement; and (2) make the collection available for public use through the Library of Congress and the Museum.

Mr. Speaker, I rise today to commemorate the progress we have made in casting out the demons of prejudice and discrimination. I rise today in recognition of the steps we have taken as a nation to get closer to the American creed that all men were created equal.

In the darkest days of slavery, the faith of our ancestors that one day their descendants would live in freedom helped them bear the unbearable burden of bondage. Through all the terrible years of Jim Crow's legalized segregation, the courage of our great-grandparents to provide for their children and maintain their dignity while enduring a hundred daily slights helped bring down the Jericho walls of de jure segregation. In the crucible of the Civil Rights Movement, the determination of our parents and grandparents to secure the full measure of equal treatment under law for themselves and their children changed America and made it better.

From the activism of Frederick Douglass, Sojourner Truth and Harriet Tubman during the abolitionist movement to the efforts of Rosa Parks, Martin King, Thurgood Marshall, and Fannie Lou Hamer during the civil rights movement, Americans have never lost faith in this country to expand democracy and provide true freedom for all Americans.

Now is the time to come together. Now is the time to reach down to our roots and call upon what is important to us. Now is the time to talk to each of our brothers and sisters and let them know that we have to come together on this issue.

The heart of what we have fought for so long is at stake now. We have fought and suffered to attain our place at the table of society, to show America and the rest of the world that diversity does work, that America will make good on its promise, that our society does accept people who are different from each other.

I am reminded of what the late Honorable Barbara Jordan said that ''America's mission was and still is to take diversity and mold it into a cohesive and coherent whole that would espouse virtues and values essential to the maintenance of civil order. There is nothing easy about that mission. But it is not mission impossible.''

Mr. Speaker, we should not now give up on this start. We must remember the struggles of those freedom fighters. I am reminded of the words of Dr. King when he was the minister at the Dexter Avenue Baptist Church in Montgomery, Alabama when he told a packed house the night before the bus boycott set off by Rosa Parks that they were in the process of making America whole. He told them, ''If we are wrong, the Constitution of the United States is wrong. If we are wrong, Jesus of Nazareth was merely a utopian dreamer and never came down to earth. If we are wrong, justice is a lie. And we are determined to work and fight until justice runs down like water and righteousness like a mighty stream.''

I urge my colleagues to support H.R. 586, because the most valuable tool, history, gives us is a frame of reference, a perspective, for viewing our world. This Civil Rights History Project will provide us that magnificent perspective of our tremendous successes and failures in our quest for cultural freedom and acceptance. When we cut ourselves off from the past, either intentionally or simply through an ignorance of the past, we fall prey to every twist and turn, every immediate crisis that life brings along—with no power or stability to resolve those crises. If we ignore the past or are simply ignorant of what has happened before, we may fall prey to a sense of false security, a personal or cultural pride, which blinds us to possibilities all around us, stunting our moral and intellectual growth and limiting our options in every area of life.

Mr. Speaker, this is the challenge we face today and we have to stand up and be understood. We have to be understood that civil rights in America is about opportunity and is the natural extension of Aotir Bill of Rights. It creates a place at the table, a place where we deserve to be, a place that we have earned, a place where we belong. Keep hope alive. Let's not turn out the lights on civil rights.

Mr. BISHOP of Georgia. Mr. Speaker, America's Civil Rights movement was a great step forward for all of the citizens of this great nation. This movement has brought us one step closer to an America where one's race does not serve as a barrier against greater opportunity. This movement has allowed our great country to reach a point where any child—black or white, girl or boy, rich or poor—can dream of becoming President of the United States.

The Civil Rights movement is what allowed many of us in this chamber to be here, myself included. We, and the rest of America, owe a debt of gratitude to this movement and its courageous leaders. Many lived through this movement and fought for it. Others grew up surrounded by its stories.

Unfortunately, as the years go by, we are slowly losing some of our courageous Civil Rights leaders. Just recently, we have lost Civil Rights pioneers such as Mrs. Coretta Scott King and Mrs. Rosa Parks. It is vital that we preserve the stories of these heroes so that future generations will know of the struggles and sacrifices made on their behalf. For this reason, I am urging the passage of H.R. 586, the Civil Rights History Project Act of 2009.

This bill provides for the collection of oral histories from those individuals who were involved first hand in the struggles of the Civil Rights movement. This collection will be organized by the National Museum of African American History and Culture and the Library of Congress.

Now is the time for us to embark on this project. If we wait, we may lose this chance forever. The recorded retelling of these stories will provide a rich history for future generations. It will bring future students of this momentous era closer to the people who shaped it. The voices of the Civil Rights movement—voices which were lifted up in the cause of justice—deserve to be preserved for years to come.

Although the Civil Rights era was a tumultuous time for our country, it is also a time where the nation came out stronger as a whole. The Civil Rights Oral History Project will celebrate this history and pave the way for future generations to realize what is possible when people come together.

Mr. MCCARTHY of California.

I yield back the balance of my time.

Mr. BRADY of Pennsylvania. Mr. Speaker, I urge an ''aye'' vote.

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. 586.

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

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

The point of no quorum is considered withdrawn.

AUTHORIZING EMANCIPATION HALL FOR UNVEILING SOJOURNER TRUTH BUST

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 86) authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a bust of Sojourner Truth.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 86

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR UNVEILING OF SOJOURNER TRUTH BUST.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on April 28, 2009, to unveil a bust of Sojourner Truth.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. MCCARTHY) 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 to include extraneous material on the concurrent resolution 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 such time as I may consume.

Mr. Speaker, this bill authorizes the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a bust of Sojourner Truth.

Born Isabella Baumfree in 1791 in upstate New York, Sojourner Truth is one of the lasting icons of the dark ages of slavery and an important symbol of the resiliency of the human spirit.

A slave for more than 20 years, Baumfree escaped to freedom in 1826, a year before the New York State Emancipation Act was passed. In 1843, Baumfree changed her name to Sojourner Truth, citing a religious awakening. For more than 40 years, Truth traveled the country preaching religious tolerance, pacifism and gender equality.

Sojourner Truth's lasting legacy is now being recognized in the form of a bust commissioned by Congress. Her image will grace Emancipation Hall, serving as a reminder of our capacity to change and our willingness to endure. I urge passage of this resolution to honor her history.

I reserve the balance of my time.

Mr. MCCARTHY of California. Mr. Speaker, I yield myself as much time as I may consume.

I am pleased to support this resolution authorizing the use of the Capitol Visitor Center for the purpose of unveiling the bust of Sojourner Truth.

The ceremony will take place in Emancipation Hall, a site wholly appropriate for this remarkable woman who was born into slavery, emancipated and spent her adult life fighting for the rights of others.

In 1843, while in her mid-forties, she told her friends that she had been called by the Spirit. She changed her name to Sojourner Truth and embarked on a journey of activism. Upon her death more than 40 years later, Sojourner Truth traveled the country, preaching about abolition, women's suffrage and human rights.

□ 1115

The inclusion of this work and the collection of arts and artifacts of the Capitol and the display of the bust in the Capitol Visitor Center fill the gap in the representation of historic Americans that contribute much to the betterment of this country.

I would like to take this opportunity to thank the National Congress of Black Women, who generously offered this bust and pedestal as a donation to the collection of the United States Capitol.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, I would now like to yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), the author of the resolution.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, first let me thank the chairman of the House Administration Committee for his generosity and leadership, and we truly appreciate his being the epitome of the mayor of this great community. I thank the manager of this legislation as well.

I rise today, Mr. Speaker, because sometimes when we reflect on history, if we do not tell the truth of history, it is lost. It gives me a great privilege to come and to acknowledge the origins and the story of the placing of Sojourner Truth, an abolitionist and a suffragette, in the halls of the United States Capitol. Born in 1797, passing in 1883, she was truly an historical figure, and she was a vision of Dr. C. Delores Tucker, the original president of the National Congress of Black Women.

The story begins, as we look in the early years of my coming to the United States Congress, of the women who were characterized and sculptured as suffragettes. In fact, when I came, the stone sculpture was in the basement of this place. It was the leadership of the Women's Caucus, CAROLYN MALONEY, then the Chair, and others who wanted to lift that stone women's sculpture that represented the women who had been suffragettes to a presence of respect. We joined in that, women of all walks of life and all ethnic and racial backgrounds. But we noticed one difference: The presence of Sojourner Truth was not there. That became the cause of C. Delores Tucker, the late president, the former Secretary of State of the National Congress of Black Women. So we worked and worked.

I offer my appreciation to the now Speaker of the House, NANCY PELOSI, who was sensitive to this and has helped us to hold this wonderful ceremony next week. I offer my appreciation to the former Chair of the House Administration Committee, the Honorable Juanita Millender-McDonald, Congresswoman DIANE WATSON, and the many women who understood our plea to respect Sojourner Truth. I'm delighted to have carried the initial legislation and to have joined with my sisters in helping to propose the funding for this sculpture. We managed to do this in the short period of time that was given to us over a 2-year period and to recognize a woman that could be both a suffragette and an abolitionist. On this day, April 28, we will honor the idea of fighting for women's rights and the abolition of slavery, intertwined, a woman.

Might I also suggest to you that there is no African American woman sculpture in the entire body of this United States Capitol. There is one African American man, Dr. Martin Luther King, and a few pictures. We hope to see soon the statue of Rosa Parks. So we are making history on April 28, and, again, we are grateful for this.

Might I share with you the words of this young woman, Sojourner Truth, who explained what being a slave was all about. She was a powerful speaker. And she would tell listeners of how some slaves were kept cowed and afraid to act by beatings, sometimes with spikes, sticks, and chains. She, herself, as a teenager, had been taken into the barn by her master one afternoon for absolutely no reason and tied up by the wrists. Then he tore the shirt from her back and whipped her with a bundle of sticks until her back bled. In a voice contemporarily described as rich and deep, she described how she refused to give him the satisfaction of screaming

by clinching her fists so hard, her fingernails drew blood from her palms. She was heard to have said when she was recognized by a speaker in the front of the room by saying, ''Yes, sir, what do you want?'' she said, and ''Ain't I a woman?'' Regal with a deep voice but committed to the fight.

And so I'm delighted that the National Congress of Black Women under the leadership of Dr. C. Delores Tucker provided us with the Sojourner Truth crusade. We thank her current president, Dr. E. Faye Williams, and we certainly thank all of those who worked with our office for providing this opportunity. Might I also thank the Senate sponsor who was a champion, Senator Hillary Rodham Clinton, now the Secretary of State, who worked without tiring to provide us the partnership on this legislation. ARLEN SPECTER, CARL LEVIN, Senator Lott were great champions of this effort.

Mr. Speaker and to the chairman, what we have is a fulfillment of the dream of Dr. C. Delores Tucker.

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

Mr. BRADY of Pennsylvania. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. JACKSON-LEE of Texas. And I am so glad that I was not only able to provide the legislation for holding this ceremony but the actual legislation to pass this House and this Senate in order to provide us with the presence of Sojourner Truth in the body of this United States Capitol.

Again, we could not do it without the chairman of the House Administration Committee, Chairman BRADY. We thank him again for his generosity and the ranking member. And I believe that what we will now do is tell the complete and full story that suffragettes came in many diverse forms, that of an ex-slave, an abolitionist, and a person who advocated for the freedom and empowerment of women. How proud I am to stand here as the author of the original legislation in the name and in tribute to Dr. C. Delores Tucker and as well the legislation that will allow us to celebrate this on April 28, Pay Parity Day, 2009.

I thank the Speaker for her leadership and her assistance in all of this. May we be benefited for all the history that has been expanded in the Capitol.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I stand in support of H. Con. Res. 86 to authorize the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of the bust of Sojourner Truth. As a senior Member of the Congressional Black Caucus, and a tireless advocate for minorities and women, I am honored to reintroduce this resolution.

Sojourner Truth was a towering figure among the founders of the movement for women's suffrage in the United States.

She was born Isabella Baumfree in 1797 in a plantation in upper New York. As a slave, she endured cruel and harsh beatings and rape. In late 1826, Ms. Truth escaped to freedom to the home of the Van Wagener's, who paid her owner $20 to keep her from having to return to his plantation. She lived with the Van Wageners until the New York State Emancipation Act was approved a year later.

After living through 30 years of slavery, Sojourner Truth became a leading voice for the abolitionist and the equal rights for women movements. She was a suffragist before it was acceptable to be one and worked to end slavery and improve the conditions of African-Americans before, during, and after the Civil War.

In 1864, Sojourner Truth was received by then-President Lincoln in the White House. Today, we have our first African-American President, and our first woman Speaker of the House—it is truly time for Sojourner to be properly received in the Capitol.

Sojourner Truth said, ''Truth is powerful and prevails''. While she did not get to see her rights and those of women like her fully realized, Ms. Truth changed the evolution of the path which woman had to take, and continue to take, to gain equal rights. Ms. Truth is one of the founding mothers of the women's rights movement.

Depicting American history in full color instead of as an all-white occurence is an ongoing enterprise. Omitting Sojourner Truth from the Portrait Monument, which includes Susan B. Anthony, Lucretia Mott, and Elizabeth Cady Stanton, now in the Rotunda of the Capitol, is the equivalent of memorializing the Declaration of Independence without Thomas Jefferson, or the Revolutionary War without George Washington.

The suffrage movement was not a white women's movement alone. Its ranks included woman of all races and ethnicities. These included African American, Hispanic, and Asian women. It included rich and poor alike. Sojourner Truth's now famous speech, ''And Ain't I a Women?'' at the 1851 Women's Rights Convention in Akron, Ohio rallied a crowd of dispirited and concerned group of Suffrage leaders.

The Congressional Black Caucus, particularly its women members, along with many women's organizations have long pushed for this day. For the first time ever, an African American woman will be represented and honored in the Capitol.

One woman in particular made it her mission to see that Sojourner Truth was memorialized on Capitol Hill. Dr. C. Dolores Tucker deserves much of the credit for making this day happen. She unfortunately cannot be here to witness the result of her tremendous efforts because she passed away in October 2005. Dr. Tucker was a visionary leader and activist for women's and civil rights. She marched from Selma to Montgomery, Alabama with Dr. Martin Luther King in 1965. Later, she became the first women to serve as a Secretary of State in 1971. As a member of the Democratic National Committee, Dr. Tucker was deeply involved in efforts to ensure that women were equally represented at all levels of the Democratic party, and she was a primary organizer of the women's caucus.

She was the founding chair in 1984 of the National Political Congress of Black Women, now called the National Congress of Black Women (NCBW). As chair of the NCBW, she fought to have Sojourner Truth included in the Portrait Monument.

In 1995, I learned of Dr. Tucker's efforts to have Sojourner Truth incorporated with the other Suffragists. After many meetings with the Architect of the Capitol, the Members of the Women's Caucus, the Members of the Congressional Black Caucus, and other stakeholders, legislation was ultimately introduced in 2005 to have a separate bust commissioned and installed in the Capitol. And now four years later, here we are.

While Ms. Truth has not yet been included in the portrait monument, it is in large part due to Dr. Tucker's work that Ms. Truth will be the first African-American women with a statute on Capitol Hill.

I would also like to applaud the efforts of Michelle Battle, the National Council of Negro Women and the National Organization for Women, former Congresswoman Millender-McDonald, Congresswoman DIANE WATSON, and E. Faye Williams and the many other women and men who helped make this event possible.

The presence of this bust in the Capitol Hill will commemorate the struggle of women and African-Americans alike to gain equal rights in the United States. Mr. Speaker, I encourage my colleagues to join me in supporting H. Con. Res. 86 so that we may celebrate Sojourner Truth, a true American hero.

Mr. BRADY of Pennsylvania. I thank the gentlewoman for her remarks.

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. 86.

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.

PROVIDING FOR APPOINTMENT OF DAVID RUBENSTEIN TO THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 8) providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution.

The Clerk read the title of the Senate joint resolution.

The text of the Senate joint resolution is as follows:

S.J. RES. 8

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring because of the expiration of the term of Anne d'Harnoncourt of Pennsylvania is filled by the appointment of David M. Rubenstein of Maryland. The appointment is for a term of 6 years, effective on the date of enactment of this joint resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from Mississippi (Mr. HARPER) 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 joint resolution 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 such time as I may consume.

Mr. Speaker, S.J. Res. 8 would appoint David Rubenstein as one of the public regents to serve on the Board of Regents for the Smithsonian Institution. The Board of Regents has nominated him to join their ranks, and legislation appointing him has been sponsored by all of the members who serve on the board.

Mr. Rubenstein is a co-founder and managing director of the Carlyle Group, one of the world's largest private equity firms. He holds an undergraduate degree from Duke University and a law degree from the University of Chicago. Before co-founding the Carlyle Group over 20 years ago, he had a distinguished career as an attorney in private practice, at the White House, and here on Capitol Hill.

Mr. Rubenstein also has a long history of giving back to the community. He serves on the boards of three of our Nation's most prestigious universities, as well as the Lincoln and Kennedy Centers for the Performing Arts and numerous other charities. He has demonstrated his service on the boards of the Museum of American History and the Museum of Natural History.

The members of the Committee on House Administration had an opportunity to meet with Mr. Rubenstein before bringing this nomination to the floor. We appreciated his thoughts regarding the future of the institution, and we are confident that he will be a positive addition to the board.

I urge the passage of this resolution.

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

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

As a member of the House Administration Committee, I am pleased to support the appointment of David Rubenstein to be a citizen regent of the Smithsonian Institution. Committee members recently had the opportunity to meet with Mr. Rubenstein, co-founder of the Carlyle Group, and we discussed the heightened expectations and increased responsibilities of the board as it continues to tackle the challenges faced by the institution.

Currently, the Smithsonian Institution is comprised of 19 museums that hosted over 25 million visitors last year, roughly five times the number of visitors that came to the U.S. Capitol. In addition to current facilities, the institution is slated to break ground on the National Museum of African American History and Culture in 2012, a project estimated to cost $500 million. And just last year, the President signed the Consolidated Natural Resources Act of 2008, which established a commission to study the creation of a national museum dedicated to the art, culture, and history of the Latino community in the United States.

The Smithsonian, like every other growing complex organization, faces unique operational challenges. Yet the institution's core mission, first articulated by James Smithson in 1826, to be ''an establishment for the increase and diffusion of knowledge'' still stands the test of time.

Through his philanthropy, Mr. Rubenstein has already demonstrated a commitment to James Smithson's original vision. When the last privately owned copy of the Magna Carta became available for purchase, Mr. Rubenstein bought this priceless artifact and then permanently lent it back to the National Archives. Mr. Rubenstein's indisputable dedication to philanthropy coupled with his keen business sense will be a welcome addition at the institution, and I urge my colleagues to join me in supporting his appointment to the Smithsonian Board of Regents.

Ms. MATSUI. Mr. Speaker, today I rise in support of S.J. Res. 8, a bill to nominate David M. Rubenstein to the Smithsonian Board of Regents. As a Member of the Board of Regents' Governance and Nominating Committee which selected Mr. Rubenstein to join the Board, I wanted to express my support for moving his nomination.

Mr. Rubenstein is a native of Baltimore and graduated magna cum laude from Duke, and from the University of Chicago Law School, where he was editor of the law review.

Mr. Rubenstein is Co-Founder and Managing Director of The Carlyle Group, one of the world's largest private equity firms. David is widely respected for his business prowess.

The Smithsonian, like many institutions during these challenging economic times, faces serious funding issues . . . and it is more important than ever to have Members of the Board with financial expertise.

As part of our Governance efforts, we specifically adopted policy changes that turned the corner toward stronger oversight and accountability, including adopting regent description. These expectations of Regents include overseeing the Smithsonian's mission, as well as attending regular committee and full Board meetings.

As such; we searched to find someone like David Rubenstein. Someone who is committed to giving back to his community; he is,on the Board of Directors of Duke, the Kennedy Center and the Lincoln Center for Performing Arts, among others.

And who has committed to moving the Smithsonian forward during these challenging economic times; he has helped the Carlyle Group grow to a firm with 33 offices around the world.

Today, Mr. Rubenstein is being nominated for the vacant seat that Anne d'Harnoncourt held. Anne was a great colleague on the Board and truly committed to the Smithsonian's mission. She was also chief executive officer of the Philadelphia Museum of Art from 1982 until her death in 2008.

An acclaimed author and internationally respected art historian and administrator, she has been a part of the Smithsonian Institution since 1974. Serving on the Board of Regent's from 1995 until 2007 and was awarded Regent Emerita status. Her early death was a tragic loss to the arts community and to the Smithsonian, and she is missed.

Her dedication to the Smithsonian's mission of the increase and diffusion of knowledge is something that David Rubenstein shares. And I look forward to serving with him on the Board of Regents to promote the Smithsonian's mission in the 21st century. I yield back the balance of my time.

Mr. HARPER. Mr. Speaker, 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 pass the Senate joint resolution, S.J. Res. 8.

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

A motion to reconsider was laid on the table.

PROVIDING FOR ACCEPTANCE OF RONALD REAGAN STATUE

Mr. BRADY of Pennsylvania. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 101) providing for the acceptance of a statue of Ronald Wilson Reagan from the people of California for placement in the United States Capitol.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 101

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. ACCEPTANCE OF STATUE OF RONALD WILSON REAGAN FROM THE PEOPLE OF CALIFORNIA FOR PLACEMENT IN UNITED STATES CAPITOL.

(a) IN GENERAL.—The statue of Ronald Wilson Reagan furnished by the people of California for placement in the United States Capitol in accordance with section 1814 of the Revised Statutes of the United States (2 U.S.C. 2131), is accepted in the name of the United States, and the thanks of the Congress are tendered to the people of California for providing this commemoration of one of California's most eminent persons.

(b) PRESENTATION CEREMONY.—The State of California is authorized to use the rotunda of the Capitol on June 3, 2009, for a presentation ceremony for the statue accepted under this section. The Architect of the Capitol and the Capitol Police Board shall take such action as may be necessary with respect to physical preparations and security for the ceremony.

(c) DISPLAY IN ROTUNDA.—The Architect of the Capitol shall provide for the display of the statue accepted under this section in the rotunda of the Capitol, in accordance with

the procedures described in section 311(e) of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 2132(e)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BRADY) and the gentleman from California (Mr. LEWIS) 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 resolution 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 such time as I may consume.

Mr. Speaker, this resolution provides for the acceptance of a statue of Ronald Reagan from the State of California and authorizes the use of the Capitol Rotunda for an unveiling ceremony. Title II of the United States Code allows for each State to choose no more than two statues to represent that State in the Statuary Hall collection. The State of California has chosen to replace the statue of Thomas Starr King. The new statue represents Ronald Reagan, who served as President of the United States from 1981 to 1989. I urge that the House pass this resolution for the ceremony acceptance of the statue.

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

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

One of the advantages of having spent a little time around the House of Representatives besides your hair turning gray is that I'm now the senior Republican Member of the delegation and thereby have the privilege of carrying this resolution on behalf of the Members of the House. So, Mr. Speaker, it is my privilege to introduce H. Con. Res. 101 to accept the statue of Ronald Reagan from the people of California for placement in the United States Capitol.

This bill authorizes the State of California to use the Rotunda of the Capitol on June 3, 2009, for a presentation ceremony. The Architect of the Capitol shall display the statue in the Rotunda. The current statue of Thomas Starr King will be relocated to a suitable place in Sacramento, California.

I am honored to have both known and worked with Ronald Reagan both when he was Governor and, of course, as President of the United States. One of the great leaders of the 20th century, Ronald Reagan. His contributions on behalf of freedom around the world are unparalleled since the end of World War II. There is no more Cold War. There is no more Berlin Wall. There is no worldwide threat of Communist dictatorship because of the leadership of President Ronald Reagan.

When the history of our time is written, the accomplishments of President Reagan will shine out. He made America the land of opportunity once again and brought the breath of freedom to millions of people around the world who had spent decades under the yoke of tyranny.

□ 1130

His memory will live on among all the free and loving people around the world.

Mr. Speaker, a statue of Ronald Reagan in the U.S. Capitol is a fitting tribute to one of the most significant leaders of our time. I urge swift passage of H. Con. Res. 101.

I reserve the balance of my time.

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

Mr. LEWIS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me this time, and I rise to join him in stating what a tremendous action we are taking by bringing the statue of Ronald Reagan to the Capitol. We are sorry that our colleague, the distinguished ranking member of the Committee on Administration, Mr. LUNGREN, couldn't be here today, but I know that he and our colleague KEN CALVERT have worked long and hard to get us to this day, and I believe that it is going to be a great thing.

It is very fitting, I think, that as we just 3 months ago marked the 20th anniversary of the end of Ronald Reagan's Presidency, that we look at where we are as we deal with the challenges that exist.

Clearly the hallmark of the Reagan Presidency and his philosophy was a very staunch belief in the power of free markets and free peoples. This belief led President Reagan to increase American prosperity, and, as my colleague Mr. LEWIS has just pointed out, champion the cause of democracy and political freedom around the globe, bringing down the Berlin Wall and bringing the Soviet Union to its knees.

Unfortunately, as we look at the challenges that we are dealing with today, there are many demagogues who have pounced on our current economic crisis to cynically advance what are, unfortunately, anti-free market principles. They try to exploit the anxieties and uncertainties of the current situation by claiming that economic freedom inevitably led to the downturn that we are going through today and the only solution is to dramatically increase the nanny-state view of government.

Mr. Speaker, they clearly ignore the true causes of the crisis that we are dealing with today: regulators who failed to do their jobs, individuals who borrowed irresponsibly and banks that lent irresponsibly, government efforts to interfere in the housing market and artificially drive up demand, and unchecked government-sponsored enterprises that behaved recklessly. These are the kinds of things that led to the challenges that we are dealing with, not the failure of the free market.

That is why I think it is important for us to note that Ronald Reagan's vision was a very important one, and I believe passionately that we should, as we are going through the economic challenges that we face, provide the prescription that Ronald Reagan did in 1981 by bringing about broad across-the-board marginal rate reduction to stimulate economic growth, because growth is clearly the single best way for us to deal with the economic crisis that we have, with the debt that has been accumulated, and to deal with the necessary Federal spending that is out there.

Mr. Speaker, one of the great things that Ronald Reagan was known for was his sense of optimism. So I have got to say that I believe fervently, as Ronald Reagan would have if he were here today, that our economy is going to recover. I think that it is going to recover in spite of, not because of the things that we are doing here in the United States Congress and here in Washington, D.C., but we are going to recover because we are Americans.

Now, at the base of this statue that is going to be in the Great Rotunda, unveiled, as Mr. LEWIS has said, on June 3, there are three great statements, and they all come down to the very simple directive that Ronald Reagan always had, and that is America's best days are ahead of us, and by virtue of that, we have to continue to remain optimistic. Using that Reagan spirit, as we deal with the challenges through which virtually every American is going today, is very, very important to us. So I strongly support this resolution.

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

Mr. LEWIS of California. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CALVERT), a member of the committee.

Mr. CALVERT. Mr. Speaker, today I rise in strong support of H. Con. Res. 101, providing for the acceptance of the statue of Ronald Reagan from the people of California for placement in the United States Capitol.

First, I would like to thank my colleagues who joined me in the original letter requesting the California legislature to pass a resolution to bring the statue of Ronald Reagan to the United States Capitol. A special thanks goes to California State Senator Dennis Hollingsworth for leading the effort and carrying the resolution in the State legislature. I would also like to thank the Ronald Reagan Presidential Foundation for their support and work

in bringing the statue to the Capitol, and also artist Chris Fagan, who I am sure did a remarkable job in sculpting the statue of Ronald Reagan.

In my 16 years in the House, initiating the effort to bring the statue of President Reagan to our Nation's Capitol has been one of my greatest privileges. Like many people, President Reagan helped shape my political views as a young man, and as the co-chair of his Riverside County campaign back in the day, I was, of course, very proud to see him succeed in becoming the 40th President of the United States.

As we find ourselves today struggling with hardship and conflict, President Reagan was also confronted with a troubled economy and uncertain times, not just as the Governor of California, but later as President of the United States. In both cases, his characteristic optimism and can-do attitude helped meet those challenges.

Ronald Reagan was elected the 33rd Governor of the State of California in 1967 and during his administration led California toward a ''Creative Society,'' one that ''turns away from increasing reliance on government and leads toward renewed respect for—and greater reliance on—the collective genius and common sense of the people.''

As President, he inherited an economy facing double-digit unemployment and inflation. President Reagan initiated sweeping economic reforms, deep across-the-board tax cuts and implemented sound monetary policies to contain inflation. His policies resulted in bringing the economy out of recession and turning it into the largest peacetime economic boom in American history.

The country also faced the continuation of a 35-year-long Cold War. President Reagan, in his famous June 1982 speech in the British Parliament, described ''a plan and a hope for the long term, the march of freedom and democracy which will leave Marxism-Leninism on the ash heap of history as it has left other tyrannies which stifle the freedom and muzzle the self-expression of the people.''

Five years later, Reagan delivered his courageous address at the Brandenburg Gate in West Berlin near the infamous wall and demanded, ''Mr. Gorbachev, tear down this wall.'' This was the beginning of the end of the Cold War and also signified a new beginning for relations between the United States and Russia.

Mr. Speaker, there were many accomplishments for me to name here, but it is clear that President Reagan was a Californian, an American and a patriot. California is proud to have such a leader as both Governor of our State and President of our Nation who brought so much greatness to the world.

Today, I encourage all of my colleagues to support the resolution and bring the statue of President Ronald Reagan to the Capitol so that visitors from all over the world can honor the man who declared America's destiny is ''to be a shining city on the hill for all mankind to see.''

Mr. BRADY of Pennsylvania. Mr. Speaker, I reserve my time.

Mr. CALVERT. Mr. Speaker, I ask unanimous consent to control the time of the gentleman from California (Mr. LEWIS).

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

There was no objection.

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY of California. Mr. Speaker, I would like to first thank the gentleman for his work and also our colleague JERRY LEWIS for his work.

I rise today in support for House Concurrent Resolution 101. President Ronald Reagan was first known widely to the public as a beloved actor. Ronald Reagan became president of the Screen Actors Guild, a two-term Governor of California, and then a two-term President of the United States.

During his time in office as President, Ronald Reagan tamed inflation, reduced America's tax burden, and faced down the Soviet empire, delivering millions from tyranny.

Speaking at the Berlin Wall on June 12, 1987, President Reagan challenged Soviet General Secretary Gorbachev to bring down the Iron Curtain. Standing at the Brandenburg Gate, Reagan declared, ''If you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, come here to this gate. Mr. Gorbachev, open this gate. Mr. Gorbachev, tear down this wall.''

Upon his death in 2004, when Ronald Reagan was lying in State in the Rotunda, Gorbachev came and paid silent tribute to his erstwhile adversary. Fittingly, in the same Rotunda, the statue of President Ronald Reagan will remain permanently, with a ring of fragments from the Berlin Wall embedded in its pedestal.

President Reagan once said, ''There is no limit to what a man can do or where he can go if he doesn't mind who gets the credit.'' While placement of the statue in the Capitol Rotunda does not, in my opinion, offer due credit to the 40th President, by recognizing him in this manner the people of California ensure that Ronald Reagan will have a lasting and symbolic presence for the countless future generations of Americans visiting the United States Capitol.

I would like to thank the former First Lady, Nancy Reagan, and the Ronald Reagan Presidential Library for their tireless work in this tribute. Along with my colleagues KEN CALVERT and JERRY LEWIS, they have been a driving force behind this effort.

Mr. BRADY of Pennsylvania. Mr. Speaker, I continue to reserve.

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to our newest Member from the State of California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the statue of Ronald Reagan could not possibly be arriving here at the United States Capitol at a more appropriate time in the history of our Nation. In these difficult days, we need to remind ourselves as a Nation what it was like when it truly was morning again in America.

They say it is always darkest before the dawn, and Ronald Reagan took office at a far more difficult time than the one we are having right now. We tend to forget double-digit unemployment, double-digit inflation, interest rates above 20 percent, mile-long lines around gas stations, American embassies seized with impunity, and an American military so weak it couldn't mount a simple rescue mission.

The arrival of this statue and all that it represents is a potent reminder that when our Nation has drifted off course, we have always found our way back to those grand and uniquely American principles of individual rights, personal responsibility, limited government and free enterprise that define us as a people.

It is true, Ronald Reagan was a great communicator. But as William Saracino has said, Reagan wasn't communicating cookie recipes. He was communicating the self-evident truths of the American tradition. And those truths resonated throughout the Nation and ultimately produced that bright moment when we realized that it indeed was morning again in America.

May this statue of Ronald Reagan remain here always as a promise that America's greatest days still lie ahead and that our founding principles will always shine as a bright beacon toward a safe harbor in the stormy tempests we have encountered and that we have yet to encounter.

Mr. BRADY of Pennsylvania. Mr. Speaker, I continue to reserve my time.

Mr. CALVERT. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. HARPER).

Mr. HARPER. Mr. Speaker, I stand before you to speak of a statesman whose statue will stand tall in the halls of the Capitol, whose character and service to his country will long outlast the 8 years of his Presidency, and whose positive influence on America will endure forever. I stand before you to speak today about a statesman who I have long admired. That statesman was our 40th President, Ronald Reagan.

When Ronald Reagan took office in 1981, the economy was struggling with high unemployment, high interest rates, and Americans were looking for hope. President Reagan brought commonsense values to this country and to Washington. He reduced the tax burden on Americans and helped those small businesses that were struggling. He gave us that confidence and hope that we needed as a country.

His leadership reached far beyond America, as his peace-through-strength approach to rebuilding our military and supporting missile defense, among other things, helped bring an end to communism in the former Soviet Union, giving freedom to millions of people across Eastern Europe.

It is also very personal to my family. My 19-year-old special needs son, Livingston, has collected 45 Ronald Reagan books so far that he has in his office, in his room at home, and he is looking forward to coming to the June 3 ceremony. It is a special event for our family.

This statue will be a constant reminder of the hope he gave us as we continue to our ''rendezvous with destiny.''

□ 1145

Mr. BRADY of Pennsylvania. I will continue to reserve, Mr. Speaker.

Mr. CALVERT. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, I'm honored to be here to pay tribute to a man known by many and whose influence can be seen throughout the world today.

During his life he was president of the Screen Actors Guild; he was a fan of FDR and his New Deal policies; he was a registered Democrat but became a registered Republican; and he was also a member of the media. Doesn't sound like a person I normally would pay tribute to.

However, he was also an Army officer, he served as 33rd Governor of the State of California; and almost single-handedly won the Cold War. He had the eternal sense of optimism. He summarized it best in this quote: ''It's morning in America.''

And today we consider the measure which would authorize a statue of Ronald Reagan to be displayed here in this Capitol. It's a fitting tribute. Ronald Reagan arguably is one of the most influential persons in the 20th century. And there's no doubt that the world is a better place because Ronald Reagan was here. You can just ask the millions of people in Eastern Europe that are free today and have freedom because that wall, as he demanded, came down.

Ronald Reagan ushered in a new era, ''Reagan Revolution,'' as it came to be called, and swept across every aspect of America, from the executive branch to the legislative branch and the judicial branch.

Ronald Reagan pursued policies that reflected his personal belief in the worth of the individual. He stood up for the little guy. He advocated small Federal government and more power to the people to make decisions for themselves and their communities. He believed in the sanctity of the Constitution, federalism, a balanced budget and a strong military. He established policies consistent with all of those beliefs.

Ronald Reagan once said, ''Each generation goes further than the generation preceding it because it stands on the shoulders of that generation.'' That statement is true, and I believe our children and our children's grandchildren are better off because they're standing on the shoulders of this great American statesman.

And that's just the way it is.

Mr. BRADY of Pennsylvania. I reserve the balance of my time.

Mr. CALVERT. May I inquire of the gentleman if he has any speakers?

Mr. BRADY of Pennsylvania. No, I don't.

Mr. CALVERT. I'll give the closing remarks, Mr. Speaker.

In closing, June 3 will be a great day here in the United States Capitol, a great day for our State of California, and certainly, I believe, a great day for America and for the world who appreciated Ronald Reagan's leadership. This was truly a remarkable American. So we look forward to gathering together with the former First Lady and with other people who will come from throughout the United States and throughout the world to pay tribute to this great man.

Mr. SESSIONS. Mr. Speaker, I rise in memory of Ronald Reagan and his accomplishments as our nation's 40th president. He was a legendary president, skilled actor, and loving husband and father to his family.

Today, we pay tribute to a great American, a man who deeply loved this country. In the midst of darkness, Reagan showed no fear—staring down the face of communism and ultimately leading us to victory in the Cold War. He exhibited unprecedented leadership during a period in our history when our economy seemed bleak, our enemies surrounded us, and the fight against Soviet Communism pushed against our ideals of freedom and democracy. Even after an assassination attempt in 1981, Reagan quickly returned to duty with tremendous grace and ease, giving us a mere glimpse of his strength and determination to better our country. Known as the "Great Communicator," Reagan had an amazing gift of connecting with the public, instilling us with a sense of pride as Americans. President Reagan once stated, "There is no limit to what a man can do or where he can go if he doesn't mind who gets the credit." Certainly, these words ring loud and true today in the halls of Congress, reminding us that we are merely servants of the American public.

I wholeheartedly support today's resolution for the acceptance of a statue of President Reagan to be placed in the U.S. Capitol. Mr. Speaker, I ask my esteemed colleagues to join me in supporting this resolution and in expressing our heartfelt gratitude for Ronald Reagan's service to our great Nation.

Mrs. BACHMANN. Mr. Speaker, I rise today to give my support to H. Con. Res. 101 that would forever honor America's 40th President, Ronald Reagan. Both as Governor of California and as our nation's Chief Executive, Reagan faced domestic and international struggles with optimism and decorum that assured us all, "It's morning again in America." President Reagan captured the hearts and minds of Americans by following in the footsteps of our Founding Fathers in advocating less government, private enterprise and a managed budgetary approach.

At a time when we are unsure of our economic future and deal precariously with the nations of the world, a figure of Reagan would serve as a simple reminder that confidence in our country's potential is necessary to our success today. President Reagan once told us, "I know in my heart that man is good. That what is right will always eventually triumph. And there's purpose and worth to each and every life."

Mr. Speaker, I rise to show my support for honoring President Reagan in this way. It is a gesture appropriate to the legacy he left us as a leader and as an American.

Mr. CALVERT. 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 agree to the concurrent resolution, H. Con. Res. 101.

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.

ELECTRONIC DEVICE RECYCLING RESEARCH AND DEVELOPMENT ACT

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1580) to authorize the Administrator of the Environmental Protection Agency to award grants for electronic waste reduction research, development, and demonstration projects, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1580

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 ''Electronic Device Recycling Research and Development Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The volume of electronic devices in the United States is substantial and will continue to grow. The Environmental Protection Agency estimates that over 2 billion computers, televisions, wireless devices, printers, gaming systems, and other devices have been sold since 1980, generating 2 million tons of unwanted electronic devices in 2005 alone.

(2) Electronic devices can be recycled or refurbished to recover and conserve valuable materials, such as gold, copper, and platinum. However, according to the Environmental Protection Agency, only 15 to 20 percent of electronic devices discarded from households reach recyclers.

(3) The electronic device recycling industry in the United States is growing; however, challenges remain for the recycling of electronic devices by households and other small generators. Collection of such electronic devices is expensive, and separation and proper recycling of some of the materials recovered, like lead from cathode-ray tube televisions, is costly.

(4) The export of unwanted electronic devices to developing countries also presents a serious challenge. The crude methods of many of the recycling operations in these countries can expose workers to harmful chemicals, jeopardizing their health and polluting the environment.

(5) Some of the challenges to increasing the recyclability of electronic devices can be addressed by improving the logistics and technology of the collection and recycling process, designing electronic devices to avoid the use of hazardous materials and to be more easily recycled, and encouraging the use of recycled materials in more applications.

(6) The public currently does not take full advantage of existing electronic device recycling opportunities. Studying factors that influence behavior and educating consumers about responsible electronic device recycling could help communities and private industry develop recycling programs that draw more participation.

(7) The development of tools and technologies to increase the lifespan of electronic devices and to promote their safe reuse would decrease the impact of the production of electronic devices on the environment and likely increase the recyclability of such devices.

(8) Accurately assessing the environmental impacts of the production of electronic devices and the recycling of such devices is a complex task. Data, tools, and methods to better quantify these impacts would help policymakers and others determine the best end-of-life management options for electronic devices.

SEC. 3. ELECTRONIC DEVICE ENGINEERING RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROJECTS.

(a) IN GENERAL.—The Administrator shall award multiyear grants to consortia to conduct research to create innovative and practical approaches to manage the environmental impacts of electronic devices and, through the conduct of this research, to contribute to the professional development of scientists, engineers, and technicians in the fields of electronic device manufacturing, design, refurbishing, and recycling. The grants awarded under this section shall support research to—

(1) increase the efficiency of and improve electronic device collection and recycling;

(2) expand the uses and applications for materials recovered from electronic devices;

(3) develop and demonstrate environmentally friendly alternatives to the use of hazardous and potentially hazardous materials in electronic devices and the production of such devices;

(4) develop methods to identify, separate, and remove hazardous and potentially hazardous materials from electronic devices and to reuse, recycle, or dispose of such materials in a safe manner;

(5) reconsider product design and assembly to facilitate and improve refurbishment, reuse, and recycling of electronic devices, including an emphasis on design for recycling;

(6) conduct lifecycle analyses of electronic devices, including developing tools and methods to assess the environmental impacts of the production, use, and end-of-life management of electronic devices and electronic device components;

(7) develop product design, tools, and techniques to extend the lifecycle of electronic devices, including methods to promote their upgrade and safe reuse; and

(8) identify the social, behavioral, and economic barriers to recycling and reuse for electronic devices and develop strategies to increase awareness, consumer acceptance, and the practice of responsible recycling and reuse for such devices.

(b) MERIT REVIEW; COMPETITION.—Grants shall be awarded under this section on a merit-reviewed, competitive basis.

(c) APPLICATIONS.—A consortium shall submit an application for a grant under this section to the Administrator at such time, in such manner, and containing such information and assurances as the Administrator may require. The application shall include a description of—

(1) the research project that will be undertaken by the consortium and the contributions of each of the participating entities, including the for-profit entity;

(2) the applicability of the project to reduce impediments to electronic device recycling in the electronic device design, manufacturing, refurbishing, or recycling industries;

(3) the potential for and feasibility of incorporating the research results into industry practice; and

(4) how the project will promote collaboration among scientists and engineers from different disciplines, such as electrical engineering, materials science, and social science.

(d) DISSEMINATION OF RESEARCH RESULTS.—Research results shall be made publicly available through—

(1) development of best practices or training materials for use in the electronic device manufacturing, design, refurbishing, or recycling industries;

(2) dissemination at conferences affiliated with such industries;

(3) publication on the Environmental Protection Agency's Web site;

(4) demonstration projects; or

(5) educational materials for the public produced in conjunction with State governments, local governments, or nonprofit organizations on problems and solutions related to electronic device recycling and reuse.

(e) FUNDING CONTRIBUTION FROM FOR-PROFIT MEMBER OF CONSORTIUM.—The for-profit entity participating in the consortium shall contribute at least 10 percent of the total research project cost, either directly or with in-kind contributions.

(f) PROTECTION OF PROPRIETARY INFORMATION.—The Administrator—

(1) shall not disclose any proprietary information or trade secrets provided by any person or entity pursuant to this section;

(2) shall ensure that, as a condition of receipt of a grant under this section, each member of the consortium has in place proper protections to maintain proprietary information or trade secrets contributed by other members of the consortium; and

(3) if any member of the consortium breaches the conditions under paragraph (2) or discloses proprietary information or trade secrets, may require the return of any funds received under this section by such member.

(g) BIENNIAL REPORT.—Within 2 years after the date of enactment of this Act, and every 2 years thereafter, the Administrator shall transmit a report to Congress that provides—

(1) a list of the grants awarded under this section;

(2) the entities participating in each consortium receiving a grant;

(3) a description of the research projects carried out in whole or in part with funds made available under such a grant;

(4) the results of such research projects; and

(5) a description of the rate and success of the adoption or integration of such research results into the manufacturing processes, management practices, and products of the electronics industry.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section:

(1) $18,000,000 for fiscal year 2010.

(2) $20,000,000 for fiscal year 2011.

(3) $22,000,000 for fiscal year 2012.

SEC. 4. NATIONAL ACADEMY OF SCIENCES REPORT ON ELECTRONIC DEVICE RECYCLING.

(a) IN GENERAL.—In order to better recognize gaps and opportunities in the research and training programs established in this Act, the Administrator shall enter into an arrangement with the National Academy of Sciences for a report, to be transmitted to Congress not later than 1 year after the date of enactment of this Act, on—

(1) opportunities for and barriers to—

(A) increasing the recyclability of electronic devices, specifically addressing—

(i) recycling or safe disposal of electronic devices and low value materials recovered from such devices;

(ii) designing electronic devices to facilitate reuse and recycling; and

(iii) the reuse of electronic devices; and

(B) making electronic devices safer and more environmentally friendly, specifically addressing reducing the use of hazardous materials and potentially hazardous materials in electronic devices;

(2) the environmental and human health risks posed by the storage, transport, recycling, and disposal of unwanted electronic devices;

(3) the current status of research and training programs to promote the environmental design of electronic devices to increase the recyclability of such devices; and

(4) any regulatory or statutory barriers that may prevent the adoption or implementation of best management practices or technological innovations that may arise from the research and training programs established in this Act.

(b) RECOMMENDATIONS.—The report under subsection (a) shall identify gaps in the current research and training programs in addressing the opportunities, barriers, and risks relating to electronic device recycling, and the report shall recommend areas where additional research and development resources are needed to reduce the impact of unwanted electronic devices on the environment.

SEC. 5. ENGINEERING CURRICULUM DEVELOPMENT GRANTS.

(a) GRANT PROGRAM.—The Administrator, in consultation with the Director of the National Science Foundation, shall award grants to institutions of higher education to develop curricula that incorporates the principles of environmental design into the development of electronic devices—

(1) for the training of electrical, mechanical, industrial, manufacturing, materials, and software engineers and other students at the undergraduate and graduate level; and

(2) to support the continuing education of professionals in the electronic device manufacturing, design, refurbishing, or recycling industries.

(b) ELIGIBLE ENTITIES.—The term ''institution of higher education'', as such term is used with respect to eligibility to receive a grant under subsection (a)(2), includes any institution of higher education under section 101(b) of the Higher Education Act of 1965 (20 U.S.C. 1001(b)).

(c) OUTREACH TO MINORITY SERVING INSTITUTIONS.—The Administrator shall conduct outreach to minority serving institutions for the purposes of providing information on the grants available under this section and how to apply for such grants.

(d) MERIT REVIEW; COMPETITION.—Grants shall be awarded under this section on a merit-reviewed, competitive basis.

(e) USE OF FUNDS.—Grants awarded under this section shall be used for activities that enhance the ability of an institution of higher education to broaden the undergraduate

and graduate-level engineering curriculum or professional continuing education curriculum to include environmental engineering design principles and consideration of product lifecycles related to electronic devices and increasing the recyclability of such devices. Activities may include—

(1) developing and revising curriculum to include multidisciplinary elements;

(2) creating research and internship opportunities for students through partnerships with industry, nonprofit organizations, or government agencies;

(3) creating and establishing certificate programs; and

(4) developing curricula for short courses and continuing education for professionals in the environmental design of electronic devices to increase the recyclability of such devices.

(f) APPLICATION.—An institution of higher education seeking a grant under this section shall submit an application to the Administrator at such time, in such manner, and with such information and assurances as the Administrator may require.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section:

(1) $5,000,000 for fiscal year 2010.

(2) $5,150,000 for fiscal year 2011.

(3) $5,304,000 for fiscal year 2012.

SEC. 6. ENVIRONMENTALLY FRIENDLY ALTERNATIVE MATERIALS PHYSICAL PROPERTY DATABASE.

(a) IN GENERAL.—The Director shall establish an initiative to develop a comprehensive physical property database for environmentally friendly alternative materials for use in electronic devices.

(b) PRIORITIES.—The Director, working with the electronic device design, manufacturing, or recycling industries, shall develop a strategic plan to establish priorities and the physical property characterization requirements for the database described in subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Administrator to carry out this section:

(1) $3,000,000 for fiscal year 2010.

(2) $3,000,000 for fiscal year 2011.

(3) $3,000,000 for fiscal year 2012.

SEC. 7. DEFINITIONS.

For the purposes of this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) CONSORTIUM.—The term ''consortium'' means a grant applicant or recipient under section 3(a) that includes—

(A) at least one institution of higher education, nonprofit research institution, or government laboratory; and

(B) at least one for-profit entity, including a manufacturer, designer, refurbisher, or recycler of electronic devices or the components of such devices.

(3) DIRECTOR.—The term ''Director'' means the Director of the National Institute of Standards and Technology.

(4) ELECTRONIC DEVICE.—The term ''electronic device'' may include computers, computer monitors, televisions, laptops, printers, wireless devices, copiers, fax machines, stereos, video gaming systems, and the components of such devices.

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) MINORITY SERVING INSTITUTION.—The term ''minority serving institution'' means an institution that is an eligible institution under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. GORDON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 1580, the bill now under consideration.

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

There was no objection.

Mr. GORDON of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Today I rise in support of H.R. 1580, the Electronic Device Recycling, Research and Development Act. This bill represents the first step forward on a large and growing problem. Every year Americans send millions of old cell phones, televisions, computers, laptops and other electronic devices to landfills. Millions more are stored in desk drawers and attics by consumers unsure of how to get rid of the old computer.

These devices are often termed as electronic waste, but waste is hardly an appropriate name for these sophisticated products. Many can still be used. All can be recycled to recover their constituent materials. And as the Science and Technology Committee learned through a series of hearings, electronics also can contain hazardous materials like lead and cadmium, which do not belong in landfills.

The Environmental Protection Agency reported that nearly 2 billion electronic products were sold between 1980 and 2004. Unfortunately, of the hundreds of millions of now unwanted products, only about 15 percent are recycled. There are many hurdles to increasing this percentage, such as the cost of collecting and processing materials and the low value or the hazardous nature of many of the recoverable materials.

The purpose of H.R. 1580 is to meet these challenges through research and development. The areas the bill addresses were identified through two Science and Technology Committee hearings held this Congress and last, and reflects the considerable input from the electronics producers, manufacturers, recyclers, refurbishers and the environmental interest community.

It's supported by a broad number of stakeholders, including the Consumer Electronics Retailers Coalition, the Consumer Electronics Association, the Institute of Scrap Recycling Industries, The Wireless Association, the National Association of Manufacturers, the Electronics Take Back Coalition, Best Buy, AT&T, the Center for Environmental Health, Lower East Side Ecology Center, the Product Stewardship Institute, and the National Center for Electronics Recycling.

I'm also pleased that this bill is the product of a bipartisan collaboration and contains the input of both Democratic and Republican members of our committee.

H.R. 1580 directs the Environmental Protection Agency to fund the R&D that will enable efficient and affordable electronic device recycling and find other means of reducing the impact of electronic devices on our environment. Research can foster innovation to enable more efficient recycling, the selection of more environmentally friendly materials, better ways to educate consumers about electronics recycling, and methods to design products for easier disassembly and recycling.

The research supported by H.R. 1580 will also assess the environmental impact of electronic products over their entire lifecycle. This information will allow electronic producers, policymakers and consumers to make wise environmental decisions.

Specifically, the research grants authorized by this bill require university or government-led laboratories to work with electronics producers, recyclers or related for-profit entities. The goal of H.R. 1580 is to ensure research that can be applied to this challenge as soon as possible.

H.R. 1580 also authorizes the EPA, in consultation with the National Science Foundation, to fund grants that will give engineering students the tools and knowledge to incorporate environmental considerations into their future environmental endeavors.

Electronic devices have become indispensable tools for modern living, but they, unfortunately, are a modern environmental problem, too. Research, development and innovation are a key component to addressing this environmental challenge. And I urge my colleagues to support H.R. 1508.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1580. I am pleased that this bill has been introduced and happy that our country will continue to be on the forefront of technology policy. The goals, frankly, of this bill are commendable as we struggle to limit the pollution and amount of waste that is being sent to our landfills.

Obviously, there are a lot of issues to consider when we address disposal, recycling and the reuse of electronic equipment. First, we must consider what technologies are appropriate for reuse and recycling. Obviously, another consideration is the proper disposal of hazardous waste that accompanies electronics. And, finally, we must balance the costs and the benefits of the regulatory issues when you're dealing with export economies.

Now, with each technological advance and each model replacement, we face the question of disposal of those

older products. This is a very complex situation which creates a vast array of opinions on possible solutions to the problems.

Now, dealing with this problem is not insurmountable. With the right type of research and development, we can institute new ways of tracking, of sorting, recycling and reusing electronics, and by making them less hazardous from the design stage, from the beginning, before they're even being built, allow them to do less harm when we dispose of them later on in life. So I think this legislation is a move in the right direction to address these concerns.

Through the committee process, Mr. Speaker, we've learned that there are a number of companies, many of them actually, that seek new uses for these products which obviously then reduces the number of them that end up in landfills. And I'm grateful to the chairman for introducing this legislation and also for holding hearings on this subject matter.

So, again, lots of times we hear that legislation gets to the floor without going through the normal order, regular order. In this case, not only has that taken place, but the chairman has had hearings on it, and I think it's important.

Now, again, I endorse the concept behind this bill, and I believe Congress should be encouraging better designs for electronic devices, to increase their life span and, obviously, to make them easier to recycle.

But there are a few aspects of this bill that still I have some concerns with. One such concern comes from an amendment offered in committee requiring that the EPA publish the results of research and development projects authorized by this bill on its Web site. And of course that sounds like something we should all support, and we should.

But here's the concern, that the copyright protections of the research published on the Web site may not be preserved. We should ensure that this is addressed prior to the bill finally being enacted into law. And I look forward to continuing to work with the chairman.

Additionally, it was unclear from the bill's language whether, if there's more than one for-profit entity included in a consortium whether the total contribution from all for-profit entities is to be at least 10 percent, or if each for-profit member is to contribute at least 10 percent. It's not clear. So I appreciate the efforts of the chairman to clarify this in report language, and I hope that he would be willing to modify the legislative language itself, if necessary, to ensure that these issues are addressed. And, again, the chairman, I know, also has the same concerns because he's addressed it. But I think we need to address it a little bit further.

I believe this bill takes steps towards addressing a very important issue. And I hope that this bill, as it moves forward, will continue to be tweaked a little bit to make sure that it's even better.

So, again, I hope that we can get the best possible bill, the best possible legislation out of this. I commend the chairman.

Mr. Speaker, I reserve the remaining part of my time.

Mr. GORDON of Tennessee. Mr. Speaker, let me first thank my friend from Florida for his constructive advice. I think most of his concerns have been addressed in report language. But this is a continuing product. We want to get the best that we can. And we want to work with you and your compatriots as we go through the whole process. This is an important bill and a good bill.

Now, Mr. Speaker, I yield such time as he may consume to my friend from California (Mr. THOMPSON). Mr. THOMPSON is the cochair of the Working Group on Electronic Waste, but more importantly, really is the leader in Congress on this issue. He has been a longtime advocate and we welcome his time.

Mr. THOMPSON of California. Thank you, Mr. Chairman, for your kind words and for recognizing me on this bill.

Mr. Speaker and Members, I'm here today to speak in strong support of this measure, H.R. 1580. As the chairman noted, I've been involved in this subject of electronic waste or e-waste since I first came to Congress. And I want to applaud the chairman and the Science Committee's work and their interest on this very, very important issue. Chairman GORDON has been a strong leader on e-waste issues and has helped to move this issue forward.

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Electronic product technology is moving at a very, very fast pace, but at the same time, it's creating an ever-growing environmental and waste disposal problem. That's because it's often cheaper or sometimes cooler to buy a new PC or a new cell phone than to upgrade an old one. Today, the average life span of a computer is only 2 years, and Americans are disposing of 3,000 tons of computers every day. These discarded items, more often than not, wind up in landfills in developing countries where the waste is a terrible environmental problem.

A recent GAO study found that most e-waste exported from the U.S. is dismantled under unsafe conditions, often by children, using methods like open-air incineration and acid baths to extract component metals. This puts people at risk and makes e-waste a moral issue, a moral hazard as well.

The bill we are considering today will achieve two important and necessary goals. First, it will establish grant programs to fund studies to evaluate how to make electronic equipment easier to recycle on the front end. Second, it will train our Nation's engineering students in ''green design.'' This important legislation will lay an important piece of the foundation for comprehensive e-waste legislation in the future. Truly, an ounce of prevention is worth a pound of cure. If obsolete computers and other such items can be diverted from the waste stream at the outset, half of our battle will already have been won.

Again, I thank the chairman and the committee for their good work. I urge swift passage of this measure.

Mr. MARIO DIAZ-BALART of Florida. If I may inquire, Mr. Speaker, of the chairman if he has further speakers.

Mr. GORDON of Tennessee. We have no further speakers.

Mr. MARIO DIAZ-BALART of Florida. At this time then, Mr. Speaker, I would like to yield back the balance of my time.

Mr. GORDON of Tennessee. Let me just conclude, Mr. Speaker, by saying this is a good bipartisan bill, and I thank Mr. THOMPSON for his support. As I say, he has been a leader on this issue.

Mrs. BIGGERT. Mr. Speaker, I rise in support of H.R. 1580.

Many of us, whether at home or in our offices, have leftover electronics that eventually find their way to a dark closet corner or basement.

If I took a poll of Members here, everyone would raise a hand to having an old computer, several old cell phones, and at least one old television. For those of us with children and grandchildren, that list probably grows to include first generation Nintendos, Gameboys, and Mp3 players.

Those of us that keep old electronics probably plan to give them away. Or, we buy the latest, most updated gadget without thinking of what to do with the old. We want to dump or donate the old PC, but we worry about what personal information may still be on its hard drive.

H.R. 1580 takes the first step to address all of those issues, and study the prospects and concerns for abandoned electronics and their components stream.

As we heard at our February 11th hearing, coordinated research and education efforts are needed to address disposal, product design, and in general, raise awareness of what opportunities consumers have to recycle un-used or what they consider ''obsolete'' equipment.

A witness at that hearing, and constituent of mine, is one of the first certified Microsoft refurbishers in the country. Thanks to his hard work, forty thousand computers have been refurbished and distributed to schools, non-profits, and homes of at-risk children throughout the Chicago area.

With the right research and development, and more business models like my constituent's, electronics recycling and refurbishment can be an integral part of our communities, decrease waste in our landfills, and offer budget-friendly alternatives for consumers. It is important to note that every dollar spent on refurbishment stays in the U.S.; every dollar spent on new products may not.

I would like to thank Chairman GORDON for working with the members of the committee to improve H.R. 1580. Thanks to his cooperation, we were able to include an important change

from the term "waste" to "device" in the underlying text. Doing so sets a tone of reuse instead of disposal and lessens the opportunity for regulatory or legal hurdles to stall the refurbishing and recycling process that we are trying to promote.

If we can institute new ways of tracking, sorting, recycling, and reusing electronics and make them less hazardous from the design stage, we can allow them to do less harm in the disposal stage. I think this legislation is a move in the right direction to address these concerns.

Although I endorse the concept behind H.R. 1580 and believe Congress should be encouraging better designs for electronic devices to increase their life-span and make them easier to recycle, there are aspects of this bill that concern me.

One such concern comes from an amendment offered in Committee requiring the Environmental Protection Agency to publish the results of research and development projects authorized by this bill on its website. The concern here is that the copyright protections of the research published on the website may not be preserved. We should ensure this is addressed prior to this bill being enacted into law.

Additionally, it is unclear from the bill language whether if there is more than one for-profit entity included in a consortium whether the total contribution from all for-profit entities is to be at least ten (10) percent, or if each for-profit member is to contribute at least ten (10) percent. I appreciate the efforts of the Chairman to clarify this in report language and hope that he would be willing to modify the legislative language, if necessary, to ensure this issue is addressed.

I believe this bill takes steps toward addressing a very important issue and I hope that moving forward we will continue to work together to ensure we produce the best law possible.

Mr. GORDON of Tennessee. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PASTOR of Arizona). The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 1580, as amended.

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

The title was amended so as to read: "A bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes.".

A motion to reconsider was laid on the table.

GREEN ENERGY EDUCATION ACT OF 2009

Mr. GORDON of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 957) to authorize higher education curriculum development and graduate training in advanced energy and green building technologies.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 957

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 "Green Energy Education Act of 2009".

SEC. 2. DEFINITION.

For the purposes of this Act:

(1) DIRECTOR.—The term "Director" means the Director of the National Science Foundation.

(2) HIGH PERFORMANCE BUILDING.—The term "high performance building" has the meaning given that term in section 914(a) of the Energy Policy Act of 2005 (42 U.S.C. 16194(a)).

(3) SECRETARY.—The term "Secretary" means the Secretary of Energy.

SEC. 3. GRADUATE TRAINING IN ENERGY RESEARCH AND DEVELOPMENT.

(a) FUNDING.—In carrying out research, development, demonstration, and commercial application activities authorized for the Department of Energy, the Secretary may contribute funds to the National Science Foundation for the Integrative Graduate Education and Research Traineeship program to support projects that enable graduate education related to such activities.

(b) CONSULTATION.—The Director shall consult with the Secretary when preparing solicitations and awarding grants for projects described in subsection (a).

SEC. 4. CURRICULUM DEVELOPMENT FOR HIGH PERFORMANCE BUILDING DESIGN.

(a) FUNDING.—In carrying out advanced energy technology research, development, demonstration, and commercial application activities authorized for the Department of Energy related to high performance buildings, the Secretary may contribute funds to curriculum development activities at the National Science Foundation for the purpose of improving undergraduate or graduate interdisciplinary engineering and architecture education related to the design and construction of high performance buildings, including development of curricula, of laboratory activities, of training practicums, or of design projects. A primary goal of curriculum development activities supported under this section shall be to improve the ability of engineers, architects, landscape architects, and planners to work together on the incorporation of advanced energy technologies during the design and construction of high performance buildings.

(b) CONSULTATION.—The Director shall consult with the Secretary when preparing solicitations and awarding grants for projects described in subsection (a).

(c) PRIORITY.—In awarding grants with respect to which the Secretary has contributed funds under this section, the Director shall give priority to applications from departments, programs, or centers of a school of engineering that are partnered with schools, departments, or programs of design, architecture, landscape architecture, and city, regional, or urban planning.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. GORDON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. GORDON of Tennessee. 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 H.R. 957, the bill now under consideration.

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

There was no objection.

Mr. GORDON of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Today, I rise in support of H.R. 957, the Green Energy Education Act of 2009. First, I would like to thank Mr. MCCAUL for his leadership on this legislation. This bill authorizes the Department of Energy to contribute funds to the National Science Foundation's successful Integrative Graduate Education and Research Traineeship program, known as IGERT. IGERT awards prepare doctoral students by integrating research and education in innovative ways that are tailored to the unique requirements of newly emerging interdisciplinary fields and new career options.

This bill also authorizes the Department of Energy's high-performance building technology programs to contribute to the National Science Foundation's ongoing curriculum development activities with the goal of improving the ability of engineers and architects to design and construct high-performance buildings.

In summary, this bill addresses a critical need to provide resources to universities to update their curricula and research efforts in alternative energy and high-performance buildings, and it improves the coordination between the Department of Energy and the National Science Foundation in achieving this goal.

I am pleased to support H.R. 957, the Green Energy Education Act of 2009. Once again, I want to commend Mr. MCCAUL for this important legislation, and I urge my colleagues to support it.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I rise today to support H.R. 957, and I yield myself as much time as I might consume.

I also urge my colleagues to support this bill, H.R. 957, the Green Energy Education Act of 2009, introduced by my distinguished colleague, Mr. MCCAUL of Texas.

This is a good piece of legislation that, by the way, passed in the 110th Congress, but the Senate did not take it up before adjournment. Simply put, this measure encourages the Department of Energy to work with the National Science Foundation to help develop the next generation of engineers and architects to work effectively together to produce buildings that incorporate the latest in energy-efficient technologies.

Oftentimes, energy-efficient buildings are not being constructed, not because building professionals don't want to do it or think it's a bad idea, but primarily because they just don't even know or are not aware of all of the technology that's available, so this measure is intended to close that gap.

I also want to commend Mr. MCCAUL for his fine work on this very important bill.

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

Mr. GORDON of Tennessee. We have no other speakers at this time, and I would reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I would now like to yield as much time as he might consume to the sponsor of this legislation, the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL. Mr. Speaker, I want to thank the gentleman from Florida for yielding.

I also want to thank the chairman of the Science and Technology Committee for his dedication and strong bipartisan leadership on this committee, which is so important, and for allowing my bill to go out of committee once again and come to the House floor. As the gentleman mentioned, it passed unanimously last Congress out of the House. I hope it does the same this Congress, and I hope the Senate will act on it this time.

Like many other Members of Congress, I am concerned about America's dependence on foreign sources of energy, and the National Academy's ''Rising above the Gathering Storm'' report has echoed the calls of many in the academic and business communities for a greater need to recruit and develop scientific and engineering talent to work on solving these problems. Increasing energy independence and decreasing the harmful effects of energy production and use are clearly areas of long-term national need. Our reliance on imported energy only serves to increase our vulnerability to external events and to the actions of regimes that are, in many cases, openly hostile to the United States.

One of the ways that we can reduce the need for energy imports is to use our energy more efficiently. Buildings consume more energy than any other sector of the economy, including industry and transportation. According to the United States Department of Energy, American buildings consume 39 percent of our Nation's primary energy and 70 percent of our electricity. However, energy-efficient building practices are still at the fringes of the building sector, in part, because of a lack of awareness about energy-efficient technologies and design practices among building professionals.

That is why I introduced the Green Energy Education Act. This legislation authorizes the Department of Energy to partner with the National Science Foundation to support graduate education and curriculum development to advance DOE's broad energy-technology development mission. Working through NSF, DOE will help develop the next generation of engineers and architects to produce buildings, incorporating the latest energy-efficient buildings and technologies.

In order to reduce the likelihood of duplicative and wasteful programs, this bill allows for the Department of Energy and the National Science Foundation to combine their efforts to find workable solutions to the issues surrounding building efficiency that can be transferred to the marketplace. Specifically, H.R. 957 will authorize DOE's Office of Science and Applied Energy Technology Programs to contribute funds to NSF's successful graduate education and research program.

This bill also authorizes the DOE to contribute to NSF's curriculum development activities in order to improve the ability of engineers and architects to design and to construct more efficient and durable buildings.

So let me, once again, thank the chairman for allowing this to come forward to the House floor, and I urge my colleagues to support this important step towards increasing America's energy independence.

Mr. GORDON of Tennessee. Mr. Speaker, we have no further speakers, and I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I do want to just yield myself 30 seconds.

I also want to thank the chairman of the committee. The chairman of the committee is always willing to work with all members of his committee to make sure that he gets the finest legislation possible. He goes through the regular process, something that, unfortunately, is not done as much as it should be.

So, again, I would just like to take these seconds to thank the chairman of the committee for working with all of his committee and for always being open. His door is always open.

With that, Mr. Speaker, I would yield back the remaining part of our time.

Mr. GORDON of Tennessee. Well, let me first thank my friend for those compliments, and let me ask that you hold me to those compliments. We need to continue to run the committee that way.

In conclusion, let me also thank, once again, my friend from Texas, Mr. MCCAUL, for his leadership and for bringing this issue before us. We passed it last year. We're going to pass it again this year. We both need to work together to get this through the other body, and I look forward to working with you.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 957, ''Green Energy Education Act.'' H.R. 957 will provide for the promotion of graduate education related to energy research, advanced energy technology research, and development for high performance buildings to the National Science Foundation for curriculum development to improve undergraduate or graduate interdisciplinary engineering and architecture education related to the design and construction of such buildings. I urge my colleagues to support this important legislation.

As a representative of the 18th Congressional District of Texas, which includes the energy capital of the world, Houston, I am especially pleased to support this bill. This bill fosters education in green energy, which increasingly is becoming a viable alternative to petroleum.

Today, we as a Global Community, take the time out to appreciate the natural resources our planet has provided for us. It is also a day we examine better ways that we can use these resources for the advancement of mankind and the preservation of the world.

Mr. Speaker, H.R. 957 provides an opportunity to learn about the positive actions that we can take to improve energy efficiency; to develop safe, renewable energy sources; to design goods that are durable, reusable, and recyclable; and to eliminate the production of harmful wastes while protecting our environment and encouraging sustainable development throughout the world.

Mr. Speaker, H.R. 957 will allow for the leading authorities to teach and conduct the research on energy consumption throughout our nation. The research and studies are highly detailed, carefully constructed to be statistically representative of the entire population, and are indispensable analysis and policy planning. In gauging the success of any energy efficiency program, data on consumption, price, and product—both prior to and after the research program's implementation—are needed to calculate the change in green use, cost, and product purchase tendencies. By affording these research programs the necessary funding, classes will assist policy planners to better identify the highest-value products to target in designing their programs.

Along with rising gas prices, weak economic growth, continued environmental warnings and scientific studies pointing to global warming, many Americans continue to worry about the state of energy security in the world. Adding green space in city and urban areas, investing in alternative energy and making sure we participate in recycling and conserving our planet's resources are just some ways that we can preserve our wonderful planet, however, our federal government must take the lead in preserving our planet.

I have long been a proponent of green education. For example, during the 110th Congress, I successfully offered amendments to the Comprehensive Energy Independence bill that was introduced late last year and voted out of the House.

Specifically, I offered amendments that would provide scholarships for post-secondary study in ethanol, wind, solar energy, and other green alternatives to petroleum. I have also offered an amendment to establish Energy Centers of Excellence, which would provide a consortium of HBCU's, Hispanic serving institutions, tribal universities, and majority serving institutions to develop curriculum and programs in green energy. Moreover, my amendments provide scholarships, and concerns of study for minorities to study green energy. Thus, I have long been a proponent of the type of education requirements that this bill requires. Indeed, I count myself as one on the forefront of this cause.

This Congress understands the energy concerns of the American people and we continue to work to ensure this nation moves in a new direction to achieve energy independence and energy security.

Mr. Speaker, I call on all Americans, along with the rest of the global community to come together and continue to produce practical yet creative ways to conserve energy around the world. Let us continue to strive towards a

world that respects the natural resources that this planet has provided and use them wisely.

I thank my colleague, Representative MICHAEL MCCAUL, of Texas, for introducing this important legislation, to ensure that we preserve our most treasured resource, and I urge my colleagues to join me in supporting this H.R. 957.

Mr. GORDON of Tennessee. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 957.

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. MARIO 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY

Mr. TONKO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 247) expressing support for designation of March 22, 2009, as ''National Rehabilitation Counselors Appreciation Day''.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 247

Whereas rehabilitation counselors conduct assessments, provide counseling, support to families, and plan and implement rehabilitation programs for those in need;

Whereas the purpose of the professional organizations in rehabilitation is to promote the improvement of rehabilitation services available to persons with disabilities through quality education and rehabilitation research for counselors;

Whereas the various professional organizations, including the National Rehabilitation Association (NRA), Rehabilitation Counselors and Educators Association (RCEA), the National Council on Rehabilitation Education (NCRE), the National Rehabilitation Counseling Association (NRCA), the American Rehabilitation Counseling Association (ARCA), the Commission on Rehabilitation Counselor Certification (CRCC), the Council of State Administrators of Vocational Rehabilitation (CSAVR), and the Council on Rehabilitation Education (CORE) have stood firm to advocate up-to-date education and training and the maintenance of professional standards in the field of rehabilitation counseling and education;

Whereas, on March 22, 1983, Martha Walker of Kent State University, who was President of the NCRE, testified before the Subcommittee on Select Education of the House of Representatives, and was instrumental in bringing to the attention of Congress the need for rehabilitation counselors to be qualified;

Whereas the efforts of Martha Walker led to the enactment of laws that now require rehabilitation counselors to have proper credentials in order to provide a higher level of quality service to those in need; and

Whereas March 22, 2009, would be an appropriate date to recognize ''National Rehabilitation Counselors Appreciation Day'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) expressing support for designation of ''National Rehabilitation Counselors Appreciation Day''; and

(2) commends all of the hard work and dedication that rehabilitation counselors provide to individuals in need and the numerous efforts that the multiple professional organizations have made to assisting those who require rehabilitation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on House Resolution 247 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 247 to designate March 22, 2009, as ''National Rehabilitation Counselors Appreciation Day.''

Across our great country, qualified rehabilitation counselors work to empower people with disabilities to access employment, education and community opportunities and independent living. According to the United States Bureau of Labor Statistics, there are approximately 141,000 rehabilitation counselors in our United States. We are extremely grateful for their commitment to providing professional service and support that is rendered to people with disabilities in a variety of settings, including State and local agencies, medical facilities, educational programs, and community businesses.

As the number of veterans with disabilities increases and people with disabilities struggle to obtain employment in these tough economic times, the need for quality rehabilitation counseling does, in fact, continue to grow. According to the National Bureau of Labor Statistics, the unemployment rate of persons with a disability in February of this year was 14 percent compared to 8.7 percent for persons with no disabilities. Of even greater concern, only 23 percent of people with disabilities are currently in our labor force compared to over 70 percent of the general population. These are alarming statistics.

Qualified rehabilitation counselors are an important part of the solution as they provide services critical to improving employment outcomes for people with disabilities. We appreciate their hard work and the determination of these professionals. Various professional organizations, including the National Rehabilitation Association, the National Council on Rehabilitation Education, and the Council of State Administrators of Vocational Rehabilitation, advocate for up-to-date education, training and professional standards for rehabilitation counselors, and because of these national organizations' persistent efforts, the quality of rehabilitation services has dramatically improved and expanded.

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On March 22 of 1983, Martha Walker, president of the National Council on Rehabilitation Education, testified before the Subcommittee on Select Education for the House of Representatives expressing the necessity for rehabilitation counselors to be well-qualified. Ms. Walker's hard work led to the enactment of requirements to ensure that rehabilitation counselors have proper training and credentials so that people with disabilities receive quality rehabilitation service.

Let Congress designate March 22 as National Rehabilitation Counselors Day. This holiday can honor the dedicated rehabilitation counselors and professional organizations that work tirelessly to provide quality rehabilitation support.

I want to thank, particularly, Representative SKELTON for his outstanding leadership on this issue in bringing this important resolution forward. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Mr. EHLERS. Mr. Speaker, I rise today in support of House Resolution 247, which expresses support for designating March 22, 2009, as National Rehabilitation Counselors Appreciation Day.

I am surprised by the number of individuals who do not understand what rehabilitation counselors do, and they might be well advised to read the Doonesbury comic strip where, for the past 6 months or more, there's been an ongoing discussion on how to rehabilitate veterans, and describes the work of rehabilitation counselors.

Nearly one in five Americans lives with some type of long-lasting condition or disability that requires extensive rehabilitation. Rehabilitation counselors help people deal with the personal, social and vocational effects of disabilities. They counsel individuals with disabilities resulting from birth defects, illness or disease, accidents or other causes. They evaluate the strength and limitations of individuals, provide personal and vocational counseling and arrange for medical care, vocational training and job placement. All of these are invaluable to those who need the help.

Rehabilitation counselors interview people with disabilities and their families, evaluate school and medical reports and confer with physicians, psychologists, occupational therapists, and employers to determine the capabilities and skills of the individual.

They develop rehabilitation programs by conferring with clients, which also includes training to help clients develop job skills. Rehabilitation counselors also work toward increasing the client's capacity to live independently. These professionals work with individuals, professional organizations and advocacy groups to address the social barriers that create obstacles for people with disabilities. They are instrumental in building bridges between the often-isolated world of people with disabilities and their families, communities, and school and work environments. They empower individuals to make informed choices so that they can become productive members of society.

Rehabilitation counselors are employed in private practice, by community health organizations and hospitals, and in State and Federal Government positions. There are approximately 141,000 rehabilitation counselors in the United States, according to the U.S. Bureau of Labor Statistics. That number is expected to grow rapidly as medical advances help people survive serious injury or illness, including veterans returning from both the Afghanistan and Iraqi wars.

Rehabilitation counselors provide a great service to the millions of Americans with disabilities. They encourage people with disabilities to participate as active citizens within their communities. These highly trained professionals help many disabled Americans cope with their life-altering situations, and today we recognize them for their hard work and dedication.

I ask for my colleagues' support of this resolution.

I reserve the balance of my time.

Mr. TONKO. Mr. Speaker, I am pleased to recognize the gentleman from Missouri (Mr. SKELTON) who we praised in our earlier comments for bringing this awareness of the value of our rehabilitation counselors to the attention of the House, and we applaud him for his efforts, and we recognize him for 5 minutes.

Mr. SKELTON. I thank the gentleman so much for yielding.

And, Mr. Speaker, I ask my colleagues to join in supporting H. Res. 247, which would express support for recognizing March 22 as National Rehabilitation Counselors Appreciation Day. I want to thank my friend, PHIL GINGREY, the gentleman from Georgia, for joining me in offering this resolution.

On March 22 in 1983, Martha Lentz Walker of Kent State University provided testimony to Members of the U.S. House of Representatives regarding the valuable services provided by qualified rehabilitation counselors. Due in large part to events of that day, rehabilitation counselors today are required to have proper certification in order to provide a higher level of service.

Vocational rehabilitation counselors are dedicated professionals. Their good works assist disabled Americans across the country in living independent and productive lives. An honest day's work is a source of pride, but many individuals with disabilities who want to work just don't have the training, support, or tools they need to enter the workforce. Vocational rehabilitation counselors step in to provide the necessary services that succeed in bringing thousands of disabled Americans into the workforce every day.

Today, we have injured veterans seeking to gain, retain, or regain employment. Today, we have older workers staying in the workforce longer in these difficult economic times. Today, many other individuals want nothing more than to pursue a career. Rehabilitation counselors play an important role in helping them to reach their goals, and I believe the service is worthy of our recognition and our thanks.

Mr. EHLERS. Mr. Speaker, I yield back my time.

Mr. TONKO. Mr. Speaker, the resolution before the House is one of great worth, obviously recognizing the important role that rehabilitation counselors play in the lives of individuals with disabilities. They open doorways, they absolutely enhance the quality of life, and coax the professionalism from those who, amongst us, are in the ranks of the disabled with an awful lot of contribution to be made to society. The rehabilitation counselor is a partner in that effort.

So I ask that, again, we move forward and recognize this and support this resolution.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today as a proud cosponsor of House Resolution 247. This Resolution expresses support for the designation of March 22, 2009 as "National Rehabilitation Counselors Appreciation Day."

I am particularly pleased to be able to join my good friend, Chairman IKE SKELTON, on this important Resolution. Since my first days in the Congress, Chairman SKELTON has been a good friend and I have worked with him on a number of issues critical to our nation's defense. It is a particular honor to work with Chairman SKELTON in bringing this Resolution to the floor today.

Mr. Speaker, House Resolution 247 recognizes the hard and important work of our nation's rehabilitation counselors who day in and day out improve the lives of those who are in need of rehabilitation either from an injury or from a permanent disability. These counselors play an integral role in helping people re-establish control over their daily lives by managing the personal, social, and vocational effects of their disabilities.

Recognizing the importance of multiple sources of support, rehabilitation counselors work both with individuals and their families to plan and implement rehabilitation programs that fit their needs. Counselors often make arrangements for medical care, job training, and job placement services with the aim of achieving the best possible quality of life.

Mr. Speaker, physical disabilities do not discriminate and can affect anyone or any family. Many of us have family members or friends who suffer from disabilities that shape their everyday life. Chairman SKELTON himself is a testament to the positive effect of rehabilitation counseling.

In fact, I was pleased to join Chairman SKELTON a few years back in Warm Springs, Georgia—which at the time was part of the 11th Congressional District. We were there because in his youth, Chairman SKELTON himself benefited from rehabilitation and therapy for his own disability. I know this Resolution has particular and personal importance for him as he remembers those doctors and counselors who were so helpful to him.

Mr. Speaker, in this life, we often face challenges that we cannot overcome alone. Accordingly, we have an obligation to recognize and celebrate those individuals who spend their lives making other lives better. I call on my colleagues to support this Resolution in gratitude for our nation's rehabilitation counselors. I yield back.

Mr. TONKO. I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and agree to the resolution, H. Res. 247.

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

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

The point of no quorum is considered withdrawn.

ACKNOWLEDGING AND COMMENDING NATIONAL LIBRARY WEEK

Mr. TONKO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 336) supporting the goals and ideals of National Library Week.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 336

Whereas the Nation's school, academic, public, and special libraries make a difference in the lives of millions of people in the United States, today, more than ever;

Whereas librarians are trained professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn, and work in a challenging economy;

Whereas libraries are part of the American Dream, places for opportunity, education, self-help, and lifelong learning;

Whereas according to a December 2008 National Center for Education Statistics (NCES) report, public library use increased to 1,400,000,000 visits nationwide during fiscal year 2006, among all types of library users, continuing a long term trend of increased library usage;

Whereas libraries play a vital role in supporting the quality of life in their communities;

Whereas libraries help people of all ages discover a world of knowledge, both in person and online, as well as provide personal service and assistance in finding needed information;

Whereas libraries are a key player in the national discourse on intellectual freedom and equity of access;

Whereas libraries are narrowing the ''digital divide'', by providing no-fee public computer and Internet access to accommodate the growing need for access to digital and online information, including e-government, continuing education, and employment opportunities; and

Whereas libraries, librarians, library workers, and supporters across the United States celebrated National Library Week, April 12–18, 2009, with The Campaign for America's Libraries: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Library Week; and

(2) encourages all residents to visit a library to take advantage of the wonderful library resources available, and to thank their librarians and library workers for making information accessible to all who walk through the library's doors.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend their remarks and insert extraneous materials on House Resolution 336 into the RECORD.

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

There was no objection.

Mr. TONKO. Mr. Speaker, I rise today in support of House Resolution 336, which encourages all Americans to take advantage of the numerous resources libraries make available.

All across the country, libraries have developed communities by bringing people of all nationalities, ages and socioeconomic levels together to enjoy the pleasures of literature, media and new technology. Libraries foster national discourse on intellectual freedom and provide informational equity across our great Nation.

Not only do libraries provide free resources, but they preserve historical artifacts and information highlighting societal achievements. Today, we have over 123 libraries nationwide playing a vital role in creating vibrant, energized communities. For example, the Big Read is a national reading program designed to revitalize the role of reading in America, and 208 communities participate in the Big Read program nationwide. American libraries play a central role fostering community participation.

There is also the National Book Festival sponsored by our very own Library of Congress. Representatives from State libraries gather at the Nation's Capital to promote reading and literacy in all of our 50 States. Last September, the 8th annual National Book Festival was a huge success. Hundreds of people gathered to promote reading to children, including professional athletes, actors, and famous writers, authors and poets.

The Library of Congress is also a great resource for the public. As the largest library in the world, the Library of Congress holds more than 120 million items on approximately 530 miles of book shelves. The collections include more than 18 million books, 2.5 million recordings, 12 million photographs, 4.5 million maps and 54 million manuscripts. The massive resource provided by this library to this country is indeed a bit of invaluable information.

National Library Week continues to commend librarians who help the public to interpret the information they need to live, to learn, and to navigate their way in today's challenging and complicated economy.

□ 1230

By providing free educational opportunities and a safe place for lifelong learning, libraries and librarians help people achieve the American Dream. With that said, ultimately libraries help people explore curiosities and make sense of this complex world.

I do want to thank Representative EHLERS for his leadership and bringing this important resolution forward.

Again, I want to extend my gratitude toward libraries for their important work in our communities. I ask my colleagues to support this important resolution.

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

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

First of all, Mr. Speaker, I want to recognize Congressman GRIJALVA, who is the principal majority party cosponsor of this resolution. He has a deep interest in libraries as well.

I also wanted to say that I am a great fan of libraries for a number of reasons. First of all, I have served on a city library board, on a county library board, on the board of the State Library of Michigan, and also, through my service on the House Administration Committee, I have been on the committee governing the Library of Congress. But the main reason is that, when I was a young child, I was quite ill and could not attend school. This gave me a lot of spare time, and I read between six and eight books a week. I was totally dependent on the library for those books, so twice a week I would trudge down to the library—which was only open 2 days a week—and haul out a pile of books which I could read. So I fully appreciate the importance of libraries. There is another factor as well. My daughter, Marla, is Assistant Director of the Grand Rapids Public Library in my hometown and keeps me fully informed about library affairs. And so I say all this in preface as to why I introduced the resolution and why it is so important that we recognize libraries.

First sponsored in 1958, National Library Week is a national observance sponsored by the American Library Association and libraries across the States. This is done every year in April. It is a time to celebrate the contributions of our Nation's libraries and librarians and to promote library use and support.

In the mid 1950s, research showed that Americans were spending less time on books and more on radio, television, and musical instruments. Concerned that Americans were reading less, a nonprofit citizens' organization called the National Book Committee formed in 1954. The committee's goals were ambitious and ranged from encouraging people to read in their increasing leisure time, to improving incomes and health and developing a strong and happy family life.

In 1957, the committee developed a plan for National Library Week based on the idea that once people were motivated to read, they would support and use libraries. With cooperation from various organizations, the first National Library Week was observed in 1958 with the theme, ''Wake Up and Read!''

This year's theme, ''Worlds Connect at Your Library,'' highlights how libraries are narrowing the digital divide by providing no-fee public computer and Internet access to meet the growing needs for access to digital and online information, including e-government, continuing education and employment opportunities.

I can vouch for the big changes in libraries. Last year, I visited my daughter's library—perhaps, I should say the Grand Rapids Public Library—and I was just amazed at the number of computers available to the public, and every single computer was in use. I would say there were at least a dozen there, and people working heartily on them. This has become even more important with the unemployment situation because many workers don't have their own computer and they have to go to the library to polish up their resume, look online for jobs, and so forth. So the library's usefulness has continued to grow over the years.

Libraries truly play a vital role in supporting the quality of life in their communities. They help us discover a world of knowledge, both in person and online, and are a key player in the national discourse on intellectual freedom and the equity of access. In fact, according to the National Center for Education Statistics, library use was up to 1.3 billion visits last year nationwide among all types of library users, continuing a long-term trend of increased library usage.

By recognizing National Library Week, we show our appreciation to libraries, librarians, library workers, and supporters across America. I also should mention that we should at this point recognize and mention the support that Andrew Carnegie gave to libraries initially. When he began giving

away his fortune, much of it went to libraries across the country, and you will find Carnegie libraries throughout our Nation, including in my hometown.

I am honored to support this resolution. I ask my colleagues to join me in recognizing the great contributions of libraries and librarians.

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

Mr. TONKO. I again want to thank Mr. EHLERS for the inspiration to pay tribute to the libraries across this country. They are, indeed, very valuable components of the education infrastructure in this country. They obviously provide tremendous opportunity to individuals throughout this country without any sort of prejudice.

I am reminded of the powerful library in my hometown of Amsterdam, New York, and the wonderful countywide system that is part of Schenectady County, with several sites within their library structure.

And so it is, indeed, very appropriate that we recognize the contribution that libraries, and more specifically, librarians, make to our society and the development of the intellectual capacity and character of our society.

With that, I encourage passage of the resolution.

Mrs. BACHMANN. Mr. Speaker, I rise today to give tribute to the all-American public library upon completion of National Library Week. It was a week filled with activities and celebration designed to highlight the important role libraries and librarians play in our lives.

Based on a theme of "Worlds connect @ your library," libraries across the nation hosted contests and presentations to educate and entertain readers of all ages. Since 1958, National Library Week has been part of the American Library Association's goal of "encouraging people to read in their increasing leisure time." It was and has been an impressive goal and today we see libraries full of readers, taking on new challenges and expanding the education of their communities. This week was an opportunity to bring in new library patrons and to encourage reading as part of everyday life.

Former First Lady, Laura Bush, herself a librarian by profession, once said this of our libraries: "Libraries allow children to ask questions about the world and find the answers. And the wonderful thing is that once a child learns to use a library, the doors to learning are always open."

Mr. Speaker, I speak today to honor the work libraries and librarians provide not only children but all in their communities. They are more than buildings that house books and people that help us find resources. They are places to discover and imagine with neighbors gladly serving their fellow citizens in an expanding and challenging world.

Mr. TONKO. 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 New York (Mr. TONKO) that the House suspend the rules and agree to the resolution, H. Res. 336.

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

A motion to reconsider was laid on the table.

BEST BUDDIES EMPOWERMENT FOR PEOPLE WITH INTELLECTUAL DISABILITIES ACT OF 2009

Mr. TONKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1824) to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1824

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 ''Best Buddies Empowerment for People with Intellectual Disabilities Act of 2009''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Best Buddies operates the first national social and recreational program in the United States for people with intellectual disabilities.

(2) Best Buddies is dedicated to helping people with intellectual disabilities become part of mainstream society.

(3) Best Buddies is determined to end social isolation for people with intellectual disabilities by promoting meaningful friendships between them and their non-disabled peers in order to help increase the self-esteem, confidence, and abilities of people with and without intellectual disabilities.

(4) Since 1989, Best Buddies has enhanced the lives of people with intellectual disabilities by providing opportunities for 1-to-1 friendships and integrated employment.

(5) Best Buddies is an international organization spanning 1,300 middle school, high school, and college campuses.

(6) Best Buddies implements programs that will positively impact more than 400,000 individuals in 2009 and expects to impact 500,000 people by 2010.

(7) The Best Buddies Middle Schools program matches middle school students with intellectual disabilities with other middle school students and supports 1-to-1 friendships between them.

(8) The Best Buddies High Schools program matches high school students with intellectual disabilities with other high school students and supports 1-to-1 friendships between them.

(9) The Best Buddies Colleges program matches adults with intellectual disabilities with college students and creates 1-to-1 friendships between them.

(10) The Best Buddies e-Buddies program supports e-mail friendships between people with and without intellectual disabilities.

(11) The Best Buddies Citizens program pairs adults with intellectual disabilities in 1-to-1 friendships with other individuals in the corporate and civic communities.

(12) The Best Buddies Jobs program promotes the integration of people with intellectual disabilities into the community through supported employment.

(b) PURPOSE.—The purposes of this Act are to—

(1) provide support to Best Buddies to increase participation in and public awareness about Best Buddies programs that serve people with intellectual disabilities;

(2) dispel negative stereotypes about people with intellectual disabilities; and

(3) promote the extraordinary contributions of people with intellectual disabilities.

SEC. 3. ASSISTANCE FOR BEST BUDDIES.

(a) EDUCATION ACTIVITIES.—The Secretary of Education may award grants to, or enter into contracts or cooperative agreements with, Best Buddies to carry out activities to promote the expansion of Best Buddies, including activities to increase the participation of people with intellectual disabilities in social relationships and other aspects of community life, including education and employment, within the United States.

(b) LIMITATIONS.—

(1) IN GENERAL.—Amounts appropriated to carry out this Act may not be used for direct treatment of diseases, medical conditions, or mental health conditions.

(2) ADMINISTRATIVE ACTIVITIES.—Not more than 5 percent of amounts appropriated to carry out this Act for a fiscal year may be used for administrative activities.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the use of non-Federal funds by Best Buddies.

SEC. 4. APPLICATION AND ANNUAL REPORT.

(a) APPLICATION.—

(1) IN GENERAL.—To be eligible for a grant, contract, or cooperative agreement under section 3(a), Best Buddies shall submit an application at such time, in such manner, and containing such information as the Secretary of Education may require.

(2) CONTENT.—At a minimum, an application under this subsection shall contain the following:

(A) A description of activities to be carried out under the grant, contract, or cooperative agreement.

(B) Information on specific measurable goals and objectives to be achieved through activities carried out under the grant, contract, or cooperative agreement.

(b) ANNUAL REPORT.—

(1) IN GENERAL.—As a condition of receipt of any funds under section 3(a), Best Buddies shall agree to submit an annual report at such time, in such manner, and containing such information as the Secretary of Education may require.

(2) CONTENT.—At a minimum, each annual report under this subsection shall describe the degree to which progress has been made toward meeting the specific measurable goals and objectives described in the applications submitted under subsection (a).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Education for grants, contracts, or cooperative agreements under section 3(a), $10,000,000 for fiscal year 2010, and such sums as may be necessary for each of the 4 succeeding fiscal years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TONKO) and the gentleman from Michigan (Mr. EHLERS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 1824 into the RECORD.

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

There was no objection.

Mr. TONKO. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1824. The bill will expand the important work of Best Buddies to empower people with disabilities and put an end to their social isolation.

Best Buddies International is the only national organization focused on improving the lives of individuals with intellectual disabilities through a one-to-one friendship with peers.

People with intellectual disabilities are often excluded from society because of their differences. Sadly, the social isolation of children with disabilities is well-documented by researchers. However, over the last 20 years, Best Buddies has proven something that most of us take for granted, that lasting, meaningful friendships are the key to a better life.

But friendships for people with intellectual disabilities do not always come easily. Over the past 50 years, while this population has gained many civil rights, attitudinal barriers and stereotypes persist. This is something Best Buddies is changing. Since 1989, Best Buddies has worked with 1,300 middle school, high school, and college campuses. Best Buddies volunteers annually contribute services to the community that equate to more than $17 million. Federal assistance is critical to help Best Buddies expand their efforts to all of our 50 States.

Bullying continues to be a problem in our schools for many children. A 2005 study found that a Best Buddy relationship is associated with lower frequencies of peer victimization, better adaptive behavior, and fewer psychological problems for youth. Clearly, a friend is a powerful thing.

Through one-to-one matches with peers without disabilities, as well as support of e-mail friendships, citizen programs for adults, and a jobs program that promotes integration into the workplace, Best Buddies expects to impact over 500,000 people by the year 2010.

H.R. 1824 will allow Best Buddies to continue this important work through increased participation and public awareness. It simply authorizes the Secretary of Education to support Best Buddies to increase the participation of people with intellectual disabilities in social relationships and other aspects of community life.

Best Buddies envisions a world where people with intellectual disabilities are so successfully integrated into our schools, our workplaces, and our general communities that their current efforts and services will grow unnecessary. I share that vision.

Mr. Speaker, once again, I express my full support for H.R. 1824, and I urge my colleagues to support this measure.

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

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

Mr. Speaker, I rise today in support of H.R. 1824, the Best Buddies Empowerment for People with Intellectual Disabilities Act. This bill would authorize funding for Best Buddies, a nonprofit organization that provides mentors and friends for individuals with intellectual disabilities in order to increase their social relationships and other aspects of community life.

I appreciate Mr. TONKO's comments about bullying. I have introduced a bill dealing with bullying. And I got a letter—not from one of my constituents, but some other constituents—outlining a terrible situation where a young man was bullied so severely he decided he couldn't take it anymore and committed suicide at a very young age. That is the sort of tragedy we have to stop, and Best Buddies is a very important way in which that can be stopped.

Best Buddies was founded in 1989 by Anthony Kennedy Shriver as the first national, social, and recreational program for people with intellectual disabilities. Since that time, this has grown from one chapter to more than 1,400 middle school, high school and college campuses all around the country. It also operates programs on six continents around the world, with additional country programs under development.

Best Buddies offers six programs to students with special needs. Best Buddies Citizens pairs adults with intellectual disabilities with their nondisabled working peers. Best Buddies Jobs is a supported employment program targeting high-paying white collar jobs for people with intellectual disabilities. Best Buddies High Schools pairs special education students in one-on-one friendships with high school volunteers. Best Buddies Middle Schools pairs students with middle school volunteers. And Best Buddies Colleges pairs students with intellectual disabilities with college student volunteers. And the sixth program, e-Buddies, is a cutting-edge online friendship program.

According to independent researchers, an estimated 7 million individuals—2 percent of the population of the United States—have intellectual disabilities which impair their adaptive skills. These skills, such as communication, self-care, home living, social skills, functional academics, community participation, and employment are daily living skills needed to live and work in the local community as productive citizens.

The three major known causes of intellectual disabilities are Down syndrome, fetal alcohol syndrome, and Fragile X. With early intervention, effective education, and appropriate support into adulthood, many individuals with intellectual disabilities are able to lead independent lives in their communities.

Best Buddies assists in this effort by building personal relationships between Buddies and individuals with intellectual disabilities. The organization currently operates programs in 20 States, including a Best Buddies College program at Grand Valley State University, which is in my congressional district, as well as five other universities in Michigan.

□ 1245

However, there is a great need to ensure that there are programs operating in all 50 States. This new authorization would assist the organization in getting dedicated funding through the U.S. Department of Education in support of its expansion to all 50 States.

I want to thank my good friend, Mr. BLUNT, for his strong support for initiatives that assist students with intellectual disabilities and for introducing this legislation.

I reserve the balance of my time.

Mr. TONKO. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Maryland, Majority Leader HOYER of the House, whose longstanding commitment to people with disabilities is well-documented. And I have to also make mention that when it comes to a buddy system for incoming freshmen, helping us to navigate on behalf of our constituents, there is a real friend in Majority Leader HOYER.

Mr. HOYER. I thank the gentleman for yielding, and I thank him for his kind comments. The gentleman from New York is very generous.

I want to thank my friend from Michigan (Mr. EHLERS) with whom I served on the House Administration Committee for many years; and also, of course, my dear friend, one of the Republican leaders in this House, Mr. BLUNT, who has cosponsored this legislation with me. It so happens my name is first, but Mr. BLUNT and I have worked on this effort together, because we both believe it's a very important one for our country and for all of those who are advantaged by this program.

I am proud, therefore, to speak in favor of this bill supporting Best Buddies, an organization, as Mr. EHLERS has pointed out, dedicated to the social integration of children and adults with intellectual disabilities.

It was founded some 20 years ago by Anthony Kennedy Shriver. Best Buddies is the first social and recreational program of its kind in the United States. It has already reached hundreds of thousands of Americans, both with and without disabilities, a total that is set to reach a half a million by 2010.

Best Buddies, Mr. Speaker, fosters and supports friendships and mentorships between participants from kindergartners to adult professionals, sponsoring more than 1,000 volunteer-led chapters at schools and workplaces.

Not only do volunteers learn leadership training, they learn firsthand about the important contributions made by their fellow citizens with intellectual disabilities. Participants with disabilities learn that they are valuable members of our communities, capable of forming a wide range of real and lasting friendships.

This legislation authorizes a total of $10 million for grants, contracts or cooperative agreements to be distributed

to Best Buddies by the Department of Education in fiscal year 2010, along with such sums as may be necessary for each of the four succeeding fiscal years.

These funds will enable this important organization to reach hundreds of thousands more potential volunteers and participants, promoting the crucial values of shared participation and community and social equality.

All of us will be advantaged by this program, not those immediate participants alone, but all of those whose communities will be better places for the participation of those directly involved in Best Buddies.

I want to thank Congressman BLUNT for cosponsoring this bill. He and I worked together for many years on this effort, and I urge my colleagues to support it.

Mr. EHLERS. Mr. Speaker, it is my pleasure to yield to the sponsor of this legislation, the gentleman from Missouri (Mr. BLUNT), for as much time as he wishes.

Mr. BLUNT. I thank Mr. EHLERS for yielding.

I certainly was pleased to join my colleague from Maryland, the majority leader, as an original sponsor of this Best Buddies Empowerment for People with Intellectual Disabilities Act.

This isn't the first time that Mr. HOYER and I have joined with our colleagues to come together in a meaningful way in this important area. In fact, we are both proud of the Special Olympics Sport and Empowerment Act in 2004 that became law during the 108th Congress.

The success stories of healthy athletes, the program that emerged out of that effort, is really the great result of what we did. The reports we get from Special Olympics have been heartening every year as those athletes come together.

It's estimated that between 7 and 8 million Americans live with intellectual disabilities, impacting nearly one in every 10 families. For these individuals, life is not always welcoming. Very rarely is it easy. People with intellectual disabilities are often excluded from society, whether that's a school, in the workplace or in their communities, simply because they are different.

So I have been glad to support a program that we have talked about today, Best Buddies. It's been mentioned that it was organized 20 years ago by Anthony Shriver, and it really was designed to help integrate people with intellectual disabilities into the mainstream of society to end their isolation, to help them embark on productive, fulfilling lives by finding a buddy that didn't have the disabilities that they have.

The Best Buddies program works with volunteers to establish meaningful friendships with their nondisabled peers in order to help increase the self-esteem and confidence of people with and without intellectual disabilities. This is a program that's enhanced the lives of individuals by providing real and safe opportunities for one-on-one friendships and new options for employment.

These can often be life-changing events for individuals and often are life-changing events for those individuals with intellectual disabilities. This is often the first time in their lives that they have had someone to call their friend, someone to be their friend who didn't have disabilities, and introduced them to the world without disabilities.

This bill helps accomplish that goal in a number of significant ways. It authorizes the Secretary of Education to award grants or contracts with Best Buddies to conduct and expand its activities.

It has an eye on increasing the participation of individuals with intellectual disabilities, as well as to promote outreach programs. This bill will go a long way toward dispelling negative hurtful stereotypes and make clear the extraordinary gifts that people with intellectual disabilities nonetheless possess and, with just a little encouragement, are able to utilize.

More important, it will help move people from intellectual disabilities from the margins of society to the mainstream of society.

I know Mr. HOYER, Mr. EHLERS, Mr. TONKO and I hope to see this bill enacted into law, knowing that it will help raise the hope and dignity of people with intellectual disabilities and further empower their full participation in our communities.

I hope my colleagues pass this bill today. We intend to work for its enactment into law and look forward to the difference that this bill, Mr. Speaker, can make in the lives of people.

Mr. TONKO. Mr. Speaker, we have no other Representatives from the majority that choose to speak on the measure, so I would ask if the gentleman from Michigan has others to speak.

Mr. EHLERS. Mr. Speaker, we have no other speakers on this side.

I yield back the balance of my time.

Mr. TONKO. Mr. Speaker, the House resolution concerning Best Buddies is an outstanding opportunity for us to reinforce the efforts made by Best Buddies as they move towards the mission of integrating individuals with intellectual disabilities into society, into community in the most successful measure. And so for those reasons I would strongly urge support for this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 1824, the Best Buddies Empowerment for People with Intellectual Disabilities Act of 2009. I thank Majority Leader HOYER for introducing this important legislation which authorizes the Secretary of Education to award grants to, or enter into agreements with, "Best Buddies" to promote the expansion of its programs. I urge my colleagues to approve this resolution so this vital nonprofit organization can provide further aid to people with disabilities and help them fit into mainstream society.

H.R. 1824 is needed because it will allow Best Buddies to increase participation in and public awareness about Best Buddies programs so that the organization can help more people in need. This public awareness campaign, and the successful participants in their program, will help dispel negative stereotypes about individuals with disabilities. Moreover, the public awareness campaign will promote the extraordinary contributions of people with disabilities.

This Bill is important because of the importance of the Best Buddies programs. According to the Best Buddies website the program has over 1,300 chapters and will help 400,000 individuals with intellectual disabilities just this year alone through its six program groups. Those groups include Best Buddies Citizens, Colleges, E-Buddies, High Schools, Jobs, and Middle Schools.

While the organization has expanded greatly, there are still many areas of the country that lack the resources to help individuals with intellectual disabilities become a part of mainstream society. Best Buddies is able to help this broad range of individuals by providing one-on-one friendships and integrated employment.

The vision statement of the Best Buddies organization sums up their important goals best, "Best Buddies envisions a world where people with intellectual disabilities are so successfully integrated into our schools, our workplaces and our general communities that our current efforts and services will be unnecessary".

This vision is still necessary because people with intellectual disabilities are often excluded from society due to their differences. Best Buddies is determined to end the social isolation of people with intellectual disabilities by establishing meaningful, lasting one-to-one friendships with their peers without intellectual disabilities. The friendships Best Buddies create help increase self-esteem, confidence and the abilities of people with and without intellectual disabilities.

Since 1989, Best Buddies has worked towards this vision an operates the first national social and recreational program in the United States for people with intellectual disabilities.

Persons with intellectual disabilities need this crucial assistance to help them gain adaptive life skills. Such skills include communication, self-care, home living, social skills, leisure, health and safety, self-direction, functional academics like reading, writing and basic math as well as community participation and employment.

The effects of intellectual disabilities vary considerably among people. About 87 percent are mildly affected and will be only slightly less proficient than average in learning new information and skills. With the assistance of programs like Best Buddies, a significant portion of our population can become self-reliant and an integral part of society.

According to the Equal Employment Opportunity Commission, an estimated 2.5 million people, approximately 1% of the national population, have an intellectual disability. Estimates also indicate that only 31% of individuals with intellectual disabilities are employed, although many more want to work. Persons with intellectual disabilities successfully perform a wide range of jobs, and can be dependable workers. They just need help to make it happen.

As the Representative of the 18th District of Texas, and a tireless advocate for equal rights for all persons, I strongly support this Resolution. Currently, the Best Buddies Texas headquarters is in Houston and has programs in high schools and colleges within my district. I want to see that more states can get the help from Best Buddies that Texas has been so lucky to receive and ensure that Best Buddies can continue to grow and help even more individuals with intellectual disabilities in Texas and my district. I urge my colleagues to pass this Bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and pass the bill, H.R. 1824.

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.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

Mr. SPRATT. Mr. Speaker, pursuant to House Resolution 316, I call from the Speaker's table the Senate concurrent resolution (S. Con. Res. 13) setting forth the congressional budget for the United States Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014, and ask for its immediate consideration.

The Clerk read the title of the Senate concurrent resolution.

The text of the Senate concurrent resolution is as follows:

S. CON. RES. 13

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2010 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2009 and 2011 through 2014.

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

Sec. 1. Concurrent resolution on the budget for fiscal year 2010.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Social Security.
Sec. 103. Postal Service discretionary administrative expenses.
Sec. 104. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Deficit-neutral reserve fund to transform and modernize America's health care system.
Sec. 202. Deficit-neutral reserve fund to invest in clean energy and preserve the environment.
Sec. 203. Deficit-neutral reserve fund for higher education.
Sec. 204. Deficit-neutral reserve fund for child nutrition and WIC.
Sec. 205. Deficit-neutral reserve fund for investments in America's infrastructure.
Sec. 206. Deficit-neutral reserve fund to promote economic stabilization and growth.
Sec. 207. Deficit-neutral reserve fund for America's veterans and wounded servicemembers.
Sec. 208. Deficit-neutral reserve fund for judicial pay and judgeships and postal retiree assistance.
Sec. 209. Deficit-neutral reserve fund for defense acquisition and contracting reform.
Sec. 210. Deficit-neutral reserve fund for investments in our Nation's counties and schools.
Sec. 211. Deficit-neutral reserve fund for the Food and Drug Administration.
Sec. 212. Deficit-neutral reserve fund for bipartisan congressional sunset commission.
Sec. 213. Deficit-neutral reserve fund to improve domestic fuels security.
Sec. 214. Deficit-neutral reserve fund for a comprehensive investigation into the current financial crisis.
Sec. 215. Deficit-neutral reserve fund for increased transparency at the Federal Reserve.
Sec. 216. Deficit-Neutral reserve fund for improving child welfare.
Sec. 217. Deficit-neutral reserve fund to fully fund the Long-Term Stability/Housing for Victims Program.
Sec. 218. Deficit-neutral reserve fund for providing a nonrefundable Federal income tax credit for the purchase of a principal residence during a 1-year period.
Sec. 219. Deficit-neutral reserve fund for monitoring of FHA-insured lending.
Sec. 220. Deficit-neutral reserve fund to address the systemic inequities of Medicare and Medicaid reimbursement that lead to access problems in rural areas.
Sec. 221. Deficit-neutral reserve fund to provide for accelerated carbon capture and storage and advanced clean coal power generation research, development, demonstration, and deployment.
Sec. 222. Expenditure of remaining TARP funds.
Sec. 223. Deficit-neutral reserve fund for prohibiting undeserved contracting performance bonuses.
Sec. 224. Deficit-reduction reserve fund to ensure the pledge of President Obama to eliminate wasteful, inefficient, and duplicative programs.
Sec. 225. Deficit-neutral reserve fund for the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA), and other related programs.
Sec. 226. Deficit-neutral reserve fund for ending abusive no-bid contracts.
Sec. 227. Deficit-neutral reserve fund for home visitation programs.
Sec. 228. Deficit-neutral reserve fund for 21st Century Community Learning Centers.
Sec. 229. Deficit-neutral reserve fund to provide for the extension of the top individual tax rates for small businesses.
Sec. 230. Deficit-neutral reserve fund for pension coverage for employees of Department of Energy laboratories and environmental cleanup sites.
Sec. 231. Deficit-neutral reserve fund for provision of critical resources to firefighters and fire departments.
Sec. 232. Deficit-reduction reserve fund for the elimination and recovery of improper payments.
Sec. 233. Deficit-neutral reserve fund for the repeal of the 1993 increase in the income tax on social security benefits.
Sec. 234. Deficit-neutral reserve fund for legislation to increase the amount of capital losses allowed to individuals.
Sec. 235. Deficit-neutral reserve fund for foster care financing reform.
Sec. 236. Deficit-neutral reserve fund for healthcare professionals for the Veterans Health Administration.
Sec. 237. Deficit-neutral reserve fund to repeal deductions from mineral revenue payments to States.
Sec. 238. Reserve fund to promote tax equity for States without personal income taxes.
Sec. 239. Deficit-neutral reserve fund for setting performance standards to identify failing Government programs.
Sec. 240. Deficit-neutral reserve fund to expedite research on viability of use of higher ethanol blends at service station pump.
Sec. 241. Deficit-neutral reserve funds to enhance drug-control efforts within our communities and along our borders.
Sec. 242. Deficit-neutral reserve fund to promote individual savings and financial security.
Sec. 243. Deficit-neutral reserve fund for the National Health Service Corps.
Sec. 244. Deficit-neutral reserve fund to improve animal health and disease program.
Sec. 245. Deficit-neutral reserve fund for increase in the end strength for active duty personnel of the Army.
Sec. 246. Deficit-neutral reserve fund for wildland fire management activities.
Sec. 247. Deficit-neutral reserve fund for estate tax relief.
Sec. 248. Point of order against legislation that provides additional relief for the estate tax beyond the levels assumed in this budget resolution unless an equal amount of additional tax relief is provided to middle-class taxpayers.
Sec. 249. Deficit-neutral reserve fund increase FDIC and NCUA borrowing authority.
Sec. 250. Deficit-neutral reserve fund for innovative loan guarantee program of the Department of Energy.
Sec. 251. Deficit-neutral reserve fund for nuclear research and development.
Sec. 252. Deficit-neutral reserve fund for the 2012 completion of Food and Drug Administration facilities.
Sec. 253. Deficit-neutral reserve fund for Energy Star for Small Business Program.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

Sec. 301. Discretionary spending limits, program integrity initiatives, and other adjustments.
Sec. 302. Point of order against advance appropriations.
Sec. 303. Emergency legislation.
Sec. 304. Point of order against legislation increasing short-term deficit.
Sec. 305. Point of order against provisions of appropriations legislation that constitute changes in mandatory programs affecting the Crime Victims Fund.
Sec. 306. Point of order against legislation that raises taxes on middle-income taxpayers.
Sec. 307. Point of order on legislation that raises income tax rates on Small Businesses.
Sec. 308. Point of order against legislation that imposes a National energy tax on middle-income taxpayers.
Sec. 309. Point of order on legislation that imposes a marriage tax penalty.
Sec. 310. Point of order on legislation that increases revenue above the levels established in the budget resolution.
Sec. 311. Point of order on legislation that increases taxes during any period when the unemployment rate is in excess of 5.8 percent.
Sec. 312. Point of order against legislation that causes significant job loss.
Sec. 313. Limitations on legislation that would permit the Secretary of Veterans Affairs to recover from a private health insurer of a disabled veteran amounts paid for treatment of such disability.
Sec. 314. Point of order.
Sec. 315. Restrictions on unfunded mandates on States and local governments.
Sec. 316. Point of order on legislation that eliminates the ability of Americans to keep their health plan or their choice of doctor.

Subtitle B—Other Provisions

Sec. 321. Oversight of government performance.
Sec. 322. Budgetary treatment of certain discretionary administrative expenses.
Sec. 323. Application and effect of changes in allocations and aggregates.
Sec. 324. Adjustments to reflect changes in concepts and definitions.
Sec. 325. Debt disclosure requirement.
Sec. 326. Debt disclosures.
Sec. 327. Exercise of rulemaking powers.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2009 through 2014:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2009: $1,506,196,000,000.
Fiscal year 2010: $1,620,072,000,000.
Fiscal year 2011: $1,918,926,000,000.
Fiscal year 2012: $2,123,586,000,000.
Fiscal year 2013: $2,286,601,000,000.
Fiscal year 2014: $2,489,829,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2009: –$26,374,000,000.
Fiscal year 2010: –$45,914,000,000.
Fiscal year 2011: –$169,705,000,000.
Fiscal year 2012: –$236,806,000,000.
Fiscal year 2013: –$228,736,000,000.
Fiscal year 2014: –$143,829,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2009: $3,668,049,000,000.
Fiscal year 2010: $2,853,966,000,000.
Fiscal year 2011: $2,799,858,000,000.
Fiscal year 2012: $2,812,313,000,000.
Fiscal year 2013: $2,990,082,000,000.
Fiscal year 2014: $3,164,644,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2009: $3,355,533,000,000.
Fiscal year 2010: $2,981,026,000,000.
Fiscal year 2011: $2,937,215,000,000.
Fiscal year 2012: $2,856,956,000,000.
Fiscal year 2013: $3,003,162,000,000.
Fiscal year 2014: $3,152,972,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2009: $1,849,337,000,000.
Fiscal year 2010: $1,360,954,000,000.
Fiscal year 2011: $1,018,289,000,000.
Fiscal year 2012: $733,370,000,000.
Fiscal year 2013: $716,560,000,000.
Fiscal year 2014: $663,142,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2009: $12,067,919,000,000.
Fiscal year 2010: $13,298,235,000,000.
Fiscal year 2011: $14,394,517,000,000.
Fiscal year 2012: $15,303,842,000,000.
Fiscal year 2013: $16,175,508,000,000.
Fiscal year 2014: $17,022,970,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2009: $7,754,355,000,000.
Fiscal year 2010: $8,817,043,000,000.
Fiscal year 2011: $9,702,393,000,000.
Fiscal year 2012: $10,345,439,000,000.
Fiscal year 2013: $10,919,379,000,000.
Fiscal year 2014: $11,471,742,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2009: $653,117,000,000.
Fiscal year 2010: $668,208,000,000.
Fiscal year 2011: $694,864,000,000.
Fiscal year 2012: $726,045,000,000.
Fiscal year 2013: $766,065,000,000.
Fiscal year 2014: $802,166,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2009: $513,029,000,000.
Fiscal year 2010: $544,140,000,000.
Fiscal year 2011: $564,523,000,000.
Fiscal year 2012: $586,897,000,000.
Fiscal year 2013: $612,017,000,000.
Fiscal year 2014: $639,054,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2009:
(A) New budget authority, $5,296,000,000.
(B) Outlays, $4,945,000,000.
Fiscal year 2010:
(A) New budget authority, $6,072,000,000.
(B) Outlays, $5,934,000,000.
Fiscal year 2011:
(A) New budget authority, $6,568,000,000.
(B) Outlays, $6,433,000,000.
Fiscal year 2012:
(A) New budget authority, $6,895,000,000.
(B) Outlays, $6,809,000,000.
Fiscal year 2013:
(A) New budget authority, $7,223,000,000.
(B) Outlays, $7,148,000,000.
Fiscal year 2014:
(A) New budget authority, $7,599,000,000.
(B) Outlays, $7,517,000,000.

SEC. 103. POSTAL SERVICE DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, the amounts of new budget authority and budget outlays of the Postal Service for discretionary administrative expenses are as follows:

Fiscal year 2009:
(A) New budget authority, $253,000,000.
(B) Outlays, $253,000,000.
Fiscal year 2010:
(A) New budget authority, $262,000,000.
(B) Outlays, $262,000,000.
Fiscal year 2011:
(A) New budget authority, $267,000,000.
(B) Outlays, $267,000,000.
Fiscal year 2012:
(A) New budget authority, $272,000,000.
(B) Outlays, $272,000,000.
Fiscal year 2013:
(A) New budget authority, $277,000,000.
(B) Outlays, $277,000,000.
Fiscal year 2014:
(A) New budget authority, $283,000,000.
(B) Outlays, $283,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2014 for each major functional category are:

(1) National Defense (050):
Fiscal year 2009:
(A) New budget authority, $693,557,000,000.
(B) Outlays, $671,725,000,000.
Fiscal year 2010:
(A) New budget authority, $691,703,000,000.
(B) Outlays, $695,628,000,000.
Fiscal year 2011:
(A) New budget authority, $619,767,000,000.
(B) Outlays, $662,705,000,000.
Fiscal year 2012:
(A) New budget authority, $628,785,000,000.
(B) Outlays, $642,223,000,000.
Fiscal year 2013:
(A) New budget authority, $639,535,000,000.
(B) Outlays, $641,425,000,000.
Fiscal year 2014:
(A) New budget authority, $653,458,000,000.
(B) Outlays, $646,834,000,000.

(2) International Affairs (150):
Fiscal year 2009:
(A) New budget authority, $55,333,000,000.
(B) Outlays, $38,011,000,000.
Fiscal year 2010:
(A) New budget authority, $50,667,000,000.
(B) Outlays, $48,853,000,000.
Fiscal year 2011:
(A) New budget authority, $48,186,000,000.
(B) Outlays, $51,034,000,000.
Fiscal year 2012:
(A) New budget authority, $50,421,000,000.
(B) Outlays, $51,649,000,000.
Fiscal year 2013:
(A) New budget authority, $53,324,000,000.
(B) Outlays, $52,556,000,000.
Fiscal year 2014:
(A) New budget authority, $55,992,000,000.
(B) Outlays, $53,223,000,000.

(3) General Science, Space, and Technology (250):

Fiscal year 2009:
(A) New budget authority, $35,389,000,000.
(B) Outlays, $30,973,000,000.
Fiscal year 2010:
(A) New budget authority, $31,139,000,000.
(B) Outlays, $32,467,000,000.
Fiscal year 2011:
(A) New budget authority, $33,993,000,000.
(B) Outlays, $33,032,000,000.
Fiscal year 2012:
(A) New budget authority, $35,008,000,000.
(B) Outlays, $33,749,000,000.
Fiscal year 2013:
(A) New budget authority, $35,557,000,000.
(B) Outlays, $34,971,000,000.
Fiscal year 2014:
(A) New budget authority, $36,211,000,000.
(B) Outlays, $36,066,000,000.
(4) Energy (270):
Fiscal year 2009:
(A) New budget authority, $43,919,000,000.
(B) Outlays, $2,952,000,000.
Fiscal year 2010:
(A) New budget authority, $4,488,999,999.
(B) Outlays, $6,209,999,999.
Fiscal year 2011:
(A) New budget authority, $4,404,000,000.
(B) Outlays, $8,906,000,000.
Fiscal year 2012:
(A) New budget authority, $4,427,000,000.
(B) Outlays, $10,341,000,000.
Fiscal year 2013:
(A) New budget authority, $4,619,000,000.
(B) Outlays, $5,613,000,000.
Fiscal year 2014:
(A) New budget authority, $4,540,000,000.
(B) Outlays, $484,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2009:
(A) New budget authority, $56,009,000,000.
(B) Outlays, $36,834,000,000.
Fiscal year 2010:
(A) New budget authority, $37,687,000,000.
(B) Outlays, $40,690,000,000.
Fiscal year 2011:
(A) New budget authority, $37,914,000,000.
(B) Outlays, $39,928,000,000.
Fiscal year 2012:
(A) New budget authority, $38,376,000,000.
(B) Outlays, $39,419,000,000.
Fiscal year 2013:
(A) New budget authority, $38,256,000,000.
(B) Outlays, $38,883,000,000.
Fiscal year 2014:
(A) New budget authority, $38,602,000,000.
(B) Outlays, $38,788,000,000.
(6) Agriculture (350):
Fiscal year 2009:
(A) New budget authority, $24,974,000,000.
(B) Outlays, $23,070,000,000.
Fiscal year 2010:
(A) New budget authority, $23,620,000,000.
(B) Outlays, $23,881,000,000.
Fiscal year 2011:
(A) New budget authority, $24,602,000,000.
(B) Outlays, $23,914,000,000.
Fiscal year 2012:
(A) New budget authority, $21,500,000,000.
(B) Outlays, $17,410,000,000.
Fiscal year 2013:
(A) New budget authority, $22,295,000,000.
(B) Outlays, $21,877,000,000.
Fiscal year 2014:
(A) New budget authority, $22,920,000,000.
(B) Outlays, $21,906,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2009:
(A) New budget authority, $694,439,000,000.
(B) Outlays, $665,437,000,000.
Fiscal year 2010:
(A) New budget authority, $61,113,000,000.
(B) Outlays, $85,818,000,000.
Fiscal year 2011:
(A) New budget authority, $25,931,000,000.
(B) Outlays, $37,798,000,000.
Fiscal year 2012:
(A) New budget authority, $9,305,000,000.
(B) Outlays, $8,400,000,000.
Fiscal year 2013:
(A) New budget authority, $16,985,000,000.
(B) Outlays, $5,329,000,000.
Fiscal year 2014:
(A) New budget authority, $10,958,000,000.
(B) Outlays, –$2,762,000,000.
(8) Transportation (400):
Fiscal year 2009:
(A) New budget authority, $122,457,000,000.
(B) Outlays, $87,784,000,000.
Fiscal year 2010:
(A) New budget authority, $75,246,000,000.
(B) Outlays, $95,695,000,000.
Fiscal year 2011:
(A) New budget authority, $75,301,000,000.
(B) Outlays, $96,147,000,000.
Fiscal year 2012:
(A) New budget authority, $75,885,000,000.
(B) Outlays, $95,184,000,000.
Fiscal year 2013:
(A) New budget authority, $75,758,000,000.
(B) Outlays, $95,017,000,000.
Fiscal year 2014:
(A) New budget authority, $75,642,000,000.
(B) Outlays, $94,972,000,000.
(9) Community and Regional Development (450):
Fiscal year 2009:
(A) New budget authority, $23,811,000,000.
(B) Outlays, $29,983,000,000.
Fiscal year 2010:
(A) New budget authority, $16,338,000,000.
(B) Outlays, $28,924,000,000.
Fiscal year 2011:
(A) New budget authority, $16,152,000,000.
(B) Outlays, $25,574,000,000.
Fiscal year 2012:
(A) New budget authority, $16,194,000,000.
(B) Outlays, $22,263,000,000.
Fiscal year 2013:
(A) New budget authority, $16,043,000,000.
(B) Outlays, $19,640,000,000.
Fiscal year 2014:
(A) New budget authority, $16,068,000,000.
(B) Outlays, $17,870,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2009:
(A) New budget authority, $164,276,000,000.
(B) Outlays, $73,219,000,000.
Fiscal year 2010:
(A) New budget authority, $94,430,000,000.
(B) Outlays, $140,624,000,000.
Fiscal year 2011:
(A) New budget authority, $107,858,000,000.
(B) Outlays, $141,412,000,000.
Fiscal year 2012:
(A) New budget authority, $117,121,000,000.
(B) Outlays, $118,480,000,000.
Fiscal year 2013:
(A) New budget authority, $115,931,000,000.
(B) Outlays, $118,911,000,000.
Fiscal year 2014:
(A) New budget authority, $125,788,000,000.
(B) Outlays, $120,959,000,000.
(11) Health (550):
Fiscal year 2009:
(A) New budget authority, $380,158,000,000.
(B) Outlays, $354,397,000,000.
Fiscal year 2010:
(A) New budget authority, $385,447,000,000.
(B) Outlays, $389,191,000,000.
Fiscal year 2011:
(A) New budget authority, $363,906,000,000.
(B) Outlays, $368,001,000,000.
Fiscal year 2012:
(A) New budget authority, $368,156,000,000.
(B) Outlays, $367,749,000,000.
Fiscal year 2013:
(A) New budget authority, $387,170,000,000.
(B) Outlays, $382,650,000,000.
Fiscal year 2014:
(A) New budget authority, $396,523,000,000.
(B) Outlays, $397,368,000,000.
(12) Medicare (570):
Fiscal year 2009:
(A) New budget authority, $427,076,000,000.
(B) Outlays, $426,736,000,000.
Fiscal year 2010:
(A) New budget authority, $442,828,000,000.
(B) Outlays, $442,959,000,000.
Fiscal year 2011:
(A) New budget authority, $487,518,000,000.
(B) Outlays, $487,336,000,000.
Fiscal year 2012:
(A) New budget authority, $491,854,000,000.
(B) Outlays, $491,626,000,000.
Fiscal year 2013:
(A) New budget authority, $539,711,000,000.
(B) Outlays, $539,862,000,000.
Fiscal year 2014:
(A) New budget authority, $592,893,000,000.
(B) Outlays, $592,733,000,000.
(13) Income Security (600):
Fiscal year 2009:
(A) New budget authority, $520,123,000,000.
(B) Outlays, $503,020,000,000.
Fiscal year 2010:
(A) New budget authority, $536,609,000,000.
(B) Outlays, $539,949,200,000.
Fiscal year 2011:
(A) New budget authority, $507,502,000,000.
(B) Outlays, $511,313,800,000.
Fiscal year 2012:
(A) New budget authority, $450,091,000,000.
(B) Outlays, $450,856,400,000.
Fiscal year 2013:
(A) New budget authority, $454,160,000,000.
(B) Outlays, $453,934,500,000.
Fiscal year 2014:
(A) New budget authority, $454,931,000,000.
(B) Outlays, $453,726,100,000.
(14) Social Security (650):
Fiscal year 2009:
(A) New budget authority, $31,820,000,000.
(B) Outlays, $31,264,000,000.
Fiscal year 2010:
(A) New budget authority, $20,255,000,000.
(B) Outlays, $20,378,000,000.
Fiscal year 2011:
(A) New budget authority, $23,380,000,000.
(B) Outlays, $23,513,000,000.
Fiscal year 2012:
(A) New budget authority, $26,478,000,000.
(B) Outlays, $26,628,000,000.
Fiscal year 2013:
(A) New budget authority, $29,529,000,000.
(B) Outlays, $29,679,000,000.
Fiscal year 2014:
(A) New budget authority, $32,728,000,000.
(B) Outlays, $32,728,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2009:
(A) New budget authority, $97,705,000,000.
(B) Outlays, $94,831,000,000.
Fiscal year 2010:
(A) New budget authority, $106,490,000,000.
(B) Outlays, $105,593,000,000.
Fiscal year 2011:
(A) New budget authority, $112,806,000,000.
(B) Outlays, $112,355,000,000.
Fiscal year 2012:
(A) New budget authority, $108,643,000,000.
(B) Outlays, $108,048,000,000.
Fiscal year 2013:
(A) New budget authority, $113,722,000,000.
(B) Outlays, $113,071,000,000.
Fiscal year 2014:
(A) New budget authority, $115,929,000,000.
(B) Outlays, $115,388,000,000.
(16) Administration of Justice (750):
Fiscal year 2009:
(A) New budget authority, $55,783,000,000.
(B) Outlays, $49,853,000,000.
Fiscal year 2010:
(A) New budget authority, $53,499,000,000.
(B) Outlays, $52,064,000,000.
Fiscal year 2011:
(A) New budget authority, $52,061,000,000.
(B) Outlays, $54,204,000,000.
Fiscal year 2012:
(A) New budget authority, $51,866,000,000.
(B) Outlays, $53,839,000,000.
Fiscal year 2013:
(A) New budget authority, $51,651,000,000.

(B) Outlays, $52,679,000,000.
Fiscal year 2014:
(A) New budget authority, $51,488,000,000.
(B) Outlays, $51,635,000,000.
(17) General Government (800):
Fiscal year 2009:
(A) New budget authority, $30,405,000,000.
(B) Outlays, $24,629,000,000.
Fiscal year 2010:
(A) New budget authority, $22,324,000,000.
(B) Outlays, $23,024,000,000.
Fiscal year 2011:
(A) New budget authority, $22,483,000,000.
(B) Outlays, $23,328,000,000.
Fiscal year 2012:
(A) New budget authority, $22,715,000,000.
(B) Outlays, $23,814,000,000.
Fiscal year 2013:
(A) New budget authority, $22,445,000,000.
(B) Outlays, $23,260,000,000.
Fiscal year 2014:
(A) New budget authority, $22,812,000,000.
(B) Outlays, $23,113,000,000.
(18) Net Interest (900):
Fiscal year 2009:
(A) New budget authority, $289,021,000,000.
(B) Outlays, $289,021,000,000.
Fiscal year 2010:
(A) New budget authority, $284,558,000,000.
(B) Outlays, $284,558,000,000.
Fiscal year 2011:
(A) New budget authority, $323,794,000,000.
(B) Outlays, $323,794,000,000.
Fiscal year 2012:
(A) New budget authority, $387,620,000,000.
(B) Outlays, $387,620,000,000.
Fiscal year 2013:
(A) New budget authority, $470,073,000,000.
(B) Outlays, $470,073,000,000.
Fiscal year 2014:
(A) New budget authority, $557,326,000,000.
(B) Outlays, $557,326,000,000.
(19) Allowances (920):
Fiscal year 2009:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2010:
(A) New budget authority, –$16,031,999,999.
(B) Outlays, –$7,037,199,999.
Fiscal year 2011:
(A) New budget authority, –$16,046,000,000.
(B) Outlays, –$15,266,800,000.
Fiscal year 2012:
(A) New budget authority, –$17,512,000,000.
(B) Outlays, –$17,654,400,000.
Fiscal year 2013:
(A) New budget authority, –$19,097,000,000.
(B) Outlays, –$18,658,500,000.
Fiscal year 2014:
(A) New budget authority, –$20,674,000,000.
(B) Outlays, –$19,891,100,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2009:
(A) New budget authority, –$78,206,000,000.
(B) Outlays, –$78,206,000,000.
Fiscal year 2010:
(A) New budget authority, –$68,444,000,000.
(B) Outlays, –$68,444,000,000.
Fiscal year 2011:
(A) New budget authority, –$71,653,000,000.
(B) Outlays, –$71,653,000,000.
Fiscal year 2012:
(A) New budget authority, –$74,620,000,000.
(B) Outlays, –$74,620,000,000.
Fiscal year 2013:
(A) New budget authority, –$77,585,000,000.
(B) Outlays, –$77,585,000,000.
Fiscal year 2014:
(A) New budget authority, –$79,491,000,000.
(B) Outlays, –$79,491,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-NEUTRAL RESERVE FUND TO TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM.

(a) TRANSFORM AND MODERNIZE AMERICA'S HEALTH CARE SYSTEM.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution, and make adjustments to the pay-as-you-go ledger that are deficit-neutral over 11 years, for one or more bills, joint resolutions, amendments, motions, or conference reports that are deficit-neutral, reduce excess cost growth in health care spending and are fiscally sustainable over the long term, and—

(1) protect families' financial health including restraining the growth of health premiums and other health-related costs;

(2) make health coverage affordable to businesses (in particular to small business and individuals who are self-employed), households, and governments, including by reducing wasteful and inefficient spending in the health care system with periodic reports on savings achieved through these efforts, and by moving forward with improvements to the health care delivery system, including Medicare;

(3) aim for universality of health coverage;

(4) provide portability of coverage and assurance of coverage with appropriate consumer protections;

(5) guarantee choice of health plans and health care providers to Americans;

(6) invest in prevention and wellness and address issues of health disparities;

(7) improve patient safety and quality care, including the appropriate use of health information technology and health data, and promote transparency in cost and quality information to Americans; or

(8) maintain long-term fiscal sustainability and pays for itself by reducing health care cost growth, improving productivity, or dedicating additional sources of revenue;

by the amounts provided in such legislation for those purposes, provided that such legislation would not result in diminishing a taxpayers' ability to deduct charitable contributions as an offset to pay for such purposes, and provided that such legislation would not increase the deficit over the period of the total of fiscal years 2009 through 2019.

(b) OTHER REVISIONS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) increase the reimbursement rate for physician services under section 1848(d) of the Social Security Act and that include financial incentives for physicians to improve the quality and efficiency of items and services furnished to Medicare beneficiaries through the use of consensus-based quality measures;

(2) include measures to encourage physicians to train in primary care residencies and ensure an adequate supply of residents and physicians;

(3) improve the Medicare program for beneficiaries and protect access to outpatient therapy services (including physical therapy, occupational therapy, and speech-language pathology services) through measures such as repealing the current outpatient therapy caps while protecting beneficiaries from associated premium increases;

(4) promote payment policies under the Medicare program that reward quality and efficient care and address geographic variations in spending; or

(5) protect Medicare Advantage enrollees from premium increases and benefit reductions in their Medicare Advantage plans that would result from the estimate of the national per capita Medicare Advantage growth percentage contained in the Centers for Medicare & Medicaid Services' Advance Notice of Methodological Changes for Calender Year 2010, as proposed on February 20, 2009, that is made using the Medicare payment rates for physicians' services assumed in such Advance Notice rather than the Medicare payment rates for physicians' services assumed in the President's budget proposal for fiscal year 2010 (which accounts for additional expected Medicare payments for such services);

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 202. DEFICIT-NEUTRAL RESERVE FUND TO INVEST IN CLEAN ENERGY AND PRESERVE THE ENVIRONMENT.

(a) INVESTING IN CLEAN ENERGY AND PRESERVING THE ENVIRONMENT.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reduce our Nation's dependence on imported energy including through expanded offshore oil and gas production in the Outer Continental Shelf, produce green jobs, promote renewable energy development, strengthen and retool manufacturing supply chains, create a clean energy investment fund, improve electricity transmission, encourage conservation and efficiency (including through industrial energy efficiency programs), make improvements to the Low Income Home Energy Assistance Program, set aside additional funding from the Oil Spill Liability Trust Fund for arctic oil spill research conducted by the Oil Spill Recovery Institute, implement water settlements, or preserve or protect public lands, oceans or coastal areas, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the cost of producing energy from domestic sources, including oil and gas from the Outer Continental Shelf or other areas; would not increase the cost of energy for American families; would not increase the cost of energy for domestic manufacturers, farmers, fishermen, or other domestic industries; and would not enhance foreign competitiveness against U.S. businesses; and would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019. The legislation may include tax provisions.

(b) CLIMATE CHANGE LEGISLATION.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would invest in clean energy technology initiatives, decrease greenhouse gas emissions (without regulating carbon dioxide, nitrogen oxide, water vapor, or methane emissions from biological processes associated with livestock production), create new jobs in a clean technology economy, strengthen the manufacturing competitiveness of the United States, diversify the domestic clean energy supply to increase the energy security of the United States, protect consumers (including policies that address regional differences), provide incentives for cost-savings achieved through energy efficiencies, provide voluntary opportunities for agriculture and forestry communities to contribute to reducing the levels of greenhouse gases in the atmosphere, and help families, workers, communities, and businesses make the transition to a clean energy economy, without increasing electricity or gasoline prices or increasing the overall burden on consumers,

through the use of revenues and policies provided in such legislation, without increasing electricity or gasoline prices, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) ALLOCATIONS.—The Chairman of the Senate Committee on the Budget shall not revise the allocations in this resolution if the legislation provided for in subsections (a) or (b) is reported from any committee pursuant to section 310 of the Congressional Budget Act of 1974.

SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR HIGHER EDUCATION.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make higher education more accessible and affordable while maintaining a competitive student loan program that provides students and institutions of higher education with a comprehensive choice of loan products and services, which may include legislation to expand and strengthen student aid, such as Pell Grants, or increase college enrollment and completion rates for low-income students, such as by investing in programs such as the programs under subpart 4 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070c et seq.), such as by investing in programs such as the programs under chapters 1 and 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq., 1070a–21 et seq.), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019. The legislation may include tax provisions.

SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD NUTRITION AND WIC.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reauthorize child nutrition programs or the Special Supplemental Nutrition Program for Women, Infants, and Children (the WIC program), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN AMERICA'S INFRASTRUCTURE.

(a) INFRASTRUCTURE.—

(1) IN GENERAL.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for a robust Federal investment in America's infrastructure, which may include projects for public housing, energy, water, transportation, including freight and passenger rail, or other infrastructure projects, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(2) DENALI COMMISSION.—The Chairman of the Budget Committee may also revise the allocations to allow funding for the Denali Commission established by section 303(a) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; 112 Stat. 2681–637) for each applicable fiscal year at a level equal to not less than the level of funding made available for the Denali Commission during fiscal year 2006.

(b) SURFACE TRANSPORTATION.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide new budget authority for surface transportation programs to the extent such new budget authority is offset by an increase in receipts to the Highway Trust Fund (excluding transfers from the general fund of the Treasury into the Highway Trust Fund not offset by a similar increase in receipts), provided further that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) MULTIMODAL TRANSPORTATION PROJECTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize multimodal transportation projects that—

(1) provide a set of performance measures;

(2) require a cost-benefit analysis be conducted to ensure accountability and overall project goals are met; and

(3) provide flexibility for States, cities, and localities to create strategies that meet the needs of their communities,

by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(d) FLOOD CONTROL PROJECTS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for levee modernization, maintenance, repair, and improvement, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(e) ALLOWING AMTRAK PASSENGERS TO SECURELY TRANSPORT FIREARMS ON PASSENGER TRAINS.—None of amounts made available in the reserve fund authorized under this section may be used to provide financial assistance for the National Railroad Passenger Corporation (Amtrak) unless Amtrak passengers are allowed to securely transport firearms in their checked baggage.

SEC. 206. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE ECONOMIC STABILIZATION AND GROWTH.

(a) MANUFACTURING.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports, including tax legislation, that would revitalize and strengthen the United States domestic manufacturing sector by increasing Federal research and development, by expanding the scope and effectiveness of manufacturing programs across the Federal Government, by increasing efforts to train and retrain manufacturing workers, by enhancing workers' technical skills in the use of the new advanced manufacturing technologies to produce competitive energy efficient products, by increasing support for sector workforce training, by increasing support for the redevelopment of closed manufacturing plants, by increasing support for development of alternative fuels and leap-ahead automotive and energy technologies such as advanced batteries, or by establishing tax incentives to encourage the continued production in the United States of advanced technologies and the infrastructure to support such technologies, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) TAX RELIEF.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution by the amounts provided by one or more bills, joint resolutions, amendments, motions, or conference reports that would provide tax relief, including but not limited to extensions of expiring and expired tax relief, such as enhanced charitable giving from individual retirement accounts, including life-income gifts, or refundable tax relief and enhancement of the employer-provided child care credit and enhancement of the dependent care tax credit, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) TAX REFORM.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reform the Internal Revenue Code to ensure a sustainable revenue base that would lead to a fairer and more efficient tax system and to a more competitive business environment for United States enterprises, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(d) FLOOD INSURANCE REFORM.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for flood insurance reform and modernization, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(e) TRADE.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to trade by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of

the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(f) HOUSING ASSISTANCE.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports related to housing assistance, which may include low income rental assistance, assistance provided through the Housing Trust Fund created under section 1131 of the Housing and Economic Recovery Act of 2008, and legislation that allows for a temporary suspension of the 10 percent tax penalty in order for struggling families to make an early withdrawal from their qualified retirement accounts to pay their monthly mortgage payments, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(g) UNEMPLOYMENT MITIGATION.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports which reduce the unemployment rate or provide assistance to the unemployed, particularly in the states and localities with the highest rates of unemployment, or improve the implementation of the unemployment compensation program, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 207. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND WOUNDED SERVICEMEMBERS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would expand the number of disabled military retirees who receive both disability compensation and retired pay, accelerate the phase-in of concurrent receipt, eliminate the offset between Survivor Benefit Plan annuities and Veterans' Dependency and Indemnity Compensation, enhance servicemember education benefits for members of the National Guard and Reserve by ensuring those benefits keep pace with the national average cost of tuition, provide for the payment of retired pay for members of the Alaska Territorial Guard who served in the Alaska Territorial Guard during and after World War II, or expand veterans' benefits (including for veterans living in rural areas), by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR JUDICIAL PAY AND JUDGESHIPS AND POSTAL RETIREE ASSISTANCE.

(a) JUDICIAL PAY AND JUDGESHIPS.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would authorize salary adjustments for justices and judges of the United States, or increase the number of Federal judgeships, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) POSTAL RETIREES.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports relating to adjustments to funding for postal retiree health coverage, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR DEFENSE ACQUISITION AND CONTRACTING REFORM.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) enhance the capability of the Federal acquisition or contracting workforce to achieve better value for taxpayers;

(2) reduce the use of no-bid and cost-plus contracts;

(3) reform Department of Defense processes for acquiring weapons systems in order to reduce costs, improve cost and schedule estimation, enhance developmental testing of weapons, or increase the rigor of reviews of programs that experience critical cost growth;

(4) reduce the award of contracts to contractors with seriously delinquent tax debts;

(5) reduce the use of contracts, including the continuation of task orders, awarded under the Logistics Civil Augmentation Program (LOGCAP) III;

(6) reform Department of Defense processes for acquiring services in order to reduce costs, improve costs and schedule estimation, enhance oversight, or increase the rigor of reviews of programs that experience critical cost growth;

(7) reduce the use of contracts for acquisition, oversight, and management support services; or

(8) enhance the capability of auditors and inspectors general to oversee Federal acquisition and procurement;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 210. DEFICIT-NEUTRAL RESERVE FUND FOR INVESTMENTS IN OUR NATION'S COUNTIES AND SCHOOLS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106–393) or make changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94–565), or both, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 211. DEFICIT-NEUTRAL RESERVE FUND FOR THE FOOD AND DRUG ADMINISTRATION.

(a) REGULATION.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that authorize the Food and Drug Administration to regulate products and assess user fees on manufacturers and importers of those products to cover the cost of the Food and Drug Administration's regulatory activities, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) DRUG IMPORTATION.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that permit the safe importation of prescription drugs approved by the Food and Drug Administration from a specified list of countries, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(c) FOOD SAFETY.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would improve the safety of the food supply in the United States, by the amounts provided in such legislation for these purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 212. DEFICIT-NEUTRAL RESERVE FUND FOR BIPARTISAN CONGRESSIONAL SUNSET COMMISSION.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that—

(1) provide for a bipartisan congressional sunset commission, that will review Federal programs, focusing on unauthorized and nonperforming programs;

(2) provide for a process that will help abolish obsolete and duplicative Federal programs;

(3) provide for improved government accountability and greater openness in Government decisionmaking; and

(4) provide for a process that ensures that Congress will consider the commission's reports and recommendations;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 213. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE DOMESTIC FUELS SECURITY.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference

reports to achieve domestic fuels security by authorizing the Department of Defense to procure alternative fuels from domestic sources under contracts for up to 20 years, provided that such procurement is consistent with section 526 of the Energy Independence and Security Act of 2007 (Public Law 110–140) and provided further that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 214. DEFICIT-NEUTRAL RESERVE FUND FOR A COMPREHENSIVE INVESTIGATION INTO THE CURRENT FINANCIAL CRISIS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide resources for a comprehensive investigation to determine the cause of the current financial crisis, hold those responsible accountable, and provide recommendations to prevent another financial crisis of this magnitude from occurring again by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 215. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASED TRANSPARENCY AT THE FEDERAL RESERVE.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase transparency at the Federal Reserve System, including audits of the Board of Governors of the Federal Reserve System and the Federal reserve banks, to include—

(1) an evaluation of the appropriate number and the associated costs of Federal reserve banks;

(2) publication on its website, with respect to all lending and financial assistance facilities created by the Board to address the financial crisis, of—

(A) the nature and amounts of the collateral that the central bank is accepting on behalf of American taxpayers in the various lending programs, on no less than a monthly basis;

(B) the extent to which changes in valuation of credit extensions to various special purpose vehicles, such as Maiden Lane I, Maiden Lane II, and Maiden Lane III, are a result of losses on collateral which will not be recovered;

(C) the number of borrowers that participate in each of the lending programs and details of the credit extended, including the extent to which the credit is concentrated in one or more institutions; and

(D) information on the extent to which the central bank is contracting for services of private sector firms for the design, pricing, management, and accounting for the various lending programs and the terms and nature of such contracts and bidding processes; and

(3) including the identity of each entity to which the Board has provided all loans and other financial assistance since March 24, 2008, the value or amount of that financial assistance, and what that entity is doing with such financial assistance;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 216. DEFICIT-NEUTRAL RESERVE FUND FOR IMPROVING CHILD WELFARE.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by one or more bills, joint resolutions, amendments, motions, or conference reports that would make improvements to child welfare programs, including strengthening the recruitment and retention of foster families, or make improvements to the child support enforcement program, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 217. DEFICIT-NEUTRAL RESERVE FUND TO FULLY FUND THE LONG-TERM STABILITY/HOUSING FOR VICTIMS PROGRAM.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would fully fund the Long-Term Stability/Housing for Victims Program under the Violence Against Women Act which builds collaborations between domestic violence service providers and housing providers and developers to leverage existing resources and create housing solutions that meet victims' need for long-term housing at the authorized level, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 218. DEFICIT-NEUTRAL RESERVE FUND FOR PROVIDING A NONREFUNDABLE FEDERAL INCOME TAX CREDIT FOR THE PURCHASE OF A PRINCIPAL RESIDENCE DURING A 1-YEAR PERIOD.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would provide a one-time nonrefundable Federal income tax credit for the purchase of a principal residence during a 1-year period in the amount of the lesser of $15,000 or 10 percent of the purchase price of such residence, exclusive of any other credit available for the purchase of a residence, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 219. DEFICIT-NEUTRAL RESERVE FUND FOR MONITORING OF FHA-INSURED LENDING.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase the capacity of the Inspector General of the Department of Housing and Urban Development to investigate cases of mortgage fraud of Federal Housing Administration loans, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 220. DEFICIT-NEUTRAL RESERVE FUND TO ADDRESS THE SYSTEMIC INEQUITIES OF MEDICARE AND MEDICAID REIMBURSEMENT THAT LEAD TO ACCESS PROBLEMS IN RURAL AREAS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would address the systemic inequities of Medicare and Medicaid reimbursement that lead to access problems in rural areas, including access to primary care and outpatient services, hospitals, and an adequate supply of providers in the workforce, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 221. DEFICIT NEUTRAL RESERVE FUND TO PROVIDE FOR ACCELERATED CARBON CAPTURE AND STORAGE AND ADVANCED CLEAN COAL POWER GENERATION RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels and limits in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would accelerate the research, development, demonstration, and deployment of advanced technologies to capture and store carbon dioxide emissions from coal-fired power plants and other industrial emission sources and to use coal in an environmentally acceptable manner.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 222. EXPENDITURE OF REMAINING TARP FUNDS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that reaffirm that the remaining Troubled Asset Relief Program funds shall be used to save homes, save small businesses, help the municipal bond market, make credit more widely available, and provide additional resources for the Special Inspector General for the Troubled Asset Relief Program, the Congressional Oversight Panel, and the Government Accountability Office for vigorous audit and evaluation of all expenditures and commitments made under the Troubled Asset Relief Program, by the amounts provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 223. DEFICIT-NEUTRAL RESERVE FUND FOR PROHIBITING UNDESERVED CONTRACTING PERFORMANCE BONUSES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would prohibit federally funded bonuses awarded to contractors and government executives responsible for over budget

projects and programs that fail to meet basic performance requirements, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2010 through 2019.

SEC. 224. DEFICIT-REDUCTION RESERVE FUND TO ENSURE THE PLEDGE OF PRESIDENT OBAMA TO ELIMINATE WASTEFUL, INEFFICIENT, AND DUPLICATIVE PROGRAMS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieves savings by going through the Federal Budget line by line, as President Obama has called for, to eliminate wasteful, inefficient, and duplicative spending by requiring—

(1) the head of every department and agency to provide a report to Congress within 90 days after the date of enactment of this resolution on programs that are duplicative, inefficient, or failing, with recommendations for elimination and consolidation of these programs,

(2) the Office of Management and Budget to provide a report to Congress within 90 days after the date of enactment of this resolution on programs that are duplicative government-wide, with recommendations for elimination or consolidation of these programs, and

(3) every standing committee of the Senate to conduct at least one oversight hearing each fiscal year in order to identify wasteful, inefficient, outdated, and duplicative programs that could be eliminated and consolidated,

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 225. DEFICIT-NEUTRAL RESERVE FUND FOR THE VIOLENCE AGAINST WOMEN ACT (VAWA) AND THE FAMILY VIOLENCE PREVENTION AND SERVICES ACT (FVPSA), AND OTHER RELATED PROGRAMS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide resources for programs administered through the Violence Against Women Act and the Family Violence Prevention and Services Act, and other related programs, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 226. DEFICIT-NEUTRAL RESERVE FUND FOR ENDING ABUSIVE NO-BID CONTRACTS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would end abusive no-bid contracts by requiring all Federal contracts over $25,000 to be competitively bid, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2010 through 2019.

SEC. 227. DEFICIT-NEUTRAL RESERVE FUND FOR HOME VISITATION PROGRAMS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that provide funds to States to establish or expand quality programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and that—

(1) serve pregnant women, or parent's or other primary caregivers and their children under the age of entry into kindergarten through quality programs of early childhood home visitation;

(2) are delivered by nurses, social workers, child development specialists, or other well-trained and competent staff, as demonstrated by education or training and the provision of ongoing specific training and supervision in the model of service being delivered;

(3) have outcomes and research standards that—

(A) demonstrate ongoing positive outcomes for children, parents and other primary caregivers that enhance child health and development;

(B) conform to a clear consistent home visitation model that has been in existence for at least 3 years and that—

(i) is research-based, grounded in relevant empirically-based knowledge;

(ii) is linked to program determined outcomes;

(iii) is associated with a national organization or institution of higher education that has comprehensive home visitation program standards that ensure high quality service delivery and continuous program quality improvement; and

(iv) has demonstrated significant positive outcomes when evaluated using well-designed and rigorous randomized controlled or well-designed and rigorous quasi-experimental research designs, and the evaluation results have been published in a peer-reviewed journal; and

(4) show, establish, or propose linkages to high quality early learning opportunities;

provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 228. DEFICIT-NEUTRAL RESERVE FUND FOR 21ST CENTURY COMMUNITY LEARNING CENTERS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would increase funding for the 21st Century Community Learning Centers program by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 229. DEFICIT-NEUTRAL RESERVE FUND TO PROVIDE FOR THE EXTENSION OF THE TOP INDIVIDUAL TAX RATES FOR SMALL BUSINESSES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that maintains the rates of tax under section 1 of the Internal Revenue Code of 1986 for the highest two rate brackets at 33 percent and 35 percent, respectively, for individuals who receive more than 50 percent of income from a small business concern (as defined under section 3 of the Small Business Act), by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 230. DEFICIT-NEUTRAL RESERVE FUND FOR PENSION COVERAGE FOR EMPLOYEES OF DEPARTMENT OF ENERGY LABORATORIES AND ENVIRONMENTAL CLEANUP SITES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would authorize funding to cover the full cost of pension obligations for current and past employees of laboratories and environmental cleanup sites under the jurisdiction of the Department of Energy (including benefits paid to security personnel) in a manner that does not impact the missions of those laboratories and environmental cleanup sites.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 231. DEFICIT-NEUTRAL RESERVE FUND FOR PROVISION OF CRITICAL RESOURCES TO FIREFIGHTERS AND FIRE DEPARTMENTS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide firefighters and fire departments with critical resources under the Assistance to Firefighters Grant and the Staffing for Adequate Fire and Emergency Response Firefighters Grant of the Federal Emergency Management Agency, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 232. DEFICIT-REDUCTION RESERVE FUND FOR THE ELIMINATION AND RECOVERY OF IMPROPER PAYMENTS.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, functional totals, and other appropriate levels and limits in this resolution upon enactment of legislation that achieves savings by requiring that Federal departments and agencies eliminate improper payments and increase the use of the recovery audits and uses such savings to reduce the deficit, by the amount of such savings, provided that such legislation would decrease the deficit.

SEC. 233. DEFICIT-NEUTRAL RESERVE FUND FOR THE REPEAL OF THE 1993 INCREASE IN THE INCOME TAX ON SOCIAL SECURITY BENEFITS.

The Chairman of the Senate Committee on the Budget may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would repeal the 1993 increase in the income tax on social security benefits, provided that such legislation would not increase the deficit over either the period of

the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 234. DEFICIT-NEUTRAL RESERVE FUND FOR LEGISLATION TO INCREASE THE AMOUNT OF CAPITAL LOSSES ALLOWED TO INDIVIDUALS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increases the amount by which a capital loss of an individual is allowed, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 235. DEFICIT-NEUTRAL RESERVE FUND FOR FOSTER CARE FINANCING REFORM.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) change the Federal foster care payment system from a system that supports programs to one that supports children, whatever their best placement may be, and one that promotes permanency for children;

(2) when it is determined to be in the best interests of the child, promote and improve family support, family preservation, including residential family treatment for families suffering from substance abuse and addiction, and time-limited family reunification services;

(3) provide for subsidies and support programs that are available to support the needs of the children prior to removal, during removal, and post placement, whether through reunification, adoption, kinship adoption, or guardianship;

(4) promote innovation and best practice at the State level; and

(5) guarantee that public funds are used to effectively meet the needs of children who have been abused or neglected;

by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 236. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTHCARE PROFESSIONALS FOR THE VETERANS HEALTH ADMINISTRATION.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would—

(1) increase the number of healthcare professionals in the Veterans Health Administration to meet the needs of the expanding number of veterans and to fill healthcare professional positions in the Veterans Health Administration that are currently vacant; and

(2) provide enhanced incentives for healthcare professionals of the Veterans Health Administration who serve in rural areas;

by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the total of the period of fiscal years 2009 through 2014 or the period of the total of fiscal years of 2009 through 2019.

SEC. 237. DEFICIT-NEUTRAL RESERVE FUND TO REPEAL DEDUCTIONS FROM MINERAL REVENUE PAYMENTS TO STATES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would repeal the requirement to deduct certain amounts from mineral revenues payable to States under the heading ''ADMINISTRATIVE PROVISIONS'' under the heading ''MINERALS MANAGEMENT SERVICE'' under the heading ''DEPARTMENT OF THE INTERIOR'' of title I of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009 (Public Law 111–8).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 238. RESERVE FUND TO PROMOTE TAX EQUITY FOR STATES WITHOUT PERSONAL INCOME TAXES.

The Chairman of the Senate Committee on the Budget may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for the permanent extension of the deduction for state and local sales taxes, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 239. DEFICIT-NEUTRAL RESERVE FUND FOR SETTING PERFORMANCE STANDARDS TO IDENTIFY FAILING GOVERNMENT PROGRAMS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would develop performance measures for each program receiving Federal assistance under their jurisdiction, by the amounts provided in that legislation for that purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2010 through 2019.

SEC. 240. DEFICIT-NEUTRAL RESERVE FUND TO EXPEDITE RESEARCH ON VIABILITY OF USE OF HIGHER ETHANOL BLENDS AT SERVICE STATION PUMP.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would expedite research at the Department of Energy and the Environmental Protection Agency on the viability of the use of higher ethanol blends at the service station pump.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 241. DEFICIT-NEUTRAL RESERVE FUNDS TO ENHANCE DRUG-CONTROL EFFORTS WITHIN OUR COMMUNITIES AND ALONG OUR BORDERS.

(a) HIDTA.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase the number of counties designated as High Intensity Drug Trafficking Areas to provide coordination, equipment, technology, and additional resources to combat drug trafficking and its harmful consequences in critical regions of the United States by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

(b) DRUG SMUGGLING.—The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that increase drug interdiction funding at the Department of Homeland Security to combat drug smuggling across international borders by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 242. DEFICIT-NEUTRAL RESERVE FUND TO PROMOTE INDIVIDUAL SAVINGS AND FINANCIAL SECURITY.

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that promote financial security through financial literacy, retirement planning, and savings incentives, including individual development accounts and child savings accounts, provided that such legislation does not increase the deficit over either the period of the total fiscal years 2009 through 2014 or the period of the total fiscal years 2009 through 2019.

SEC. 243. DEFICIT-NEUTRAL RESERVE FUND FOR THE NATIONAL HEALTH SERVICE CORPS.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions or conference reports that provide the National Health Service Corps with $235,000,000 for fiscal year 2010, by the amount provided in that legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total for fiscal years 2009 through 2014 or the period of the total for fiscal years 2009 through 2019.

SEC. 244. DEFICIT-NEUTRAL RESERVE FUND TO IMPROVE ANIMAL HEALTH AND DISEASE PROGRAM.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would ensure that the animal health and disease program established under section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is fully funded.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 245. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASE IN THE END STRENGTH FOR ACTIVE DUTY PERSONNEL OF THE ARMY.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would reduce the strain on the United States Armed Forces by authorizing an increase in the end strength for active duty personnel of the Army to a level not less than 577,400 persons, by the amounts provided in such legislation for such purpose, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 246. DEFICIT-NEUTRAL RESERVE FUND FOR WILDLAND FIRE MANAGEMENT ACTIVITIES.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would—

(1) allow wildland fire management funds for hazardous fuels reduction and hazard mitigation activities in areas at high risk of catastrophic wildfire to be distributed to areas demonstrating highest priority needs, as determined by the Chief of the Forest Service; and

(2) provide that no State matching funds are required for the conduct of activities described in paragraph (1).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 247. DEFICIT-NEUTRAL RESERVE FUND FOR ESTATE TAX RELIEF.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that would provide for estate tax reform legislation establishing—

(1) an estate tax exemption level of $5,000,000, indexed for inflation,

(2) a maximum estate tax rate of 35 percent,

(3) a reunification of the estate and gift credits, and

(4) portability of exemption between spouses, and

provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 248. POINT OF ORDER AGAINST LEGISLATION THAT PROVIDES ADDITIONAL RELIEF FOR THE ESTATE TAX BEYOND THE LEVELS ASSUMED IN THIS BUDGET RESOLUTION UNLESS AN EQUAL AMOUNT OF ADDITIONAL TAX RELIEF IS PROVIDED TO MIDDLE-CLASS TAXPAYERS.

(a) IN GENERAL.—In the Senate, it shall not be in order to consider any bill, joint resolution, amendment, motion, or conference report that would provide estate tax relief beyond $3,500,000 per person ($7,000,000 per married couple) and a graduated rate ending at less that 45 percent unless an equal amount of tax relief is provided to Americans earning less than $100,000 per year and that such relief is in addition to the amounts assumed in this budget resolution.

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate duly chosen and sworn shall be required to sustain an appeal of the ruling of the Chair on any point of order raised under this section.

SEC. 249. DEFICIT-NEUTRAL RESERVE FUND INCREASE FDIC AND NCUA BORROWING AUTHORITY.

The Chairman of the Committee on the Budget of the Senate may revise the aggregates, allocations, and other appropriate levels in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports to increase the borrowing authority of the Federal Deposit Insurance Corporation and the National Credit Union Administration, provided that such legislation does not increase the deficit over the period of the total of fiscal years 2009 through 2019.

SEC. 250. DEFICIT-NEUTRAL RESERVE FUND FOR INNOVATIVE LOAN GUARANTEE PROGRAM OF THE DEPARTMENT OF ENERGY.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that authorizes an additional $50,000,000,000 for use to provide loan guarantees for eligible projects under title XVII of the Energy Policy Act of 2005 (42 U.S.C. 16511 et seq.).

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 251. DEFICIT-NEUTRAL RESERVE FUND FOR NUCLEAR RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that authorizes nuclear research and development activities, including the Generation IV program, the Advanced Fuel Cycle Initiative, and the Light Water Reactor Sustainability program.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in subsection (a) would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 252. DEFICIT-NEUTRAL RESERVE FUND FOR THE 2012 COMPLETION OF FOOD AND DRUG ADMINISTRATION FACILITIES.

The Chairman of the Senate Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports in order to provide sufficient funding for the General Services Administration to complete construction of the Food and Drug Administration White Oak Campus in Silver Spring, Maryland by 2012, by the amounts provided in such legislation for those purposes, provided that such legislation would not increase the deficit over either the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

SEC. 253. DEFICIT-NEUTRAL RESERVE FUND FOR ENERGY STAR FOR SMALL BUSINESS PROGRAM.

(a) IN GENERAL.—Subject to subsection (b), the Chairman of the Committee on the Budget of the Senate may revise the allocations, aggregates, and other levels in this resolution by the amounts provided by a bill, joint resolution, amendment, motion, or conference report that would set aside, from amounts made available for the Energy Star Program of the Environmental Protection Agency, at least 2 percent for the Energy Star for Small Business Program.

(b) DEFICIT NEUTRALITY.—Subsection (a) applies only if the legislation described in that subsection would not increase the deficit over the period of the total of fiscal years 2009 through 2014 or the period of the total of fiscal years 2009 through 2019.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2009, $1,391,471,000,000 in new budget authority and $1,220,843,000,000 in outlays; and

(2) for fiscal year 2010, $1,079,050,000,000 in new budget authority and $1,268,104,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment thereto or the submission of a conference report thereon—

(A) the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) MATTERS DESCRIBED.—Matters referred to in paragraph (1) are as follows:

(A) CONTINUING DISABILITY REVIEWS AND SSI REDETERMINATIONS.—If a bill or joint resolution is reported making appropriations for

fiscal year 2010 that appropriates $273,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, and provides an additional appropriation of up to $485,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $485,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(B) INTERNAL REVENUE SERVICE TAX ENFORCEMENT.—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates $7,100,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to $890,000,000 for the Internal Revenue Service for enhanced tax enforcement to address the Federal tax gap, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $890,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(C) HEALTH CARE FRAUD AND ABUSE CONTROL.—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates up to $311,000,000 to the Health Care Fraud and Abuse Control program at the Department of Health and Human Services, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $311,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(D) UNEMPLOYMENT INSURANCE IMPROPER PAYMENT REVIEWS.—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates $10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, and provides an additional appropriation of up to $50,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $50,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(E) REDUCING WASTE IN DEFENSE CONTRACTING.—If a bill or joint resolution is reported making appropriations for fiscal year 2010 that appropriates up to $100,000,000 to the Department of Defense for additional activities to reduce waste, fraud, abuse, and overpayments in defense contracting or to enhance the capability of the defense acquisition or contracting workforce to save taxpayer resources, then the discretionary spending limits, allocation to the Senate Committee on Appropriations, and aggregates may be adjusted by the amounts provided in such legislation for that purpose, but not to exceed $100,000,000 in budget authority and outlays flowing therefrom for fiscal year 2010.

(3) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS CONTINGENCY OPERATIONS.—The Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, allocations to the Senate Committee on Appropriations, and aggregates for one or more—

(A) bills reported by the Senate Committee on Appropriations or passed by the House of Representatives;

(B) joint resolutions or amendments reported by the Senate Committee on Appropriations;

(C) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Senate Committee on Appropriations; or

(D) conference reports;

making appropriations for fiscal year 2010 for overseas contingency operations by the amounts provided in such legislation for those purposes (and so designated pursuant to this paragraph), up to $130,000,000,000 in budget authority for fiscal year 2010 and the new outlays flowing therefrom.

(4) REVISED APPROPRIATIONS FOR FISCAL YEAR 2010.—

(A) IN GENERAL.—If after adoption of this resolution by the Congress, the Congressional Budget Office (CBO) re-estimates the President's request for discretionary spending in fiscal year 2010 at an aggregate level different from the CBO preliminary estimate dated March 20, 2009, the Chairman of the Senate Committee on the Budget may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974 by the amount of budget authority and outlays flowing therefrom, to reflect the difference between such re-estimate and the CBO preliminary estimate dated March 20, 2009.

(B) SUBALLOCATIONS.—Following any adjustment under subparagraph (A), the Senate Committee on Appropriations may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this paragraph.

(d) INAPPLICABILITY.—In the Senate, subsections (a), (b), (c), and (d) of section 312 of S. Con. Res. 70 (110th Congress) shall no longer apply.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—

(1) POINT OF ORDER.—Except as provided in subsection (b), it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(2) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2011, that first becomes available for any fiscal year after 2011.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal years 2011 and 2012 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers accompanying this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $28,852,000,000 in new budget authority in each year;

(2) for the Corporation for Public Broadcasting; and

(3) for the Department of Veterans Affairs for the Medical Services, Medical Administration, Medical Facilities, and Medical and Prosthetic Research accounts of the Veterans Health Administration.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—In the Senate, subsection (a) may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

(d) FORM OF POINT OF ORDER.—A point of order under subsection (a) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(e) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) INAPPLICABILITY.—In the Senate, section 313 of S. Con. Res. 70 (110th Congress) shall no longer apply.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and sections 301 and 304 of this resolution (relating to discretionary spending and short-term deficits). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 204(a) of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008, shall no longer apply.

SEC. 304. POINT OF ORDER AGAINST LEGISLATION INCREASING SHORT-TERM DEFICIT.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, amendment, motion, or conference report (except measures within the jurisdiction of the Committee on Appropriations) that would cause a net increase in the deficit in excess of $10,000,000,000 in any fiscal year provided for in the most recently adopted concurrent resolution on the budget unless it is fully offset over the period of all fiscal years provided for in the most recently adopted concurrent resolution on the budget.

(b) SUPERMAJORITY WAIVER AND APPEAL IN THE SENATE.—

(1) WAIVER.—This section may be waived or suspended only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(c) DETERMINATIONS OF BUDGET LEVELS.—For purposes of this section, the levels shall be determined on the basis of estimates provided by the Senate Committee on the Budget.

(d) SUNSET.—This section shall expire on September 30, 2018.

(e) INAPPLICABILITY.—In the Senate, section 315 of S. Con. Res. 70 (110th Congress), the concurrent resolution in the budget for fiscal year 2009, shall no longer apply.

SEC. 305. POINT OF ORDER AGAINST PROVISIONS OF APPROPRIATIONS LEGISLATION THAT CONSTITUTE CHANGES IN MANDATORY PROGRAMS AFFECTING THE CRIME VICTIMS FUND.

(a) IN GENERAL.—In the Senate, it shall not be in order to consider any appropriations legislation, including any amendment thereto, motion in relation thereto, or conference report thereon, that includes any provision or provisions affecting the Crime Victims Fund, as defined by section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601), which constitutes a change in a mandatory program that would have been estimated as affecting direct spending or receipts under section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002) were they included in legislation other than appropriations legislation. A point of order pursuant to this section shall be raised against such provision or provisions as described in subsections (d) and (e).

(b) DETERMINATION.—The determination of whether a provision is subject to a point of order pursuant to this section shall be made by the Committee on the Budget of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) GENERAL POINT OF ORDER.—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions (including provisions of an amendment, motion, or conference report) against which the Senator raised the point of order, then only those provisions (including provision of an amendment, motion, or conference report) against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(e) FORM OF THE POINT OF ORDER.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report or amendment shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

SEC. 306. POINT OF ORDER AGAINST LEGISLATION THAT RAISES TAXES ON MIDDLE-INCOME TAXPAYERS.

(a) IN GENERAL.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, resolution, amendment between Houses, motion, or conference report that—

(1) would cause revenues to be more than the level of revenues set forth for that first fiscal year or for the total of that fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974, and

(2) includes a Federal tax increase which would have widespread applicability on middle-income taxpayers.

(b) DEFINITIONS.—In this subsection:

(1) MIDDLE-INCOME TAXPAYERS.—The term ''middle-income taxpayers'' means single individuals with $200,000 or less in adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) and married couples filing jointly with $250,000 or less in adjusted gross income (as so defined).

(2) WIDESPREAD APPLICABILITY.—The term ''widespread applicability'' includes the definition with respect to individual income taxpayers in section 4022 (b)(1) of the Internal Revenue Service Restructuring and Reform Act of 1998.

(3) FEDERAL TAX INCREASE.—The term ''Federal tax increase'' means—

(A) any amendment to the Internal Revenue Code of 1986 that, directly or indirectly, increases the amount of Federal tax; or

(B) any legislation that the Congressional Budget Office would score as an increase in Federal revenues.

(c) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 307. POINT OF ORDER ON LEGISLATION THAT RAISES INCOME TAX RATES ON SMALL BUSINESSES.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that includes any provision which increases Federal income tax rates.

(b) DEFINITION.—In this section, the term ''Federal income tax rates'' means any rate of tax imposed under subsection (a), (b), (c), (d), or (e) of section 1, 11(b), or 55(b) of the Internal Revenue Code of 1986.

(c) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 308. POINT OF ORDER AGAINST LEGISLATION THAT IMPOSES A NATIONAL ENERGY TAX ON MIDDLE-INCOME TAXPAYERS.

(a) IN GENERAL.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, resolution, amendment between Houses, motion, or conference report that includes a National energy tax increase which would have widespread applicability on middle-income taxpayers.

(b) DEFINITIONS.—In this subsection:

(1) MIDDLE INCOME TAXPAYERS.—The term ''middle-income'' taxpayers means single individuals with $200,000 or less in adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) and married couples filing jointly with $250,000 or less in adjusted gross income (as so defined).

(2) WIDESPREAD APPLICABILITY.—The term ''widespread applicability'' includes the definition with respect to individual income taxpayers in section 4022(b)(1) of the Internal Revenue Service Restructuring and Reform Act of 1998.

(3) NATIONAL ENERGY TAX INCREASE.—The term ''National energy tax increase'' means any legislation that the Congressional Budget Office would score as leading to an increase in the costs of producing, generating or consuming energy.

SEC. 309. POINT OF ORDER ON LEGISLATION THAT IMPOSES A MARRIAGE TAX PENALTY.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that includes any provision which imposes or increases a marriage tax penalty.

(b) DEFINITION.—In this section, the term ''marriage penalty'' means any provision under which the Federal income tax liability of taxpayers filing a joint return under section 6013 of the Internal Revenue Code of 1986 is greater than such tax liability of such taxpayers if such taxpayers were unmarried and had filed individual tax returns under section 1(c) of such Code.

(c) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 310. POINT OF ORDER ON LEGISLATION THAT INCREASES REVENUE ABOVE THE LEVELS ESTABLISHED IN THE BUDGET RESOLUTION.

(a) IN GENERAL.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, resolution, amendment between Houses, motion, or conference report that would cause revenues to be more than the level of the revenues set forth, prior to any adjustment made pursuant under any reserve fund, for that first fiscal year or for the total of that fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 311. POINT OF ORDER ON LEGISLATION THAT INCREASES TAXES DURING ANY PERIOD WHEN THE UNEMPLOYMENT RATE IS IN EXCESS OF 5.8 PERCENT.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report during any period in which the unemployment rate in the United States (as measured by the most recent Bureau of Labor Statistics' Current Population Survey and based on the national seasonally adjusted rate for persons age 16 and over) exceeds 5.8 percent if such bill, joint resolution, amendment, motion, or conference report increases taxes.

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 312. POINT OF ORDER AGAINST LEGISLATION THAT CAUSES SIGNIFICANT JOB LOSS.

(a) IN GENERAL.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, resolution, amendment between Houses, motion, or conference report that—

(1) would cause revenues to be more than the level of revenues set forth for that first fiscal year or for the total of that fiscal year and the ensuing fiscal years in the applicable resolution for which allocations are provided under section 302(a) of the Congressional Budget Act of 1974, and

(2) would cause significant job loss in manufacturing- or coal-dependent regions of the United States such as the Midwest, Great Plains or South.

(b) SUPERMAJORITY WAIVER AND APPEAL.—

(1) WAIVER.—This section may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SEC. 313. LIMITATIONS ON LEGISLATION THAT WOULD PERMIT THE SECRETARY OF VETERANS AFFAIRS TO RECOVER FROM A PRIVATE HEALTH INSURER OF A DISABLED VETERAN AMOUNTS PAID FOR TREATMENT OF SUCH DISABILITY.

(a) POINT OF ORDER.—If the Senate is considering legislation, upon a point of order being made by any Senator against the legislation, or any part of the legislation, that the legislation, if enacted, would result in providing authority to the Secretary of Veterans Affairs to recover from a private health insurer of a veteran with a service-connected disability amounts paid by the Secretary for the furnishing of care or treatment for such disability, and the point of order is sustained by the Presiding Officer, the Senate shall cease consideration of the legislation.

(b) WAIVERS AND APPEALS.—

(1) WAIVERS.—

(A) IN GENERAL.—Before the Presiding Officer rules on a point of order described in subsection (a), any Senator may move to waive the point of order and the motion to waive shall not be subject to amendment.

(B) VOTE.—A point of order described in subsection (a) is waived only by the affirmative vote of 60 Members of the Senate, duly chosen and sworn.

(2) APPEALS.—

(A) IN GENERAL.—After the Presiding Officer rules on a point of order described in subsection (a), any Senator may appeal the ruling of the Presiding Officer on the point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(B) VOTE.—A ruling of the Presiding Officer on a point of order described in subsection (a) is sustained unless 60 Members of the Senate, duly chosen and sworn, vote not to sustain the ruling.

(3) DEBATE.—

(A) IN GENERAL.—Debate on the motion to waive under paragraph (1) or on an appeal of the ruling of the Presiding Officer under paragraph (2) shall be limited to 1 hour.

(B) DIVISION.—The time shall be equally divided between, and controlled by, the Majority leader and the Minority Leader of the Senate, or their designees.

(c) LEGISLATION DEFINED.—In this section, the term ''legislation'' means a bill, joint resolution, amendment, motion, or conference report.

(d) TERMINATION.—The provisions of this section shall terminate on December 31, 2012.

SEC. 314. POINT OF ORDER.

(a) IN GENERAL.—After a concurrent resolution on the budget is agreed to, it shall not be in order in the Senate to consider any bill, resolution, amendment between Houses, motion, or conference report that—

(1) weakens any authorized anti-terrorism tool or investigative method provided by the USA Patriot Act of 2001 (PL 107–56), the Intelligence Reform and Terrorism Prevention Act of 2004 (PL 108–458), the USA Patriot Improvement and Reauthorization Act of 2005 (PL 109–177), or the FISA Amendments Act of 2008 (PL 110–261); or

(2) eliminates any authorized anti-terrorism tool or investigative method provided by any of the statutes referred to in paragraph (1).

(b) SUPERMAJORITY WAIVER AND APPEALS.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of subsection (a) shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 315. RESTRICTIONS ON UNFUNDED MANDATES ON STATES AND LOCAL GOVERNMENTS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would increase the direct costs of one or more States or local governments by an amount that exceeds the threshold provided under section 424(a)(1) of the

Congressional Budget Act of 1974 (2 U.S.C. 658c(a)(1)).

(b) WAIVER AND APPEAL.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SEC. 316. POINT OF ORDER ON LEGISLATION THAT ELIMINATES THE ABILITY OF AMERICANS TO KEEP THEIR HEALTH PLAN OR THEIR CHOICE OF DOCTOR.

(a) IN GENERAL.—In the Senate, it shall not be in order, to consider any bill, joint resolution, amendment, motion, or conference report that eliminates the ability of Americans to keep their health plan or their choice of doctor (as determined by the Congressional Budget Office).

(b) WAIVER.—This section may be waived or suspended only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(c) APPEALS.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

Subtitle B—Other Provisions

SEC. 321. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs within their jurisdiction to root out waste, fraud, and abuse in program spending, giving particular scrutiny to issues raised by Government Accountability Office reports. Based on these oversight efforts and committee performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 322. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

In the Senate, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 2009a of title 39, United States Code, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocations under section 302(a) of the Congressional Budget Act of 1974 to the Committees on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

SEC. 323. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Senate Committee on the Budget.

SEC. 324. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Senate Committee on the Budget may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 325. DEBT DISCLOSURE REQUIREMENT.

(a) IN GENERAL.—It shall not be in order to consider a budget resolution in the Senate unless it contains a debt disclosure section including all, and only, the following disclosures regarding debt:

"SEC. ___. DEBT DISCLOSURES.

''(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by $_____ from the current year, fiscal year 20___, to the fifth year of the budget window, fiscal year 20___.

''(b) PER PERSON.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise/fall by $_____ on every United States citizen from the current year, fiscal year 20___ to the fifth year of the budget window, fiscal year 20___.

''(c) SOCIAL SECURITY.—The levels assumed in this budget resolution project that $_____ of the Social Security surplus will be spent over the 5-year budget window, fiscal years 20___ through 20___, on things other than Social Security.''.

(b) SOCIAL SECURITY.—If any portion of the Social Security surplus is projected to be spent in any year or the gross Federal debt in the fifth year of the budget window is greater than the gross debt projected for the current year, as described in section 101(5) of this resolution, the report, print, or statement of managers accompanying the budget resolution shall contain a section that—

(1) details the circumstances making it in the national interest to allow Federal debt to increase rather than taking steps to reduce the debt; and

(2) provides a justification for allowing the surpluses in the Social Security Trust Fund to be spent on other functions of Government even as the baby boom generation retires, program costs are projected to rise dramatically, the debt owed to Social Security is about to come due, and the Trust Fund is projected to go insolvent.

(c) DEFINITIONS.—In this section, the term ''gross Federal debt'' means the nominal levels of (or changes in the levels of) gross Federal debt (debt subject to limit as set forth in section 101(5) of this resolution) measured at the end of each fiscal year during the period of the budget, not debt as a percentage of gross domestic product, and not levels relative to baseline projections.

SEC. 326. DEBT DISCLOSURES.

(a) IN GENERAL.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by $4,960,000,000,000 from the current year, fiscal year 2009, to the fifth year of the budget window, fiscal year 2014.

(b) PER PERSON.—The levels assumed in this budget resolution allow the gross Federal debt of the nation to rise by $16,200 on every United States citizen from the current year, fiscal year 2009, to the fifth year of the budget window, fiscal year 2014.

(c) SOCIAL SECURITY.—The levels assumed in this budget resolution project that $700,000,000,000 of the Social Security surplus will be spent over the 5-year budget window, fiscal years 2010 through 2014, on things other than Social Security.

SEC. 327. EXERCISE OF RULEMAKING POWERS.

Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate and such rules shall supersede other rules only to the extent that they are inconsistent with such other rules; and

(2) with full recognition of the constitutional right of the Senate to change those rules at any time, in the same manner, and to the same extent as is the case of any other rule of the Senate.

MOTION OFFERED BY MR. SPRATT

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

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Spratt moves to strike all after the resolving clause and to insert in lieu thereof the provisions of House Concurrent Resolution 85 as adopted by the House.

The motion was agreed to.

The text of the Senate concurrent resolution, as amended, is as follows:

S. CON. RES. 13

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2010 and that this resolution sets forth the appropriate budgetary levels for fiscal year 2009 and for fiscal years 2011 through 2014.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2010.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RECONCILIATION

Sec. 201. Reconciliation in the House.
Sec. 202. Reconciliation in the Senate.

TITLE III—RESERVE FUNDS

Sec. 301. Deficit-neutral reserve fund for health care reform.
Sec. 302. Deficit-neutral reserve fund for college access, affordability, and completion.
Sec. 303. Deficit-neutral reserve fund for increasing energy independence.
Sec. 304. Deficit-neutral reserve fund for America's veterans and servicemembers.
Sec. 305. Deficit-neutral reserve fund for certain tax relief.
Sec. 306. Deficit-neutral reserve fund for a 9/11 health program.
Sec. 307. Deficit-neutral reserve fund for child nutrition.
Sec. 308. Deficit-neutral reserve fund for structural unemployment insurance reforms.
Sec. 309. Deficit-neutral reserve fund for child support.
Sec. 310. Deficit-neutral reserve fund for the Affordable Housing Trust Fund.
Sec. 311. Deficit-neutral reserve fund for home visiting.
Sec. 312. Deficit-neutral reserve fund for Low-Income Home Energy Assistance Program trigger.
Sec. 313. Reserve fund for the Surface Transportation Reauthorization.

Sec. 314. Current policy reserve fund for Medicare improvements.
Sec. 315. Current policy reserve fund for middle class tax relief.
Sec. 316. Current policy reserve fund for reform of the alternative minimum tax (AMT).
Sec. 317. Current policy reserve fund for reform of the Estate and Gift Tax.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Adjustments for direct spending and revenues.
Sec. 402. Adjustments to discretionary spending limits.
Sec. 403. Point of order against advance appropriations.
Sec. 404. Oversight of Government performance.
Sec. 405. Budgetary treatment of certain discretionary administrative expenses.
Sec. 406. Application and effect of changes in allocations and aggregates.
Sec. 407. Adjustments to reflect changes in concepts and definitions.
Sec. 408. Exercise of rulemaking powers.

TITLE V—POLICY

Sec. 501. Policy on middle-class tax relief and revenues.
Sec. 502. Policy on defense priorities.

TITLE VI—SENSE OF THE HOUSE

Sec. 601. Sense of the House on veterans' and servicemembers' health care.
Sec. 602. Sense of the House on homeland security.
Sec. 603. Sense of the House on promoting American innovation and economic competitiveness.
Sec. 604. Sense of the House regarding pay parity.
Sec. 605. Sense of the House on college affordability.
Sec. 606. Sense of the House on Great Lakes restoration.
Sec. 607. Sense of the House regarding the importance of child support enforcement.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2009 through 2014:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2009: $1,532,571,000,000.
Fiscal year 2010: $1,659,525,000,000.
Fiscal year 2011: $1,933,072,000,000.
Fiscal year 2012: $2,190,099,000,000.
Fiscal year 2013: $2,361,429,000,000.
Fiscal year 2014: $2,507,846,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2009: $0.
Fiscal year 2010: –$6,461,000,000.
Fiscal year 2011: –$155,559,000,000.
Fiscal year 2012: –$170,294,000,000.
Fiscal year 2013: –$153,908,000,000.
Fiscal year 2014: –$125,832,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2009: $3,675,133,000,000.
Fiscal year 2010: $2,892,061,000,000.
Fiscal year 2011: $2,866,329,000,000.
Fiscal year 2012: $2,913,316,000,000.
Fiscal year 2013: $3,095,704,000,000.
Fiscal year 2014: $3,286,135,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2009: $3,357,255,000,000.
Fiscal year 2010: $2,996,234,000,000.
Fiscal year 2011: $2,981,872,000,000.
Fiscal year 2012: $2,939,612,000,000.
Fiscal year 2013: $3,093,577,000,000.
Fiscal year 2014: $3,261,525,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2009: $1,824,684,000,000.
Fiscal year 2010: $1,336,709,000,000.
Fiscal year 2011: $1,048,800,000,000.
Fiscal year 2012: $749,513,000,000.
Fiscal year 2013: $732,148,000,000.
Fiscal year 2014: $753,679,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2009: $12,017,000,000,000.
Fiscal year 2010: $13,223,000,000,000.
Fiscal year 2011: $14,350,000,000,000.
Fiscal year 2012: $15,276,000,000,000.
Fiscal year 2013: $16,162,000,000,000.
Fiscal year 2014: $17,100,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2009: $7,730,000,000,000.
Fiscal year 2010: $8,768,000,000,000.
Fiscal year 2011: $9,684,000,000,000.
Fiscal year 2012: $10,344,000,000,000.
Fiscal year 2013: $10,934,000,000,000.
Fiscal year 2014: $11,577,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2009 through 2014 for each major functional category are:

(1) National Defense (050):
Fiscal year 2009:
(A) New budget authority, $618,057,000,000.
(B) Outlays, $646,810,000,000.
Fiscal year 2010:
(A) New budget authority, $562,033,000,000.
(B) Outlays, $606,043,000,000.
Fiscal year 2011:
(A) New budget authority, $570,107,000,000.
(B) Outlays, $587,945,000,000.
Fiscal year 2012:
(A) New budget authority, $579,135,000,000.
(B) Outlays, $576,023,000,000.
Fiscal year 2013:
(A) New budget authority, $589,895,000,000.
(B) Outlays, $584,670,000,000.
Fiscal year 2014:
(A) New budget authority, $603,828,000,000.
(B) Outlays, $595,476,000,000.

(2) International Affairs (150):
Fiscal year 2009:
(A) New budget authority, $40,885,000,000.
(B) Outlays, $37,797,000,000.
Fiscal year 2010:
(A) New budget authority, $45,320,000,000.
(B) Outlays, $43,461,000,000.
Fiscal year 2011:
(A) New budget authority, $49,146,000,000.
(B) Outlays, $48,642,000,000.
Fiscal year 2012:
(A) New budget authority, $53,742,000,000.
(B) Outlays, $52,123,000,000.
Fiscal year 2013:
(A) New budget authority, $59,160,000,000.
(B) Outlays, $55,773,000,000.
Fiscal year 2014:
(A) New budget authority, $64,388,000,000.
(B) Outlays, $59,292,000,000.

(3) General Science, Space, and Technology (250):
Fiscal year 2009:
(A) New budget authority, $35,389,000,000.
(B) Outlays, $30,973,000,000.
Fiscal year 2010:
(A) New budget authority, $31,139,000,000.
(B) Outlays, $32,467,000,000.
Fiscal year 2011:
(A) New budget authority, $31,493,000,000.
(B) Outlays, $32,407,000,000.
Fiscal year 2012:
(A) New budget authority, $33,373,000,000.
(B) Outlays, $32,465,000,000.
Fiscal year 2013:
(A) New budget authority, $34,419,000,000.
(B) Outlays, $33,614,000,000.
Fiscal year 2014:
(A) New budget authority, $35,686,000,000.
(B) Outlays, $34,835,000,000.

(4) Energy (270):
Fiscal year 2009:
(A) New budget authority, $43,919,000,000.
(B) Outlays, $2,952,000,000.
Fiscal year 2010:
(A) New budget authority, $5,489,000,000.
(B) Outlays, $7,267,000,000.
Fiscal year 2011:
(A) New budget authority, $5,539,000,000.
(B) Outlays, $11,322,000,000.
Fiscal year 2012:
(A) New budget authority, $5,732,000,000.
(B) Outlays, $13,400,000,000.
Fiscal year 2013:
(A) New budget authority, $6,098,000,000.
(B) Outlays, $12,133,000,000.
Fiscal year 2014:
(A) New budget authority, $6,227,000,000.
(B) Outlays, $10,512,000,000.

(5) Natural Resources and Environment (300):
Fiscal year 2009:
(A) New budget authority, $56,009,000,000.
(B) Outlays, $36,834,000,000.
Fiscal year 2010:
(A) New budget authority, $37,387,000,000.
(B) Outlays, $40,450,000,000.
Fiscal year 2011:
(A) New budget authority, $38,600,000,000.
(B) Outlays, $40,237,000,000.
Fiscal year 2012:
(A) New budget authority, $39,249,000,000.
(B) Outlays, $40,058,000,000.
Fiscal year 2013:
(A) New budget authority, $39,348,000,000.
(B) Outlays, $39,754,000,000.
Fiscal year 2014:
(A) New budget authority, $40,017,000,000.
(B) Outlays, $39,957,000,000.

(6) Agriculture (350):
Fiscal year 2009:
(A) New budget authority, $24,974,000,000.
(B) Outlays, $23,070,000,000.
Fiscal year 2010:
(A) New budget authority, $23,690,000,000.
(B) Outlays, $23,951,000,000.
Fiscal year 2011:
(A) New budget authority, $24,691,000,000.
(B) Outlays, $23,998,000,000.
Fiscal year 2012:
(A) New budget authority, $21,644,000,000.
(B) Outlays, $17,540,000,000.
Fiscal year 2013:
(A) New budget authority, $22,497,000,000.
(B) Outlays, $22,063,000,000.
Fiscal year 2014:
(A) New budget authority, $23,182,000,000.
(B) Outlays, $22,150,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 2009:
(A) New budget authority, $694,439,000,000.
(B) Outlays, $665,437,000,000.
Fiscal year 2010:
(A) New budget authority, $60,933,000,000.
(B) Outlays, $85,638,000,000.
Fiscal year 2011:
(A) New budget authority, $26,181,000,000.
(B) Outlays, $37,954,000,000.
Fiscal year 2012:
(A) New budget authority, $9,561,000,000.
(B) Outlays, $8,645,000,000.
Fiscal year 2013:
(A) New budget authority, $17,247,000,000.
(B) Outlays, $5,585,000,000.
Fiscal year 2014:

(A) New budget authority, $11,226,000,000.
(B) Outlays, –$2,500,000,000.
(8) Transportation (400):
Fiscal year 2009:
(A) New budget authority, $122,457,000,000.
(B) Outlays, $87,784,000,000.
Fiscal year 2010:
(A) New budget authority, $88,151,000,000.
(B) Outlays, $95,695,000,000.
Fiscal year 2011:
(A) New budget authority, $89,071,000,000.
(B) Outlays, $96,474,000,000.
Fiscal year 2012:
(A) New budget authority, $90,047,000,000.
(B) Outlays, $95,851,000,000.
Fiscal year 2013:
(A) New budget authority, $90,866,000,000.
(B) Outlays, $96,150,000,000.
Fiscal year 2014:
(A) New budget authority, $91,809,000,000.
(B) Outlays, $96,793,000,000.
(9) Community and Regional Development (450):
Fiscal year 2009:
(A) New budget authority, $23,811,000,000.
(B) Outlays, $29,983,000,000.
Fiscal year 2010:
(A) New budget authority, $18,308,000,000.
(B) Outlays, $29,303,000,000.
Fiscal year 2011:
(A) New budget authority, $21,232,000,000.
(B) Outlays, $27,530,000,000.
Fiscal year 2012:
(A) New budget authority, $21,311,000,000.
(B) Outlays, $25,722,000,000.
Fiscal year 2013:
(A) New budget authority, $21,202,000,000.
(B) Outlays, $24,155,000,000.
Fiscal year 2014:
(A) New budget authority, $21,270,000,000.
(B) Outlays, $22,752,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2009:
(A) New budget authority, $164,276,000,000.
(B) Outlays, $73,219,000,000.
Fiscal year 2010:
(A) New budget authority, $93,689,000,000.
(B) Outlays, $140,300,000,000.
Fiscal year 2011:
(A) New budget authority, $107,858,000,000.
(B) Outlays, $141,108,000,000.
Fiscal year 2012:
(A) New budget authority, $117,121,000,000.
(B) Outlays, $118,391,000,000.
Fiscal year 2013:
(A) New budget authority, $115,931,000,000.
(B) Outlays, $118,888,000,000.
Fiscal year 2014:
(A) New budget authority, $125,788,000,000.
(B) Outlays, $120,959,000,000.
(11) Health (550):
Fiscal year 2009:
(A) New budget authority, $380,158,000,000.
(B) Outlays, $354,397,000,000.
Fiscal year 2010:
(A) New budget authority, $383,911,000,000.
(B) Outlays, $388,746,000,000.
Fiscal year 2011:
(A) New budget authority, $364,910,000,000.
(B) Outlays, $367,628,000,000.
Fiscal year 2012:
(A) New budget authority, $369,852,000,000.
(B) Outlays, $368,556,000,000.
Fiscal year 2013:
(A) New budget authority, $389,719,000,000.
(B) Outlays, $384,359,000,000.
Fiscal year 2014:
(A) New budget authority, $400,451,000,000.
(B) Outlays, $400,173,000,000.
(12) Medicare (570):
Fiscal year 2009:
(A) New budget authority, $427,076,000,000.
(B) Outlays, $426,736,000,000.
Fiscal year 2010:
(A) New budget authority, $449,653,000,000.
(B) Outlays, $449,784,000,000.
Fiscal year 2011:
(A) New budget authority, $505,171,000,000.
(B) Outlays, $504,962,000,000.
Fiscal year 2012:
(A) New budget authority, $513,824,000,000.
(B) Outlays, $513,591,000,000.
Fiscal year 2013:
(A) New budget authority, $558,235,000,000.
(B) Outlays, $558,381,000,000.
Fiscal year 2014:
(A) New budget authority, $616,315,000,000.
(B) Outlays, $616,150,000,000.
(13) Income Security (600):
Fiscal year 2009:
(A) New budget authority, $520,123,000,000.
(B) Outlays, $503,020,000,000.
Fiscal year 2010:
(A) New budget authority, $536,169,000,000.
(B) Outlays, $539,918,000,000.
Fiscal year 2011:
(A) New budget authority, $510,575,000,000.
(B) Outlays, $513,410,000,000.
Fiscal year 2012:
(A) New budget authority, $478,039,000,000.
(B) Outlays, $478,323,000,000.
Fiscal year 2013:
(A) New budget authority, $483,386,000,000.
(B) Outlays, $482,745,000,000.
Fiscal year 2014:
(A) New budget authority, $485,396,000,000.
(B) Outlays, $483,758,000,000.
(14) Social Security (650):
Fiscal year 2009:
(A) New budget authority, $31,820,000,000.
(B) Outlays, $31,264,000,000.
Fiscal year 2010:
(A) New budget authority, $20,255,000,000.
(B) Outlays, $20,378,000,000.
Fiscal year 2011:
(A) New budget authority, $23,380,000,000.
(B) Outlays, $23,513,000,000.
Fiscal year 2012:
(A) New budget authority, $26,478,000,000.
(B) Outlays, $26,628,000,000.
Fiscal year 2013:
(A) New budget authority, $29,529,000,000.
(B) Outlays, $29,679,000,000.
Fiscal year 2014:
(A) New budget authority, $32,728,000,000.
(B) Outlays, $32,728,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2009:
(A) New budget authority, $97,705,000,000.
(B) Outlays, $94,831,000,000.
Fiscal year 2010:
(A) New budget authority, $106,365,000,000.
(B) Outlays, $105,468,000,000.
Fiscal year 2011:
(A) New budget authority, $112,842,000,000.
(B) Outlays, $112,386,000,000.
Fiscal year 2012:
(A) New budget authority, $108,702,000,000.
(B) Outlays, $108,103,000,000.
Fiscal year 2013:
(A) New budget authority, $113,803,000,000.
(B) Outlays, $113,151,000,000.
Fiscal year 2014:
(A) New budget authority, $116,021,000,000.
(B) Outlays, $115,480,000,000.
(16) Administration of Justice (750):
Fiscal year 2009:
(A) New budget authority, $55,783,000,000.
(B) Outlays, $49,853,000,000.
Fiscal year 2010:
(A) New budget authority, $52,857,000,000.
(B) Outlays, $51,630,000,000.
Fiscal year 2011:
(A) New budget authority, $53,892,000,000.
(B) Outlays, $55,503,000,000.
Fiscal year 2012:
(A) New budget authority, $53,738,000,000.
(B) Outlays, $55,441,000,000.
Fiscal year 2013:
(A) New budget authority, $53,569,000,000.
(B) Outlays, $54,526,000,000.
Fiscal year 2014:
(A) New budget authority, $54,247,000,000.
(B) Outlays, $54,058,000,000.
(17) General Government (800):
Fiscal year 2009:
(A) New budget authority, $30,405,000,000.
(B) Outlays, $24,629,000,000.
Fiscal year 2010:
(A) New budget authority, $21,979,000,000.
(B) Outlays, $22,757,000,000.
Fiscal year 2011:
(A) New budget authority, $22,316,000,000.
(B) Outlays, $23,147,000,000.
Fiscal year 2012:
(A) New budget authority, $22,737,000,000.
(B) Outlays, $23,795,000,000.
Fiscal year 2013:
(A) New budget authority, $22,750,000,000.
(B) Outlays, $23,492,000,000.
Fiscal year 2014:
(A) New budget authority, $23,415,000,000.
(B) Outlays, $23,629,000,000.
(18) Net Interest (900):
Fiscal year 2009:
(A) New budget authority, $288,955,000,000.
(B) Outlays, $288,955,000,000.
Fiscal year 2010:
(A) New budget authority, $284,085,000,000.
(B) Outlays, $284,085,000,000.
Fiscal year 2011:
(A) New budget authority, $323,266,000,000.
(B) Outlays, $323,266,000,000.
Fiscal year 2012:
(A) New budget authority, $387,483,000,000.
(B) Outlays, $387,483,000,000.
Fiscal year 2013:
(A) New budget authority, $470,452,000,000.
(B) Outlays, $470,452,000,000.
Fiscal year 2014:
(A) New budget authority, $560,137,000,000.
(B) Outlays, $560,137,000,000.
(19) Allowances (920):
Fiscal year 2009:
(A) New budget authority, $14,450,000,000.
(B) Outlays, $1,788,000,000.
Fiscal year 2010:
(A) New budget authority, $9,422,000,000.
(B) Outlays, $4,893,000,000.
Fiscal year 2011:
(A) New budget authority, $8,052,000,000.
(B) Outlays, $5,903,000,000.
Fiscal year 2012:
(A) New budget authority, $6,518,000,000.
(B) Outlays, $4,750,000,000.
Fiscal year 2013:
(A) New budget authority, $5,543,000,000.
(B) Outlays, $4,122,000,000.
Fiscal year 2014:
(A) New budget authority, $3,865,000,000.
(B) Outlays, $2,962,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2009:
(A) New budget authority, –$78,206,000,000.
(B) Outlays, –$78,206,000,000.
Fiscal year 2010:
(A) New budget authority, –$68,774,000,000.
(B) Outlays, –$68,774,000,000.
Fiscal year 2011:
(A) New budget authority, –$71,993,000,000.
(B) Outlays, –$71,993,000,000.
Fiscal year 2012:
(A) New budget authority, –$74,970,000,000.
(B) Outlays, –$74,970,000,000.
Fiscal year 2013:
(A) New budget authority, –$77,945,000,000.
(B) Outlays, –$77,945,000,000.
Fiscal year 2014:
(A) New budget authority, –$79,861,000,000.
(B) Outlays, –$79,861,000,000.
(21) Overseas Deployments and Other Activities (970):
Fiscal year 2009:
(A) New budget authority, $82,648,000,000.
(B) Outlays, $25,129,000,000.
Fiscal year 2010:
(A) New budget authority, $130,000,000,000.
(B) Outlays, $92,774,000,000.
Fiscal year 2011:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $76,530,000,000.
Fiscal year 2012:
(A) New budget authority, $50,000,000,000.

(B) Outlays, $67,694,000,000.

Fiscal year 2013:

(A) New budget authority, $50,000,000,000.

(B) Outlays, $57,830,000,000.

Fiscal year 2014:

(A) New budget authority, $50,000,000,000.

(B) Outlays, $52,085,000,000.

TITLE II—RECONCILIATION

SEC. 201. RECONCILIATION IN THE HOUSE.

(a) HEALTH CARE REFORM.—

(1) Not later than September 29, 2009, the House Committee on Energy and Commerce shall report changes in laws to reduce the deficit by $1,000,000,000 for the period of fiscal years 2009 through 2014.

(2) Not later than September 29, 2009, the House Committee on Ways and Means shall report changes in laws to reduce the deficit by $1,000,000,000 for the period of fiscal years 2009 through 2014.

(b) INVESTING IN EDUCATION.—Not later than September 30, 2009, the House Committee on Education and Labor shall report changes in laws to reduce the deficit by $1,000,000,000 for the period of fiscal years 2009 through 2014.

(c) SINGLE ENGROSSMENT.—The House may direct the Clerk to add at the end of a bill addressed by this section the text of another measure addressed by this section as passed by the House to form a single engrossed reconciliation bill within the meaning of section 310 of the Congressional Budget Act of 1974.

SEC. 202. RECONCILIATION IN THE SENATE.

(Senate reconciliation instructions to be supplied by the Senate.)

TITLE III—RESERVE FUNDS

SEC. 301. DEFICIT-NEUTRAL RESERVE FUND FOR HEALTH CARE REFORM.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes improvements to health care in America, which may include making affordable health coverage available for all, improving the quality of health care, reducing rising health care costs, building on and strengthening existing public and private insurance coverage, including employer-sponsored coverage, and preserving choice of provider and plan by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 302. DEFICIT-NEUTRAL RESERVE FUND FOR COLLEGE ACCESS, AFFORDABILITY, AND COMPLETION.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable or accessible or that increases college enrollment and completion through reforms to the Higher Education Act of 1965 or other legislation, including increasing the maximum Pell grant award annually by an amount equal to one percentage point more than the Consumer Price Index, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 303. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASING ENERGY INDEPENDENCE.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency;

(2) encourages investment in emerging energy or vehicle technologies or carbon capture and sequestration;

(3) limits and provides for reductions in greenhouse gas emissions;

(4) assists businesses, industries, States, communities, the environment, workers, or households as the United States moves toward reducing and offsetting the impacts of greenhouse gas emissions; or

(5) facilitates the training of workers for these industries (''green collar jobs'');

by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 304. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) enhances health care for military personnel or veterans;

(2) maintains the affordability of health care for military retirees or veterans;

(3) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;

(4) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay (concurrent receipt); or

(5) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation; and

does not authorize the Department of Veterans Affairs (VA) to bill private insurance companies for treatment of health conditions that are related to veterans' military service, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 305. DEFICIT-NEUTRAL RESERVE FUND FOR CERTAIN TAX RELIEF.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for tax relief that supports working families, businesses, States, or communities, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR A 9/11 HEALTH PROGRAM.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would establish a program, including medical monitoring and treatment, addressing the adverse health impacts linked to the September 11, 2001, attacks by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 307. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD NUTRITION.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes, expands, or improves child nutrition programs by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 308. DEFICIT-NEUTRAL RESERVE FUND FOR STRUCTURAL UNEMPLOYMENT INSURANCE REFORMS.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes structural reforms to make the unemployment insurance system respond better to serious economic downturns by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 309. DEFICIT-NEUTRAL RESERVE FUND FOR CHILD SUPPORT.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that increases parental support for children, particularly from non-custodial parents, including legislation that results in a greater share of collected child support reaching the child, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 310. DEFICIT-NEUTRAL RESERVE FUND FOR THE AFFORDABLE HOUSING TRUST FUND.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that capitalizes the existing Affordable Housing Trust Fund by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 311. DEFICIT-NEUTRAL RESERVE FUND FOR HOME VISITING.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides funds to states for a program or programs of home visits to low-income mothers-to-be and low-income families which will produce sizeable, sustained improvements in the health and well-being of children and their parents, by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 312. DEFICIT-NEUTRAL RESERVE FUND FOR LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM TRIGGER.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes the Low-Income Home Energy Assistance Program more responsive to energy price increases by the amounts provided in such measure if such measure would not increase the deficit or decrease the surplus for either time period provided in clause 10 of rule XXI of the Rules of the House of Representatives.

SEC. 313. RESERVE FUND FOR THE SURFACE TRANSPORTATION REAUTHORIZATION.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that reauthorizes surface transportation programs or that authorizes other transportation-related spending by providing new contract authority by the amounts provided in such measure if such measure establishes or maintains a solvent Highway Trust Fund over the period of fiscal years 2009 through 2015. ''Solvency'' is defined as a positive cash balance. Such measure may include a transfer into the Highway Trust Fund from other Federal funds, as long as the transfer of Federal funds is fully offset.

SEC. 314. CURRENT POLICY RESERVE FUND FOR MEDICARE IMPROVEMENTS.

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would increase outlays by an amount not to exceed $87,290,000,000 in fiscal years 2010 through 2014 and, for the purposes of the Rules of the House of Representatives, by an amount not to exceed $284,970,000,000 in fiscal years 2010 through 2019 by reforming the Medicare payment system for physicians to—

(1) change incentives to encourage efficiency and higher quality care in a way that supports fiscal sustainability;

(2) improve payment accuracy to encourage efficient use of resources and ensure that primary care receives appropriate compensation;

(3) improve coordination of care among all providers serving a patient in all appropriate settings; or

(4) hold providers accountable for their utilization patterns and quality of care.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the revisions made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

SEC. 315. CURRENT POLICY RESERVE FUND FOR MIDDLE CLASS TAX RELIEF.

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would decrease revenues (or increase outlays, as appropriate) by an amount not to exceed $698,571,000,000 in fiscal years 2010 through 2014 and, for the purposes of the Rules of the House of Representatives, by an amount not to exceed $1,848,523,000,000 in fiscal years 2010 through 2019, by extending certain provisions of the Internal Revenue Code of 1986 for middle class tax relief, including the—

(1) 10 percent individual income tax bracket;

(2) marriage penalty relief;

(3) child credit at $1,000 and partial refundability of the credit;

(4) education incentives;

(5) other incentives for middle class families and children;

(6) other reductions to individual income tax brackets; and

(7) small business tax relief.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the adjustments made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

SEC. 316. CURRENT POLICY RESERVE FUND FOR REFORM OF THE ALTERNATIVE MINIMUM TAX (AMT).

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would decrease revenues by an amount not to exceed $68,650,000,000 in fiscal years 2010 through 2014 and fiscal years 2010 through 2019 by reforming the AMT so that tens of millions of working families will not become subject to it.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the adjustments made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

SEC. 317. CURRENT POLICY RESERVE FUND FOR REFORM OF THE ESTATE AND GIFT TAX.

(a) PROCEDURE.—The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that would decrease revenues by an amount not to exceed $72,033,000,000 in fiscal years 2010 through 2014 and, for the purposes of the Rules of the House of Representatives, by an amount not to exceed $256,244,000,000 in fiscal years 2010 through 2019 by reforming the Estate and Gift Tax so that only a minute fraction of estates owe tax, by extending the law as in effect in 2009 for the Estate and Gift Tax.

(b) APPLICABILITY.—For the purposes of section 401(a) of this resolution, the adjustments made pursuant to this section shall apply only to a measure that includes the policies and the amounts described in this section.

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. ADJUSTMENTS FOR DIRECT SPENDING AND REVENUES.

(a) ADJUSTMENTS TO MAINTAIN CURRENT POLICY.—

(1) Subject to the condition specified in paragraph (3), when the chairman of the Committee on the Budget evaluates the budgetary effects of a provision in any bill, joint resolution, amendment, or conference report for the purposes of the Congressional Budget Act of 1974, this resolution, or the Rules of the House of Representatives relative to baseline estimates that are consistent with section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985, he shall exclude from his evaluation the budgetary effects of such provision if such effects would have been reflected in a baseline adjusted to maintain current policy.

(2) Paragraph (1) applies only to a provision with respect to which the chairman of the Committee on the Budget has exercised his authority to make budgetary adjustments under sections 314, 315, 316, and 317 of this resolution.

(3) Paragraph (1) shall apply only if the House of Representatives has previously passed a bill to impose statutory pay-as-you-go requirements, or the measure containing the provision being evaluated by the chairman of the Committee on the Budget imposes such requirements, and only if such bill is designated as providing statutory pay-as-you-go-requirements under this subsection.

(b) LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP).—Prior to consideration of a bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates $3,200,000,000 in funding for the Low-Income Home Energy Assistance program and provides additional appropriations of up to $1,900,000,000 for that program, then the chairman of the Committee on the Budget may revise the budgetary treatment of such additional amounts and allocate such additional budget authority and outlays resulting from that budget authority to the Committee on Appropriations.

(c) DEPOSIT INSURANCE.—When the chairman of the Budget Committee evaluates the budgetary effects of a provision of a bill, joint resolution, amendment, or conference report for the purposes of the Congressional Budget Act of 1974, this resolution, or the Rules of the House of Representatives, the chairman shall exclude the budgetary effects of any provision that affects the full funding of the deposit insurance guarantee commitment in effect on the date of enactment of Public Law 110–343, the Emergency Economic Stabilization Act of 2008.

SEC. 402. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.

(a) PROGRAM INTEGRITY INITIATIVES.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—

(A) IN GENERAL.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates $273,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration and (except as provided in subparagraph (B)) provides an additional appropriation of up to $485,000,000, and that amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(B) ASSET VERIFICATION.—The additional appropriation of $485,000,000 may also provide that a portion of that amount, not to exceed $34,000,000, instead may be used for asset verification for Supplemental Security Income recipients, but only if and to the extent that the Office of the Chief Actuary estimates that the initiative would be at least as cost effective as the redeterminations of eligibility described in subparagraph (A).

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates $5,117,000,000 to the Internal Revenue Service for Enforcement and provides an additional appropriation of up to $387,000,000 for Enforcement to address the Federal tax gap, and provides that such sums as may be necessary shall be available from the Operations Support account in the Internal Revenue Service to fully support these Enforcement activities, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(3) HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2010 that appropriates up to $311,000,000, and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(4) UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.—Prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for

fiscal year 2010 that appropriates $10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to $50,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(5) PARTNERSHIP FUND FOR PROGRAM INTEGRITY INNOVATION.—Prior to consideration of any bill, joint resolution, amendment, or conference report that provides discretionary budget authority for a Partnership Fund for Program Integrity Innovation in the Office of Management and Budget in an amount not to exceed $175,000,000 for fiscal year 2010 and that designates the amount for the Partnership Fund for Program Integrity Innovation in the Office of Management and Budget, the allocation to the Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2010.

(6) PROCEDURE FOR ADJUSTMENTS.—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the Committee on the Budget shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this subsection.

(b) COSTS OF OVERSEAS DEPLOYMENTS AND EMERGENCY NEEDS.—

(1) OVERSEAS DEPLOYMENTS AND RELATED ACTIVITIES.—If any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2009 or fiscal year 2010 for overseas deployments and related activities and such amounts are so designated pursuant to this subparagraph, then new budget authority, outlays, or receipts resulting therefrom shall not count for the purposes of the Congressional Budget Act of 1974 or this resolution.

(2) EMERGENCY NEEDS.—If any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs, then new budget authority and outlays resulting therefrom shall not count for the purposes of the Congressional Budget Act of 1974 or this resolution.

SEC. 403. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—An advance appropriation may be provided for fiscal year 2011 for programs, projects, activities, or accounts identified in the report to accompany this resolution or the joint explanatory statement of managers to accompany this resolution under the heading ''Accounts Identified for Advance Appropriations'' in an aggregate amount not to exceed $28,852,000,000 in new budget authority, and for 2012, accounts separately identified under the same heading.

(c) DEFINITION.—In this section, the term ''advance appropriation'' means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2010 that first becomes available for any fiscal year after 2010.

SEC. 404. OVERSIGHT OF GOVERNMENT PERFORMANCE.

All committees are encouraged to conduct rigorous oversight hearings to root out waste, fraud, and abuse in all aspects of Federal spending and Government operations, giving particular scrutiny to issues raised by the Federal Office of the Inspector General or the Comptroller General of the United States. Based upon these oversight efforts, the committees are encouraged to make recommendations to reduce wasteful Federal spending to promote deficit reduction and long-term fiscal responsibility. Such recommendations should be submitted to the Committee on the Budget in the views and estimates reports prepared by committees as required under 301(d) of the Congressional Budget Act of 1974.

SEC. 405. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) SPECIAL RULE.—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

SEC. 406. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution, the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget.

(d) ADJUSTMENTS.—The chairman of the Committee on the Budget may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final Congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

SEC. 407. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chairman of the Committee on the Budget shall adjust any appropriate levels and allocations in this resolution accordingly.

SEC. 408. EXERCISE OF RULEMAKING POWERS.

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

TITLE V—POLICY

SEC. 501. POLICY ON MIDDLE-CLASS TAX RELIEF AND REVENUES.

It is the policy of this resolution to minimize fiscal burdens on working families and their children and grandchildren. It is the policy of this resolution to extend the following tax relief consistent with current policy—

(1) relief for the tens of millions of middle-income households who would otherwise be subject to the Alternative Minimum Tax (AMT) under current law;

(2) middle-class tax relief; and

(3) elimination of estate taxes on all but a minute fraction of estates by reforming and substantially increasing the unified tax credit.

In total, this resolution supports the extension of $1,700,000,000,000 in tax relief to individuals and families relative to current law. This resolution supports additional, deficit-neutral tax relief, including the extension of AMT relief, the research and experimentation tax credit, the deduction for State and local sales taxes, the enactment of a tax credit for school construction bonds, and other tax relief for working families. The cost of enacting such policies may be offset by reforms within the Internal Revenue Code of 1986 that produce higher rates of tax compliance to close the ''tax gap'' and reduce taxpayer burdens through tax simplification. The President's budget proposes a variety of other revenue offsets. Unless expressly provided, this resolution does not assume any of the specific revenue offset proposals provided for in the President's budget. Decisions about specific revenue offsets are made by the Ways and Means Committee, which is the tax-writing committee.

SEC. 502. POLICY ON DEFENSE PRIORITIES.

It is the policy of this resolution that—

(1) there is no higher priority than the defense of our Nation, and therefore the Administration and Congress will make the necessary investments and reforms to strengthen our military so that it can successfully meet the threats of the 21st century;

(2) acquisition reform is needed at the Department of Defense to end excessive cost growth in the development of new weapons systems and to ensure that weapons systems are delivered on time and in adequate quantities to equip our servicemen and servicewomen;

(3) the Department of Defense should review defense plans to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats;

(4) sufficient resources should be provided for the Department of Defense to aggressively address the 758 unimplemented recommendations made by the Government Accountability Office (GAO) since 2001 to improve practices at the Department of Defense, which could save billions of dollars that could be applied to priorities identified in this section;

(5) the Department of Defense should review the role that contractors play in its operations, including the degree to which contractors are performing inherently governmental functions, to ensure it has the most effective mix of government and contracted personnel;

(6) the Department of Defense report to Congress on its assessment of Cold War-era weaponry, its progress on implementing GAO recommendations, and its review of contractors at the Department as outlined in paragraphs (3), (4), and (5) by a date to be determined by the appropriate committees;

(7) the GAO provide a report to the appropriate congressional committees by December 31, 2009, on the Department of Defense's progress in implementing its audit recommendations;

(8) ballistic missile defense technologies that are not proven to work through adequate testing and that are not operationally viable should not be deployed, and that no funding should be provided for the research or development of space-based interceptors;

(9) cooperative threat reduction and other nonproliferation programs (securing ''loose nukes'' and other materials used in weapons of mass destruction), which were highlighted as high priorities by the 9/11 Commission, need to be funded at a level that is commensurate with the evolving threat;

(10) readiness of our troops, particularly the National Guard and Reserves, is a high priority, and that continued emphasis is needed to ensure adequate equipment and training;

(11) improving military health care services and ensuring quality health care for returning combat veterans is a high priority;

(12) military pay and benefits should be enhanced to improve the quality of life for military personnel and their families;

(13) the Department of Defense should make every effort to investigate the national security benefits of energy independence, including those that may be associated with alternative energy sources and energy efficiency conversions;

(14) the Administration's budget requests should continue to comply with section 1008, Public Law 109–364, the John Warner National Defense Authorization Act for Fiscal Year 2007, and that to the extent practicable overseas military operations should no longer be funded through emergency supplemental appropriations; and

(15) when assessing security threats and reviewing the programs and funding needed to counter these threats, the Administration should do so in a comprehensive manner that includes all agencies involved in our national security.

TITLE VI—SENSE OF THE HOUSE

SEC. 601. SENSE OF THE HOUSE ON VETERANS' AND SERVICEMEMBERS' HEALTH CARE.

It is the sense of the House that—

(1) the House supports excellent health care for current and former members of the United States Armed Services—they have served well and honorably and have made significant sacrifices for this Nation;

(2) the President's budget will improve health care for veterans by increasing appropriations for VA by 10 percent more than the 2009 level, increasing VA's appropriated resources for every year after 2010, and restoring health care eligibility to additional nondisabled veterans with modest incomes;

(3) VA is not and should not be authorized to bill private insurance companies for treatment of health conditions that are related to veterans' military service;

(4) VA may find it difficult to realize the level of increase in medical care collections estimated in the President's budget for 2010 using existing authorities; therefore, this resolution provides $540,000,000 more for Function 700 (Veterans Benefits and Services) than the President's budget to safeguard the provision of health care to veterans;

(5) it is important to continue providing sufficient and timely funding for veterans' and servicemembers' health care; and

(6) this resolution provides additional funding above the 2009 levels for VA to research and treat mental health, post-traumatic stress disorder, and traumatic brain injury.

SEC. 602. SENSE OF THE HOUSE ON HOMELAND SECURITY.

It is the sense of the House that because making the country safer and more secure is such a critical priority, the resolution therefore provides robust resources in the four budget functions—Function 400 (Transportation), Function 450 (Community and Regional Development), Function 550 (Health), and Function 750 (Administration of Justice)—that fund most nondefense homeland security activities that can be used to address our key security priorities, including—

(1) safeguarding the Nation's transportation systems, including rail, mass transit, ports, and airports;

(2) continuing with efforts to identify and to screen for threats bound for the United States;

(3) strengthening border security;

(4) enhancing emergency preparedness and training and equipping first responders;

(5) helping to make critical infrastructure more secure and resilient against the threat of terrorism and natural disasters;

(6) making the Nation's cyber infrastructure resistive to attack; and

(7) increasing the preparedness of the public health system.

SEC. 603. SENSE OF THE HOUSE ON PROMOTING AMERICAN INNOVATION AND ECONOMIC COMPETITIVENESS.

It is the sense of the House that—

(1) the House should provide sufficient investments to enable our Nation to continue to be the world leader in education, innovation, and economic growth as envisioned in the goals of the America COMPETES Act;

(2) this resolution builds on significant funding provided in the American Recovery and Reinvestment Act for scientific research and education in Function 250 (General Science, Space and Technology), Function 270 (Energy), Function 300 (Natural Resources and Environment), Function 500 (Education, Training, Employment, and Social Services), and Function 550 (Health);

(3) the House also should pursue policies designed to ensure that American students, teachers, businesses, and workers are prepared to continue leading the world in innovation, research, and technology well into the future; and

(4) this resolution recognizes the importance of the extension of investments and tax policies that promote research and development and encourage innovation and future technologies that will ensure American economic competitiveness.

SEC. 604. SENSE OF THE HOUSE REGARDING PAY PARITY.

It is the sense of the House that rates of compensation for civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of compensation for members of the uniformed services.

SEC. 605. SENSE OF THE HOUSE ON COLLEGE AFFORDABILITY.

It is the sense of the House that nothing in this resolution should be construed to reduce any assistance that makes college more affordable and accessible for students, including but not limited to student aid programs and services provided by nonprofit State agencies.

SEC. 606. SENSE OF THE HOUSE ON GREAT LAKES RESTORATION.

It is the sense of the House that this resolution recognizes the importance of funding for an interagency initiative to address regional environmental issues that affect the Great Lakes, and that coordinated planning and implementation among the Federal, State, and local government and nongovernmental stakeholders is essential to more effectively addressing the most significant problems within the Great Lakes basin.

SEC. 607. SENSE OF THE HOUSE REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

The Senate concurrent resolution, as amended, was agreed to.

MOTION TO GO TO CONFERENCE

Mr. SPRATT. Mr. Speaker, pursuant to House Resolution 316, I move that the House insist upon its amendment to Senate Concurrent Resolution 13 and request a conference with the Senate thereon.

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

Mr. SPRATT. I yield the gentleman from Wisconsin, my ranking member, half of the allocated time, 30 minutes.

I reserve the balance of my time so that Mr. RYAN can proceed.

Mr. RYAN of Wisconsin. At this time, Mr. Speaker, I believe I will reserve the balance of my time and allow the gentleman from South Carolina to get started.

Mr. SPRATT. Mr. Speaker, before leaving here for the spring vacation, the district work period, the House passed, by a significant majority, some 233 ''ayes,'' the resolution before us today, which we are moving to go to conference.

With that resounding vote of support, we would like to see the conference concluded as soon as possible so that the House and Senate both may proceed with the consideration, floor debate, and passage of appropriation bills.

I would, therefore, urge that all Members of the House, particularly those who supported this resolution originally, vote now to go to conference so that we can resolve our differences with the Senate and put behind us on a timely basis the budget resolution for 2010.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, we are here today to move the process along on going to conference on the budget resolutions.

I just spent the last week doing 25 listening sessions throughout the 1st Congressional District, which is the

district I am privileged to represent, talking to the people I represent about the fiscal future of America, how we just went through this process of the House passing a budget resolution, the other body passing their version of the budget resolution.

There is very little distinction between the President's budget, the House-passed budget resolution and the Senate budget resolution. Therefore, this move to go to conference should not be a very lengthy conference because the differences between the two are very few and far between, with the exception of the process called reconciliation.

We will talk about that a little bit more. But I think it's important to understand what this is. And I spent a lot of my time talking with constituents about that, because they think sort of when you pass a budget resolution, the budget is done and it's passed.

That is how it works in our State legislatures, which is, a budget is a budget and it's passed and it's executed. This is the beginning of the process, not the ending of the process.

□ 1300

The best way to think about the process we are engaging in and what we are doing right here with the budget resolution is the budget resolution is the fiscal architecture of the Federal Government. It's the blueprint of what our government should look like, how big it should get, what is the fiscal policy of it. So we are here debating these blueprints of the Federal Government. And the blueprints were approved by the House a couple of week ago, by the Senate, and now the idea here is to smooth out any differences, which are few and far between, and then move forward to implement the component parts of the budget. So once this process is done, then we have the architectural diagrams in place; then we go start building the government that's being proposed here. The new cap-and-trade legislation, new national health care legislation, all these new spending bills, the tax increases, that's where Congress goes from here, which is once the budget resolution is done, start implementing these pieces, the goal of which is by this fall all of this is in law and is done.

Let me reiterate what we are talking about here, just the huge magnitude of what's being proposed here. Just with respect to the cost of government to the future generations, our debt, this budget proposes more debt, more borrowing, under this Presidency than all prior Presidencies combined. This budget proposes that our publicly held debt, the amount of bonds we have to go out there and sell to the Chinese, to the Japanese, to other people to cash flow our government, our debt will double in 5½ years and triple in 10½ years.

What's more, what this budget says we ought to do is we should chase ever higher spending, an unprecedented level of new spending with ever higher taxes. It not only proposes the largest tax increase in American history, which is $1.5 trillion, taxes on energy, taxes on incomes, on small businesses, on the very investments that make up our savings portfolios, our 401(k)s, our pension plans, things that are probably going down by about 40 percent for the average American, not only are those tax increases huge, the spending increases are much larger.

So what these architectural designs do, what this blueprint for the Federal Government that the President has sent to Congress that Congress is now in the midst of rubber-stamping does is it says let's have this unprecedented gusher of new spending, let's chase it with higher taxes. Those taxes never quite catch up with the spending, and the result is an unprecedented increase in our national debt.

Mr. Speaker, this is how you end prosperity in America. Name me a great country that has been able to increase standards of living, increase jobs, increase prosperity where they increase the size of government, the taxes of government, the borrowing of government like this. This is an unprecedented spending, taxing, and borrowing spree which we simply do not stand for, which we simply can't go along with.

And I want to draw your attention to one other point: This unprecedented borrowing spree is done in the face of an already bleak fiscal future for this country. This is an ad that has been taken out in many newspapers across America by the Peter G. Peterson Foundation, a nonpartisan advocacy group that says America should get its fiscal house in order. It just shows this tip of the iceberg. Today's economic crisis is the tip of the iceberg. What this says is right now to pay the bills for the Federal Government, right now to make sure that the government programs that everybody has come to know, Medicare, Medicaid, and Social Security, right now those three programs alone show us a $56 trillion unfunded liability. What that means is for everybody in America today, my mother's generation, my generation, my children's generation—and my children are 4, 5, and 7 years old—for us to pay the bills of all the government promises that are being made to these three generations, today we would have to set aside $56 trillion, invest it at Treasury rates in order to just make sure these programs are solvent. It is an enormous fiscal liability.

Rather than tackling this problem, rather than confronting America's fiscal wreck that's coming, rather than getting us under control, what does this budget resolution do? It makes it worse. It adds more debt on top of this debt. It is saying never mind the fact that all these programs are going insolvent, never mind the fact that we're not even prepared for the baby boomers, never mind the fact that today the per-household debt is $483,000 per household, for every household in America right now today they owe $483,000 just to pay the bills we have already racked up that are unpaid for the Federal Government, the majority wants to what? Not fix it but make it worse. Rather than getting spending under control, it goes out of control. I mean the Environmental Protection Agency this year alone gets a 124 percent increase in their budget. On and on and on the spending goes.

Rather than getting taxes under control so entrepreneurs can keep more of what they earn; so small businesses, the economic engine of America, have an incentive to go back to work to hire people, not to lay people off, taxes go out of control. And rather than tackling this challenge of debt, what are they doing? They are accelerating our increase of debt, accelerating the fact that $483,000 per family is owed today and makes it much, much worse.

At the end of the day, what it's really all about is freedom. The question really before the American people today is with the government's taking more and more money out of your pocket, with the government's growing and making more and more decisions here in Washington, with the government's making the decisions on how your health care is to be delivered rather than you and your doctor making the decision, with the government's taking over the energy sector, the health care sector, 25 percent of our economy, with the government's saying to future generations we are going to have to take more money out of your pocket in order to pay the bills, in order to borrow the money, you have less freedom. And this just shows you how the President and the majority here in Congress are proposing a dramatic and radical new increase in the size of government way beyond where we have historically been.

I asked the Congressional Budget Office before this budget came due, what will the tax rates on my three children have to be if we're going to have to finance all this growth of government through taxes, which ultimately must happen? If the government is to spend beyond its means by borrowing, somebody's going to have to pay that back through higher taxes, and that's the next generation. And the answers I got from the nonpartisan Congressional Budget Office keep me awake at night.

As I mentioned, I am in my late thirties. My kids are 4, 5, and 7 years old. And what they said was really scary. They said that by the time my three kids are my age, in order to pay these bills that they are racking up for them, the lowest tax bracket in America, today the 10 percent bracket, would have to go to 25 percent. The middle-income tax bracket for middle-income taxpayers would have to go to 66 percent income tax rate. And the top tax bracket, the ones that small businesses pay, will go to 88 percent.

That's the ending of America. That's the end of prosperity. That is severing

the legacy of this country. And the legacy of this country is that each generation takes its challenges seriously, fixes those problems so that they can bequeath onto the next generation a more prosperous, a more secure America. We are at risk for severing that legacy for the first time in the history of this country. If we consign to the next generation that burden of debt, that increase in tax rates, there is no way we will be able to provide a higher standard of living to the next generation of Americans.

But the matter is even more urgent than that. The matter is urgent to the fact that we are in the worst recession we have seen since the 1940s. It's a global recession. And the question we ought to be asking ourselves: Should we be raising all these taxes in the middle of a recession? Should we be raising the energy fees on consumers by anywhere from $1,600 to $3,500 a year in a recession? Should we be raising taxes on small businesses, which create most of our jobs, in a recession? Should we be raising taxes on the assets that make up our pension plans, our children's 401(k) plans, their college education plans, our IRAs in a recession? Of course not. Unfortunately, that's precisely what the President and this budget do.

This is a huge moment for America. And Americans may not know this because they are greasing this thing through so fast: It's a moment where America may abandon its tireless principles, its timeless ideas that built this country, the idea that the goal of government is to protect our rights and to equalize opportunity for all so people can stake their claim and make the most of their lives and replace that with more of a Europeanized notion where we try to micromanage the results of people's lives, where people are less concerned about their liberty and more concerned about security.

We believe in having a safety net to help people who cannot help themselves. We believe in having a safety net to help people when they are down on their luck. But we reject the philosophy and the approach of this budget which says we need to have more than that, we need to have a society where more and more Americans become dependent on the government itself for their own well-being.

We want people to maximize their potential. We want people to make the most of their lives. We don't want to lull people in lives of complacency where they are becoming more and more dependent on the Federal Government. We have seen what those ideas do. We see them on display in foreign capitals all around the world. Higher unemployment, a lower standard of living, stagnant wages, decaying societies. That's not America. That is not what this country is. It's not the idea of America. We want the idea of America that we have known for the 20th century to be the idea of America in the 21st century. That's what this budget is about. That's what this blueprint or this architecture that we are debating here today is really all about.

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

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

I would remind my friend and all Members of the House that President Obama came to office less than 100 days ago. And when he came, he found on the doorstep waiting for him a budget that was deep in deficit. By our calculation, the Bush administration is responsible for at least $1.3 trillion of the deficit we are now struggling with trying to resolve and work down in the budget before us, $1.3 trillion out of a projected deficit this year of $1.752 trillion.

The economy, the worst since the Great Depression, happened on the watch of President Bush. He can't escape it. He was in office 8 years, and it happened in the midst of his tenure in office. The debt accumulation during that administration due to the deficits that have steadily racked up almost every year after the first 2 years of his administration, the deficit added over $5 trillion to the debt of the United States.

And to deal with the wretched conditions in our economy and to keep this economy from slipping into a downward death spiral, the Bush administration undertook some aggressive actions, I think rightly so, such as the TARP, dealing with troubled asset programs. They undertook a number of these remedial actions at significant cost to the Federal Government. I don't fault them for that. They did what needed to be done in order to keep the economy from going deeper into the rut. But we are here living with the consequences of that.

The major reason we have a deficit so swollen, $1.752 trillion, is not because of what's about to happen with the adoption of this budget. This budget works the deficit down. It's because of what did happen during 8 years of the Bush administration when we finally ended up with the worst recession since the Great Depression.

So we are dealing with the aftermath of the Bush administration here today, and we have a budget which builds upon the budget sent to us by President Obama. It takes the deficit from where it is, $1.752 trillion this year, and reduces it to $586 billion within 4 years. I would like to see it go further, beyond that. But we have given the House and the Congress a 5-year budget that will put us on a path downward from $1.7 trillion, $1.8 trillion to $586 billion by 2013 and perhaps even better by 2014.

□ 1315

I think we should go further. We have got to go further. I will be the first to acknowledge that when you look at OMB's projections of the 10 years lying ahead of us, in the second 5-year period of that 10-year span, in that period of time the deficit starts going back up again. We don't want that to happen. But we can best make the policy that will address that second 5-year period when we are out of this economy, when we are standing on firmer ground than we are today and we know a bit more about the future of the economy and the budget than we do at this point in time.

In the meantime, what we are doing is prescribing over the next 5 years a budget that will go down, down, down, from $1.752 trillion to $586 billion. I say that is a fiscally responsible budget. So did the House.

When this measure was before us, before we left for the Easter-Passover break, when this measure was before us, the concurrent resolution, 233 Members of the House voted to pass our resolution, our budget resolution which now comes before us on a motion to go to conference.

Mr. RYAN presented, or his side presented, the Republicans presented two budget alternatives. One received 137 votes. 137 votes, that is 80 votes less than a majority, with 293 noes. The other received 111 votes. We received 233 votes.

I think the House has spoken and spoken resoundingly. They listened to the debate, then they read the materials we put out, they decided this is a better way to go. This is a responsible budget because it takes us over the foreseeable future to a much, much lower budget, something we can do, because this year's budget is swollen. $1.7 trillion is totally unsustainable, totally intolerable, but it is swollen by actions that have been taken that are countercyclical in order to get this economy out of the rut it is in right here today. Once you leave those nonrecurring expenditures out, you can credibly say that we can get from where we are to a deficit in the mid-500s in a 4-year period of time.

Now, you are going to hear a lot of talk about tax cuts. But read the committee report and you will see in short summary exactly some of the highlights and features of this particular bill. If you read the very last page, you will see that our budget resolution calls for reducing revenues, for tax cuts. Provided under the CBO baseline forecast, this resolution provides $613 billion over the first 5 years and $1.48 trillion in total tax reductions.

We have been taunted in the past by those saying that when we came to power we wouldn't continue the middle income tax cuts; we would allow them to expire on December 31, 2010, as they are prescribed to expire. But we protect those tax cuts. The marital penalty, mitigation provisions in the marital penalty relief bill, the 10 percent bracket, which is a big tax cut for many working Americans, the child tax credit, all of these we preserve and extend in our particular bill, including the estate tax. We simply say with respect to the estate tax, just leave it in place as it is in 2010, that is, with a $3.5

million per decedent exemption, $7 million for a couple.

All of these things are in the package before us. That is why it received a resounding vote of support from the House just a few weeks ago and why it is a better choice and why we need now to finish the work we began, go on to conference and adopt a concurrent budget resolution which will be the ruling law for the coming fiscal year.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 5 minutes to the vice ranking member of the Budget Committee, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding.

I can think of no greater act of irresponsibility for this House of Representatives here and now than to take this budget to conference. This is a budget that will place more debt, more debt on our Nation in the next 10 years than was run up in the previous 220. That is right, Mr. Speaker. This budget, this budget is laying the framework for more debt to be placed on our Nation in the next 10 years than was placed in the previous 220.

Now, I must admit that I find it somewhat amusing that every time one of my friends from the other side of the aisle, including the distinguished chairman of the Budget Committee, comes to the floor to debate, they always want to play the blame game, Mr. Speaker. They always want to point the finger at somebody else and they speak of, well, there is this problem that was inherited.

Well, maybe there was a problem that President Obama inherited, but he inherited it from a Democratic-controlled Congress. When the Democrats took over Congress, the deficit stood at $161 billion. Now we know in just two short years, two short years, we are looking at a budget deficit of $1.8 trillion, a 10-fold increase, Mr. Speaker.

Yes, that is a challenge inherited by the President from the Democratic Congress. But to be fair to the Democratic Congress, he is really only inheriting about a $1.3 trillion budget deficit from them. He is adding about half a trillion dollars of it himself to get to the $1.8 trillion.

When the Democrats took control of Congress, the unemployment rate stood at 4.4 percent. Now it is over 8 percent, almost double.

When the Democrats took control of Congress, the Dow stood at 12,400. I need not tell anybody in this Chamber that it is down almost 40 percent now.

Now, I don't blame my colleagues for every single woe that our Nation faces today, but they seemingly take no responsibility and seemingly are more interested in pointing the finger than solving the problem. And when they so-called try to solve the problem, all we have is a borrow, tax and spend budget. Borrow, tax and spend, that is what this budget is all about.

If history is my guide, Mr. Speaker, no nation in the history of the world has been able to borrow and spend its way into prosperity. Many have tried, including our own. In the Great Depression, Henry Morgenthau, FDR's Secretary of Treasury, once said, ''We have tried spending money. We are spending more than we have ever spent before and it does not work. After 8 years of this administration, we have just as much unemployment as when we started and an enormous debt to boot.'' That was at the outset of World War II, after 10 years.

Many of us know about Japan's lost decade. An industrialized economy, not unlike our own, they had a real estate bubble burst on them in the early nineties. They passed eight different so-called government stimulus bills in 10 years, and in 10 years they created no new jobs, no new economic growth, and their per capita income went from second, second in the world, to 10th in the world. Now, how many young people in that nation were never able to go to college, never able to start a new business, never able to own a home because of the debt placed on that nation?

As The New York Times wrote about the experience, and let me say again, The New York Times, not Rush Limbaugh, not National Review, in a recent article they said, ''During those two decades, Japan accumulated the largest public debt in the world. This has led many to conclude that spending did little more than sink Japan deeply into debt, leaving an enormous tax burden for future generations.''

The article from The New York Times goes on to say, ''Among ordinary Japanese, the spending is widely disparaged for having turned the nation into a public works-based welfare state, making regional economies dependent on Tokyo for jobs.''

Mr. Speaker, we need to learn from our neighbor's history. We need to learn from our own history. This is a budget that will not only spend too much and tax too much, but place a level of burden of debt on future generations that is absolutely unconscionable.

Even prior to this horrendous budget, we were on track to have to double taxes, double taxes on the next generation just to balance the budget. This is a budget that will triple, triple the national debt in just 10 years, and run up more debt in the next 10 years than in the previous 220.

Now, Mr. Speaker, I rarely use the word ''immoral'' in political debate, but I think placing that level of debt on my 7-year-old daughter and my 5-year-old son and all the children of America is immoral. This budget should not be taken to conference.

Mr. SPRATT. Mr. Speaker, I yield 5 minutes to the gentlelady from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise to support this resolution and a budget that addresses our Nation's priorities, confronts our economic crisis today, and makes critical investments in our long-term growth. With this budget, we have laid out a clear path to cut the deficit by nearly two-thirds and to cut taxes for middle-class Americans. It reduces wasteful spending while making long overdue investments to get our country back on track.

The truth is we cannot afford to wait. Failure to reform and invest have produced 8 years of the slowest growth in three-quarters of a century. Every day, I hear stories from my constituents. The single mother who lost her job and the health care coverage that went with it. Now she fights daily just to make sure her children can get the care they need to stay healthy.

To the small business owner, to stay afloat in a market where credit has become so tight, simply making payroll is not a sure thing.

The student who excelled in school but won't be going to college because he or she cannot afford it.

And the homeowner who worked and saved and did everything right, but still finds himself or herself underwater on the verge of foreclosure.

Our Nation owes its citizens far better. There will be no growth, no opportunity and no jobs unless we invest in our future. We cannot fix our economy unless we take concrete steps to create jobs, transition to a clean energy economy, make health care more affordable, and improve education, pursue true reform, get the big things right and focus on our national priorities. Focus on health care by addressing the burdens that the current health care system places on families, aiming to improve quality, efficiency and accountability of health care in order to control costs and provide resources to expand access.

There are no easy answers when it comes to making our health care system work for everyone, but one thing is clear: This is our window of opportunity. This budget is an essential first step to ensuring quality, affordable health care for all of our constituents. It gives us the flexibility to give people real choices when it comes to their health care; the choice to keep what they have now, or to have a new choice of a private or public health insurance plan.

Focus on education, the key to economic opportunity, especially in these tough economic times. When too many of our children and adults are not prepared to compete or when our region's workforce does not meet the demands our employers, our entire Nation suffers. This budget expands access and increases funding for early childhood education, creates a new tax credit to help cover college costs, and raises the Pell Grant award.

Focus on energy independence, because from rising prices to rising temperatures to the dangerous actions of hostile regimes abroad, one thing is clear: If we do not take action, young people today, not to mention their children and their grandchildren, will face dire consequences.

This budget builds a framework for developing and producing new energy

and jobs, modernizing the electricity grid to make it more efficient, secure and reliable, increasing the efficiency of Federal buildings, and helping to make State and local governments more energy efficient.

Focus on infrastructure to create jobs for transportation, energy projects, maintaining highways, rebuilding bridges, transit and water systems. This budget lays the groundwork for a national infrastructure bank to give these projects the priority they deserve and the leveraged resources to maximize their impact, all to create good jobs that cannot be outsourced while spurring economic growth and keeping our Nation competitive.

No matter where we focus, our goals are clear: To move from recovery to growth. This budget builds on the powerful down payment we made with the recovery package that President Obama signed into law this spring.

Mr. Speaker, I urge my colleagues to stand behind this responsible budget. It is the foundation of a strong economy, true reform and future growth.

Mr. RYAN of Wisconsin. Mr. Speaker, I reserve my time.

Mr. SPRATT. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank the chairman.

This debate really is very timely because the number one issue on the minds of the American people is the economic crisis, and although we use the language of the budget, what we are really talking about here is whether to adopt or not adopt a plan to fix the economic crisis facing the country.

□ 1330

Literally, the motion that we're debating right now is whether to try to reach an agreement with the Senate about that plan, and we'll take a vote on whether to go forward or not. I hope everybody votes to go forward with the process.

But I assume, Mr. Speaker, the minority's not really debating the process; they're debating the substance, and that's good and that's welcome.

I think for us to fix this economic crisis we need to do three things, and the President has stepped forward to try to do these three things. The first is to get the economy kick-started in the short run. The President proposed legislation that would put construction workers back to work, that would help first-time homebuyers with their down payment for a new home, that would let people deduct the sales tax when they buy a car or truck, that would stop the hemorrhaging of layoffs from schools around the country by a significant increase in Federal aid to schools. And we passed that. And it's about 2 months old, and we're hoping that it will work.

The second leg of recovery is to stop the meltdown of the financial system. You know, the two parties came together in the fall and passed legislation that was very controversial, very easy to vote against, to try to rescue the financial system and the banking system, not for the benefit of the shareholders of banks, but for the benefit of borrowers and depositors and all of us who depend upon the banking system. And the new Secretary of the Treasury has gone forward with a different version of how to implement that plan, and it's playing out in the marketplace, and we're hoping that that plan will be successful.

The third piece of the recovery plan is a long-term plan to deal with the long-term problems of the country. The President proposed a way to deal with the problem of borrowing too much money to run the country, and we passed in the House a budget that cuts the deficit by two-thirds and we hope will stimulate the economic growth that will pay down the debt as we did in the 1990s.

The President proposed a plan that would start us toward fixing our health care system, to control costs for businesses and families, so that the metastasizing growth of health care costs is reduced and subdued, and that's included in this budget.

The President has proposed a plan to deal with our energy dependency upon imported foreign oil; and although the specifics of that are not included in this budget, this House, at the appropriate time, will take up that debate and will either pass it or not.

And, finally, the President talked about improving the job skills of our workers so we are more competitive in global economic competition with some major reforms in the way we pay for getting a college or higher education.

Now, you can disagree with the way the President went about these objectives. But I think what you can't do is propose essentially nothing as an alternative. And I know there were alternatives on the floor during the budget debate. But the reality is the minority has kind of set itself up here to tell us what it's against, and I respect that.

We're for something very different. We're for a plan that reduces the deficit by two-thirds. We're for a plan that stops the hemorrhaging from our pocketbooks in America's health care system. We want to debate and eventually adopt a plan that will terminate our addiction to imported oil. We're for a plan that raises the skills and aspirations of every worker, every man, woman and child in this country. That is what we are for. And we want to go forward with the other body and with the President and, hopefully, with the other party in a way that will implement a plan that will make this economy recover.

So that's what we're talking about today: Should we or should we not go forward with a plan that will help the economy recover?

We've laid out our ideas. We believe in them. We think the track record shows that they work. There really are two competing sets of ideas about how to fix the economy. The minority believes that massive reductions in taxes for the wealthiest Americans and deregulation of the economy will produce prosperity for all. We don't believe that. We think that lower deficits, investment in education and health care, infrastructure, sensible regulation of the marketplace will produce prosperity for all.

There's a record, Mr. Speaker. Their method, tried in the last 8 years, has, frankly, led us to the economic catastrophe we're experiencing today. Our method, by and large, tried in the 1990s, led to a very different result. For every one job——

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

Mr. SPRATT. Could I ask how much time we have left?

The SPEAKER pro tempore. 13½ minutes.

Mr. SPRATT. I yield the gentleman 1 additional minute.

Mr. ANDREWS. For every one job that their strategy produced, ours produced 108. For every dollar of economic growth that their strategy produced, ours produced $1.69. A middle class family, during the last 8 years, saw their purchasing power drop by $500, at least, compared to what it was 8 years ago. And finally, the purchasing power of the middle class family during our strategy being invoked saw purchasing power for middle class families increase by over $5,000. That's the record. That's the choice. Let's get on with it and go to conference.

Mr. RYAN of Wisconsin. At this time, Mr. Speaker, I would like to yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I thank the gentleman from Wisconsin. And I would have liked to thank the gentleman from New Jersey if he had yielded because he has made that same statement over and over and over again on the floor with regard to how many more jobs would be produced under their budget and under the proposals by the Republicans. And each time when we try to ask him where his documentation for that or where the proof is so that he can prove it to the American public, as just happened right now, he has refused to do so.

Mr. ANDREWS. Will the gentleman yield? I would be happy to supply that answer.

Mr. GARRETT of New Jersey. And I would like to respond in kind just as you responded in kind to me. So when you're on your time we would like to have that documentation. We'd very much like to see it.

I also appreciate the fact that the gentleman from New Jersey, that he says that the Democrats are presenting to us a different form of budget. Absolutely. The American public, I think, is outraged with the type of budget that they are presenting. It's a budget that spends too much, borrows too much

and taxes too much. It spends more than any other government or any other budget that we've ever seen in the history of this country.

So much of the time they lament the fact that we are brought to this table today because of the budgets of the previous administration. Yet, what do they do? On the one hand they're saying that those previous administrations failed to spend enough, and that's why they have to spend more; but on the other hand, they lament the fact that over and over again the previous administrations spent too much. So which is it? Was the previous administration spending too much or too little? They speak out of both sides of their mouth.

And as far as borrowing, that poor child that is born today, that poor child that is born today, he will realize that he will be burdened with upwards of over $30,000 in debt just because of the extra spending in this legislation. That's on top of the $57 trillion of indebtedness that's already incurred by that child being born.

So the child born today, before he can even think about putting a few pennies away, or his parents or his grandparents can put a few pennies away in his piggy bank, if you will, to start saving up for his college education or his marriage or a new car, first of all, they have to start putting away pennies to start paying for this indebtedness that the other side of the aisle is creating.

You know, I came down to this floor because I heard the chairman of the Budget Committee responding to the ranking member of the Budget Committee, and I appreciate the work of the ranking member and the points that you were making as to when you were saying that now is not the time when we are in such difficult equations.

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

Mr. RYAN of Wisconsin. I yield the gentleman 1 additional minute.

Mr. GARRETT of New Jersey. And we are in such difficult times, now is not the time to be putting further burdens on the American family. I appreciate that.

I believe you yielded, or the chairman then responded by saying, we're in this situation because the budget that we had previously was a budget that spent too much and had problems with that budget. Wasn't that the response that we heard?

Mr. RYAN of Wisconsin. Yes.

Mr. GARRETT of New Jersey. So the problem was, the reason we're here today, according to the other side of the aisle, was that the previous budget, the budget we're operating under right now, was spending too much. Is that what we heard from the other side of the aisle?

Mr. RYAN of Wisconsin. That's right.

Mr. GARRETT of New Jersey. I would ask then—I would yield some time to the chairman of the Budget Committee, if the chairman of the Budget Committee would yield to a question, if the chairman of the Budget Committee would yield to a question.

Mr. SPRATT. I beg your pardon. I was discussing something with another of our Members on the floor.

Mr. GARRETT of New Jersey. I certainly appreciate that. We were just discussing the reason that I was on the floor was, in part, response to your colloquy with the ranking member before, and you were saying that part of the reason we're here today is because of the budget problems that you experienced coming into this administration, the Obama administration.

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

Mr. RYAN of Wisconsin. I yield the gentleman an additional 30 seconds.

Mr. GARRETT of New Jersey. And your comment was, it's a problem with the previous budgets. That was your comment on the floor.

Mr. SPRATT. I'd say we're cleaning up in the aftermath of the Bush administration's 8 years of fiscal policy that left us $5 trillion deeper in debt.

Mr. GARRETT of New Jersey. I appreciate that. Can you just tell me one question: Whose name appears on the current budget that we're operating under right now? Who submitted that to this Congress?

Mr. SPRATT. The budget before us now began with the President's submission, as it has since 1921.

Mr. GARRETT of New Jersey. Not the budget that's right before us, that we are operating under right now. Whose budget, for the last 2 years, has come before this House to be voted upon?

Mr. SPRATT. We voted upon it here. But who occupied the White House? Who sent us the budget?

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

Mr. RYAN of Wisconsin. I yield the gentleman an additional 15 seconds.

Mr. GARRETT of New Jersey. The point is, and the chairman, I appreciate the gentleman, the point of the matter is we are operating under a Democrat budget, and I believe it would be Mr. SPRATT's name that would be on the budget that we're currently operating under for the last 2 years as the Democrat Party has been in control of this House for the last 2 years. So it's not that we're looking at a new administration. It's that for the last 2 years the budget that we're spending has come from the other side of the aisle.

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that the gentleman from Texas (Mr. HENSARLING) manage our time for a moment until I return.

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

There was no objection.

Mr. SPRATT. Mr. Speaker, I now yield 5 minutes to the gentlelady from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Thank you, Mr. Chairman, for your important work.

When I was sworn into Congress in 2005, I reached out and wanted to secure a position on the House Budget Committee. I did so because I understood then, as I do now, that budgets are critically important. The Federal budget is not just abstract numbers on a page. It is a reflection of our priorities and our values and of the America that we want to leave to our children and our grandchildren.

The budget proposed by President Obama and modified by the Democratic Congress and before us today and going to conference committee is an economic road map that establishes the amount of money that Congress is authorized to spend in this year's appropriations bill. It does not set the level for specific programs, and it does not change current law. Both sides of the aisle understand this.

The budget looks forward; but before we do, we have to understand how we got where we are today and what we inherited. This administration, this Congress, inherited from the previous administration a record deficit of $5.8 trillion, doubling of the national debt in 8 years, tripling the amount of debt that's owed to foreign countries, and an economic recession the likes of which most of us have never seen.

The fact is that President Obama and Congress are dealing with enormous challenges, and that is why it is imperative that we pass a strong, responsible budget that addresses the immediate challenges before us and makes the investments that we need to make for our future economic competitiveness.

Our budget establishes a new fiscal framework. It includes a long overdue return to honest budgeting and fiscal responsibility. The budget embraces President Obama's goal to rebuild our economy and make those strategic target investments in health care, in energy and in national security. It is essential that we tackle the annual deficit, and we've laid out an ambitious marker that we are committed to cutting the deficit in half in 5 years.

First and foremost, then, we have an honest budgeting practice. The budget plans for spending in ways that we have not since I've been here and for the 8 years before for sure. It talks about spending and sets out spending for Iraq and Afghanistan, for domestic national disasters, for tax relief and for obligated entitlements.

Through the economic recovery and reinvestment plan, Congress has already taken action, significant action, to improve our economic competitiveness and well-being, and this budget builds on that by making investments again in education, in energy independence, and, yes, on health care for all Americans. Each of these areas requires us to find common ground. And this budget ensures that we are able, in Congress, working with the Senate, to define the specific means and the specific ways to accomplish these goals.

To compete in the 21st century global economy, we do need an educated and skilled workforce for the future, and this budget puts resources in early education initiatives and investments in basic education, K–12, and better enables Americans to afford to go to college with student loans.

Our economic and national security also depends on America being more energy independent, and this budget sets aside a revenue-neutral reserve fund that calls on Congress to find a way towards energy independence through alternative, home-grown, cleaner energy and energy efficiency.

And, of course, in health care: we have both a moral and economic responsibility to find a uniquely American solution to health care reform, to containing costs, to improving quality, to making sure that every American has access to health care. And, again, there is a revenue-neutral reserve fund with reconciliation language in this budget that calls on us to do the work in the next year to make sure that we can accomplish these goals.

These goals are shared by many Americans, and they are within our reach if we are to work together. We cannot continue the policies of the last 8 years. We need to change the way we do budgeting. We need to change our investments. We need to move forward with this budget.

Pennsylvania, and certainly all American families and businesses, need Congress to work with President Obama again to work together to address their concerns, as has been set out in this budget. Simply saying ''no,'' simply saying we should go back to the policies of the last 8 years that got us in this mess is not the way to go.

□ 1345

I call on all of us to work together to move forward on this conference report to make sure we are doing all that we can to make sure that America is strong, safe and more economically competitive. This budget does that, and I say we move forward.

The SPEAKER pro tempore. Without objection, the gentleman from Wisconsin (Mr. RYAN) will resume control of the remaining time.

There was no objection.

Mr. RYAN of Wisconsin. At this time, Mr. Speaker, I would like to yield 3 minutes to the gentleman from North Carolina (Mr. MCHENRY).

Mr. MCHENRY. Mr. Speaker, I thank my ranking member for yielding time on this important debate of the day.

Today, we are talking about the budget resolution. The budget passed by this Congress—I voted ''no''—increases spending at a rapid rate. We haven't seen such a rapid growth of government since Jimmy Carter was President of the United States in the malaise days of the 1970s, but I think it's equally interesting that we're debating the budget resolution today because, just yesterday, President Obama announced that he is finding savings in the budget, and they're trying to find savings of $100 billion out of our budget.

Well, today, this budget resolution will spend over $3 trillion, and so the savings that President Obama has announced is the equivalent of an average family of four in the United States deciding not to buy a Starbucks coffee—just one day, not for the year, just one day. The equivalent savings for a family is about $1.25. Actually, I don't even think you can buy a Starbucks coffee for $1.25 anymore; but instead of doing the hard work of paring down government spending and finding priorities and funding those priorities and finding those areas of government that are inefficient and ineffective and are not getting results for people, this budget simply taxes too much, spends too much and borrows too much.

In the end, with our borrowing costs going up as government, we'll see inflation in the coming years, inflation that will erode seniors' ability to purchase health care, inflation that will erode families' capacities to educate their children and fund their education. These things are real. Unfortunately, though a budget deals with people, we're not doing the right thing for the American people because we're going to see a massive tax increase in this budget. We're going to see a carbon cap-and-trade, a national energy tax. We're going to see health care changes where the government takes more capacity and control away from individual patients and doctors and puts it in the hands of government bureaucrats. Our tax dollars will continue to go up, and our tax rates will go up. Now, this is not for the rich. It's for everyone when you have the tax bills going up that much.

What I would urge my colleagues to do is to reject this motion to go to conference. I think it's time that we do the right thing for the American people and not increase spending to the rapid tune that this budget does, not tax them more and not borrow more. With that, I urge my colleagues to vote ''no.''

Mr. SPRATT. For the purpose of response, I yield 90 seconds to the gentleman from New Jersey.

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

Mr. ANDREWS. I thank my chairman for yielding.

My neighbor from New Jersey, Mr. Speaker, asked the source of the statistics I used. Here is the answer:

One job for every 108 is the source of the Bureau of Labor Statistics. In the Bush administration, the average number of private-sector jobs created per month was 2,000 per month. Under our strategy, it was 217,000 jobs per month. The economic growth figure is from the Bureau of Economic Analysis. It is derived by looking at the average rate of GDP growth during the 1990s and during the sunny years of the last 8 years we've just endured. The source of the purchasing power of middle class families is the Bureau of Labor Statistics. The Bureau of the Census is derived this way.

Mr. RYAN of Wisconsin. Will the gentleman yield for a clarifying question on that?

Mr. ANDREWS. I have only 90 seconds.

Mr. RYAN of Wisconsin. Is it not the case that the Republicans controlled Congress from 1995 to the year 2000, controlling the appropriations and the tax bills that came through Congress at that time?

Mr. ANDREWS. Reclaiming my time, it is also the case that every single Republican voted against the plan that created that economic growth.

The source of the median family income is the BLS, the Bureau of Labor Statistics. The Bureau of the Census is derived by looking at the real family income of the median American family from when the prior President took office to when he left and a similar comparison in the 1990s. We'll put it in the RECORD. Those are the facts. They're very uncomfortable for the minority, but they speak for themselves.

Mr. RYAN of Wisconsin. At this time, I would like to yield 3 minutes to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, the TEA parties that took place across this country on April 15 represent the tip of the iceberg of intense frustration among taxpayers and Americans of all walks of life. Everyone in America feels instinctively that this Congress and President are spending too much money and are growing the government too fast. We are on the brink, Mr. Speaker, of what is literally a fork in the road for the United States.

We will either on the path laid out by the budget proposed by the majority, the liberal majority—and I try to avoid party labels because this is about what's in the best interest of America being fiscally conservative or fiscally liberal. The fiscally liberal majority has laid out a budget that will put America on a path to become Argentina. The fiscally conservative minority, led by the very able ranking member of the Budget Committee, Mr. RYAN, has laid out a very thoughtful, fiscally conservative alternative.

Mr. RYAN recognizes, as do those of us in the minority—those fiscal conservatives who are working together to lay out thoughtful alternatives—that America needs a little dose of Dave Ramsey, the financial guru, who, in our personal lives, recommends and knows, as we all know, that you can't pay off borrowed money with borrowed money. Dave Ramsey quite correctly points out, when you've run up too much debt, you stop.

Those TEA parties across America, Mr. Speaker, were the American people speaking out and telling Congress, ''Stop it. No new taxes. No new debt. No new spending.'' Any elected official

who neglects that very sincere and heartfelt message from their constituents is in serious trouble in the next election.

This country is in serious trouble. Let's deal with it in a thoughtful, fiscally conservative way by controlling spending, by cutting spending, by cutting taxes, by letting Americans keep more of their own hard-earned money so they will invest it to create jobs and to create wealth as we know works. Historical fact shows that keeping more of my own money allows me to invest it in the way I see best that will lead to job creation, that will lead to personal growth.

America needs a strong dose of Dave Ramsey's good medicine, and that's what the alternative budget—the motion to recommit by Mr. RYAN—attempts to do, which is to get America back on a path toward fiscal prosperity. If we don't act in a fiscally conservative way immediately, the Comptroller of the United States has said in a letter sent to my office last March that, in a short 12 years, the American Treasury bill, the American T-bill—the safest investment in the history of the world—will be graded as junk bonds. Now, that's an incredible assertion from the auditor of the United States. The Comptroller of the United States says that the cumulative unfunded liabilities created by this Congress are so massive that, if we don't stop spending and start to control spending, T-bills will become junk bonds.

Mr. Chairman and Mr. Speaker, I urge the Members to listen to their constituents. Just say ''no.'' Thank you. No new spending. No new taxes. No new debt. Support Mr. RYAN's motion to recommit.

Mr. SPRATT. Mr. Speaker, I have no further requests for time, so I reserve the right to close.

Mr. RYAN of Wisconsin. Is the chairman reserving the right to close? Do I infer that he has no more additional speakers?

Mr. SPRATT. Does the gentleman have further speakers?

Mr. RYAN of Wisconsin. I have one additional speaker.

Mr. SPRATT. Why don't you proceed with that speaker. Then I'll proceed with closing.

Mr. RYAN of Wisconsin. All right. I will yield the remainder of our time, 3½ minutes, I believe——

The SPEAKER pro tempore. Three and a quarter minutes.

Mr. RYAN of Wisconsin. I will yield 2 minutes to the gentlewoman from North Carolina, who doesn't want the 3 minutes.

Ms. FOXX. Mr. Speaker, I just recognize the eloquence of the gentleman from Wisconsin, and want to make sure that he has some time at the end, and I appreciate it very much.

I want to talk about Debt Day for just a minute. I want to show you some things, some figures. We don't have a bar graph which would show this a little bit better; but in the year 2002, Debt Day occurred on September 2, 2002. This year, Debt Day is going to occur on 4/26/09. Debt Day is an illustration of the size of government spending relative to the revenue the government receives and is calculated by taking the ratio of the Federal revenues to the Federal outlays projected by the Congressional Budget Office.

So we are going to have the earliest Debt Day we have ever had in this country. In large part, it's due to the Democrats' $1 trillion stimulus spending bill, the more than $400 billion omnibus spending bill, loaded with 9,000 unscrutinized earmarks, and another $350 billion in bailout funds Democrats have green-lighted since the beginning of the year.

This is an abomination for our country. We should never be in this shape. John Adams said there are two ways to conquer a country—one is by the sword and the other is by debt. We are being conquered from within by our own people who have no sense of shame and no sense of shame for what they're doing to our children and grandchildren, and they should have because, in years past, they've criticized Republicans. Majority Leader HOYER said $350 billion in deficit back on March 17, 2005, was wrong. Even the chairman of the Budget Committee made comments over and over again in 2005 that we had a terrible deficit. It's nothing compared to what they have proposed to us, and as I said, it is a shame.

This budget that they have increases spending by over $1 trillion over 5 years. It increases taxes by $1.2 trillion. They have done nothing to work with us, and this is an abomination.

Mr. SPRATT. I reserve the right to close. Does the gentleman have further time?

Mr. RYAN of Wisconsin. Yes, I'll consume the remainder of our time. May I inquire, Mr. Speaker: We have 2 minutes left, I believe, or 1½ minutes?

The SPEAKER pro tempore. One and a quarter minutes.

Mr. RYAN of Wisconsin. I yield myself the rest of the time.

Mr. Speaker, I'll just simply close this portion of our debate by saying this: Let's all admit that both parties have made mistakes in the past. That happens. The question is: Are we going to make things worse or are we going to make things better?

It is so clear, so obvious to just about any observer out there that piling on a new mountain of debt, a new gusher of spending and the largest tax increase in American history is not going to make things better; it's going to make things worse.

Now, the one thing that the American people do get out of this is they get a choice. We disagree with this budget, and so rather than just simply criticizing, we proposed an alternative, an alternative that keeps taxes down and helps small businesses, an alternative that controls and cuts spending, an alternative that gets our debt under control and that puts us on a path to pay our debt off. It is a stark difference than this budget, which is making its way through Congress, being steamrolled through to give us the largest expansion in government we've seen in the history of this country, the third and final great wave, the building on the New Deal and the Great Society, which will give us a larger Federal Government unlike any we have seen in the history of this country in the past.

It is a budget that doubles the national debt in 5½ years and triples it in 10½ years. It is a budget that gives us a huge tax increase in the middle of a recession and that makes everybody pay more for energy, and it's a budget that basically is borne upon the philosophy that the government must grow for society to grow. We reject that idea. That's why we're not supporting this budget.

Mr. SPRATT. I yield myself the balance of my time.

Mr. Speaker, this is where we are. Bobby Jones, a great golfer once said, ''You play the ball where it lies.'' The fact of the matter is that after 8 years of the Bush administration this, sadly, is where the ball lies.

When President Obama came to office less than 100 days ago—and remembering that, I think everyone would have to fairly concede these are not problems that he created. When he came to office, he found awaiting him on the doorstep of the White House a budget that was $1 trillion, nearly $800 billion in deficit for this year and substantially in deficit for the forthcoming year.

□ 1400

He didn't create it; he didn't ask for it. It was thrust upon him and left to him by the Bush administration.

He found an economy in crisis and he found that remedial steps had been taken that cost the country hundreds of millions of dollars, a good portion of which is being spent out—the TARP program is an example, the takeover of Freddie Mac and Fannie Mae is an example. All of these things cost substantial sums, and they were policies taken before this administration came to office. They have swollen the deficit to the unprecedented size of $1.7 billion this year.

The budget that we are proposing—which I now seek to have sent to conference so we can wrap it up, put it to bed and make it enforceable—the budget that we are proposing is a deficit-reduction budget. How can I say that? I can say that because we show credibly, I believe, that the budget deficit declines from $1.752 trillion under our resolution to $586 billion in the year 2013. In 4 fiscal years, we will reduce the deficit by a trillion dollars.

How can we do that?

One of the reasons we can do it is that quite a few of the items that have swollen the deficit in this and next fiscal year are nonrecurring, and when they are finally played out, the problem of debt reduction will be much,

much more manageable. That is, if we have a plan, it will be manageable. We cannot simply leave it to some open-ended plan. And so what we have proposed here is a plan that will systematically, methodically move the deficit down, down, down by $1 trillion over the next 4 to 5 fiscal years.

Now, it's a deficit reduction budget. No question about it. But it is not so committed to deficit reduction that it overlooks and postpones other priorities. For example, national defense will grow by 4 percent, a healthy growth rate that means national defense, including what is spent on supplementals for Iraq and Afghanistan, will be $686 billion next year.

Veterans. Let's not forget our veterans. We appreciate them more than ever. We will be putting $5 billion more into veterans health care, raising it to $53 billion.

Health care reform. This budget tackles issues that other administrations have either ignored, dodged, avoided, or failed to implement. Health care reform. Tough nut to crack, but it takes it on.

The environment. Energy independence, critically important. We've seen it with the spike in energy prices over the last year. This is something we need to do and do now. This bill provides for that.

Education. If you want to be able to say to a small child the next time you go in an elementary classroom, You can go to college. Yes, you can. You can go to college like anybody else. Yes, you can, then you should vote for this resolution because it strengthens Pell Grants by more than any bill we've passed in a long time to come.

So this is a deficit reduction bill, which is a bill with a conscience, with priorities, that carefully laid out here and carefully provided for here, and, therefore, I would submit that everyone interested in education, the environment, energy independence should take a close look at this bill.

Now, it's been said that we have substantially increased taxes in this bill. That's not true. Read CBO's report. Over the next 5 years, there is a net reduction in tax revenues of some $480 billion and $1 trillion more than that over the next 5 years after that. There is deficit reduction left here. The marital penalty provisions, the middle class, middle-income tax cuts that we passed in 2001 and 2003 are, for the most part, all reenacted and extended by this resolution.

So 233 Members, a very solid majority of the House, listened to the arguments pro and con, read and listened to the debate and decided this is a better way to go. I submit, let's stick with the course we set for ourselves several weeks ago. Let's send this budget on to conference where we can make it an enforceable piece of legislation.

I yield back my time.

The SPEAKER pro tempore. All time has expired.

The question is on the motion.

The motion was agreed to.

MOTION TO INSTRUCT CONFEREES ON S. CON. RES. 13, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

Mr. RYAN of Wisconsin. Mr. Speaker, I offer a motion to instruct conferees.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Ryan of Wisconsin moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the House amendment to S. Con. Res. 13 be instructed, within the scope of the conference, to:

(1) Recede to the Senate on reconciliation instructions by striking title II of the House amendment which includes reconciliation instructions for health care reform to the Committees on Energy and Commerce and Ways and Means and a separate instruction to the Committee on Education and Labor, investing in education.

(2) Recede to the Senate on section 316 entitled ''Point of order on legislation that eliminates the ability of Americans to keep their health plan or their choice of doctor'' to provide for a point of order against any legislation that eliminates the ability of Americans to keep their health plan or their choice of doctor.

(3) Recede to the Senate on section 202(c) of the Senate resolution, providing that the chairman of the Committee on the Budget of the Senate may not adjust the allocations and aggregates of the concurrent resolution for climate change legislation that would decrease greenhouse gas emissions if such legislation is reported from a committee pursuant to section 310 of the Congressional Budget Act of 1974.

(4) Recede to the Senate on section 310 of the Senate resolution, setting forth a point of order against legislation that increases revenue above the levels established in the applicable budget resolution.

Mr. RYAN of Wisconsin (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Wisconsin (Mr. RYAN) and the gentleman from South Carolina (Mr. SPRATT) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Speaker, earlier this month, Republicans offered the American people a budget that would not only fund our priorities but also support economic growth and job creation, get the Federal spending and debt under control and begin the critical reforms of our largest and least sustainable entitlement programs. And the Republicans budget did this all without the job-killing tax hikes that are required by the budget that we are here discussing today.

The budget we are here to discuss today, the Obama Democratic budget, exploits the current financial crisis to rush through a sweeping expansion of the Federal Government. This motion to instruct aims at ensuring this budget resolution doesn't trigger a fast-track process, otherwise known as budget reconciliation, to jam through a government takeover of health care and education or a cap-and-trade tax that will hurt families, kill jobs, and put America at a severe competitive disadvantage with China and other countries.

As a background, the House-passed resolution includes reconciliation instructions for three committees, two of which, Energy and Commerce and Ways and Means, share jurisdiction over health care and cap-and-trade. These reconciliation instructions trigger fast-track procedures limiting debate and amendments on a subsequent reconciliation bill. In other words, it's a way for Congress to sweep this legislation through with very little debate, no amendments, get it into law without the public seeing what is happening.

In the House, reconciliation is much less important because the House has what we call the Rules Committee.

It is critical in the Senate, however, because there legislation can be jammed through with little debate or no amendments. The Senate does not want reconciliation. The Senate-passed budget resolution did not include reconciliation instructions. In fact, it included a number of protections against using reconciliation. This motion to instruct instructs the House conferees to recede to the Senate on four items.

Number one, drop reconciliation instructions from the resolution; number two, block legislation that eliminates Americans' ability to keep their health care plans or choose their own doctor; number three, adopt a Senate provision that keeps reconciliation from being used for cap-and-trade legislation; and, number four, adopt a Senate provision that would prevent taxes from being raised to even higher levels than those that are assumed in this budget resolution.

To reiterate, the Senate does not want reconciliation. This is what Senate Budget Committee chairman Senator CONRAD said yesterday about reconciliation: ''Once you have unleashed reconciliation, you can't get it back in the barn. And it could be used for lots of different things that are completely unintended at this moment. People need to think about that very carefully.''

Chairman CONRAD is not alone. Twenty-eight Senators wrote Chairman CONRAD urging him not to use reconciliation for cap-and-trade legislation because reconciliation fast-track procedures ''would be inconsistent with the administration's stated goals of bipartisanship, cooperation, and openness.''

Senator BYRD, the best author we have among us of the budget process, the author of the reconciliation process

said this: ''Reconciliation is not designed to create a new climate and energy regime and certainly not to restructure our entire health care system. Woodrow Wilson once said that the informing function is the most important function of Congress. How do we inform? We publicly debate and amend legislation. We receive feedback which allows us to change and improve proposals. Matters that affect the lives and the livelihoods of our people must not be rushed through the Senate using a procedural fast track that the people never get a chance to comment upon or fully understand.''

But even more important, Madam Speaker, Americans are concerned about all of the spending that's going on here in Washington. And we should not underestimate how well the people understand. Like just about everybody else, last week I held 25 listening sessions throughout the First Congressional District in Wisconsin. My district falls right in the middle among the political spectrum so it's a good microcosm of the attitudes across the country.

They are worried about this new gusher of spending. They are worried about the government taking over health care. They are worried about the increased cost of energy, the effect that it's going to have on our manufacturing jobs. And, in fact, at one of my town hall meetings, a woman in her mid-sixties came up to me and said, Is Congress going to use reconciliation to push through all of this government and health care reform legislation? I was floored by that. I don't think I have ever heard anybody outside the Beltway talk to me about reconciliation.

The American people are watching this process. The American people know what is happening. The American people want a say in this.

Why are we here? We are here to deliberate. We are the people's representatives. Should we take this largest proposal to increase the size and reach and scope of our government, the largest—in the words of the administration—since the New Deal and just sweep it through with almost no debates, with no amendments, stifling the voices of the people's representatives or not?

At the end of the day, we could confiscate about 25 percent of our economy, energy and health care together, with less than a hundred hours of debate and no amendments. It's baffling, it's mind-boggling that this could actually happen. This is not America, this is not the deliberative process, and this is not a process the Senate itself even wants.

So the question is if we're going to have debate about nationalizing the health care system in America, if we're going to have a debate about having a brand-new energy tax, if we're going to have a debate about tax increases and spending increases doubling and tripling our national debt, let's have that debate. Let's not just sweep the thing through.

Unfortunately, the philosophy that is at play here, Madam Speaker, is this—and it's a philosophy that we need to talk about. It's a philosophy that we need to debate. The philosophy behind this budget, with all of its class warfare, with all of its class accusation is basically they are telling the American people in the budget that your station in life is static and we're going to have to grow government to help you cope with it.

We reject that. That is not what America is about. That is not the ideal of this country. People are not stuck with their current station in life.

The goal of this country, the goal of our government is to help people become upwardly mobile; it is to give the people the tools that they need so they can seize the opportunity to make a better life for themselves. We need to protect people's rights to achieve their dreams, to get the opportunities to make the most of their lives and to seek happiness as they define it for themselves so long as it doesn't infringe on another person's right to do the same. That is the philosophy that has taken this country so far, that has made it the most prosperous Nation in the world, the envy of the world, and that is the philosophy that is being debated right here with this budget as to whether it should continue or not.

I think we should have more than just about 100 hours of debate on whether or not we trash this philosophy that brought our country this far. We should have amendments as to whether or not we're going to do all of this government. Do we want Europe, or do we want America? It should be more than a hundred hours of debates. We might want to consider an amendment or two to this philosophy.

With that, I reserve the balance of my time.

Mr. SPRATT. Madam Speaker, I yield myself 2½ minutes.

I think it would be useful for everybody, Members in particular, to understand exactly what the Republican motion to instruct is.

There are four items. First of all, they would effectively move to drop, discard the House reconciliation provisions that deal with health care. That's health care reform. That's our initiative we're launching to try to encompass and provide some form of health care to the 46 million Americans unfortunate enough not to have it. This would thwart our plans to move on that front. And education, which basically deals with Pell Grants and guarantees student loans trying to provide them to more students at lower costs, why would anybody want to thwart those objectives?

Secondly, they would remove reconciliation as a vehicle to enact climatic change. Well, that's not even envisioned in the House budget. Cap-and-trade is not mentioned, not in the budget resolution, not in the report accompanying it. It's not mentioned. We took it out. It is not specified.

The reconciliation instructions to which they refer go to the Energy and Commerce Committee and to the Education and Labor Committee and the Ways and Means Committee but not for purposes of dealing with climate change. That is not even briefed as one of the purposes. It's not part of the intention. These instructions go to health care and education.

□ 1415

Thirdly, to retain a Senate point of order against legislation that ''eliminates the ability of Americans to keep their health plan or their choice of a doctor.'' I support that. You support that. We all support that. This budget supports it, the House supports it. It is totally unnecessary. This is creating a straw man and knocking it down by creating an argument as to facts that simply don't exist. We don't have anything in our legislation that would in any way impede the choice of Americans to keep their own health plans or choose their own doctor.

And finally, ''to eliminate Congress' ability to develop comprehensive reform packages by restricting future offsets only to spending cuts.'' In other words, if we wanted to do something worthy, we think, of undertaking and we would propose to pay for it by raising taxes—let me give you an example, cigarette taxes and CHIP, Children's Health Insurance Program. We just passed the second iteration of the CHIP bill that will extend medical coverage to millions of children who never had it, never lived in families who could afford it.

The SPEAKER pro tempore (Ms. JACKSON-LEE of Texas). The gentleman's time has expired.

Mr. SPRATT. I yield myself 30 additional seconds.

We did that by increasing the taxes on a pack of cigarettes and other tobacco products, a fair tradeoff. But we were only able to do it and say that we were staying deficit neutral and well within the balance of the budget because we were able to use this offsetting revenue to cover the cost of the program. This particular amendment would have thwarted that particular strategy.

So these are four different items they are proposing now, none of which will stand muster. They should be defeated. This motion should be defeated.

Madam Speaker, I reserve the balance of my time.

Mr. RYAN of Wisconsin. At this time, Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. WESTMORELAND).

Mr. WESTMORELAND. I want to thank the gentleman from Wisconsin for his hard work that he has put forth in this budget. And hopefully one day soon we will have an opportunity to vote on the budget that the gentleman has put forward in a clear way.

I want to talk a little bit about what my friend from North Carolina talked about, about Debt Day. You know, it is

pretty interesting. I think we need to make this, Madam Speaker, so the American people can understand exactly what we are talking about when we are talking about tripling the debt over a 10-year period, doubling our deficit. I think we need to understand that in 1998, after 365 days we had a surplus, and this was during the Clinton administration. In 2002, it was not until the second of September that we actually started borrowing money. And if you can imagine, we were coming out of the 9/11. In 2003, it was the 29th of July before we started borrowing money. In 2004, it was the 27th of July before we actually started borrowing money. Madam Speaker, the people will realize this, we had spent by that date all the money we had, and then we started putting it on our credit card.

In 2005, it was August 14. In 2006, it was August 27. In 2007, it was September 9. In 2008, it was the 5th of August. This year it is the 26th of April. So the 26th of April, we will be finished spending the revenues that we have in, and now we are going to start putting everything on our credit card. So understand this, that with just that short of a period of time, we are out of cash.

We are spending way too much money. And I think that that is what the American people need to understand, that we are spending money that we don't have. We are spending money that is our children's. And I used to always say this, that we were putting our children in debt, the next generation. Now I have to include our grandchildren. We are putting our grandchildren in deep debt.

And so what are we doing? I keep listening to the opposition, the majority party talk about that this is something that we've got to do. And they keep talking about the Bush administration and the deficit spending. Two wrongs don't make a right. Let's do something for the American people. Let's have some fair, open, honest debate and make this to where we can have some amendments.

I represent approximately 750,000 people in Georgia's Third Congressional District, yet I am not able to offer any ideas that the people from my district may have about the budget and too much spending.

Madam Speaker, this is not the way to run a railroad. We need to do things to open up the process rather than to close the process. And we need to make sure that the people understand that we are spending our future.

Mr. SPRATT. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I thank the chairman for yielding, and I thank him for his really extraordinary leadership as we work our way through a very difficult process.

I want to speak first obviously in opposition to the motion to instruct, and I am going to focus primarily on the implications for that with respect to the Committee on Education and Labor. But before I do, we should be clear; the argument that is made by our friends on the other side of the aisle is very much a situational argument. I do not recall in 2001 or in 2003 or in 2005, when the Republicans used reconciliation to push through policies that increased our deficit over 10 years by about $1.8 trillion, I don't remember them saying that they needed to ''jam this through,'' I don't remember them saying that they needed to ''rush it through,'' I don't remember them characterizing it as ''sweeping it through.'' They felt that they were passing legislation that was responsive to the American people. We feel we are passing legislation that is responsive to the interests of the American people.

Let me speak with specific reference to education. We intend to enact policies that will save $47 billion over 5 years and allow us to use that money to help students and families, particularly needy students and families so that they can get their slice of the American Dream so that college attendance can be a realistic and realizable aspiration for them.

Who wants to argue against increasing the Pell Grant maximum? Who wants to argue against indexing that maximum to the rate of inflation plus 1 percent so that it preserves its buying power? I certainly don't, and I would hope that my friends on the other side of the aisle don't want to either.

I would hope that we can look at a low or moderate income student and say that you have every chance to have the same access to higher education as a student in the top 1 or 2 percent of our Nation's wealth. This budget resolution and the legislation that we will need to pass to put in place the legislative underpinning for these policies will allow us to do that.

And who doesn't want to save $94 billion over 10 years, $47 billion over 5 years by having the government take over a student loan program that they can run, that we can run every bit as efficiently, every bit as effectively as the privately run program now, and do it in a fashion that will be invisible to students, and do it, as I say, by saving taxpayer money to the tune of $47 billion over 5 years and taking that money and putting it into the hands of needy students? That is a worthy aspiration. That is an aspiration that deserves the support of every person in this Chamber, and hopefully we will realize that.

Mr. RYAN of Wisconsin. At this time, Madam Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the vice ranking member of the Budget Committee.

Mr. HENSARLING. I thank the gentleman for yielding.

Again, we have two different budgets before us. The Democratic budget, again, it spends too much—the largest budget in American history; taxes too much—national energy tax, tax on small business, tax on capital gains; borrows too much—greatest amount of debt in our Nation's history. We are going to run up more debt in the next 10 years than in the previous 220. Budget deficit up tenfold in just 2 years under their watch. A crushing level of debt that I don't know if the next generation will ever recover.

It borrows too much, it spends too much, it taxes too much. And then, Madam Speaker, it gets worse from there. It gets worse from there. This thing called reconciliation, kind of this inside-the-beltway term of art, is really nothing more than a budget sleight of hand that will facilitate cramming through policies that need to be debated on this House floor and in the Senate under regular order.

The Senate itself, Madam Speaker, apparently doesn't want this in the budget. Again, Senator CONRAD, the Democratic Budget Committee chairman, has said, ''Once you've unleashed reconciliation you can't get it back in the barn. It could be used for a lot of different things that are completely unintended at this moment.'' That's the Democratic budget chairman. Senator BYRD—frankly, the author of reconciliation—said, ''not designed to create a new climate in energy regime, and certainly not to restructure our entire health care system.''

I mean, reconciliation means that the American people are going to have to reconcile themselves to a new national energy tax imposed by the Democratic majority through this budget sleight of hand. It means that the American people are going to have to reconcile themselves to more job loss as American small businesses are taxed even more and have to lay off even more workers. It means that the American people are going to have to reconcile themselves to rationed health care with a Federal Government bureaucrat helping choose their health care provider and whether or not they even receive the health care that they desire. That's what reconciliation in this context means.

Now, it was meant for something different. And it has been used on a bipartisan basis to actually save jobs, to actually save hope, actually save the future of the American people and be used for budget savings. It is being used for a completely different purpose. And if these ideas of the Democratic majority are so meritorious, then why can't they be debated in regular order? That's what I question. Why use this budget sleight of hand? We need to reject that and accept this motion.

Mr. SPRATT. Madam Speaker, I yield 5 minutes to the gentleman from Florida (Mr. BOYD).

Mr. BOYD. I thank my friend, the chairman, Mr. SPRATT.

Madam Speaker, I am always intrigued by the rhetoric that comes when we start talking about budgets. And I am so grateful for a gentleman like Mr. SPRATT who is not a rhetorical person, but he is a person who wants to

practically get things done and get a budget that makes sense for the American people and how we collect and spend and do our government functions.

Madam Speaker, a budget is supposed to be a roadmap that shows where you are going, how you are going to get there, what your priorities are, how you are going to pay for those priorities. Unfortunately, over the last 8 years, under the leadership of the previous administration and the other party, we didn't have that. A budget was used as a sort of rhetorical tool to say we are going to balance the budget, but then they would come back a day later and say, well, we have got all this emergency stuff that we didn't put in the budget, but we knew all along we needed to do.

For the first time in 8 years you have before you an honest document, which is an honest roadmap that explains our situation and lays out an avenue to get to a better place. Now, honestly, it's not a pretty picture, but it is an honest picture. We haven't had an honest picture in 8 years. It is an ugly picture when it comes to the numbers. But the numbers are honest, and it lays out a roadmap to get us out of this economic mess that President Obama has inherited. I am proud of Mr. SPRATT and the work that he has done, and the House of Representatives, and their work in passing this budget.

Now, what does that roadmap say and what does it do? It says, first of all, we are in an economic mess; revenue collections are going to be down, economic activity is down, we all know about that. That wasn't the fault of this sitting President; he inherited that mess. But what it does is say, these are the problems that exist and have to be resolved for us to come to a better place.

President Obama believes strongly in a couple of things, and we are trying to outline how we deal with those things in this budget.

□ 1430

Number one is he thinks that you can't really fix the economic mess until you deal with the health care issue. Health care accessibility is a problem in this Nation when you have 48 or 50 million people who cannot access the health care system, and it's also a problem in that costs are rising at the rate of 3 to 5 percent above inflation. It doesn't take a rocket scientist to figure out that doesn't work too long.

It only carries us deeper into the economic mess. So he says we got to deal with that problem, and this budget lays out that avenue, that blueprint to deal with that problem.

Secondly, and this is another important factor relative to how we got into this economic mess, and that is the energy crisis, the energy situation. When you got a run up in the cost of oil to $145 a barrel when it traditionally had been below $30, that was one of the catalysts that took us into this economic collapse. And we have known for a long time as a Nation that we had to deal with this energy crisis, climate change, energy, all sort of interconnected.

So this budget also lays out an avenue or a roadmap to get to this energy legislation. It doesn't go into details. The President hasn't even talked too much about details. He wants to leave that to Congress.

I do know one thing. To solve those two problems, Madam Speaker, it has to be a bipartisan work. Madam Speaker, Mr. RYAN knows that every major piece of legislation that has ever come out of this Congress to be effective must be bipartisan. We need bipartisan cooperation and support. We need constructive ideas.

We, as a minority, need to be inclusive, but the majority party, when it comes to the table, needs to be constructive and not obstructive. And I think that's what we, as Blue Dogs, who consider ourselves the most fiscally conservative, constructive folks in the Congress, 51 of us—and I serve, have been a part of that group for a long time—we would like to work with the people on the other side of the aisle in a constructive manner. But up to this point our attempts have been thwarted.

So we again thrust out that olive branch to work on both sides of the aisle to solve these problems. You can't get out of this economic mess without dealing with the health care problems and the energy crisis that we have in this Nation.

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

Mr. SPRATT. I yield the gentleman an additional 30 seconds.

Mr. BOYD. So in that process the President believes in health care reform, he believes in energy reform, he believes in education reform, and, fourthly and most importantly, fiscal responsibility.

As the folks, Mr. RYAN and others have said consistently, we have to get back to being fiscally responsible. It's something we completely threw out the window over the past 8 years. We have to go back to a path that leads us down to a balanced budget.

Can't get there overnight, but this budget developed by Mr. SPRATT, which we would like to get in a conference mode, will do that. And I want to be a part of that.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself 3 minutes.

The gentleman from Florida, I agree with much of what he said. He and I are friends. We both love turkey hunting. We have a lot in common.

And the gentleman was right when he said that they are using honest numbers. They are being candid with their numbers, that's correct.

The Congressional Budget Office is showing that this budget resolution doubles our publicly held debt in 5½ years and triples it in 10½ years. This budget resolution raises taxes on the American people by $1.5 trillion, the largest tax increase in American history. This budget resolution brings the size of our government to levels we haven't seen since 1945 at the end of World War II.

And the gentleman is right where he says to get big things done we ought to do it with bipartisanship. All the more reason, Madam Speaker, why we should not have reconciliation.

What is reconciliation? It's a method by which the majority can fast track legislation through to law without any participation from the minority.

In order to have bipartisanship, you have to have collaboration. Both sides of the aisle sit down, hammer out compromises, work together to pass legislation.

That is not what reconciliation is being used for here. Reconciliation is saying one-party rule, one party can do it all.

In the Senate, no filibuster, 50 votes plus one can get it through, no amendments, 100 hours of debate, done. No involvement from the minority party. It is the prerogative of the majority party to do that.

The majority party has the power and they can do it. And apparently they are not supportive of this motion to instruct to make sure that that reconciliation doesn't occur, to make sure that we agree with the Senate, with the majority party and the Senate that we don't do reconciliation.

Unfortunately, I think the truth of this matter is being revealed here today. And where we are seeing this majority in the House is basically saying no, we are not going to follow the Democrats in the Senate. We are not going to have a bipartisan procedure. We are going to ram this stuff through with reconciliation.

Mr. BOYD. Would the gentleman yield?

Mr. RYAN of Wisconsin. I yield to the gentleman from Florida.

Mr. BOYD. You make a fair point, but I would remind the gentleman again that reconciliation is probably being insisted upon because of the obstructive nature, the ''just say no'' nature of the minority party.

And what we would like to see is some constructive engagement in the process about how we solve some of these problems.

Mr. RYAN of Wisconsin. Reclaiming my time, and I believe the gentleman from Florida is very sincere on what he says in that, and I believe he is true to that.

I would like to insert into the RECORD a question and answer I had with the chief counsel of the Budget Committee and the majority staff during our markup where the majority counsel said that if, in fact, reconciliation instructions do go to the Commerce Committee—which they do in this budget reconciliation—nothing stops that from going toward cap-and-trade legislation.

MARKUP OF THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010 WEDNESDAY, MARCH 25, 2009

The Committee met, pursuant to call, at 10:40 a.m., in Room 210, Cannon House Office Building, Hon. John M. Spratt, Jr. [Chairman of the Committee] presiding.

Present: Representatives Spratt, Schwartz, Kaptur, Becerra, Doggett, Blumenauer, Berry, Boyd, McGovern, Tsongas, Etheridge, McCollum, Melancon, Yarmuth, Andrews, DeLauro, Edwards, Scott, Langevin, Larsen, Bishop, Moore, Connolly, Schrader, Ryan, Hensarling, Garrett, Diaz-Balart, Simpson, McHenry, Mack, Conaway, Campbell, Jordan, Nunes, Aderholt, Lummis, Austria, Harper.

Chairman SPRATT. For simplicity, just simply address your question to the staffers at this time.

Mr. RYAN. Mr. Chairman, I will begin. I do not know if we are going to take a lot of their time because we realize we have a lot of amendments. It is going to be a long day and we want to get to it. And we have had a good chance to pore through this budget.

I do have a question, I guess for you, Ms. Millar (Gail Millar, majority staff General Counsel), on reconciliation. The Chairman's mark includes reconciliation instructions of three Committees, to each produce one billion in deficit reduction over the six-year period from 2009 through 2014, to the Ways and Means, the Energy and Commerce, and the Education and Labor Committees, under the subsection including healthcare and investing in education.

Here is my basic question. Am I correct that the only binding aspect of these instructions is that each of the Committees are directed to produce $1 billion in deficit reduction in their jurisdiction?

Ms. MILLAR. That is correct.

Mr. RYAN. And so while the Budget Committee can make assumptions about policies, education, healthcare, energy, we cannot bind these Committees to certain policies? It is up to those Committees to determine what policies are within those instructions and they simply have to meet that goal of achieving one billion in deficit reduction; is that correct?

Ms. MILLAR. That is correct, sir.

Mr. RYAN. Okay. So serving on Ways and Means, that is how we always interpreted it. I just want to make sure that the reconciliation discussion we are having here is consistent with what it has always been in the past which is these Committees are free to do what they choose to do, they have just got to meet that $1 billion number?

Ms. MILLAR. That is correct.

Mr. RYAN. All right. Thank you. That is really all I have.

So let's be very clear here. Reconciling to the Commerce Committee——

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

Mr. RYAN of Wisconsin. I yield myself 1 additional minute.

It means the Commerce Committee can choose to put in that reconciliation package anything within its jurisdiction, cap-and-trade, health care, whatever the case may be.

The point is this, reconciliation in the past has been used to reduce government, to reduce taxes, to reduce spending, to contain the growth of entitlement programs. That's not what it's being used here today.

Reconciliation is being used here today in a new and unique way to dramatically increase the size and cost of government, to dramatically increase the level of taxation, to dramatically increase the liabilities upon future generations.

That's not its intent. Don't listen to me, listen to Senator BYRD, one of the Democrat leaders who helped write the law in the first place. Listen to Senator CONRAD, the chairman of the Budget Committee, who is saying this is not what reconciliation was ever intended to be used for.

Please, we are simply saying join us in agreeing with the Democrats in the Senate to not have reconciliation, so that we can have the people's representatives speak their mind so we can really truly have a collaborative process, have amendments, have open debate. That's why we are trying to do this.

Mr. SPRATT. Madam Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. I thank the chairman again for his extraordinary work as Chair of the Budget Committee.

Let's be clear what we are talking about here. I mean, a lot of us, I think, to those who might be listening don't really quite understand what a motion to instruct is and what reconciliation language is.

Simply put, what we have before us is a decision. Are we going to tackle health care reform, energy independence and an educated repaired workforce in the next year. We are going to make significant progress. The budget allows us to do that.

There is no question that we would like to see it done in a bipartisan way. The budget sets out language that says let's work on this in a bipartisan way. It sets us even out till September, gives us most of the time to do that.

And all we hear from the other side is, no, let's not do this. Let's not do anything about the high cost of health care for American families, the high cost of health care for our businesses, the fact that it affects our economy and job growth.

We have all heard from businesses that say I would hire another employee, a small businesswoman said to me, but I can't afford to pay for their health benefits. Story after story of families that can't pay for needed health care.

We know it is time to find a truly American solution to containing costs, improving access to health care for all Americans. It has long been a moral imperative. It is now an economic imperative as well for our Nation's people and our Nation's businesses.

Let me say what we hear from the other side is just let's not do it. Let's not do it. They would rather discuss process. And instead of debating the issue, which we could do, they are busy discussing process.

We heard over and over again—and let's read the language in the reserve fund. It's revenue neutral. We are going to find the money to do this.

We are going to debate this. Our committees are holding hearings, we are talking to our constituents.

It is time for us to finally set out the path to do this. Let's be clear. In the first 8 weeks of this administration, we did more on health care than the prior 8 years before, and I am proud of what we have done.

We had little cooperation from the other side to get it done in spite of our President and our leadership and many of us reaching out to the other side.

What did we do? We made sure that 11 million children of working families, whose parents simply cannot afford or have access to health care coverage, have health care coverage for their children, 11 million American children.

I think that's great. We should make sure that every child in this country has access to health care coverage, and we can.

We moved ahead on funding for NIH, for health information technology, to do stem cell research, to find the cures and the treatments that all of us know family members need for their future. We made sure that those who are recently unemployed, who can't afford health care coverage, get a subsidy the next 9 months, the first time we have ever done that.

It is clear that we have before us a choice. Do we actually tackle the health care costs for Americans, do we tackle it for economic competitiveness. This is the decision we are making. We say we should move forward.

The other side is simply saying ''no.''

Mr. RYAN of Wisconsin. At this time, Madam Speaker, I would like to yield 3 minutes to the gentleman from Georgia (Mr. BROUN).

(Mr. BROUN of Georgia asked and was given permission to revise and extend his remarks.)

Mr. BROUN of Georgia. I thank the gentleman for yielding.

This budget that we are considering steals our grandchildren's future. We are spending too much, we are taxing too much, we are borrowing too much, and it has to stop.

My dear friend, Mr. BOYD from Florida, said we have to be fiscally responsible as a Nation, and I could not agree more. But this budget is being forced down the throats of the American people. It's a steamroll of socialism being shoved down the throats of the American people, and it's going to strangle the American economy. It's going to slay the American people, choke them to death economically, and we have got to stop it.

The majority is using this reconciliation in a dictatorial manner to try to force their philosophy of big government, of socialistic government, of total control of everything.

I am a medical doctor, and the health care issues that we hear, the speaker just prior to me, was talking about offering health insurance to 11 million children. I want to see everybody in this country have health care provided to them.

In fact, they can today, but the health care policies that are being fostered by the Democratic majority are

going to destroy the health care system. The cost is going to be enormous. The quality of care is going to go down. We are going to have tremendous rationing of health care all over this country.

It's going to take the decisionmaking process out of the hands of doctors and patients, and it's going to put it in the hands of Federal bureaucrats who have no medical training, and it's morally wrong. We have got to stop this.

I rise today in objection to this Democratic process and to this Democratic budget, a budget proposed by the administration that is going to destroy our economy.

We have got to stop this steamrolling. We have got to put up speed bumps and stop signs. This steamroll is going to roll over doctors and patients, and it's going to smash them, and it's going to destroy the health care industry.

It's going to force through the cap-and-tax policies of this administration. And this Democratic majority is proposing it is going to send jobs overseas. It's going to markedly increase the costs of all goods and services in America, food, drugs. Every single good and service in America is going to go up because of the policy that's being forced down the throats of the American people.

The American people need to rise up and say ''no'' to this budget, to this process. It's totally wrong. We are stealing our grandchildren's and our children's future.

We have got to stop this. We need to be fiscally responsible. The Bush administration was not—but this markedly forces things down the throats of the American people, and we must stop it.

Mr. SPRATT. Madam Speaker, 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. Madam Speaker, I thank the chairman for yielding.

Several million Americans have lost their jobs since the fall. We are saying let's get to work to try to fix that problem.

The minority is saying no, not now, not this way. Wages have gone up only one-third as fast as health care costs have gone up for the typical American family in the last decade or so. And we are saying let's get to work together to fix that problem and, in the process, let's say to people who are working in convenience stores and gas stations and mowing lawns and store clerks, that they have to have health insurance too for themselves and their children.

□ 1445

We are saying let's get to work on that. The minority is saying no, not now, not this way.

We all suffered the ravages of $4-a-gallon gasoline last summer. It will probably go back up again because we are so addicted to imported energy from overseas. We're saying let's get to work on solving that problem, on building windmills and hydrogen engines and solar farms and other ideas. The minority is saying no, not now, not this way.

There are American families whose sons or daughters are going to come home from school today and receive the thick envelope that says they got into the college they've always wanted to go to. And the parents are going to have to say no, not now, not this way because we can't afford the cost of a college education. We say let's get to work on solving that problem by moving $94 billion away from corporate welfare to student financial aid. Let's get to work on that. The minority says no, not now, not this way.

This is a choice between ''yes'' and ''no.'' It's a choice between optimism and pessimism. It's a choice between working on the country's problems and just watching them metastasize. We can do so much better. We should do it together. But we should do it.

So I would urge a vote against this motion to instruct. I would urge that we work with the other body and get started on this budget and get started on solving these problems.

Mr. RYAN of Wisconsin. Madam Speaker, I reserve the balance of my time.

Mr. SPRATT. Madam Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Thank you, Mr. SPRATT, for the courtesy in permitting me to speak on this, and thank you for your leadership, providing to the House of Representatives a budget blueprint that was reflective of the challenge that President Obama laid before us all a scant 3 months ago in his first State of the Union speech.

The budget outline we have before us is an opportunity to do something constructive for those who want to legislate. There are some that say some Members of the House shouldn't be legislators; they should just be communicators, throwing up speed bumps and ignoring the reality of the problem that we face that the President inherited from a former dysfunctional administration that was enabled by my Republican friends when they were in charge: massive budget deficits, serious problems hollowing out the economy, a housing bubble that burst, problems overseas, and ignoring climate change not just in this country but global leadership. What we have seen in 3 short months is an opportunity in this Congress to do something about it.

There is a positive choice that is brought forth in the budget resolution that would be undercut by the motion to instruct to give almost $100 billion over the next 10 years to students instead of bankers, to students instead of bankers. In States like mine with an unemployment rate of over 12 percent, and I know my colleague and friend from South Carolina has a high unemployment rate, we have a chance to help students and their families that are struggling, putting more money in their pockets, not into the pockets of bankers. This budget resolution gives us more leverage to deliver on that promise. It is a blueprint to work with the President and the legislators here who want to legislate, not just talk, to provide alternative choices to American families dealing with health care.

Already in the first 100 days of the President, we have acted to extend health care to 11 million children across the United States. We have dealt in the economic recovery package with bridge financing to help them keep their health insurance if they are laid off. These are things that are part of a constructive program that's available to all who take seriously their responsibilities to roll up their sleeves and legislate.

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

Mr. SPRATT. I yield the gentleman an additional 1 minute.

Mr. BLUMENAUER. I appreciate that.

Madam Speaker, there is a concern that is talked about time and time again about reconciliation instructions dealing with climate change. I'm one of the people that would like to have strengthened the hand of the House of Representatives in this vital debate on the future of the planet and the health of our economy to give more leverage to deal with carbon pollution and to put more green jobs into the economy and money in the hands of consumers, not utilities that are polluting. But that's not there.

I would strongly urge my colleagues to reject this motion as they rejected an ill-considered 5-year freeze on some of the most important spending on behalf of our constituents that the Republicans offered up. We rejected that, wisely, and I'm pleased that many Republicans voted against it because it was so ill considered and draconian. It is time to reject this motion and get to work.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself 3 minutes.

Let me see if I can go at it in a different direction.

Under reconciliation, the total debate on the reconciliation bill here, 4 hours on a bill, 1 hour on a conference report. In the Senate, 20 hours on a bill, 10 hours on a conference report. That means total debate on reconciliation in Congress, 35 hours. Let's assume that they break up the bill into three reconciliation vehicles, as could be the case with this, 105 total hours, total hours, of debate between the House of Representatives and the United States Senate.

Wow, 105 total hours of debate in this Congress to determine the largest and the most sweeping transformation of our Federal Government we have not seen since the New Deal. These aren't my words. These are words from the

administration who claimed that that's the ambition of this budget.

We are being presented with a new budget with such awesome ambition, with such an enormous increase in spending, taxing, and borrowing, a virtual takeover of 25 percent of our economy in just the health care and energy sectors alone, the largest tax increase we have seen ever in the history of this country, the largest debt increase proposed under this Presidency than all prior Presidencies combined, all rushed through with a simple majority vote in as little as 35 hours and no more than 105 hours of debate. Is that democracy? No. Is that what reconciliation was meant to be? No.

Reconciliation, the spirit and the idea behind it, was to get our fiscal house in order, was to get spending and borrowing under control, not out of control.

Unfortunately, this rule is being twisted, contorted, distorted to achieve these ends as quickly as possible to ramrod it through Congress without giving many voices to it, without having any bipartisan collaboration, and just moving through the gauntlet.

This is the problem with this, Madam Speaker, which is when the American people voted for change, and I heard this at my 25 listening sessions, I don't think a lot of them thought this was the kind of change they were voting for. They didn't think they were voting for the kind of change to more mortgages on their children's future. They didn't think they were voting for a brand new national energy tax on their livelihoods, on their heating bills, on their gas bills, on their electricity bills. They didn't think they were voting for a new tax on the manufacturing jobs in America when our own competitors in China and India will not do this to themselves. They didn't think they were voting for the largest tax increase in history. They didn't think they were voting for the kind of change that gives us a sea of red ink, a mountain of debt, a government that is the biggest we have seen in a generation.

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

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself an additional 30 seconds.

The whole idea of ramming all of this government, this gusher of spending and taxing and borrowing through, in as little as 105 hours of debate is not democracy. It is not the way this House is supposed to work. Unfortunately, that is precisely what the majority aims to do. And that is why we agree with the Democrats in the Senate to stop that from happening.

Mr. SPRATT. Madam Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. ETHERIDGE).

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

Mr. ETHERIDGE. I thank the gentleman for yielding.

Madam Speaker, H. Con. Res. 85 builds on the work this Congress has started on to get our economy back on track, address the current crisis, and build for future needs.

Just so folks will understand, a budget in Congress is not like the budget we think about. It really is a framework. It's a blueprint.

I'm sure my colleagues on the other side of the aisle talk about all the things that are in it, but what they don't say is this doesn't do any of the things they are talking about. We'd like for our friends across the aisle to join us. This really should not be a partisan issue. The issue of getting our economy on track shouldn't be partisan. The issue of investing in education for our children's future shouldn't be a partisan issue. The issue of fixing health care for the American people, in my home State one of the largest numbers of people unemployed are in North Carolina because our unemployment rate right now is fourth in the Nation. These people don't care who gets it for them. They want health care fixed. And certainly I remember $4 a gallon of gasoline that got us where we are. We need to fix that.

This bill lays out a plan to cut the deficit by nearly two-thirds by 2013 and create jobs with investments in those areas I have just talked about: health care, clean energy, and in education.

And, yes, reconciliation is about getting a budget in balance. That's what the Democrats have used it for, what we used it for last time. And I think it's appropriate when it's used that way. But I will remind you that a budget is more than just a document. It is a statement of our Nation's priorities and our values. And this budget is about that. It's about the future. It's about the people's needs, and it's about creating jobs with investments and reform in health care, clean energy, and education to make sure that we are prepared for the 21st century economy.

Our efforts in this budget are about protecting families. And it's really about three things and three things only: jobs, jobs, jobs. We have to remember that. At the end of the day, there are a lot of people in this country who are looking to us to help. Yes, the business community needs our help, and we are going to try to do it. It takes the first step in restoring America's financial strength. And we will get there by growing our economy in areas like health care, education, and energy, which will pave the way for a sustained recovery and get our people back to work and our economy back on track. And, yes, I am very pleased that this budget makes room for those areas. But it makes room for critical investment in education in the future of our children and not just children but for those who want to go to college and, yes, for those who want to go back to school and make a difference as the economy changes and get an education so that they can make a way for their family.

I would encourage you to vote for this resolution and vote against the motion to instruct.

As the only former state schools chief serving in Congress, I am particularly pleased that the budget prioritizes education and innovation. In recent months, first with the economic recovery legislation and then as we finished the 2009 appropriations process, Congress devoted significant funding to education to create quality jobs now and in the future. This budget resolution provides a blueprint to follow through on these priorities.

Education is the key to economic growth, future success, and access to opportunity for our citizens, and this Budget Resolution makes a clear statement that education is a top priority.

We are a nation of great resources that has proven time and again that we are the world leader in innovation and progress. With time, and with continued effort, we will break with the failed policies of the recent past and restore our strength and global competitiveness.

□ 1500

Mr. RYAN of Wisconsin. I reserve the balance of my time.

Mr. SPRATT. Mr. Speaker, I yield one of the remaining minutes on my side to the gentlewoman from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. Madam Speaker, just as I listened to this debate, and it is a debate, and while the other side is primarily debating process and the concerns they have about how much they will be able to be heard, I would suggest that they be heard on their solutions for energy independence, for fiscal responsibility for our Nation, and for growing those jobs through health care reform and education.

This is a moment when in fact the American people did call on us to take action on this these critical issues. They understand the enormous challenges facing their own families, their communities and our Nation. And they are calling on us to take action, to do it in a fiscally responsible way, but to face America's challenges, to make the investments in our future.

That is what this budget does. It sets out a path for us to tackle these major challenges. That is what we want to do. We would like to do it in a bipartisan way. We are certainly going to have hours and hours of debate, both here in Congress, in our committees and at home. And that is what we should do. The American people and American businesses are counting on us.

Vote for this budget, vote to proceed and vote for America.

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

Let me clarify just a few things, because we have heard repeated on the floor today arguments made several weeks ago when the concurrent resolution first came to the floor that this was the biggest spending bill in the history of the country.

The truth of the matter is simply this: spending is unprecedentedly large. The reason is we are in the midst of one of the worst recessions since the Great Depression and we have taken remedial steps which have been costly to the Federal Government, quite a few

of which were launched under the Bush administration. So that has swollen the total spending and the total deficit for this year.

But listen to this: total outlays for 2009, fiscal year 2009, total outlays, the whole budget, is $3.8 trillion. Next year under this budget total outlays will be $3.5 trillion. You have heard it said repeatedly over there that spending is going up. It is coming down. It will come down further, just as will the deficit, because this is a deficit reduction budget resolution which reduces the deficit from $1.752 trillion to $533 billion in 3 or 4 fiscal years. That is a matter of truth.

If you care to take the time and pick up a copy of the committee report, you will see on page 5 this simple sentence about the tax situation: ''This budget resolution calls for reducing the revenues provided under CBO's baseline forecast, reducing them by $613 billion between 2009 and 2014 and by $1.48 trillion between 2010 and 2019.''

These are facts. They haven't been refuted. Every time we have asked that their arithmetic be explained to back up their rhetoric, we have not gotten an answer.

Now, let me say a word or two about reconciliation. Reconciliation has been since the outset of the budget process in 1974 an essential part of making a budget. If you listened to the argument here on the floor, what you heard were a lot of red herrings.

For example, it was suggested that this is going to be an impediment to choice; this is going to get in between patients and their doctors or patients and the insured and the insurance companies in choosing health insurance. There is nothing in here, nothing whatsoever that even breathes a word about either of those subjects.

There is talk here that this would in fact deal with cap-and-trade, even though we took cap-and-trade out of the President's budget request, removed it completely. It is not spoken of or mentioned there. And you heard EARL BLUMENAUER just on the floor a minute ago. He would love to see it there, but it is not. He made an honest examination of it. It is not there. But you wouldn't know it to listen to the other side.

You will also however thwart the passage of some things that we think are worthy and vital. Certainly we want to improve higher education and the access to higher education for all children in America, thinking that it is their birthright if it is something they can attain.

And we definitely, decidedly, clearly need to do something about 46 million Americans who do not have health insurance. If we were to pass this resolution and then take out the reconciliation provision, we would have a very difficult time ensuring ourselves that legislation to that effect would be produced on a timely basis.

That is what reconciliation is all about, simply this: we can say that the committees of jurisdiction on the Budget Committee through action on the floor by a certain date do a certain thing to raise a certain sum of money or to lower revenues by a certain sum. That doesn't get the bill off the floor. You still have to command a majority on the floor. That doesn't get the bill out of conference. You still have to confer with the Senate, work out your differences and get it passed again by both Houses. And that doesn't get you past go. You still have got to get the President to sign the bill. All those hurdles are still in place. It is not like we are going to go off running to the races if we adopt this. We simply assure ourselves that by a date certain, certain action will be taken.

Finally this: there is some seemingly simple language here about offsets, saying if you want to increase a program, you have got to actually cut spending to offset it. There is nothing wrong with that.

I was one of the sponsors of and supporters of, and still am, of something we call PAYGO. But if we want to provide that everything must be offset by commensurate spending decreases, you will kill the opportunity we have had to pass programs like CHIP, the Children's Health Insurance Program, the expansion of which, the creation of which, was allowed by use of tobacco taxes and cigarette taxes.

So this motion to instruct is unnecessary, unwarranted, and it will impede the passage of what we believe is a good budget resolution. Therefore, we would urge all Members to vote against it.

The SPEAKER pro tempore. The gentleman's time has expired.

The gentleman from Wisconsin has 5½ minutes remaining.

Mr. RYAN of Wisconsin. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would like to start off by, first of all, saying, and I comment on this a lot, I have tremendous respect for the chairman of the Budget Committee, Mr. SPRATT. He is an admirable man who has a very difficult job.

I would like to hearken back to a day where bipartisanship on the budget worked, the year before I came into Congress, and Mr. SPRATT was a key part of this. That was the 1997 budget agreement. That is when reconciliation was used for its intended purpose. In that 1997 budget agreement, where you had a Democratic President and a Republican House, they came together in bipartisan fashion to reduce spending and to reduce taxes, and it is that budget agreement that paved the way for the surpluses that then occurred and followed that helped us pay down debt.

The fact is, Madam Speaker, that both parties should claim credit for that job and that improvement in our fiscal situation, for bringing those surpluses, for balancing the budget and for having a substantial contribution to debt reduction. Both parties did that. Both parties should get credit for that.

But here we are today, taking this process that has been used to good effect in the past, fulfilling the spirit of the process, and we are just turning it upside down.

Let's review the contents of this. We very well might have, with as little as 35 hours of debate between the two Chambers and no more than 105 hours of debate because of this fast-track procedure, the greatest transformation of our Federal Government since the New Deal. Let's review the issues.

Taxes: What this budget proposes to do is to impose a new national energy tax on everybody who consumes energy: a tax on manufacturing, a tax on coal-burning States like my own, a tax that is bad for our economy. Higher taxes on small businesses. Higher taxes on investments. Higher taxes in a recession.

We proposed an alternative in our budget. We said, no, let's not raise taxes in a recession. Let's make our businesses more competitive in the global economy so we can create jobs in this recession. That was rejected. Now there they are steamrolling these tax increases through with very little debate and very few amendments.

Let's talk about cap-and-trade. The chairman gave an articulate defense for how cap-and-trade is not happening here. It is not in this budget. Well, then why on Earth is the Commerce Committee marking up cap-and-trade legislation next week? They are having hearings right now, and they are marking this bill up next week, and they are bringing it to the floor.

Here is the problem with cap-and-trade. We don't think it works. Even if you think you have a carbon problem, hitting our economy with this while our very competitors in China and India won't do it will not even reduce carbon in the atmosphere. It will actually increase carbon, but from China and India. For every one ton of greenhouse gases we reduce in America, China increases theirs by three or four tons. We lose our manufacturing jobs. They get the jobs. They emit carbon in the atmosphere. There is more carbon in the atmosphere and America has fewer jobs. How is that a good idea?

We proposed an alternative in our budget. We said let's drill for oil and gas in our own country, where we have a lot of it; and let's invest the proceeds of it in a clean energy trust fund so we innovate our way toward a clean energy system, so we innovate our way for nuclear, clean coal, renewables, biomass, wind, solar, all these things, fuel cells.

Americans are innovators. Let's not hit ourselves with a huge energy tax that costs jobs. Let's innovate our way out of this problem through a cleaner energy economy. That is our alternative. That was rejected. Now this cap-and-trade thing could get swept through with as little as 35 hours of debate.

Let's talk about health care. I just came from the Ways and Means Committee, another committee I serve on,

before coming to the floor here today, where they are discussing how in the budget reconciliation they are going to have a new health care plan that has a government-run plan option. The problem with the government-run plan option is it quickly becomes a government-run plan monopoly.

One of the leading health insurance actuaries in America, the Lewin Group, is telling us that as many as 120 million Americans would lose their private health insurance under this government-run plan option. This is government-run health care. It may not say it in name, it may not be what it says it is going to do tomorrow, but it is clearly what all the actuaries and the economists are telling us what it becomes.

The advocates in the Ways and Means Committee are already telling us, why have private health insurance in the first place? Let's just have the government run it all. So clearly the intention is being made known, and this confiscation of 17 percent of our economy will run through Congress with as little as 35 hours of debate.

This is what we are talking about. Should we have a government takeover of health care in America? Let's have a debate about that. Let's not have 35 hours of debate.

Should we impose the largest energy tax in the history of this country on our manufacturers, on seniors, on the upper Midwest where we have cold winters, or should we just ram this thing through with 35 hours of debate?

Should we hit our economy in the middle of a recession with the largest tax increase in history, ram it through with no amendments with as little as 35 hours of debate?

Should we transform the Federal Government, the largest transformation we have seen since the New Deal, with as little as 35 hours of debate?

We think no. And we agree with the Democrats in the Senate who agree with us that the answer should be no.

Let's concur with the Senate Democrats. Let's pass this motion to instruct and let's give America democracy and debate.

The SPEAKER pro tempore. The gentleman from Wisconsin's time has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

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

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

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

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Motions to suspend the rules with regard to H.R. 1679 and H.R. 586;

Motion to instruct on S. Con. Res. 13; and

Motion to suspend the rules on H.R. 957.

The vote on H. Res. 247 will be taken tomorrow.

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

HOUSE RESERVISTS PAY ADJUSTMENT 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. 1679, 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. 1679.

The vote was taken by electronic device, and there were—yeas 432, nays 0, not voting 9, as follows:

[Roll No. 196]

YEAS—423

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
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
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
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, Gary
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
Pascrell
Pastor (AZ)
Paul
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
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 (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
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—9

Boswell
Butterfield
Campbell
Gingrey (GA)
Jackson (IL)
Kingston
Lungren, Daniel E.
Reyes
Smith (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1548

Messrs. CAPUANO and MASSA changed their vote from ''nay'' to ''yea.''

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.

IN REMEMBRANCE OF THE TENTH ANNIVERSARY OF THE SHOOTINGS AT COLUMBINE

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

Mr. COFFMAN of Colorado. Madam Speaker, I know that the whole House joins the Colorado delegation in their sorrow at the tragic events of 1999. The Nation was horrified. This was an event that changed the Nation and still casts a shadow on our culture. The community around Columbine still deals with this event, and I believe it is appropriate for us to pause and reflect on what happened that terrible day.

I would now yield to my colleague, Ms. DEGETTE.

Ms. DEGETTE. Madam Speaker, 10 years ago this week as I sat in my office in the Longworth Office Building, I watched the horrific events of the Columbine shooting occur. Sadly, that was not the first time we've had a high school shooting. And even more sadly, it was not the last time we've seen a shooting of this nature.

Every time this happens, for those of us in Colorado the memory of the horrific events in April 10 years ago floods back to us. I am joined today with the entire Colorado delegation, as Mr. COFFMAN said, in mourning the loss of the teacher and the students at Columbine. Mr. PERLMUTTER had constituents who were killed in the shooting. I had constituents attending Columbine at that time, and we still do today.

All of us share the hope that Principal Frank DeAngelis, who was the principal then and now, shared with the country Monday this week at a ceremony commemorating the 10th anniversary of Columbine. Principal DeAngelis said on Monday—and we all agree with this—''My hope is that school violence comes to an end, and that our Nation is not mourning the loss of more of our children and educators; and that the members of our society come together to stop the senseless deaths that are occurring. Our children are our future, and we must continue to pave the way for a safe and successful journey.''

Let's remember Columbine, and let's remember these words.

Mr. COFFMAN of Colorado. Madam Speaker, to my colleagues, please join me in a moment of silence for the victims and their families.

The SPEAKER pro tempore. Will the Members please rise for a moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

CIVIL RIGHTS HISTORY PROJECT ACT OF 2009

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 586.

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. 586.

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. CONNOLLY of Virginia. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 422, noes 0, not voting 10, as follows:

[Roll No. 197]

AYES—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
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
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
Flake
Fleming
Forbes
Fortenberry
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
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, Gary
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
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
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 (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
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—10

Boswell
Butterfield
Campbell
Gingrey (GA)
Jackson (IL)
Kingston
Lungren, Daniel E.
Paul
Reyes
Smith (TX)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1603

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.

MOMENT OF SILENCE OBSERVED FOR BINGHAMTON, NEW YORK TRAGEDY

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

Mr. HINCHEY. Madam Speaker, I rise today in the context of a deep tragedy that struck the 22nd Congressional District in New York, and particularly the wonderful city of Binghamton.

Less than 3 weeks ago, this proud community suffered a devastating tragedy. On the morning of Friday, April 13, 2009, a single gunman entered the office of the American Civic Association and murdered 13 innocent people. He murdered 13 innocent people, and wounded four more. This was a horrendous act of violence, one that no community should ever experience.

Next week, I will be presenting a condolence resolution on the floor which will convey sympathy to the families of these victims, express hope that those wounded and touched by this tragedy are on the path to recovery, and to thank all of those who responded to the scene and secured the security and helped the victims.

Today, I would like to take a moment to honor the 13 individuals who lost their lives that day. The victims ranged in age from 22 years to 72 years. They included a mother of three, a newly wedded bride, a student, a teacher, and many others, all of whom were hardworking individuals who had the same goal of being able to offer a better life for themselves and their family.

At this time, Madam Speaker, I would be very grateful to request that Congress take a moment of silence to reflect on this senseless loss of life, and to pray for the victims and their family and friends.

The SPEAKER pro tempore. Members please rise for a moment of silence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

MOTION TO INSTRUCT CONFEREES ON S. CON. RES. 13, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct on S. Con. Res. 13 offered by the gentleman from Wisconsin (Mr. RYAN) which the Chair will put de novo.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

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

RECORDED VOTE

Mr. RYAN of Wisconsin. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 196, noes 227, not voting 9, as follows:

[Roll No. 198]

AYES—196

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono Mack
Boozman
Boren
Boustany
Brady (TX)
Bright
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Crenshaw
Culberson
Davis (KY)
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Ellsworth
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hoekstra
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kirk
Kline (MN)
Kosmas
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Mack
Manzullo
Marchant
Markey (CO)
Marshall
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Minnick
Mitchell
Moran (KS)
Murphy, Tim
Myrick
Neugebauer
Nunes
Nye
Olson
Paul
Paulsen
Pence
Perriello
Petri
Pitts
Platts
Poe (TX)
Pomeroy
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (OH)
Ryan (WI)
Scalise
Schmidt
Schock
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Souder
Space
Stearns
Sullivan
Taylor
Teague
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOES—227

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

NOT VOTING—9

Boswell
Butterfield
Campbell
Gingrey (GA)
Jackson (IL)
Kingston
Lungren, Daniel E.
Reyes
Smith (TX)

□ 1617

Mr. SMITH of Washington, Ms. HARMAN and Mr. ENGEL changed their vote from ''aye'' to ''no.''

So the motion was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GREEN ENERGY EDUCATION 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. 957, 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 Tennessee (Mr. GORDON) that the House suspend the rules and pass the bill, H.R. 957.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 6, not voting 15, as follows:

[Roll No. 199]

YEAS—411

Abercrombie
Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boccieri
Boehner
Bonner
Bono Mack
Boozman
Boren
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
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)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson-Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Massa
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
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, Gary
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
Pascrell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perriello
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Rahall
Rangel
Rehberg
Reichert
Richardson
Rodriguez
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
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
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
Westmoreland
Wexler
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—6

Broun (GA)
Flake
McClintock
Paul
Shadegg
Young (AK)

NOT VOTING—15

Boswell
Butterfield
Campbell
Gingrey (GA)
Higgins
Jackson (IL)
Kingston
Lungren, Daniel E.
Lynch
McDermott
Radanovich
Reyes
Roe (TN)
Rush
Smith (TX)

□ 1627

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.

APPOINTMENT OF CONFEREES ON S. CON. RES. 13, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2010

The SPEAKER pro tempore (Mr. FOSTER). Without objection, the Chair appoints the following conferees on Senate Concurrent Resolution 13: Messrs. SPRATT, BOYD, Ms. DELAURO, Messrs. RYAN of Wisconsin, and HENSARLING.

There was no objection.

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 tomorrow.

COPS IMPROVEMENTS ACT OF 2009

Mr. WEINER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1139) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1139

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 ''COPS Improvements Act of 2009''.

SEC. 2. COPS GRANT IMPROVEMENTS.

(a) IN GENERAL.—Section 1701 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended—

(1) by amending subsection (a) to read as follows:

''(a) GRANT AUTHORIZATION.—The Attorney General shall carry out grant programs under which the Attorney General makes grants to States, units of local government, Indian tribal governments, other public and private entities, multi-jurisdictional or regional consortia, and individuals for the purposes described in subsections (b), (c), (d), and (e). Grants under this subsection shall be awarded on a competitive basis.'';

(2) in subsection (b)—

(A) by striking the subsection heading text and inserting ''COMMUNITY POLICING AND CRIME PREVENTION GRANTS'';

(B) in paragraph (3), by striking '', to increase the number of officers deployed in community-oriented policing'';

(C) by amending paragraph (4) to read as follows:

''(4) award grants to pay for or train officers hired to perform intelligence, anti-terror, or homeland security duties;'';

(D) by inserting after paragraph (4) the following:

''(5) award grants to hire school resource officers and to establish school-based partnerships between local law enforcement agencies and local school systems to combat crime, gangs, drug activities, and other problems in and around elementary and secondary schools;'';

(E) by striking paragraph (9);

(F) by redesignating paragraphs (10) through (12) as paragraphs (9) through (11), respectively;

(G) by striking paragraph (13);

(H) by redesignating paragraphs (14) through (17) as paragraphs (12) through (15), respectively;

(I) in paragraph (14), as so redesignated, by striking ''and'' at the end;

(J) in paragraph (15), as so redesignated, by striking the period at the end and inserting a semicolon; and

(K) by adding at the end the following:

''(16) establish and implement innovative programs to reduce and prevent illegal drug manufacturing, distribution, and use, including the manufacturing, distribution, and use of methamphetamine;

''(17) hire and rehire civilian forensic analysts and laboratory personnel;

''(18) establish criminal gang enforcement task forces, consisting of members of Federal, State, and local law enforcement authorities (including Federal, State, and local prosecutors), for the coordinated investigation, disruption, apprehension, and prosecution of criminal gangs and offenders involved in local or multi-jurisdictional gang activities; and

''(19) award enhancing community policing and crime prevention grants that meet emerging law enforcement needs.'';

(3) by striking subsection (c);

(4) by striking subsections (h) and (i);

(5) by redesignating subsections (d) through (g) as subsections (f) through (i), respectively;

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

''(c) TROOPS-TO-COPS PROGRAMS.—

''(1) IN GENERAL.—Grants made under subsection (a) may be used to hire former members of the Armed Forces to serve as career law enforcement officers for deployment in community-oriented policing, particularly in communities that are adversely affected by a recent military base closing.

''(2) DEFINITION.—In this subsection, 'former member of the Armed Forces' means a member of the Armed Forces of the United States who has been honorably discharged from the Armed Forces of the United States.

''(d) COMMUNITY PROSECUTORS PROGRAM.—The Attorney General may make grants under subsection (a) to pay for additional community prosecuting programs, including programs that assign prosecutors to—

''(1) handle cases from specific geographic areas; and

''(2) address counter-terrorism problems, specific violent crime problems (including intensive illegal gang, gun, and drug enforcement) and quality of life initiatives, and localized violent and other crime problems based on needs identified by local law enforcement agencies, community organizations, and others.

''(e) TECHNOLOGY GRANTS.—The Attorney General may make grants under subsection (a) to develop and use new technologies (including interoperable communications technologies, modernized criminal record technology, and forensic technology) to assist State and local law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime and to train law enforcement officers to use such technologies.'';

(7) in subsection (f), as so redesignated—

(A) in paragraph (1), by striking ''to States, units of local government, Indian tribal governments, and to other public and private entities,'';

(B) in paragraph (2), by striking ''define for State and local governments, and other public and private entities,'' and inserting ''establish'';

(C) in the first sentence of paragraph (3), by inserting ''(including regional community policing institutes)'' after ''training centers or facilities''; and

(D) by adding at the end the following:

''(4) EXCLUSIVITY.—The Office of Community Oriented Policing Services shall be the exclusive component of the Department of Justice to perform the functions and activities specified in this part.'';

(8) in subsection (g), as so redesignated, by striking ''may utilize any component'', and all that follows and inserting ''shall use the Office of Community Oriented Policing Services of the Department of Justice in carrying out this part.'';

(9) in subsection (h), as so redesignated—

(A) by striking ''subsection (a)'' the first place that term appears and inserting ''paragraphs (1) and (2) of subsection (b)''; and

(B) by striking ''in each fiscal year pursuant to subsection (a)'' and inserting ''in each fiscal year for purposes described in paragraph (1) and (2) of subsection (b)'';

(10) in subsection (i), as so redesignated—

(A) by striking ''the Federal share shall decrease from year to year for up to 5 years'' and inserting ''unless the Attorney General waives the non-Federal contribution requirement as described in the preceding sentence, the non-Federal share of the costs of hiring or rehiring such officers may be less than 25 percent of such costs for any year during the grant period, provided that the non-Federal share of such costs shall not be less than 25 percent in the aggregate for the entire grant period, but the State or local government should make an effort to increase the non-Federal share of such costs during the grant period''; and

(B) by adding at the end the following new sentence: ''The preceding sentences shall not apply with respect to any program, project, or activity provided by a grant made pursuant to subsection (b)(4).''; and

(11) by adding at the end the following:

''(j) RETENTION OF ADDITIONAL OFFICER POSITIONS.—For any grant under paragraph (1) or (2) of subsection (b) for hiring or rehiring career law enforcement officers, a grant recipient shall retain each additional law enforcement officer position created under that grant for not less than 12 months after the end of the period of that grant, unless the Attorney General waives, wholly or in part, the retention requirement of such grant.

''(k) TREATMENT OF GRANT FOR HIRING CIVILIAN FORENSIC ANALYSTS AND LABORATORY PERSONNEL.—A grant awarded under this section for hiring and rehiring of civilian forensic analysts and laboratory personnel (in accordance with paragraph (17) of subsection (b)) shall be subject to the same treatment, limitations, and renewal requirements under this part as grants awarded under this section for hiring and rehiring of career law enforcement personnel (in accordance with paragraphs (1) and (2) of subsection (b)).''.

(b) APPLICATIONS.—Section 1702 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–1) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting '', unless waived by the Attorney General'' after ''under this part shall''; and

(B) in paragraph (8), by striking ''share of the cost'' and all that follows and inserting ''share of the costs during the grant period, how the applicant will maintain the increased hiring level of the law enforcement officers, and how the applicant will eventually assume responsibility for all of the costs for such officers;''; and

(2) by striking subsection (d).

(c) RENEWAL OF GRANTS.—Section 1703 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–2) is amended to read as follows:

''SEC. 1703. RENEWAL OF GRANTS.

''(a) IN GENERAL.—Except as provided in subsection (b), a grant made under this part may be renewed, without limitations on the duration of such renewal, to provide additional funds if the Attorney General determines that the funds made available to the recipient were used in a manner required under an approved application and if the recipient can demonstrate significant progress in achieving the objectives of the initial application.

''(b) GRANTS FOR HIRING.—Grants made under this part for hiring or rehiring additional career law enforcement officers may be renewed for up to 5 years, except that the Attorney General may waive such 5-year limitation for good cause.

''(c) NO COST EXTENSIONS.—Notwithstanding subsections (a) and (b), the Attorney General may extend a grant period, without limitations as to the duration of such extension, to provide additional time to complete the objectives of the initial grant award.''.

(d) LIMITATION ON USE OF FUNDS.—Section 1704 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–3) is amended—

(1) in subsection (a)—

(A) by striking ''that would, in the absence of Federal funds received under this part, be made available from State or local sources'' and inserting ''that the Attorney General determines would, in the absence of Federal funds received under this part, be made available for the purpose of the grant under this part from State or local sources''; and

(B) by adding at the end the following new sentence: ''The preceding sentence shall not apply with respect to funds made available under this part by a grant made pursuant to subsection (a) for the purposes described in subsection (b)(4).''; and

(2) by striking subsection (c).

(e) STUDY OF PROGRAM EFFECTIVENESS.—Section 1705 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–4) is amended by adding at the end the following new subsection:

''(d) STUDY OF PROGRAM EFFECTIVENESS.—

''(1) IN GENERAL.—The Attorney General shall provide for a scientific study of the effectiveness of the programs, projects, and activities funded under this part in reducing crime. Such study shall include identified best practices for community policing that have demonstrated results for building and strengthening the relationship between police departments and the communities such departments serve.

''(2) STUDY.—The Attorney General shall select one or more institutions of higher education, including historically Black colleges and universities, to conduct the study described in paragraph (1).

''(3) REPORTS.—Not later than 4 years after the date of the enactment of the COPS Improvements Act of 2009, the institution or institutions selected under paragraph (2) shall report the findings of the study described in paragraph (1) to the Attorney General. Not later than 30 days after the receipt of such report, the Attorney General shall report such findings to the appropriate committees of Congress, along with any recommendations the Attorney General may have relating to the effectiveness of the programs, projects, and activities funded under this part in reducing crime.''.

(f) ENFORCEMENT ACTIONS.—Section 1706 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–5) is amended—

*(1) in the section heading, by striking ''**REVOCATION OR SUSPENSION OF FUNDING**'' and inserting ''**ENFORCEMENT ACTIONS**''; and*

(2) by striking ''revoke or suspend'' and all that follows and inserting ''take any enforcement action available to the Department of Justice.''.

(g) DEFINITIONS.—Section 1709(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–8(1)) is amended by inserting ''who is a sworn law enforcement officer'' after ''permanent basis''.

(h) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(11) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(11)) is amended—

(1) in subparagraph (A), by striking ''1,047,119,000 for each of fiscal years 2006 through 2009'' and inserting ''1,800,000,000 for each of fiscal years 2009 through 2014''; and

(2) in subparagraph (B)—

(A) in the first sentence, by striking ''3 percent may be used for technical assistance under section 1701(d)'' and inserting ''5 percent may be used for technical assistance under section 1701(f)''; and

(B) by striking the second sentence and inserting the following: ''Of the funds available for grants under part Q, not less than $1,250,000,000 shall be used for grants for the purposes specified in section 1701(b), not more than $200,000,000 shall be used for grants under section 1701(d), and not more than $350,000,000 shall be used for grants under section 1701(e).''.

(i) PURPOSES.—Section 10002 of the Public Safety Partnership and Community Policing Act of 1994 (42 U.S.C. 3796dd note) is amended—

(1) in paragraph (4), by striking ''development'' and inserting ''use''; and

(2) in the matter following paragraph (4), by striking ''for a period of 6 years''.

(j) COPS PROGRAM IMPROVEMENTS.—

(1) IN GENERAL.—Section 109(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712h(b)) is amended—

(A) by striking paragraph (1);

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(C) in paragraph (2), as so redesignated, by inserting '', except for the program under part Q of this title'' before the period.

(2) LAW ENFORCEMENT COMPUTER SYSTEMS.—Section 107 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3712f) is amended by adding at the end the following:

''(c) EXCEPTION.—This section shall not apply to any grant made under part Q of this title.''.

(k) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to grants awarded under part Q of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) on or after the date of enactment of this Act.

SEC. 3. REPORT BY INSPECTOR GENERAL REQUIRED.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Justice shall submit to Congress a report on the Public Safety and Community Policing (''COPS ON THE BEAT'') grant program authorized by part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), including the elements described in subsection (b).

(b) ELEMENTS OF REPORT.—The report submitted under subsection (a) shall include information on the following, with respect to the grant program described in such subsection:

(1) The effect of the program on the rate of violent crime, drug offenses, and other crimes.

(2) The degree to which State and local governments awarded a grant under the program contribute State and local funds, respectively, for law enforcement programs and activities.

(3) Any waste, fraud, or abuse within the program.

(c) RANDOM SAMPLING REQUIRED.—For purposes of subsection (a), the Inspector General of the Department of Justice shall audit and review a random sampling of State and local law enforcement agencies. Such sampling shall include—

(1) law enforcement agencies of various sizes;

(2) law enforcement agencies that serve various populations; and

(3) law enforcement agencies that serve areas of various crime rates.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. WEINER) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. WEINER. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous matter on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, we have some examples of transition moments where we acknowledge here in Washington that there are some problems that cross the line between not a purely local problem becoming a national problem.

When the COPS program and the crime bill was passed in the mid-1990s, we made an acknowledgment here in Washington that was widely cheered around the country when we said we were going to get off the sidelines in fighting crime, and we were going to go into the business of directly helping States and localities hire police officers. We said the crime was a national challenge as well as a local one.

Well, September 11 proved that point again. It reminded us that while there are needs to make sure that our localities are safe, we don't want to substitute control for local police departments.

There is a Federal role, and it's hard to dispute, in helping localities defend themselves against terrorism, deal with the challenges of immigration, and, basically, help fight crime.

□ 1630

The COPS program that was passed was an unqualified success. It provided police to localities large and small all throughout the country. I like to say that it was a classically democratic, with a small ''d,'' success in that small police departments, 80 percent of all the funds went to the smallest of police departments, and it also went to the big cities. Everyone benefited. Now 110,000 police officers have been hired, and it's time to reauthorize this program, and that's what we are proposing to do here.

A similar bill was passed with broad bipartisan support in the last Congress, but, unfortunately, it was too late to pass the other body, and now we are trying to do it again.

This is fully funded in President Obama's budget. It's $1.8 billion a year for the total authorization for the COPS program. It will provide 10,000 cops per year for 5 years. It makes improvements over the last program by allowing technology grants for local police departments and also hiring funds for prosecutors so we're not just arresting people but we are making sure that the prosecutions are done expeditiously. We also take some steps to recognize the reality that we have today by allowing funds to be used for police officers expressly on terrorism duty. Also we take something and create the Troops-to-Cops program, which makes sure that troops that come back from the front get priority in hiring. And we also use some innovative programs to make sure that illegal drug manufacturing and distribution, particularly of the methamphetamine problem, are addressed.

I urge my colleagues to support this bipartisan bill.

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

Mr. KING of Iowa. Mr. Speaker, I yield myself such time as I may consume.

(Mr. KING of Iowa asked and was given permission to revise and extend his remarks.)

Mr. KING of Iowa. Mr. Speaker, H.R. 1139, the COPS Improvements Act of 2009, increases the authorization for the COPS ON THE BEAT Federal grant program by a whopping 72 percent. Why is the question I ask. Are crime rates up 72 percent? According to the FBI, they are not. Overall crime rates are down nationwide.

In the first 6 months of 2008, violent crime decreased by 3½ percent and property crime decreased by 2½ percent. From 1997 to 2006, the violent and property crime rates fell by 22 percent. Clearly, the crime rate is not a justification for dramatically increasing the expenditure of taxpayer dollars. If crime hasn't increased, why are we increasing spending on a law enforcement program that has mixed results?

Both the Justice Department's Inspector General and the Government Accountability Office found that thousands of hires funded by the COPS program never occurred because law enforcement agencies used COPS funding to cover their budget shortfalls, backfilling the holes in their budgets rather than putting cops on the street in some cases.

A 2005 GAO report concluded that factors other than COPS funds accounted for the majority of the decline in crime from 1994 until 2001. The crime rate did drop during this time period. It dropped by 26 percent, Mr. Speaker, and the COPS program did contribute to this decline. It contributed only 1.3 percent of the 26 percent decline. That 1.3 percent decline only cost the American taxpayers, and I emphasize the word ''only'' satirically, $7 billion. If you do the math on that, it works out to be this: The COPS funding, even though we've had a significant decrease in crime, was only accountable for 5 percent of the reduction in crime, according to the GAO report. That's one-half of the solution, and here we have a 72 percent increase. And if you do the math on the 72 percent increase, the 5 percent solution becomes an 8.6 percent solution presuming all other factors remain the same.

This is not a good return on investment. Perhaps the increase in COPS

spending is designed to generate jobs instead. The majority of cities' budget shortfalls and officer layoffs in police departments around the country are the justification, I think, for spending yet more money that we don't have. The fact is that roughly there is a 2- to 3-year lapse from the time Congress appropriates money to when a police officer actually reaches the street; so money appropriated under this new authorization will not even reach the streets until 2012 or 2013.

Congress just appropriated $1 billion for the COPS program in the economic stimulus bill, and we gave this money to the States with no strings attached, Mr. Speaker. We removed the 25 percent State matching requirement and the cap on grant awards. So this $1 billion will fund fewer than 6,000 police hires. You heard right. According to the Justice Department, we spent $1 billion of taxpayer money to hire fewer than 6,000 police officers. That works out to be $167,000 per officer. We send them a check, and they convert $167,000 into one officer when we take the strings off.

If my colleagues in the majority were truly interested in helping police departments maximize the number of officers they can hire, they would have kept the matching requirement and cap in place; then the $1 billion would have hired approximately 13,000 officers but not fewer than 6,000.

The COPS program is currently authorized at $1.04 billion, Mr. Speaker. Last Congress the sponsor of the bill, Mr. WEINER of New York, proposed increasing the authorization by only 10 percent to $1.15 billion. I say only 10 percent because in today's context, it's 72 percent. But even that more modest increase was too much for our colleagues in the Senate, who rejected such an idea. I would have supported this bill on the floor this year if it reauthorized the COPS program with the same 10 percent that was offered by the gentleman from New York last year. And I supported an amendment in committee offered by my colleague from Texas (Mr. GOHMERT) to fund the program at that level. But in the last Congress $1.15 billion was good enough; this year it's not, for some reason. This year it must be $1.8 billion, although the Judiciary Committee had held no hearing, received no evidence or testimony for this dramatic increase, which is a proposal under suspension before this Congress, Mr. Speaker.

The bill before us today increases Federal spending without any demonstrated need. It's like giving huge bonuses to AIG executives. There is no justification rather than an insatiable desire to spend taxpayers' money and funnel resources off the backs of the taxpayers in America, the workers in America, into the inner cities where these jobs would be created at the cost of $167,000 a job by record, and the efficiency level that would be increased, taking us from a 5 percent of our 26 percent reduction in crime, 5 percent of that coming direct by the COPS program now might take it to 8.6 percent at this huge, huge cost.

It's interesting to me to hear the gentleman from New York State that they need help at the local level, and I believe I heard him saying enforcing local laws but also enforcing immigration laws. So I would be also more amenable to this legislation if it were directed to 287(g) programs. At least then we'd have a Federal interest and something that I think would be helpful to all citizens in this country. But it is encouraging to me to hear from the gentleman from New York that we need to use Federal money to enforce immigration laws at the local level through local officers.

I oppose this legislation.

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

Mr. WEINER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I rise in strong support of H.R. 1139, the COPS Improvements Act of 2009. I want to thank my colleague Mr. WEINER, who understands the significance, the history, the data, and even the science of the success of this bill and this law.

Mr. Speaker, after September 11th, as we as a Nation, as a Congress, made a new commitment to homeland security protecting our communities, the fact is that for years under the Republican-led Congress, cops hiring grants were gutted for more than $1 billion a year in the late 1990s to only $10 million in fiscal year 2005 and then zeroed out, zeroed out. Not only do they want them to be outgunned, Mr. WEINER; they want them to be outfunded. That's what they want. They want to take pictures with cops, pat them on the back, and not support them.

As a longtime member of the Homeland Security Committee, I have always believed strongly that real homeland security begins in our streets, in our communities, and that means funding for our cops. The whole purpose of the COPS program was to provide community officers to be trained in the streets. Read the legislation. When President Clinton created the COPS program in 1994 with the goal of putting 100,000 new officers out on the streets, it was met with some skepticism, but today it's clear that this program helped turn the tide against crime. In fact, the GAO isolated the effect of the COPS program and estimated that there was a 2.5 percent decline in the violent crime rate between 1993 and 2000 because of this program alone. When you think about it, that's tens of thousands of violent crimes that weren't committed simply because we did the right thing and provided our officers with more support on the streets and the proper training.

So I stand here on behalf of the police officers of this country and I stand here on behalf of those folks who work in prosecutors' offices all across America. We're going to help you. We are going to make sure you have assistance and resources to do the job.

So three times the current amount and it comes at a time when our States and municipalities need it most. In my district alone, 324 police officers on the streets because of these grants.

I urge all my colleagues on both sides of the aisle to support this vital bill and pass this legislation.

Mr. WEINER. Mr. Speaker, I yield 2 minutes to the gentleman from Puerto Rico (Mr. PIERLUISI).

Mr. PIERLUISI. Mr. Speaker, I rise in strong support of H.R. 1139. I want to commend my colleague on the Judiciary Committee, Congressman WEINER, for introducing this bill.

As I remarked during the committee markup, this bill has special significance for me. In 1994, as Attorney General of Puerto Rico, I worked alongside the Clinton administration to secure passage of the legislation that established the COPS program. As someone whose own family has been deeply touched by violent crime, I'm unbending in my belief that the most basic human right a government owes to its citizens is a right to personal security. The COPS program is rooted in this premise.

Thanks to the COPS program, over $160 million in grants have been awarded to law enforcement agencies in Puerto Rico to hire new officers, improve school safety, and purchase crime-fighting equipment. No statistic, however, can capture the true impact the COPS program has made. The numbers of lives saved, crimes prevented, and families spared the pain of losing a loved one, these numbers are beyond calculation.

All we hear from our colleagues from the Republican side are concerns about the cost of this bill. Well, all I should say is that if there is any cost that is justified, it's the cost of protecting our people. I urge my colleagues to support this bill.

Mr. KING of Iowa. Mr. Speaker, I yield myself such time as I may consume.

First, in response to the gentleman from Puerto Rico, who I believe comes here very sincerely and brings himself to this floor for this discussion, I hear him say the most important human right is the right to personal security. And I would ask if the gentleman from Puerto Rico could address the situation as where do human rights come from, if they exist at all? Where's the list of human rights that exist?

I would submit that we don't have any human rights in law. I would submit that we have natural rights that come from God that flow through the Declaration of Independence and are clearly defined in the Constitution itself, but that the idea of human rights just simply doesn't exist in law. They exist in the imagination of judges. So the gentleman's response from Puerto Rico, although I see he's leaving the floor, it may be for a particular reason.

The other gentleman's comments about the COPS program that today it's clear that there has been a 2½ percent reduction in crime from 1993 until the year 2000, Mr. Speaker, I have a report here. This is a GAO report and I will give you the date in a minute, but it's a current GAO report, and I presume it's the same report the gentleman is referring to. It says this:

''While we find the COPS expenditures led to increases in sworn police officers above levels that would have been expected without these expenditures and though the increases in sworn officers led to declines in crime, we conclude that the COPS grants were not the major cause of the decline in crime from 1994 through 2001.''

□ 1645

I think this report doesn't support the gentleman's position. The data that I laid out in my opening statement does.

Mr. PASCRELL. Mr. Speaker, will the gentleman yield?

Mr. KING of Iowa. I will yield to the gentleman.

Mr. PASCRELL. First of all, that is a total report. There have been many reports on the effectiveness of the COPS program, not just that one. But the accuracy of that report is not being questioned by me by any stretch of the imagination.

It is a contributing factor to the decline in violent—violent—crimes. That is what we are talking about. There is a very basic difference between the stealing of an automobile and a violent crime of armed robbery, for instance. When you break down the crimes, sir, you will see that this had a very effective part.

Mr. KING of Iowa. Reclaiming my time, I will concede the gentleman's point, to a degree. And the point is this, that there has been a minimal decline in crime. But this report, by the way, for the record is October 2005, and I don't think it contradicts the statement that I made in my opening statement. But 5 percent of the decline in crime is attributable to COPS, and that is a study I have identified.

If we appropriate an additional 72 percent, one could calculate you could have of that decline in crime, 8.6 percent of that might be attributable to COPS.

I would then at this point, Mr. Speaker, reserve the balance of my time.

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

First let's get some clarity on the GAO report. The gentleman artfully pulls a line out of it. Let me tell you the conclusion. This is from page 11 of the GAO report. You can follow along with me, I say to the gentleman from Iowa.

''For the years 1998 to 2000, we estimated that the COPS grant expenditures that were associated with the reduction in indexed crimes from their 1993 levels ranged from 200,000 to 225,000 indexed crimes, while one-third of these were violent crimes, two-thirds property crimes.''

That is the GAO. If you want another authority that says that this has worked, you can ask the 381 Members of Congress that voted for it last year. If you want only partisan Republicans, how about John Ashcroft, not someone I am fond of quoting, who said the COPS program is a success. Attorney General Gonzales, every attorney general has said, you know what? The COPS program has been a remarkable success.

I say to the gentleman from Iowa, put your money where your mouth is. In the stimulus bill, which I believe you voted against, there was $1 billion for COPS. They are taking the grants now, and contrary to your opening statement, not only will it not take two or three years, they are going to be on the street this year.

In Iowa, there have been 110 police departments, large, small, intermediate, that have applied for this stimulus money to hire police under the COPS program.

Mr. KING of Iowa. Will the gentleman yield?

Mr. WEINER. I haven't raised the challenge yet, and then you will get an opportunity to give a one-word answer.

The challenge is this: Are you willing to write to the COPS office at the Justice Department and say please deny these police officers, who you acquaint with the criminals at AIG, and that is a shame and I think goes too far, will you say, don't grant any of these applications to Iowa? We don't need the cops. Our crime is not like crime elsewhere. Or despite the fact that I campaigned about the crimes being committed by illegal and undocumented immigrants, we don't need any further help.

Are you prepared to write a letter to the COPS program saying we don't want any money from the COPS stimulus money?

Mr. KING of Iowa. Would the gentleman yield?

Mr. WEINER. I would be glad to yield.

Mr. KING of Iowa. I would be happy to write that to your chiefs of police. This is a nationwide piece of legislation.

Mr. WEINER. Reclaiming my time, ''reclaiming my time'' is not something I am asking permission for.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Both gentlemen will suspend.

Members are reminded to address their remarks to the Chair.

Mr. WEINER. It is noteworthy that you point out my chiefs of police. Well, maybe you should ask the Fraternal Order of Police, the National Association of Police Organizations, the National Sheriffs Association, International Association of Chiefs of Police, National Association of District Attorneys, National Narcotics Officers Association, U.S. Conference of Mayors, National League of Cities. These are all people that support the Weiner position, not the King position.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, at this time I would yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, where but Washington would there be such an atmosphere of arrogance that when in the nineties there was a drop in the crime rate we would start lauding ourselves and saying we did that here in Washington?

Let me tell you who did that. I know in Texas they raised taxes. They built more prisons. They elected judges like me. We started having longer sentences, juries worked longer and harder, law enforcement worked longer and harder through the nineties. They brought more people to justice. There were more trials. People went from serving just a month on a year in many cases to serving one-third, one-half or more of their sentences before they were paroled, and many much longer than that. We were keeping people longer.

There was a 1,000 case backlog in my one district court, but because of the hard work of hundreds of people, that got cut by 80 percent, even though the number of cases rose each year. It wasn't Washington that got that accomplished.

That is why the report from the GAO says a 1.3 percent decline in overall crime rate could be attributed to the COPS grants. And when you consider what my friend Mr. KING pointed out, it took 166,000 Federal dollars to get one policeman? Man, we would be better off if we had a program that said, you know, for every dollar of local taxes or State taxes that are raised to go in law enforcement, we will cut the Federal taxes, because I can promise you the States and the local governments can do a whole lot more efficient job than hiring law enforcement for $166,000 apiece.

That is where the difference was made. It wasn't made in Washington. It was made by the hard-working law enforcement officers and court officials back in the States and local governments.

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

I hope the gentleman did not dislocate his arm patting himself on the back for bringing down crime. Perhaps he should offer a little bit of credit to the 171 officers hired in his district.

Do you know why crime went down, I say to the gentleman? Crime went down because there were police officers doing their job, putting their lives on the line every day. And while some people might have been sitting behind a bench feeling very proud of themselves, those police officers deserve our credit and honor.

I have now heard two speakers in a row, one who has equated police officers to the AIG criminals and another

who said it is not the cops, it is one judge who happened to get elected to Congress. Both of them are wrong. It was a successful piece of legislation. And if the gentleman doesn't think so, maybe he wants to give his 171 police officers to the next speaker.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the gentleman for the time.

It is interesting to hear my good friend from Texas speak on the basis of lowering crime in one part of the State for lowering crime in all parts of the State. Coming from the fourth largest city in the Nation, let me suggest to him that we have ready evidence that COPS ON THE BEAT in fact are probably as constructive or more constructive than the lock-them-up, throw-away-the-key concept. It is interesting as well that I heard my good friend mention and support raising taxes. I have never heard him support and celebrate the idea of raising taxes.

We did build a lot of prisons in Texas. It gave us the name of being renowned for locking up more people than probably a lot of nations around the world. I don't know, however, how effective you could argue that was without strong law enforcement.

Law enforcement provides for the prevention of crime. That is why I am a strong supporter of the COPS ON THE BEAT program, and particularly glad that in March our Attorney General through the administration offered $1 billion to our police departments across America to ensure that there would be stimulus dollars being used for the COPS grants.

We note that in the 1990s crime did go down, and whatever the GAO study says that is confusing, it is clear that in 1998 and 2000, the hiring grants are responsible for reducing crimes by about 200,000 to 250,000 crimes, one-third of which are violent.

Mr. Speaker, in the backdrop of the loss of lives of several of our law enforcement officers from California to the east coast, this is no time to bash police. This is a time to join in and support small departments, large departments, medium-sized departments who are supporting the idea of the COPS reauthorization. I want to thank Mr. WEINER for his leadership.

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

Mr. WEINER. I yield the gentlewoman an additional 45 seconds.

Ms. JACKSON-LEE of Texas. I thank the gentleman.

We offered in the committee an amendment that would allow us to study the best practices so that we could help departments utilize these COPs grants in an effective way. In the 18th Congressional District, some $56,857,000 in grants were awarded and 875 additional police officers and sheriffs deputies were welcomed into the 18th Congressional District. Ten local and State law enforcement agencies in our congressional district were beneficies of these. We have more constables and sheriffs and police departments, $2 million was added to provide for 19 school resource officers, and $9 million was awarded for crime fighting technologies.

Mr. Speaker, the COPS reauthorization bill is the right way to go. We cannot have a criminal prevention system that does not have preventive law enforcement. That is what we get with the COPS program. I rise to support it.

Mr. Speaker, I rise in strong support of H.R. 1139, the Community Oriented Policy Services (COPS) Improvement Act of 2009. I would also like to thank Representative WEINER of New York for introducting this important legislation. This legislation was introduced last Congress and I was a co-sponsor last term. I uge my colleagues to support this bill.

The COPS program was designed to help bring about fundamental changes in policing by drawing officers closer to the citizens they protect. And, in scores of communities across the nation, the COPS program did just that.

The idea of community policing is to get away from the traditional "call and response" model, in which officers run from one emergency call to the next. It involves sending officers into the streets and into the neighborhoods to build relationships with residents, identify the sources of crime problems, and solve them before they get worse. The success of the COPS approach to policing is dependent upon the relationships built between the police and the members of the communities they serve.

Since 1995, COPS has awarded more than $10 billion to advance community policing, including grants awarded to more than 13,300 state, local, and tribal law enforcement agencies to fund the hiring and redeployment of nearly 117,700 officers. In addition to funding law enforcement positions, the Office of Community Policing Services has been the catalyst for innovations in community policing and broad implementation of effective law enforcement strategy. Presently, departments that employ community policing serve 87 percent of American communities.

On March 16, 2009, U.S. Attorney General Eric Holder announced that the Department of Justice will be accepting applications for $1 billion in Recovery Act Funds for the COPS program. Approximately 5,500 law enforcement officer jobs will be created or saved in law enforcement agencies across the country through funding provided by the Department of Justice.

Recently, the American Recovery and Reinvestment Act of 2009, H.R. 1, included $4 billion in Department of Justice grant funding to enhance state, local, and tribal law enforcement efforts, including the hiring of new police officers, to combat violence against women, and to fight against internet crimes against children.

Similar to Edward Byrne Justice Act Grant (JAG) awards, Recovery Act funds that are authorized for COPS can also be used to hire new officers or rehire recently laid off officers, fill unfunded vacancies and help prevent scheduled layoffs within law enforcement agencies.

COPS funds are allocated directly to the local level governments and law enforcement agencies and provide a three-year period of funding.

Specifically, H.R. 1139, the "COPS Improvements Act of 2009," reinvigorates the COPS program's ability to accomplish its critical mission by establishing three grant programs: (1) the Troops-to-Cops Program, (2) the Community Prosecutors Program, and (3) the Technology Grants Program. The Troops-to-Cops Program would fund the hiring of former members of the Armed Forces to serve as law enforcement officers in community-oriented policing, particularly in communities adversely affected by recent military base closings.

The Community Prosecutors Program would authorize the Attorney General to make grants for additional community prosecuting programs that would, for example, assign prosecutors to pursue cases from specific geographic areas and to deal with localized violent crime, among other crimes.

The Technology Grants Program would authorize the Attorney General to make grants to develop and use new technologies to assist State and local law enforcement agencies reorient some of their efforts from reacting to crime to preventing crime.

The investment in COPS through the Recovery Act although crucial is a one-time investment limited to the purpose of hiring officers. The reauthorization of COPS is necessary for the program to continue past the investment of the Recovery Act.

Reauthorization is also necessary so that the COPS program can include the innovative aspects of the program as explained above.

The Houston area has made great strides in reducing crime. I am confident that with programs like COPS Houston can better combat crime.

CRIME STATISTICS

According to Houston Police Department statistics: Violent crimes

Violent crimes in Houston increased less than 1 percent in 2008 compared with 2007.

Homicides dropped by 16 percent.

The number of homicides dropped from 353 in 2007 to 295 last year.

Sexual assaults increased more than 8 percent from 2007.

Aggravated assaults increased at 9.1 percent.

Domestic violence

Of the 1,092 additional aggravated assault cases in 2008, more than half were reports of domestic violence.

Nonviolent crimes

Nonviolent crimes declined more than 10 percent in 2008.

Property thefts dropped by more than 10 percent.

Auto thefts decreased last year, dropping more than 21 percent to 15,214, down from 19,465 in 2007.

While Houston has made great strides in combating crime, more must be done to ensure the safety of Houstonians in their communities and their respective neighborhoods. I believe that the COPS program will be of benefit to the people of the 18th Congressional District as well as other communities in Texas and in communities around the United States.

To date, $56,857,827 in COPS grants were awarded to law enforcement agencies in the 18th District of Texas. COPS grants have

funded 875 additional police officers and sheriff's deputies to engage in community policing activities, including crime prevention, in the 18th District. 10 local and state law enforcement agencies in the 18th District have directly benefitted from funding made available through the COPS Office. $2,091,064 has been awarded to add 19 school resources officers to improve safety for students, teachers, and administrators in primary and secondary schools throughout the 18th Congressional District. $9,026,291 has been awarded for crime-fighting technologies. This funding has allowed officers to spend more time on the streets of the 18th Congressional District of Texas fighting and preventing crime through timesaving technology, information-sharing systems, and improved communications equipment.

AMENDMENT

The COPS program was designed to help bring about fundamental changes in policing by drawing officers closer to the citizens they protect. And, in scores of communities across the nation, the COPS program did just that.

The idea of community policing is to get away from the traditional "call and response" model, in which officers run from one emergency call to the next. It involves sending officers into the streets and into the neighborhoods to build relationships with residents, identify the sources of crime problems, and solve them before they get worse. The success of the COPS approach to policing is dependent upon the relationships built between the police and the members of the communities they serve.

Because the success of the COPS approach to policing is dependent upon the relationships built between the police and the members of the community it served, I offered an amendment at the Judiciary Committee markup. My amendment was accepted and was included within this legislation.

H.R. 1139 requires that the Attorney General shall provide for a scientific study of the effectiveness of the programs, projects, and activities funded under this Act in reducing crime. The study is to be completed within four years of enactment of this bill.

My amendment, which was accepted at the Judiciary Committee markup, specifically requires that

"Such study shall include identified best practices for community policing that have demonstrated results in building and strengthening the relationships between police departments and the communities such departments serve."

The requirement that the study identify "best practices" in community policing is important because the enumeration of these best practices will serve as an unequivocal benchmark by which the successes of the COPS program can be measured.

These "best practices" would establish bright line rules to analyze community policing and the derogation of which will require retooling and adjustment of the community policing measures involved. Moreover, the Attorney General is in the best position to complete this study and certainly is in the best position to determine what constitutes "good" community policing. My amendment would support and strengthen the development of good community policing methods.

I believe that H.R. 1139 is strengthened with the inclusion of my language. Again, I urge my colleagues to support this bill.

AMENDMENT TO H.R. 1139

OFFERED BY MS. JACKSON-LEE OF TEXAS

Page 11, line 7, insert after "crime." the following: "Such study shall include identified best practices for community policing that have demonstrated results for building and strengthening the relationship between police departments and the communities such departments serve.".

Mr. KING of Iowa. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will go back to this October 2005 study since I think there has been some confusing verbiage that has emerged here with a regard to a number of different studies. I don't think I have heard anyone actually directly rebut the study that I have referenced, but I want to just go back to the concise language.

It says, it concludes, "COPS grants were not the major cause of the decline in crime from 1994 through 2001." I find nothing in this report or any report that says that COPS grants are the major cause of the decline in even violent crime, although they were a contributing factor, and I stipulated those contributing factors.

Another point is I didn't equate any AIG executives as criminals. In fact, I voted against that bill that sought to reach back. It was a mistake made by Congress and people were looking for cover. That is what that was about. I opposed both components of that. I will continue to do so. In fact, I defended that they be able to keep those bonuses, because Congress made a huge mistake and we shouldn't interfere with the relationship between employers and employees.

Mr. Speaker, what I am having trouble getting my mind around is the image of data analysis that has emerged as I listened to the gentleman from New York, Mr. WEINER. He has argued all this data as to why we need to increase the COPS grant by 72 percent.

It surely couldn't be because police departments want more Federal funding. It surely couldn't be because they want to build empires. It surely couldn't be because crime has gone up. No one has said crime has gone up. In fact, it has gone down. Violent crime, nonviolent crime, has all gone down.

So what is this? Is this Mr. WEINER sitting in a loft somewhere analyzing data, divining away, maybe from the emanation from numbers, maybe it was something heretofore unimaginable, but calculating that we need to take another $1 billion into COPS, which we did, this Congress did, and now reach for an additional 72 percent, Mr. Speaker?

I cannot quite get that image fixed in my mind, that Mr. WEINER independently reached a conclusion off of data that would support this great big growth in COPS funding. There has to be something else. I don't think it has been clear. But I think the gentleman from Texas does understand this, and I hope he can illuminate us.

I would be happy to yield 3 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, to say that we may want to pat ourselves on the back sitting behind the bench, I didn't ask for the words to be taken down. I don't believe they quite violate the rule.

□ 1700

But I can tell you what sitting behind the bench did for those years. It gave me a great vantage point to see what was doing good and what wasn't.

Now, I never kept a jury past 3 a.m., so I can't say I kept anybody all night. But I can tell you that the prosecutors, the defense attorneys, the law enforcement people, the parole boards, the confinement officials, the taxpayers that kept coming up with more and more money, they did an incredible job. They worked incredibly hard. They didn't get paid enough.

And I know the gentleman has referred to 170 or so law enforcement in my district that were added. And I really do need to get to the background information and figure out exactly where all those people were and for whom the Federal Government is taking credit for hiring.

But, you know, obviously the local governments had to take over that share, and so it was an incentive to start hiring more people. But the audit indicates that, looking at only 3 percent of the COPS grants, Federal auditors have alleged $277 million in misspent funds. The studies have shown that spending on the COPS program has not led to an increase in the overall spending by local law enforcement, so it hasn't increased law enforcement spending. That's what the studies show.

So if the overall spending on law enforcement programs, even with the additional Federal increase, has not increased law enforcement spending, then it's pretty clear that the money spent here did not do the trick of reducing crime. It came from lots of other sources.

And I come back to my original point. There is nobody that does a more efficient job than the local governments and the State governments in addressing these problems, because once that money comes through Washington, it is incredible the slice that this place takes out of the money before they send it back, whether it's education, whether it's law enforcement, whatever it is. And if we could come to a bipartisan agreement that would say, for every dollar you raise local and State taxes, we're going to reduce your Federal taxes, I think we could then hit that increase in law enforcement that obviously both sides want to see. It's just that that would be far more efficient. It would get to the people back in the State and localities who are really doing the job and from which my vantage on the bench allowed me to see, not pat myself on the back, but to see who was doing the job, and not bureaucrats up here in Washington talking a good game.

That's where the difference is made and that's where we can help.

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

I'm not really sure where to begin. First let's start where the statistics came from that 171 police officers and sheriff deputies in the First district were hired. That's the COPS office. Those grants came from your constituents.

And I would say to the gentleman, all of those things and all of the moving parts in the criminal justice system, of course, they're very valuable. But why do you dismiss the 171 police officers? Why aren't they valuable? Why aren't they something that's of value?

And the gentleman said he wants the taxes reduced here in Washington. He had a chance for that. He voted against the stimulus bill which offered a tax cut to 90 percent of all of his constituents.

I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, during the break, the director of police in Memphis, Tennessee, Director Larry Godwin, called me. He called me to thank me for the COPS bill. He called me to thank me because he was going to hire 125 policemen in the next fiscal year and 125 in the following fiscal year and those would be hired because of COPS monies that were in the Recovery and Reinvestment Act.

Director Godwin and I have known each other for a long time because I started my career as the attorney for the Memphis Police Department, attended International Association of Chiefs of Police meetings, and know that the patrol is a deterrent to crime. Patrol is the first way to stop crime.

These COPS programs hire more policemen, put them on the street, and oftentimes in innovative community policing activities.

The Afro American Police Association, Lieutenant Curry, and others have talked to me about community policing and how it helps my community reduce crime.

My Mayor, Willie Harrington, has asked me to come to Washington and work to get more COPS money and help him with putting more cops on the street; and that was one of the first things I wanted to do here. I'm a cosponsor of this bill. I am a proud supporter of it, and voted for the Recovery and Reinvestment Act because crime is a serious issue all over this country.

We support policemen in Afghanistan and Iraq. We need to support policemen all over this country and protect our citizens from crime.

The crime rate is going up. And by supporting this COPS bill you can make a difference. You can keep citizens alive and reduce crime. This is an effective deterrent to crime. It's what the policemen on the street tell me. It's why the Office of the United States Mayors has endorsed this bill.

I rely on the United States Mayors, the International Association of Chiefs of Police, my cops on the street, and my experience as a police legal advisor.

And I appreciate Mr. WEINER for bringing this bill, and I'm proud to be a sponsor, and urge this House to pass it.

Mr. KING of Iowa. Mr. Speaker, may I inquire as to how much time remains for each side.

The SPEAKER pro tempore. The gentleman from Iowa has 3½ minutes. The gentleman from New York has 7¼ minutes.

Mr. KING of Iowa. Mr. Speaker, I would reserve.

Mr. WEINER. Mr. Speaker, I reserve.

Mr. KING of Iowa. Mr. Speaker, I will yield myself the balance of the time.

Mr. Speaker, it's curious to me now that I find the gentleman from Tennessee (Mr. COHEN), I guess it's a matter of public record, is a cosponsor of the legislation. I have two gentlemen here on the floor of the House of Representatives that, theoretically, at least, shaped this legislation and this policy that weren't satisfied with an additional $1 billion in previous legislation, but had to bring forward an expansion of the 72 percent increase, this 72 percent increase.

And again, the image of the gentleman from New York (Mr. WEINER) or the gentleman from Tennessee (Mr. COHEN) calculating out the data to conclude, and I'd ask the gentleman from Tennessee (Mr. COHEN), before he leaves the floor, I'd be real happy to hear from him and yield to the gentleman from Tennessee, if he could tell me how many police officers are enough, per capita, for 100,000, say, citizens. What is the average in the Nation? What is enough? How does a person arrive at this requested 72 percent increase of $1 billion tossed into this, $167,000 a job, 100 percent federally funded, no copayment, completely grants, and presuming the gentleman from New York (Mr. WEINER) is right, and some, if not all these jobs will actually be in uniform on the streets within a year. But what is an appropriate number of police officers? What's your goal? Is there such a thing as too many police officers? That's really my question.

I would be happy to yield to the gentleman from Tennessee.

Mr. COHEN. Mr. Speaker, I depend on my mayor, my police director and the citizens of my community who have emailed me and told me, we want more policemen; we want more deterrent. We need a safer community and a neighborhood. We want our children safe. We want our old people safe, and I'll respond to them. That's the number of policemen that we need is enough to satisfy my mayor.

Mr. KING of Iowa. Mr. Speaker, reclaiming my time, I didn't ask the gentleman for some opinion of wanting more police officers. I recognize that if one's in uniform defending the streets in this country, that you're always going to want more help. I can't imagine a Police Department saying I don't need another officer, and I can't imagine a local jurisdiction, the taxation at a local jurisdiction saying no, we'd rather tax at home than we would at the Federal Government. I don't have a police chief saying to me that they want to reject the Federal funding and they want to tax their local citizens. And I've never known anyone that didn't need more help in what they were doing.

My question to the gentleman was, out of 100,000 people, how many police officers should we have? What is optimum? How many are too many? And if the gentleman can answer that specifically, then I'd like to hear it. And if not, I hope you wouldn't ask me to yield.

But do you have a specific answer?

I would yield to the gentleman from Tennessee.

Mr. COHEN. It's not as simple as math. But I know this: There were funds that were voted for Iraq that I voted against to protect the people in Baghdad. I want to protect the people in Memphis, Tennessee.

Mr. KING of Iowa. Reclaiming my time, I oppose this legislation for the reasons that I have said. It's an outrageous growth in Federal spending. It is a transfer out of the pockets of the taxpayers into the inner cities, the jurisdictions that would be the biggest beneficiaries of this. And everyone in government is going to have the instinct to try to grow their empire, Mr. Speaker. And we don't have data that says what is the optimum number. We don't have even the admission that there's such a thing as too many government employees in any category. And I would not either submit that too many police officers would be the first category that I'd want to reduce in government. It is not.

We need to be prudent. We need to be responsible. I'm looking at a national debt and a national deficit and a budget that has grown to be a $9.3 trillion deficit out of this President's budget, $9.3 trillion. That's all the corn we can raise in Iowa for the next thousand years, just to deal with President Obama's deficit. And if we are going to retire the debt, it's everything since the time of Christ, Mr. Speaker.

I oppose this legislation.

I yield back the balance of my time.

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

First, in answer to the distinguished gentleman's question, how many is enough, I think 214 for the State of Iowa, going to 110 police departments and agencies. Do you know why I believe that? I believe that because that's the number of applications and that's the number of police officers that small sheriff's departments, you see, it's an average of only two police officers per jurisdiction, has requested of the recovery money that you voted against. I mean, that's how much.

Now, you can say that there's no Federal role in policing, and you'd be

in a minority. You'd be in a tiny minority. You wouldn't even be in a majority in your own caucus, let alone in your State.

But I give credit to my colleagues who stand up on the floor who say there's too many cops. I give credit to my colleagues who have the audacity to stand up on the floor and say, you know what? Everyone wants police officers. They're not so important. Why don't we not hire police officers? I give them credit for that.

If you believe there is no Federal role in local law enforcement, you should vote ''no'' on the COPS program. But then, do not be inconsistent. You should make every effort to ensure that Iowa and Texas and the other States don't get this money, don't apply for this, because they obviously disagree with you.

The fact of the matter is there is a Federal responsibility for crime. We do have a Federal—there is a Federal role for this. And it's been successful.

Now, you can say that it is not the primary or the major. The fact of the matter is the GAO was asked to study a very basic question: Did the COPS program succeed in its objectives in reducing crime? And the answer is, you can read the conclusion. You don't have to pick a line here and a line there. You can read the conclusion. It says that it did. And now we want to make sure that this program lives for five more years.

And the gentleman's made a lot—This is a dramatic increase over what we've had in the past. Yes. It was zeroed out in the Bush years. Zero, nada, zippo.

Now, despite the fact that John Ashcroft and Gonzalez and police officials and Tom Ridge all said this program was a success, I mean, there is a time, and I have to say to my good friend from Iowa that I enjoy the ideological debates that sometimes go on on our Judiciary Committee and here on the floor. But these are human beings. These are officers of the law who every day put their lives on the line. And what we are saying is we want to help localities ease that burden.

And you know, not long ago the National Sheriffs Association weighed in and said that they support this expansion. And not long ago, an organization of police agencies called the Police Executive Research Forum did a survey of its police department membership. 62 percent said they're cutting overtime spending because of the fiscal downturn. A quarter of them said that they're reducing employment through attrition in order to deal with the fiscal downturn. 47 percent of them said that they were discontinuing officer training because of the fiscal downturn.

Now, you can say hey, it's not our problem; things go up, things go down. Or you can say we want to help. We want to do something about it. We want to help localities.

And I would say to the gentleman that if he is going to go home and do what the gentleman from New Jersey suggests, and pose with police officers and say we honor your service, do more than honor their service. Help them not get laid off. Help keep them on the job. Help expand police departments.

Mr. KING of Iowa. Will the gentleman yield?

Mr. WEINER. I would be glad to yield.

Mr. KING of Iowa. I thank the gentleman for yielding. I just want to ask if it was his intention to infer erroneously that I had said that there are too many cops.

Mr. WEINER. Well, actually you mean imply. The answer to the question is, yes. You clearly did suggest that you know what—how many is too many, you said. I mean, I don't want to get the—I don't know how you get someone to say exactly what you said. But you said how many is too many? And the answer is very clear. The police departments in Iowa disagree with the Member from Iowa, and so do I. I believe—if I can just conclude, I believe that this is a program that works. You know, we don't have a lot of them in the Federal Government. We have some that work. This one, on a broad bipartisan way Members have said that, you know, this has been a success.

You can go to any police department in your district, and forgive me for not having the number at my fingertips, and say hey, has the COPS program helped you reduce crime? See what they say. See what these 110 police agencies in Iowa say. Ask them. Say, has this program been successful? And they'll say yes. And they'll say something else. They'll say please, help us keep this local agency a success story moving forward.

□ 1715

And if the gentleman doesn't believe that we should have a Federal role, by all means, he should vote ''no,'' but I do believe that overwhelmingly we do, and what we're trying to do here is to keep up with the times and say, you know what? If you've got to cut things on the local level now, you won't have the need to cut law enforcement. Ask people in any townhall meeting in Iowa or anywhere else if they think it's a good idea if we protect law enforcement funding with all the challenges that we have today. Let me conclude with this final thought.

Mr. KING of Iowa. Will the gentleman yield for a brief point?

Mr. WEINER. Let me just finish this because this is now more than one time that this has been quoted incorrectly.

There is a GAO report from June 3, 2005. Make sure we put this up on our Web site. You can go to house.gov/weiner, anyone who wants to. It's the Government Accountability Office. They'll tell you that it worked.

I'll be glad to yield.

Mr. KING of Iowa. I thank the gentleman.

I appreciate the opportunity to make the point that asking a question, which is what I asked, which was ''how many are too many?'' does not infer a position by any form of logic that I know of.

Mr. WEINER. Reclaiming my time, generally speaking, I think the lady doth protest too much. When someone says, ''How many is too many?'' they don't mean that they want more. They mean that they want less. If you want to withdraw that comment, I would if I were you because I'm concerned.

I think most of the citizens of Iowa—and I represent Brooklyn and Queens, so maybe I don't speak for the people of Iowa, but I do know 110 police departments, sheriff's departments and agencies in Iowa have applied for the first billion dollar grant. By the way, there's $8 billion worth of applications for that billion dollars. It's clearly a demand. So it's not your colleagues who are saying it. It's not Congress who is saying it. It's not the cops' office. Those police officers and those sheriff's offices are voting with their pens. They're saying, ''Please, help us. Don't listen to our Congressman. Listen to the Congressman from Brooklyn and Queens. Please expand this program.''

Mr. STUPAK. Mr. Speaker, I want to thank Congressman WEINER for his outstanding work on this bill.

In 1994, the COPS program changed the way we fight crime in this country, by giving local jurisdictions the support needed to put more than 100,000 new officers on the street.

The results were clear: a nationwide drop in crime, and safer streets in our rural and urban areas alike.

The COPS program is needed now more than ever. States, counties, and cities struggling to balance their budgets have made cuts to law enforcement programs even as the threat of terrorism has put new burdens on our first responders, and recent news reports show violent crime in our cities is again on the rise.

This bill will help us face those problems, by putting thousands more officers where they can do the most good: on the streets of our communities.

I am a Co-Chairman of the Law Enforcement Caucus, which was founded to advocate for the law enforcement community, ensure our law enforcement officers are provided the resources they need and build on key programs—such as COPS—to keep our communities safe.

The COPS program is a proven concept that has the full support of the law enforcement community, and this bill will improve the program by expanding the utility of grants and increasing its authorization amount level by nearly $800 million.

I thank the Chairman and the Committee for their work on this bill, and I urge my colleagues to vote ''yes.''

Mr. LATOURETTE. Mr. Speaker, I'd like to thank my good friend from New York (Mr. WEINER) and his involvement in getting this bill to the floor today. I am pleased to support its passage, and am proud to be the lead Republican on this bill.

Mr. Speaker, not to date myself, but the Community Oriented Policing Services

(COPS) program was established the year I had the privilege of being elected to this body, in 1994, by the Violent Crime Control and Law Enforcement Act (the '94 Crime Act).

The COPS program has aged better than me, enabling more officers to be hired, contributing to lower crime rates than would otherwise be the case, and increasing the technology and equipment available to our law enforcement officers to do the job we ask of them. According to the Department of Justice, the COPS program has helped state, local and tribal governments hire more than 117,000 officers and has awarded more than $11.4 billion to over 13,000 law enforcement agencies across the United States. The Government Accountability Office (GAO) has estimated that COPS funding contributed a 2.5% decline in the violent crime rate between 1993 and 2000. In my own district, nearly 300 officers have been hired since the program started. Statewide, the COPS program has funded more than 3,700 officers and sheriff's deputies, more than 225 school resource officers, and has provided more than $55 million in technology grants for departments. It's hard to argue with fighting crime, lowering crime rates, hiring trained officers in our local communities, and providing equipment and technology upgrades otherwise not available to cash-strapped communities.

As my colleagues know, the recent stimulus bill contained $1 billion to hire or rehire laid-off officers. Some may say: Why are you authorizing this program again when you just gave it a considerable amount of money in the stimulus bill?

Mr. Speaker, last week was the deadline for departments to apply for a slice of that stimulus money to hire officers. The COPS office tells me that the $1 billion in the stimulus bill will pay for 5,500 new police positions nationwide. The COPS Hiring Recovery program—the stimulus program—received applications from a staggering 7,200 departments nationwide! That's $8.4 billion in requests for 40,000 officers. Again, the stimulus program contained $1 billion and will fund just 5,500 officers. So, when the funding is doled out, departments in every corner of the country are going to be greatly disappointed because more than 34,000 of the officers requested will not be funded.

Also, the COPS office tells me that the vast majority of applications for the stimulus funding were for new officer positions, not to replace laid-off officers, so clearly there is a need for this program. To give you some perspective on the number of applications just received by the COPS office, when the program started in the mid-1990s, the office received about 6,000 applications. When the application period ended last week, there were 7,200 applications, so clearly police departments are in need and the COPS office is swamped.

Mr. Speaker, this popular community policing program will reauthorize through Fiscal Year 2014 the COPS program. I am pleased to see it includes Mr. WEINER's Troops-to-Cops Program, which would fund the hiring of former members of the Armed Forces to serve as law enforcement officers in community-oriented policing, particularly in communities adversely affected by military base closings. It also includes technology grants and authorizes up to $350 million a year for grants to departments to obtain or upgrade technology and equipment.

Mr. Speaker, the COPS program has advanced community policing in all jurisdictions across the United States by enabling law enforcement to hire and train law enforcement officers to participate in community policing, purchase and deploy new crime-fighting technologies, and develop and test policing strategies. You'd be hard pressed to find a program that is better liked by the law enforcement community and city officials. More importantly, the COPS program is well run and an effective use of taxpayer money. I urge my colleagues to support the bill.

Mr. WEINER. I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. WEINER) that the House suspend the rules and pass the bill, H.R. 1139, as amended.

The question was taken.

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

Mr. KING of Iowa. 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.

STATUTORY TIME-PERIODS TECHNICAL AMENDMENTS ACT OF 2009

Mr. WEINER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1626) to make technical amendments to laws containing time periods affecting judicial proceedings.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1626

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 ''Statutory Time-Periods Technical Amendments Act of 2009''.

SEC. 2. AMENDMENTS RELATED TO TITLE 11, UNITED STATES CODE.

Title 11, United States Code, is amended—

(1) in section 109(h)(3)(A)(ii), by striking ''5-day'' and inserting ''7-day'';

(2) in section 322(a), by striking ''five days'' and inserting ''seven days'';

(3) in section 332(a), by striking ''5 days'' and inserting ''7 days'';

(4) in section 342(e)(2), by striking ''5 days'' and inserting ''7 days'';

(5) in section 521(e)(3)(B), by striking ''5 days'' and inserting ''7 days'';

(6) in section 521(i)(2), by striking ''5 days'' and inserting ''7 days'';

(7) in section 704(b)(1)(B), by striking ''5 days'' and inserting ''7 days'';

(8) in section 749(b), by striking ''five days'' and inserting ''seven days''; and

(9) in section 764(b), by striking ''five days'' and inserting ''seven days''.

SEC. 3. AMENDMENTS RELATED TO TITLE 18, UNITED STATES CODE.

Title 18, United States Code, is amended—

(1) in section 983(j)(3), by striking ''10 days'' and inserting ''14 days'';

(2) in section 1514(a)(2)(C), by striking ''10 days'' each place it appears and inserting ''14 days'';

(3) in section 1514(a)(2)(E), by inserting after ''the Government'' the following: '', excluding intermediate weekends and holidays,'';

(4) in section 1963(d)(2), by striking ''ten days'' and inserting ''fourteen days'';

(5) in section 2252A(c), by striking ''10 days'' and inserting ''14 days'';

(6) in section 2339B(f)(5)(B)(ii), by striking ''10 days'' and inserting ''14 days'';

(7) in section 2339B(f)(5)(B)(iii)(I), by inserting after ''trial'' the following: '', excluding intermediate weekends and holidays'';

(8) in section 2339B(f)(5)(B)(iii)(III), by inserting after ''appeal'' the following: '', excluding intermediate weekends and holidays'';

(9) in section 3060(b)(1), by striking ''tenth day'' and inserting ''fourteenth day'';

(10) in section 3432, by inserting after ''commencement of trial'' the following: '', excluding intermediate weekends and holidays,'';

(11) in section 3509(b)(1)(A), by striking ''5 days'' and inserting ''7 days''; and

(12) in section 3771(d)(5)(B), by striking ''10 days'' and inserting ''14 days''.

SEC. 4. AMENDMENTS RELATED TO THE CLASSIFIED INFORMATION PROCEDURES ACT.

The Classified Information Procedures Act (18 U.S.C. App.) is amended—

(1) in section 7(b), by striking ''ten days'' and inserting ''fourteen days'';

(2) in section 7(b)(1), by inserting after ''adjournment of the trial,'' the following: ''excluding intermediate weekends and holidays,''; and

(3) in section 7(b)(3), by inserting after ''argument on appeal,'' the following: ''excluding intermediate weekends and holidays,''.

SEC. 5. AMENDMENT RELATED TO THE CONTROLLED SUBSTANCES ACT.

Section 413(e)(2) of the Controlled Substances Act (21 U.S.C. 853(e)(2)) is amended by striking ''ten days'' and inserting ''fourteen days''.

SEC. 6. AMENDMENTS RELATED TO TITLE 28, UNITED STATES CODE.

Title 28, United States Code, is amended—

(1) in section 636(b)(1), by striking ''ten days'' and inserting ''fourteen days'';

(2) in section 1453(c)(1), by striking ''not less than 7 days'' and inserting ''not more than 10 days''; and

(3) in section 2107(c), by striking ''7 days'' and inserting ''14 days''.

SEC. 7. EFFECTIVE DATE.

The amendments made by this Act shall take effect on December 1, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. WEINER) and the gentleman from Iowa (Mr. KING) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. WEINER. I ask unanimous consent that all Members 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 gentleman from New York?

There was no objection.

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

Mr. Speaker, the Statutory Time-Periods Technical Amendments Act changes the court filing deadlines in a number of statutes so that they correspond with new Federal court rules that are scheduled to go into effect on December 1, 2009.

Cosponsors of this bill include the chairman of the Judiciary Committee, JOHN CONYERS; as well as the full committee ranking member, LAMAR SMITH; the Courts Subcommittee chairman, HANK JOHNSON; and the Courts Subcommittee ranking member, HOWARD COBLE.

As anyone who has practiced law knows, calculating court deadlines can be extremely confusing. Even experienced lawyers have to expend considerable time and effort determining deadlines for filing. This can be especially problematic when there is a holiday or a deadline falls on the weekend. Calculating deadlines is also complicated by the fact that the Federal court rules for banking, civil and criminal proceedings currently do not use one standard method for determining time periods.

Unfortunately, because of the confusion and discrepancies involved with calculating deadlines under the current system, parties can too easily lose their right to their day in court because of procedural mistakes, regardless of the merits of the case.

The Judicial Conference has sent Congress amended rules for calculating these deadlines. The new rules are easier to understand and apply, and are also the same across the board.

Under the new rules, deadlines will not fall on weekends, and every calendar day will be counted when calculating deadlines—a commonsense ''days are days'' approach. The new rules will also standardize deadline calculation for very short time periods, taking weekends into account. This bill complements the Judicial Conference's rules package by changing the deadlines in several important statutes so that the statutes match up with the Judicial Conference's rule changes.

The bill is widely supported by judges and by the lawyers who practice before them in court. It will help ensure that courts are able to reach the merits of the cases before them rather than having to dismiss them due to an inadvertently missed deadline filing.

I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Mr. KING of Iowa. Mr. Speaker, I yield myself as much time as I may consume.

(Mr. KING of Iowa asked and was given permission to revise and extend his remarks.)

Mr. KING of Iowa. After thorough study and deliberation, the United States Judicial Conference developed draft language that slightly alters time deadlines in 28 statutory provisions that affect court proceedings. This text is incorporated in H.R. 1626, the Statutory Time-Periods Technical Amendments Act of 2009.

These statutory provisions are limited to those that have short time periods, that use a rules method for calculating time periods, that are frequently applied or are otherwise important, and that do not prescribe a method to calculate time.

These legislative changes are necessary to account for the effect of amendments to the time computation rules in the Federal Rules of Practice and Procedure that are due to take effect on December 1, 2009, unless Congress acts to modify or reject them.

The rules amendments simplify the provisions for calculating deadlines and make those rules consistent in each set of the Federal rules. They respond to years of complaints by practitioners that the present rules are confusing and can lead to missing deadlines and to losing important rights.

To simplify calculating deadlines, the amended rules count intermediate weekends and holidays for all time periods rather than excluding them for some short time periods and including them for longer time periods. This simple ''days are days'' approach can have the effect of shortening a time period.

A large number of statutory time periods could theoretically be affected by the proposed shift in the Federal rules' time-computation approach. However, the number of statutory provisions to which case law has applied the rules' time-computation method is much smaller. An even smaller number of statutes is either frequently used or has time periods that could hopefully be adjusted to avoid inconsistency and confusion when the rules' time-computation method changes.

The proposed legislation provides short extensions of short time deadlines in a small number of statutes to offset the effective shortening caused by the new rules approach.

Mr. Speaker, the proposed statutory amendments are noncontroversial. They were the subject of extensive study and public comment during the Rules Enabling Act process. They have been vetted by numerous legal and bar organizations, including the Department of Justice. The Judicial Conference, led by District Judge Lee H. Rosenthal, Chair of the Committee on Rules of Practice and Procedure, provided bipartisan staff briefings on the need for the legislation.

H.R. 1626 addresses obscure but important subject matter that will allow our Federal courts to operate more smoothly. I urge the Members to support the bill.

I reserve the balance of my time.

Mr. WEINER. Mr. Speaker, I inquire of my colleague:

Do you have any more speakers?

Mr. KING of Iowa. I have no more speakers.

Mr. WEINER. In that case, I just want to offer my thanks to all of the Members and the staff who worked on this bill, including Talia Wenzel, who did a great job working on this and who wrote my opening remarks.

I urge a ''yes'' vote, and I yield back my time.

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

I will just recognize that the gentleman from New York, in spite of the fury of our previous debate, has significant confidence that I won't close with anything except an endorsement of the passage of the bill. I appreciate that.

Mr. Speaker, I urge the adoption of this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. WEINER) that the House suspend the rules and pass the bill, H.R. 1626.

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.

EXCHANGE OF LETTERS BETWEEN JUDICIARY COMMITTEE CHAIRMAN AND ENERGY AND COMMERCE COMMITTEE CHAIRMAN

Mr. WEINER. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point an exchange of letters between Judiciary Chairman JOHN CONYERS and Energy and Commerce Chairman HENRY WAXMAN on the bill that we just debated.

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

There was no objection.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, April 20, 2009.

Hon. JOHN CONYERS, Jr.,
Chairman, House Committee on the Judiciary, Rayburn House Office Building, Washington DC.

DEAR CHAIRMAN CONYERS: I am writing to confirm our understanding regarding H.R. 1626, the ''Statutory Time-Periods Technical Amendments Act of 2009.'' As you know, this bill was referred to the Committee on Energy and Commerce, which has jurisdictional interest in provisions of the bill. In light of the interest in moving this bill forward promptly, I do not intend to exercise the jurisdiction of the Committee on Energy and Commerce by conducting further proceedings on H.R. 1626. I do this, however, only with the understanding that foregoing further consideration of H.R. 1626 at this time will not be construed as prejudicing this Committee's jurisdictional interests and prerogatives on the subject matter contained in this or similar legislation.

In addition, we reserve the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation. I would appreciate your including this letter in the Congressional Record during consideration of the bill on the House floor. Thank you for your cooperation on this matter.

Sincerely,

HENRY A. WAXMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 20, 2009.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding your Committee's jurisdictional interest in H.R. 1626, the Statutory Time-Periods Technical Amendments Act of 2009.

I appreciate your willingness to support expediting floor consideration of this important legislation. I acknowledge that H.R. 1626 contains provisions under the jurisdiction of the Committee on Energy and Commerce, and 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.

RECOGNIZING EARTH DAY AND REINTRODUCING NO CHILD LEFT INSIDE ACT

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

Mr. SARBANES. Mr. Speaker, I rise today in recognition of Earth Day and to reintroduce the No Child Left Inside Act, which will strengthen environmental education in our Nation's schools. By enhancing environmental education, we can teach our youth how to be environmental stewards and grow the next generation of scientists and innovators to solve our energy and environment challenges.

This Earth is the only home we have. If we do not put ourselves on a more sustainable path, if we do not reach across party lines, if we do not reach out across culture, faith, class, and race to meet these challenges, our children and grandchildren will pay the price. They will inherit a planet in peril with increasingly diminished resources and even less time to act.

I rise today to call on all Americans to think locally about how they can have a positive impact on our environment, and I urge my colleagues to think globally when we consider a long-term responsible and sustainable energy strategy.

THE BOYCOTTING OF DURBAN II

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

Mr. ENGEL. Thank you, Mr. Speaker.

Just the other day, the United Nations, shamefully, had a so-called ''conference'' on racism, dubbed Durban II, held in Geneva. The United States boycotted this charade, rightfully so, and I want to commend President Obama for making the decision to boycott because Durban I turned into a tirade of racism against Israel, of racism against the Jewish people, anti-Semitism, and we knew that so-called ''Durban II'' would be the same. Sure enough, it was.

When that lunatic, the President of Iran, Ahmadinejad, got up and made hateful speeches against Jews, against Israel, anti-Semitic speeches, it really made a mockery of this whole so-called ''Durban II.'' This conference was supposed to attack racism, not deal and aid and abet racism. Ahmadinejad, shamefully, was the only President of any country to address this charade.

The United Nations, unfortunately, only discredits itself when it has conferences like this, and I'm glad. It was the right thing to do that the United States boycotted. As for the European nations, many walked out in disgust, and that was also good because that showed that racism, anti-Semitism and beating up on Israel was not going to be tolerated.

I commend the President, and I am glad the United States stood tall.

THE CLOSING OF GUANTANAMO BAY

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

Ms. JENKINS. Just days after taking the oath of office, President Obama signed an Executive order calling for the closure of the detention facility at Guantanamo Bay within 1 year. Since then, despite requests to the House Armed Services Committee, no congressional hearing has been held.

I'm concerned that President Obama is willing to request $80 million in the fiscal year 2009 war supplemental to fund closing Guantanamo Bay but won't work with Congress on a strategy on where to transfer the detainees after closing it.

As a Representative of Fort Leavenworth, which has been discussed as a potential relocation site for the Guantanamo detainees, I am very troubled that $50 million of the funds are earmarked for the relocation to an unknown site. Moving suspected terrorists to the United States will place an unnecessary risk on Americans. It's my priority to look out for the safety of the Leavenworth community, and I cannot in good conscience say to the people in and around Leavenworth that they would be secure with suspected terrorists nearby.

If the President is serious about closing Guantanamo, he should work directly with Congress on a comprehensive plan.

□ 1730

REJECT THE PLAN TO ELIMINATE PRIVATE LENDING

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

Mr. CARTER. Mr. Speaker, this past work period that I was home, I visited with some folks with Sallie Mae and Texas Guaranteed Loans. These are two private programs that have been providing student loans for our students in Texas and for the rest of the country. Over 80 percent of the students chose a private lender as their choice to finance their school program. But now, the Democratic party is, by their action, forcing us into a government-only program. And I looked into a room that a year and a half ago was full of hundreds of people, it now stands empty, not because of a recession but because of the action of the Federal Government as led by the Democratic majority.

It is a shame not to give the choice to our students, and when they make that choice, they choose private industry to the tune of 80 percent. This is estimated to cost 30,000 jobs in the Nation this year. And I don't have a problem with jobs in my district unless the government takes those jobs away. This is a shame. I think they should apologize to those hardworking people, most of whom are spouses of fighting soldiers.

HONORING MITCH KING IN HIS RETIREMENT

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

Mr. HOYER. Mr. Speaker, I rise today in honor of Mitch King, a government relations manager at the U.S. Postal Service, who, on May 1, is retiring after 36 years of work for the Postal Service, for Congress, and our Nation.

Mitch King began his postal career in 1973 as a letter carrier in Falls Church, Virginia, just a few miles from here, and then became supervisor of letter carriers before becoming an instructor in the delivery service branch of the Postal Management Academy in Potomac, Maryland.

In the spring of 1982, he began working in the government relations department at Postal Service headquarters in Washington, D.C. In 1992, he was promoted to the position of government relations manager, a postal career executive position equivalent to the executive branch's senior executive service. During the latter part of his career, he managed postal service congressional liaison activities for the States of Maryland, Virginia, Pennsylvania, Ohio, West Virginia, Kentucky, Mississippi, Alabama, Florida, and the District of Columbia. He also served on the Election Mail Task Force.

Mitch has managed government relations activities with many Members of Congress, addressing an ever-expanding variety of postal-related issues. He has also served as the principal postal contact for the House Appropriations Committee and the Financial Services Subcommittee. When I chaired the Treasury Postal Subcommittee of the Appropriations Committee, I dealt with Mitch on a regular basis.

Since that time, as whip and majority leader, I have continued to deal

with Mitch King and have found him very responsive, very knowledgable, and very conscientious. He was, in short, a model of an employee that the citizens of this country would want to have.

For years, Mitch worked with me to help ensure my constituents the level of service they have rightfully come to expect from the Postal Service. Indeed, he's done that for all of our Members. He was a true and dedicated public servant. He did his work well and faithfully for decades with no expectations of great rewards or renown. For 36 years, Mitch King helped keep the mail going. He was part of a collective accomplishment that is no less impressive for the fact that it happens 6 days a week.

The United States Postal Service handles millions and millions of pieces of mail a day. Does it make some mistakes? Yes. But an extraordinarily small percentage. In fact, it's the most productive mail service in the world. And 40 percent, frankly, ahead of number two.

At the same time, Mitch's humor, intelligence and consummate skill help make him entirely unique in many ways. I know I speak for all of us when I say he will be missed from public service. I am sure that he will go on to continue to contribute to his community, to his family, to his State, and to his country.

Good job, Mitch King. Godspeed.

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 addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE CIA'S QUESTIONING WORKED

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. Mr. Speaker, these pictures I have here are to remind my colleagues of what's happened to the United States in the past by terrorist attacks.

This first one is the Pentagon of the United States. Several hundred people were killed. There's a memorial over at the Pentagon that shows that these people gave their lives on the plane and in the Pentagon for this country, a terrorist attack on 9/11.

This here is the World Trade Center. More people were killed in this attack than any attack in the history of the United States by an enemy. Even the attack on Pearl Harbor didn't even come close to this, although that was a terrible thing as well.

And this here, just to let you know that the worldwide threat of terrorism by al Qaeda is worldwide, this is what happened to a train where they set a bomb off in Spain by al Qaeda. That was in Madrid.

Now, the reason I bring this up is because the President of the United States, in just the last few days, said that the techniques that we have used to extract information from terrorists is something that we in the United States should not use. There are many of us in the body who believes that we should use any technique possible, as long as it is not completely inhumane, to extract information from these terrorists so that they don't do these things to American citizens.

Now, many of my colleagues, I understand they're humanitarians and they don't want to do things to people that shouldn't be done. But we're talking about killing Americans. Killing Americans. And these terrorists have no compunction whatsoever about killing Americans.

I have over here that I am not going to show tonight where they have cut the heads off of Americans and held them up, and where they've cut the heads off of Americans and hung them from an overpass so that everybody driving by could see them. And yet, the administration is saying, you know, that we shouldn't use tactics such as waterboarding in order to extract this information from terrorists.

Now, there is a man named Khalid Sheik Mohammed who was the mastermind of the September 11 attack on the United States of America. He was waterboarded several times. And he said that he didn't think the United States of America—and others that were waterboarded, there were three of them that I recall—they didn't think the United States and the citizens of this country had the intestinal fortitude, the guts, necessary to do what was necessary to stop terrorist attacks. And so we used waterboarding on them. That's where they put a board on them and pour water over you to give you the sensation that feels like you're drowning, and you keep doing it until they give up the information that they want. He finally gave up the information.

The information that he gave up was there was going to be another attack in Los Angeles, and it was going to be similar to the attack on the World Trade Center, and it was going to be the Library Tower in Los Angeles. And the only reason he gave up that information was because he was waterboarded.

Now, you know, nobody wants to be waterboarded. We had a newsman that was waterboarded to show what it was like. He said it was terrible, it was horrible, but he survived, and he was showing what it was all about. And every time they did waterboarding, they had a doctor right there to make sure the person would survive. It was done just to elicit information from them that would save American lives.

And the only time they did it, the only time they used these ''enhanced techniques of interrogation'' was when they thought it was going to be imminent that the United States was going to be attacked, and they only did it three times that I know of. And every time it was necessary, and every time it ended up with results that saved American lives.

And yet the President of the United States said, ''We're not going to do that any more because it is not something that we in America approve of.''

In my opinion, if we're going to save American lives, we ought to do whatever is necessary to save American lives. We went to war with Japan and Germany because Americans were being killed. And millions of people died in that war because of the attack on Pearl Harbor and because of what Nazi Germany did. And yet we can't use waterboarding, a technique to get information from terrorists, to stop things like this?

You know, I don't mind being goodhearted but not where the lives of good Americans are concerned.

And there are other times where they got information from the terrorist organizations here in the United States that were planning an attack.

Vice President Cheney—who is being vilified all the time anymore—he was on television the last two nights and he said that while they are stopping waterboarding and saying that anybody that used that technique is a horrible person, he said he had seen documents that showed that the waterboarding was effective in saving American lives and stopping attacks like the World Trade Center and the one that was going to take place in Los Angeles. He said he saw those documents. And yet the White House released documents that showed that there were these tactics used to get information but they didn't show—they didn't release the documents that showed that it was effective in stopping the attack in Los Angeles, California.

My time is up, folks. I'll be back tomorrow night.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 875

Ms. PINGREE of Maine. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 875.

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BOYD) is recognized for 5 minutes.

(Mr. BOYD addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

HONORING THE MEMORY OF BRUCE ROY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. MICHAUD) is recognized for 5 minutes.

Mr. MICHAUD. Mr. Speaker, the State of Maine and the working families across the Nation lost a determined advocate when Bruce Roy passed away on April 7. I rise tonight to honor my dear friend. My heart goes out to his wife for over 29 years, Nancy; his two daughters, Jessica and Joanne; and his five grandchildren, Courtney, Britney, Logan, Isabell, and Cooper, as well as his extended family during this very difficult time.

□ 1745

Bruce reminds us all of how short and precious life can be, but unlike most people who let life pass by them, Bruce lived in the moment. He gave everything he had to the betterment of his family's life and those around him.

I believe that a true measure of a man should always be the size of his heart. And God knows, and everyone who knew Bruce knew, that the size of his heart was enormous. He loved so many, and he was loved by so many, and there is nothing more important in life than that.

Bruce's idea of family far extends beyond the traditional norm; it includes his fellow mill workers, his union brothers and sisters, and his neighbors. He devoted his life to helping struggling families all across the State of Maine. And in the weeks preceding his death, helping the laid-off workers at Wausau Paper Mill get the assistance that they deserved.

Bruce also was a member of PACE International Union, known today as United Steelworkers Local 11 of Jay. He also served as Treasurer/Recording Secretary and President of the Maine Labor Council of the United Steelworkers, and Secretary/Treasurer of the Maine AFL–CIO. He was recently appointed and confirmed to the Maine Workers' Compensation Board.

But in no way can Bruce's resume encapsulate who he was and what he stood for. When I first ran for Congress, many people did not believe that a mill worker could be elected. I was in a six-way primary in 2002, and the odds were stacked against me. Bruce devoted his life full-time to my campaign. And even though he wasn't a paid staffer, he was very much part of our campaign team. Bruce would get up at the crack of dawn to do mill gates, and spent long evenings plastering neighborhoods with campaign signs and literature. He was instrumental in my ''Get Out the Vote'' effort in the Katahdin region. I know he did all this at the expense of spending time with his loving family. He made an enormous sacrifice, but it was for a cause that he believed in. And that is how Bruce lived his life, he devoted his whole heart to the cause he believed in. When I won the seat to the United States Congress, my victory was not just for me, but for people like Bruce.

Bruce always reminded me that you can't stop fighting for the working men and women of this country. He lived that pledge in everything that he did. I have never forgotten those words. They are the words that we all should live by today.

Bruce always made a decision based on what was right. His approach to life was a combination of good humor, high ideals, and honor. He lived by that example. His son-in-law said about Bruce, ''He was the nicest guy I ever met,'' and I couldn't agree more.

There are no words to express the pain we all feel with his passing away. We love you, Bruce, and we know that you are among the angels. Your work here on Earth will never be forgotten from your brothers and sisters in the labor movement, and from your families and friends who lived and worked by you each and every day of your life.

May God bless you and your wonderful family.

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.)

HAPPY 90TH BIRTHDAY, CARL LINDNER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Mrs. SCHMIDT) is recognized for 5 minutes.

Mrs. SCHMIDT. Mr. Speaker, I rise today to celebrate the 90th birthday of one of Cincinnati's greatest citizens, Carl H. Lindner, Jr. I have the privilege and honor of calling Carl a constituent of mine.

For more than 70 years, the greater Cincinnati region has come to admire and appreciate Carl's business and philanthropic skills. Carl Lindner is a living example of the American Dream and proof positive that anything is possible in the United States.

At the age of 14, Carl left school to work in the family dairy business, along with his brothers, Robert and Richard, and his sister, Dorothy. They operated a cash-and-carry dairy market in Norwood, Ohio. The store was the origin of United Dairy Farmers, and so began Carl Lindner's storied career.

Throughout his career, Mr. Lindner has touched thousands of lives in southwestern Ohio. His generosity has built schools, cured the sick, and changed the face of a city. Be it supporting the arts or building a new hospital, Carl has contributed mightily to the economic and cultural lives of his fellow Cincinnatians.

Carl remains active in his varied business ventures as chairman of the board and chief executive of the American Financial Group. Mr. Lindner has been married to his beautiful bride, Edith, for well over 50 years. And United Dairy Farmers continues to make the best ice cream in Cincinnati, including my favorite homemade brand, chocolate chip.

Mr. Speaker, if a man is truly judged by his deeds, then there can be no higher example than set by Carl Lindner. Mr. Speaker, please join me in celebrating Carl's 90th birthday.

Happy birthday, Carl. I hope you have 90 more. God bless you.

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.)

HONORING CLAUDE ''TAPPY'' MOLLOY

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 and colleagues, once again the people of my district, the U.S. Virgin Islands, have lost a beloved political leader who for the past half century has selflessly given of his time and talents to the betterment of our community.

Claude A. Molloy, a native of St. Croix—''Tappy,'' as he was affectionately known to one and all—served this country in the U.S. Air Force during the 1950s and later went on to obtain a Bachelor of Business Administration in accounting from the University of Puerto Rico in 1962, and then subsequently an MBA, with a specialization in economics, finance, and industrial relations from the Columbia University School of Business in 1976.

He served our territorial government with dedication and distinction in many capacities over the years in the Departments of Finance, Property and Procurement, Labor, and the Board of the VI Water and Power Authority in crucial and vital positions. But according to those who knew him best, his most significant contributions were in his service to the Virgin Islands Legislature and the Government Employee Retirement System. He was elected to the Virgin Islands Legislature for three terms and served as Senate President in the 10th Legislature of the U.S. Virgin Islands.

As a legislator, he made his mark as chairman of the Committee of Agriculture and Procurement, Tourism and Advertising, Labor and Veterans Affairs, the Cost of Living Commission, and Banking and Interest Rates. He also served on the Second Constitutional Convention's Committee on Taxation, Finance and Federal Relations, as well as the Cultural Heritage Commission.

As administrator for the Virgin Islands Employees Retirement System, he fought to preserve the integrity of the system, even so far as going to court to ensure that the system's assets were protected and that government contributions were submitted on time. That was quintessential Tappy—fiercely protecting the people of the Virgin Islands in any instance where he felt they or their rights were being threatened.

Mr. Speaker and colleagues, many in my community have fond memories of a man who cared for his family, his people, and his islands. His contributions to the formative years of the young democracy that is the U.S. Virgin Islands will be a prominent part of our history.

I extend my condolences to his wife, Juel, his sisters, his children and his grandchildren. I know that his wit and wisdom will remain an indelible part of their and our memories in the days to come, and we thank them all for sharing this lion of a man with us so generously.

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.)

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.)

HONORING JAMES BARTON ''MICKEY'' VERNON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

Mr. SESTAK. Mr. Speaker, I rise to acknowledge the achievements of one of the finest athletes and men ever to call the Seventh Congressional District of Pennsylvania home. James Barton ''Mickey'' Vernon, a native of Marcus Hook, Pennsylvania, passed away on September 24, 2008, having lived a life of great success and purpose. Today is the anniversary of his birthday.

Long before he became an exceptional professional baseball player, Mickey Vernon's character and work ethic were shaped by his parents, Clarence and Katherine Morris Vernon, his sister, Edith, and the good people of Marcus Hook, the cornerstone of Pennsylvania.

In addition, he benefited from the dedicated faculty and coaches of Eddystone High School and Villanova University. Ranked among the best players of baseball's golden era, Mickey was twice the American League's batting champ and, over a career that included time with the Washington Senators, Cleveland Indians, Boston Red Sox, Milwaukee Braves and Pittsburgh Pirates, he played in 2,409 Major League games. In each, he played with skill, determination, and a complete commitment to his team and teammates.

More important than his skills on the diamond, Mickey Vernon stands apart for his modesty and unfailing service to our Nation and to our community. I am especially proud to call him ''shipmate.'' Mickey Vernon served in the U.S. Navy during World War II in the brutally hot and dangerous South Pacific. Following that conflict, he continued his brilliant career, and with his lovely wife, Anne, raised a lovely daughter, Gay.

In a year when the Seventh Congressional District lost both Mickey Vernon and Harry Kalas, there is a temptation to feel great pain and sadness, that is understandable; but it is more in keeping with the lives of both men that we celebrate their greatness and decency.

I ask that our Chamber and our Nation pause to honor James Barton ''Mickey'' Vernon as a model athlete, a veteran, husband, father and friend, an inspiration to us all. He was some man.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. REICHERT) is recognized for 5 minutes.

(Mr. REICHERT 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 Texas (Mr. CARTER) is recognized for 5 minutes.

(Mr. CARTER 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 Ohio (Mr. BOCCIERI) is recognized for 5 minutes.

(Mr. BOCCIERI addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. ROE) is recognized for 5 minutes.

(Mr. ROE of Tennessee 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 Wisconsin (Ms. MOORE) is recognized for 5 minutes.

(Ms. MOORE of Wisconsin addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

RECKLESS OVERSPENDING BY THE FEDERAL GOVERNMENT

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. Good evening, Mr. Speaker. Thank you for recognizing me.

I am interested tonight in talking about a subject that I think is on the minds of Americans everywhere and has gotten people not just on their minds, but on their hearts as well. They're exercised, they're concerned, they're worried. And that is the subject of taxes, and really reckless overspending on the part of the Federal Government.

We have heard over the past about 6 years or 7 years the high cost of the war, particularly in Iraq. People say, hey, we are spending a tremendous amount of money every day in Iraq, what are we getting for our money? This thing is breaking our budget. We're spending too much money. This is terrible. And then what we see here in the first 5 weeks of the Congress meeting, we saw them passing what was supposed to be a stimulus bill—or I call it a porkulus bill—and that bill, at $840 billion, was more money than we spent in 6 and 7 years, respectively, in the war in Iraq added to the war in Afghanistan. So we were really burning some serious money just in the first 5 weeks.

Now, let's add to that, turn forward a little bit, and the American public is becoming exercised about this subject. And just this last week, on the day when filing of taxes is due, we saw all across our country a massive turnout of people, just average citizens, largely—at least certainly that's what it was in the St. Louis area—having these TEA parties. And they were very upset. And they carried all kinds of signs to express their concern about this problem of reckless overspending on the part of the Federal Government. Some of the signs read—and they were fairly clever—''Give Me Liberty, Not Debt,'' obviously taking off of Patrick Henry. And it said ''No More Pork.'' Here's one, ''Got Taxes? Got Government? Get Liberty.''

□ 1800

Then there was a 6 year-old that carried the sign, ''I am 6 years old and I

owe $36,400 in taxes.'' And there were a number of other ones that were fairly pointed, ''Freedom, not socialism'' and things like that.

People are really getting very concerned and with very good reason about our reckless overspending.

In fact, there was enough pressure from all of these different events that happened all over the country that the President felt like he had to make some kind of a statement or gesture. And so he said, very graciously, look, I will tell you what we are going to do. We are going to try to find $100 million in the budget of wasted spending, to get rid of $100 million.

Well, we have illustrated that point here graphically to my left.

This first circle is $410 billion, and that was called an omnibus bill. That was just finishing up the spending for this year.

Then we had two of this supposedly stimulus bill, which is what I was just talking about, at $787 billion in its final version, and then on top of that is the proposed $3.69 trillion, so these graphically represent the amount of money we are overspending and Obama's requested budget cuts represented by this spot, even on this chart, the size of an eraser.

To try to put that into perspective, let's say that your family budget is $100,000. You have a $100,000 budget for the year, but you are $34,000 behind. That's like calling the whole family together and saying to them, now, here is what I am going to do. I am going to give up a $3 Starbucks coffee. That's what this $100 million is equivalent to: $3 on a $100,000 budget.

So these numbers show the fact that the administration and the current Congress just doesn't get it. This overspending problem is really serious, and the public is getting, as I said, very concerned about it.

I have a statement from one of my constituents here, this is what he wrote to me.

He said, this is William from the Saint Louis area, ''I am a small businessman in Union, Missouri, employing 12 people. I built my business from practically nothing to a company worth enough to retire on, or so I thought. I am 62 years old and plan to sell my business in 3 years and to retire on the proceeds.

''In the year I sell my Federal tax rate will be 39 percent, that is assuming that Obama does not raise it even further by then, and my Missouri tax rate will be 6 percent. Since I am a service company, we have no real assets to sell. Virtually all of the proceeds will be taxed as ordinary income.

''That means that I worked a good part of my life to build a future and the taxing authorities are going to take 45 percent.

''Since my IRA accounts have been decimated thanks to,'' I believe he is talking about Congressman FRANK and Senator DODD,'' it looks like I will have to work until I die.''

And then, bitterly, ''Only in America.''

People around America are very upset about what's going on.

I have a good friend, a Congressman from Georgia, Congressman LYNN WESTMORELAND, I believe that you have a chart also depicting in a different way the seriousness of what's going on with our excessive overspending.

Mr. WESTMORELAND. Well, I want to thank my friend from Missouri for yielding some time, and I just wanted to ask one question to the gentleman about the chart that he just had up, and that was the fact that the chart that he just had up, you are telling me that what the President has asked of his cabinet members, if I am hearing you correctly, is that they are to cut, in the next 90 days, they are to cut $100 million.

Mr. AKIN. That's correct. Yes.

Mr. WESTMORELAND. So the other thing you are pointing out there with your chart is that would be like calling in a family that had a budget of $100,000, and they had a $34,000 shortfall—

Mr. AKIN. You are talking about one-third of that $100,000, they are overspending $34,000, right.

Mr. WESTMORELAND. I want to make sure we understand this. They had $100,000 annual spending, they have got a $34,000 shortfall. If from what I am hearing you say, they would only have to cut $3?

Mr. AKIN. That's correct. That's why when you say $100 million with a $3.69 trillion proposed budget, it's almost a joke. It's almost a joke. By comparison, that spot is $100 million. That's the size of a pencil.

This looks like the sun. It looks like a small Moon falling into the sun. That's what we are talking about here. Three dollars, they would laugh you out of the family meeting.

Mr. WESTMORELAND. That's what I would call a drop in the bucket or a spit in the ocean or something. I mean, I can barely see the little dot from here.

But that's interesting, and I wanted to show one thing, because I think that's something that everybody can get their head around is the amount of money that the President has asked his Cabinet members to save over next 90 days is equal to $3 of a family that had $100,000 spending that had a $34,000 shortfall.

But to the gentleman from Missouri, this is a debt day, and debt day is when we actually start ringing things up on the charge card that we can't pay for. And so in 2002, and after we went through the 9/11, on September 2 is when we actually started charging things. We had run out of the money, and we had to start putting it on a charge card.

Mr. AKIN. What you are saying is that right after September 11, we are already starting to spend some serious money there. And what you are saying is that by the time we got to September, we had pretty much used up all the taxpayers' money that had paid their taxes that year, and beyond that point, every day beyond that where we are spending money, that's all becoming part of our debt. Is that what you are saying?

Mr. WESTMORELAND. Yes, I am. And what I am saying, too, is that then the minority party, the Democrat party, was hollering at the loudest point saying we would have deficit spending, that we did not need to have deficit spending, we did not need to increase the debt. They were hollering about that.

And then in 2003 it went to July 29 to when we actually started having to borrow money; 2004 it was July 27; 2005, August 14; 2006, August 27; 2007, September 9; 2008, August 5th, and then we come to this year.

Mr. AKIN. Gentlemen, what was going on there was starting about 2003 or 2004 we started to benefit from the fact that the recession had turned around because of the tax cuts and the economy was doing well and the Federal revenues were coming in pretty strong.

Mr. WESTMORELAND. Yes.

Mr. AKIN. That's why we were able to hold things up into that August-September kind of timeframe, even though there was some spending going on.

Mr. WESTMORELAND. Absolutely. Remember we were funding the military and the war on terror or now, as it is called, the human catastrophe or something. But in 2009, this year, 2009, debt day comes next week on April 26.

So imagine this, after April 26th, everything that this government does is going to be put on a charge card. After April 26th almost 160 days——

Mr. AKIN. Gentleman, that number really stands out, because what you are saying is we got all the way through the summer all these previous years when we were screaming about spending too much money. And you and I agreed we shouldn't have been spending as much as we did.

But that being the case, what you are saying is this year we barely got the taxes in on April 15, and by the time we get to April 26th, which is that next week——

Mr. WESTMORELAND. That's next week.

Mr. AKIN. We are out of money already.

Mr. WESTMORELAND. Absolutely.

Mr. AKIN. I am surprised they haven't put us in jail.

Mr. WESTMORELAND. Well, I don't know they haven't pulled our credit card, and I think that could happen, because we are charging this on a credit card to China, to the Middle East, to foreign nations. This is not something that we are borrowing it from ourself.

This is money that we are borrowing from foreign countries. So at the end of next week, all the money, all the revenues, all the revenues that's going to come into our Treasury are going to be

spent, and we are going to be ringing it up on a charge card.

How many families or small businesses could survive on that? There is not any. We can't do that, and that's the reason that we have given an alternative to this budget that has been proposed by the current administration. That's the reason today that we——

Mr. AKIN. You were talking about the budget, the study committee, which is actually a balanced budget, a certain number of years out, it balances out.

Mr. WESTMORELAND. In 10 years, it balances out in 10 years.

Mr. AKIN. Don't you think that's what the people at these tea parties were trying to say, hey, what's wrong with the concept like every other American, you have to balance your budget. What's the problem with us getting this concept down here in Washington D.C.?

Mr. WESTMORELAND. And that's the point that we have been trying to make. It spends too much, it borrows too much, and it taxes too much.

Mr. AKIN. Well, we are going to get into that a little bit too. We are joined this evening by my good friend from Indiana, Congressman BURTON, a longtime leader in this House, a very respected gentleman.

I would like to yield to him to talk on the same subject. I know it's something you know quite a bit about.

Mr. BURTON of Indiana. I thank the gentleman for yielding.

The thing that bothers me is the kind of legacy that we are leaving for our kids and grandkids. The amount of money that we are spending right now, $3.69 trillion in the budget, $410 billion in the omnibus, $14 billion for the auto companies; $700 billion, which we spent last year on TARP, $787 billion on the stimulus package.

We are spending trillions and trillions of dollars that we don't have, as my colleague just said.

I would just conclude by saying that we are spending trillions of dollars that we don't have. Our kids and grandkids are going to be paying taxes that they shouldn't have to bear. In addition to that we are going to have an inflationary problem that is going to rival anything that we have seen in the past. In the 1970s and the early 1980s we had inflation that was 14 percent and we ended up raising interest rates to 21 percent to slow down the rate of inflation to get the economy back in shape, and we ended up with another major recession because of it.

We have got to control our spending. We can't spend 8 or $10 trillion like we are doing. And the thing that bothers me the most is the legacy we are leaving to our kids and grandkids.

I want to thank my colleague for taking these. He comes down here almost every night or every other night talking about these things. The American people owe you a debt of gratitude for doing this. I really appreciate it.

Mr. AKIN. I appreciate the gentleman from Indiana.

Congressman, before you go, just let me ask you a question, you know, both of us grew up and we saw our parents, that had come out of the World War II time period, and they were people that worked very, very hard. They had been called the Greatest Generation, and one of the things that I remember that was just ingrained in my own parents, and I want to ask you whether you had the same experience, but it was the attitude that they were going to do something better for us than they had been able to have for themselves. It was this driving ambition to leave something better, to leave America a better place, a freer country, a safer country.

And so they would say, and their words were, yes, I am going over to Europe or to the Pacific to do my bit, that they were going to give their lives or their limbs. And they had this ideal of leaving America a better place.

And what you are talking about is the opposite. Is that not right, Gentleman?

Mr. BURTON of Indiana. Yes, I would say to my colleague briefly, that my mother worked 18 years as a waitress, my stepfather worked in a foundry. And I think that he made, before he paid child support, $75 a week.

And they were very concerned about living within their budget, and they worked very hard to make sure that our family did well without having to depend on the government. And unfortunately today we have a different mindset, and that is that the government can handle everything for us from cradle to grave.

And this attitude that's prevalent in this society right now really bothers me because it has taken such a hold of us that we are now spending trillions of dollars that we don't have. And the things that you and I had as young people and our parents gave to us, even though we had rough times, it's going to be worse in my opinion, because of the inflation we are going to leave our kids and the high taxes that we are going to have to pay to keep pace with the spending that's going on.

Once again, thank you very much. I really appreciate it.

Mr. AKIN. Congressman BURTON, the distinguished guest from the State of Indiana. We are very thankful for the good people that Indiana sends.

We also have joining us here tonight a judge from Texas. When you get a judge from Texas you're talking about somebody that kind of keeps an eye on things. I would like to yield to Judge CARTER, a good friend of mine and a great and patriotic American and an American, as I understand, with some pretty good stories to boot.

□ 1815

Mr. CARTER. I thank my friend for yielding.

I'm proud to join my colleagues in speaking up against this horrendous amount of spending that's going on in the country today, and it's all done by the Obama administration. They're calling it ''stimulus,'' they're calling it ''save the economy,'' all these things. But I just got back from a trip where I was meeting with some parliamentarians from the European Union. And, you know, I will admit, I will confess that I viewed the European Union—my wife is from Europe. In my experience, the fact that my wife is from Holland, we have visited Europe on many occasions, and I really thought they were much more towards the socialist side of the calendar and that their ideas were much more leaning to the left. And then I went to listen to these folks talk about what they called an economic stimulus package in the EU and what they were calling upon their member countries to do for economic stimulus. And, amazingly enough, it was exactly what the Republicans have been saying we should do to have an economic stimulus. And that is cut taxes, especially on those categories of people that create jobs like employers and business taxes, and cut spending.

Mr. AKIN. Let me reclaim my time. What you're saying is kind of radical here. What you're saying is a bunch of socialistic Europeans are telling us that what we should be doing is providing liquidity for small business to create jobs and to pull our Nation out of recession. That's what I'm hearing you say. You're telling me that these people in Europe are telling us this?

I yield.

Mr. CARTER. Actually that's just it. I wouldn't, after having these conversations, classify them as socialist nearly as much as I might classify the administration we are dealing with today as socialist because their ideas are more that we've got to let the free market work; so we are, meaning the Europeans, cutting taxes, we are cutting spending.

Then, amazingly enough, I think this should be a surprise to everybody: The United States of America could not join the European Union if they wanted to. Why couldn't they? Because our debt ratio is too high. And it's going higher.

Mr. AKIN. Reclaiming my time, what you're saying is America could not join the European Union now because our debt is so high?

Mr. CARTER. That's right. They have no more than 3 percent of gross domestic product and we're bumping up against 6 with the Obama plan here.

Mr. AKIN. I see my friend from Georgia here wanting to get a word in.

I yield to the gentleman.

Mr. WESTMORELAND. I don't know much about the European Union, but I think that's a real wakeup call for the American people if they understand that.

But I guess the whole thing that gets me is that we heard from the Blue Dogs today that the reason this budget was okay and the reason this debt was okay and the reason this deficit spending

was okay was because it was the total picture. It was all put out there. And their complaint was in the past that with the deficit spending and the reason they criticized it so badly is because it was not an open process. It wasn't open, that this money had been some kind of sleight of hand.

Well, I would like to ask the gentleman from Missouri or my friend from Texas, are you aware that they are including in the revenue the alternative minimum tax, $50 billion of this alternative minimum tax that we have patched that we are not even going to get? So this is revenue that they are using and spending that we're not even going to get in.

Mr. AKIN. Reclaiming my time, the alternative minimum tax, usually we have rolled that back every year. Are you saying they're not going to do that this time?

Mr. WESTMORELAND. No, they are rolling it back. But they are claiming the revenue to use in the spending as if they were going to collect the tax.

Mr. AKIN. That's kind of a unique accounting principle.

If you did that in the free market, judge, and let me just yield, what would happen if a businessman were to do to that? What would you do to him if he came in your courtroom?

Mr. CARTER. When we saw voodoo accounting in the Enron case, look what it has done to accounting principles and to accounting firms. That makes no sense, but then there is a lot of this thing that doesn't make an awful lot of sense. That surprises me, but it's kind of the old shell game. Look under this shell. Now, which way is it going? Which way is it going? There it is. We gave it to you. No, wait, what is this? That's what this whole thing is about.

Mr. AKIN. Reclaiming my time, I would like to ask a question whether either of you when you were in maybe first or second grade ever saw these workbooks and they had the pictures, what is the line that doesn't fit in? And they'd have a couple of dogs and they'd have a cat in the line or something like that.

Well, let me just ask you, if you take a look at this chart to my left, can you see the thing that doesn't fit in here? These are either budget deficits or surpluses by year, all through these different Presidents here. This is when you had a Republican Congress and a Democrat President and we actually had a couple of surpluses here. This is September 11. We had the war in Iraq; so we were running some deficits. Do you see the line that doesn't quite fit in there?

I yield to my friend from Texas.

Mr. CARTER. If I may answer, of course, the stuff above the line, the surplus, is a little different. But on the below-the-line side, it's clearly the last four lines because there's this one gigantic line which looks like it's this year and then every year thereafter is bigger than the other lines all the way going back to 1990 or something. What year is that?

Mr. AKIN. This goes back to 1980.

Mr. CARTER. So basically the last four lines are bigger than anything that we've seen since 1980.

Mr. AKIN. Those are the actual economic facts of where we are.

I yield to the gentleman from Georgia.

Mr. WESTMORELAND. I would like to point out to my friend from Missouri and to, Mr. Speaker, anybody that, if we could talk to them, ask the people that might be watching to understand that that is deficit spending, and that's what I was talking about on this chart. That's the deficit spending that we are doing. We are borrowing the money. After April 26 we are going to be going into debt, and that's what that long line is.

But what we don't realize and what's not on that chart is the amount of debt that we are accumulating. Not just the deficit spending but the amount of debt. And I believe the gentleman has got a chart there that shows the amount of debt.

When I would speak to groups at home or have a townhall meeting, I used to talk about the amount of debt that our children were inheriting. I'm having to include grandchildren now and may very soon have to pick up with great grandchildren. But I think what we need to look at is what this budget does is not just look at the deficit spending but look at the amount of debt. This thing increases our debt to $14.5 trillion. And I will let the gentleman explain the chart, but as this chart points out, we are almost doubling the amount of debt that it took us 232 years to accumulate in 1 year.

Mr. AKIN. Reclaiming my time, sometimes you can talk about big numbers and when you get past a certain number of thousand dollars, it's hard for me to imagine what we are talking about. But here is a different way to look at it: You go from George to George. That's George Washington to George Bush. And you go through all of that, and they accumulated by overspending $5.8 trillion. That's a lot of money. We shouldn't have that much overspending. I know you gentlemen have voted with me against doing that kind of overspending. But that's the reality of where we are, $5.8 trillion. But now we're taking a look at this President, and just using the numbers he gave us, these are his numbers, and he has got $8.7 trillion he's going to add on top of this. So in other words, he's proposing to spend in the next 7 years $8.7 trillion, which is more than what we had from George Washington to George Bush. Now, that is some serious level of spending.

I yield to the gentleman.

Mr. WESTMORELAND. To the gentleman from Missouri, now, that is not just spending; that is accumulated debt. This is debt. This is not spending. The spending's going to be way more than that. We're doing 3.6 trillion next year. That is the amount of debt that he's adding to our national debt. And I'm not sure and I don't want to quote it, but it's a good percentage of our GDP that we are going to be in debt.

Mr. AKIN. Reclaiming my time, I appreciate the gentleman's pointing that out, and I misspoke. You're absolutely right.

Mr. CARTER. If the gentleman would yield.

Mr. AKIN. I do yield.

Mr. CARTER. It is certainly enough of a percentage of our gross domestic product that if we were a nation trying to join the European Union, we would be above their joining point.

Mr. AKIN. In fact, what you just said, I think, gentleman, was we are like twice over it.

Mr. CARTER. I was in Estonia, which is protected by NATO but wants to join the EU, and their problem is they are 1 percentage point above 3 percent of their gross domestic product. So they're cutting programs and reducing taxes because they've learned they get more revenue that way so that they can get to the point that they will be able to be admitted to the European Union. It's embarrassing that Estonia is doing better on debt than the United States of America.

Mr. AKIN. Reclaiming my time, that's not a good scenario when Estonia is better on their economics than what we are doing in this country. And I think that's what generated these TEA parties and things. I will tell you people in my district, St. Louis, they were mad. They were very upset about this.

I am delighted that we are joined here by Congressman COFFMAN from Colorado. Colorado is a good solid State, and they have elected a great Congressman here. And I look forward to your joining our discussion here tonight.

Congressman COFFMAN, I yield.

Mr. COFFMAN of Colorado. Thank you. I think that what is most alarming about the level of borrowing, as a freshman Congressman, in our orientation process, we had economists of all ideological stripes, and I think that they differed on what was stimulative spending. They maybe differed on the amount of deficit spending that might be required for the recession. But one thing that they were all in agreement with is that we had to close that deficit gap. We had to control our spending within certainly the next 2 or 3 years because if we don't, and this plan that we're talking about that you have just referenced does not in any way close that spending gap, then we are going to have government borrowing competing with private sector borrowing as we try to move out of this recession and it's going to lead to high interest rates, high inflation rates. And if you overlay these taxes that are envisioned in this budget plan, you've really got a recipe for 1979/1980: stagflation, double-digit interest rates, double-digit inflation, slow to no growth in the economy.

Only my worry is, again, unless we control spending, it's not going to be temporary as it was in 1980 and then, of course, we got the Reagan tax cuts and we moved out of it, but that we are not going to return to prosperity and we are going to have some real problems.

Mr. AKIN. Reclaiming my time, I appreciate your joining us for the discussion this evening.

Sometimes people want to claim that Republicans don't have any solutions and are just always complaining about the excessive spending or what we really should do about it. But the fact of matter is that there are proven ways of getting the economy back on track when you start into a recession. And one of the things that's absolutely critical, and it works a couple of different ways, but what it does is it increases the amount of revenue that the Federal Government takes in, and that's a way to get a budget balanced. There are two ways to do it: cut spending or take in more revenue. The only trouble is if you tax too much, you kill the economy and you take in less revenue and you create something that's even worse than what you had before.

Now, the way to do it is you want liquidity available for the free markets. You want the people who are the investors and the inventors, the small business people, you want those people to have the liquidity so they can run and manage their businesses. A lot of people don't realize that if you take a business that's got 500 employees down, and that's what we call a small business, they employ half of the people in our country but create almost 80 percent of the new jobs. So you want to make sure those guys have got the liquidity that they need, and that's what the Republicans understand.

□ 1830

That is why we are completely opposed to a whole series of things that the Democrats are doing which are going to make it hard for small businesses. It is exactly what you are saying. You have to get off of this spending, and it seems like our administration just does not understand that and we are going to take a recession and turn it into the Great Depression.

I don't mean to cut in on you, but what you are talking about is the livelihood, the potential jobs that people in America wouldn't have access to because they were never created, because we have just vacuumed the liquidity out of the private sector.

I want to yield to my friend from Texas, Judge Carter, for just a minute.

Mr. CARTER. This spending and this debt record, I am sitting here thinking and contemplating while you all were talking, my children haven't rewarded me with any grandchildren yet, but they will. They don't even come close to taking care of this while my grandchildren are alive. We are talking about my great-grandchildren. In fact, there are people that estimate with the amount of interest that we will have to bear on this debt, that this goes on for generations not even conceived of today. It could be generation after generation after generation.

When you take what we already considered a troublesome debt of $5.8 trillion, there was an amazing amount of criticism of the Republican administration under George Bush when that number popped up. Of course, they blamed it all on George Bush. He did certainly increase it, but I am not here to go into that. But that number seemed to concern the Democratic now-majority quite a bit when they were in the minority.

But their President, the new President, Barack Obama, our new President, $8.7 trillion on top of $5.8 trillion, and this means that that number that we were talking about could be the downfall of humanity is now almost tripled. People have to just realize what is happening.

Mr. AKIN. Reclaiming my time a little bit, first of all, who was it that supported this $410 billion for the omnibus? Was that the Democrat party? Yes. And then this bill here, this stimulus or ''porkulus'' bill for $787 billion, do you recall here in the House Chamber when we voted on this bill, do you recall how many Republicans supported that number?

Mr. CARTER. None.

Mr. AKIN. Not one.

Mr. CARTER. By the way, I didn't support that first one either, or the one before that.

Mr. AKIN. Neither did I, gentleman, and that is why we are here, I believe. So people want to say, well, you know the Republicans, we got a few liberal Members and all that kind of stuff and they want to beat us up for two or three Republicans that might vote for something like this. But there wasn't one Republican that supported that number, is there?

Mr. CARTER. Not one.

Mr. AKIN. All these people have been talking about the cost of the war in Iraq. They didn't seem to worry about spending more than that in the first 5 weeks we were here. I don't understand exactly how that works.

Congressman COFFMAN from Colorado.

Mr. COFFMAN of Colorado. Congressman AKIN, you know, I think that it is best categorized as generational theft. I had a high school senior when I was back home over this Easter recess and met with a high school, with a government class, and she said something very interesting. She said, I don't think this is fair to me, what the Congress is doing.

I tried to describe it to the class as saying it is like if your parents with their credit cards were given no limit on their credit cards and signed you up as the guarantor for that debt. So in trying to put it in something they can relate to, it is very hard to relate to this extraordinary amount of debt that I think the majority in the Congress is thinking about today, and not thinking about tomorrow. To use the financial crisis as an excuse for their going into debt in the third year and the fourth year and the fifth year and the sixth year absolutely doesn't make sense.

Mr. AKIN. If I could reclaim my time, piggy-backing on what you said, we should take a look at what you said. You said using the financial crisis as an excuse. Of course, that is what we have been doing here. We said, oh, look, there is this mortgage crisis that was created where all of these Freddie and Fannie mortgages were made to people who couldn't afford to pay and the Wall Street community played some funny games with the securities business and we end up in this big mess that was really started by this mortgage crisis. So now we have got the recession started.

So there are really two schools of thought as to what you do when you got a recession going. One of the schools of thought is, and it goes back to FDR and Little Lord Keynes, he was a little weird, he had this idea if you spent enough money you could ''stimulate demand'' and everything would be fine. It was a little bit like reaching down, grabbing your bootstraps and lifting yourself up and flying around the room.

So they tried this theory about the Federal Government spending tons of money. It was called Keynesian economics. And at the end of 8 years of this experiment of the Federal Government spending tons of money, this guy, the fellow who was FDR's Secretary of Treasury, comes before the Congress, the Ways and Means Committee, and he made this statement. This is exactly his words, Henry Morgenthau. He says, ''We have tried spending money. We are spending more than we have ever spent before and it doesn't work.'' It also shows that we don't learn much from history. ''I say after 8 years of the administration, we have just as much unemployment as when we started, and an enormous debt to boot.''

Now, this theory is what we are doing, the idea we can fix a recession with excessive Federal spending. If that were such a good idea, with the amount of debt we just saw at $5 trillion, we should be doing great anyway, if lots and lots of debt is what makes things better. Yet, here we have Henry Morgenthau speaking to us from 1939 like he is out of the grave saying, hey guys, this doesn't work.

The other solution, of course, is that you could do what we said, which is get the liquidity into the hands of the business people. Let's talk just for a minute about small business. One of the worst things you can do for small business, let's sort of tick the things off.

The thing you want to do is you want to tax them so much they can't run their business, right? So where would you start if you were trying to harm small business?

I yield to my friend from Colorado.

Mr. COFFMAN of Colorado. Well, thank you Congressman AKIN. I think

if you wanted to hurt small business, unfortunately, where you would start is certainly by increasing their tax burden.

Mr. AKIN. First off, you are going to increase their taxes. So what is the first thing that the President said he is going to do? Anybody making over $250,000 a year, he is going to increase their taxes. I don't know if he realizes that more than half of the small business owners make over $250,000 a year. So if he increases their taxes, then what are they going to have to spend money to help build up their small business? So, right off the bat, he is doing one of the first things to hurt a small business person.

There are other taxes he is proposing. Do you recall some of the others? What else would you do?

I yield.

Mr. COFFMAN of Colorado. Well, Congressman AKIN, I think one of the issues we are going to be debating very soon in the Congress that is in the budget plan is certainly cap-and-trade, that tax on carbon, putting a burden across America from the standpoint of consumers as well as businesses in terms of a carbon tax. I think that is going to lead to the greatest export of America will continue to be jobs overseas. It is an economic development tool for India and China.

Mr. AKIN. Reclaiming my time, what you are saying is absolutely fundamental for us to understand. What we are talking about is that the President has said that he is going to increase the cost of energy.

He also said he wouldn't tax anybody making less than $250,000. He said that. But then he turned around and said, oh, no, but we are going to tax energy. How much are we going to tax energy? They call it cap-and-trade. It is really cap-and-tax.

So he is going to tax energy. So who is that going to affect? Well, the MIT people took a look at the proposal and said we are talking $3,100 for the average household in America. The average household doesn't make any $250,000. So he is going to run the tax of energy up. And what else is that going to be? Of course, as you are absolutely right, the astute gentleman from Colorado points out that small business, if it costs more money for energy, it makes it harder to do the business. So we are going to do that.

First of all, we are going to tax them if they are making over $250,000. Then we are going to tax their energy. Any truck driver or anybody that has to bring supplies to their business is going to pay more money for it, because that is going to be taxed.

So have we let off there or not? No, in fact they thought of some other innovative things.

Mr. CARTER. If the gentleman will yield, let's not forget all the taxes you just rattled off, who is really going to pay those taxes? They are going to be put in the price of goods and services that are provided, and then those goods and services are going to go to the American people. So they are going to wake up in the morning and they are going to get delivered to their house this month's electricity bill, and, holy cow, where did all this come from? Everybody in America. It is not going to discriminate on whose bill is going to go if you are making $250,000 a year. No. It is going to every American that is burning electricity, every American that is consuming gas, if they have natural gas in their home.

The American public is going to pay the price. And this cost that we have added to the manufacturers or to the retailers, these small business owners, they are going to put that on the price of their goods and services, and guess who is going to pay that? The people that need and purchase the goods and services. So the price of shirts and suits and shoes and T-shirts and baseball gloves and all of the things we want for our family are going up by the cost of that carbon tax, which that means who is paying the tax? The American people. All of the American people.

Mr. AKIN. Reclaiming my time, there are kind of two scenarios, aren't there? Let's say you have a small business that is making a product in this country. They are paying an increased cost of electricity, so they have to raise the price of their product. One of two things happens: Either the American consumer buys the higher cost product or they buy a foreign competitor's product that the foreign competitor didn't have to pay that tax on, so they can sell it cheaper. So then what happens is a foreign job replaces an American job and the jobs disappear in this country. Either scenario is not good policy for our country.

I yield to the gentleman from Colorado.

Mr. COFFMAN of Colorado. Well, thank you Congressman AKIN. We are truly in a challenging time, and the American people have to hope that this budget is not fully implemented, that we in the Congress wake up and stop this madness of spending and taxing. I think it has been certainly said before that this budget spends too much, taxes too much and borrows too much. Again, it is a generational theft.

Mr. AKIN. It is a generational theft. It is a budget that taxes too much, spends too much and borrows too much.

The other thing that is kind of interesting to me was, reclaiming my time, if you take a look at this map of the country, these are manufacturing jobs. These are those businesses that are going to be hurt by this cap-and-tax. If you take a look, the ones that are the most orange are the ones that are hurt the most by this.

You notice that our friends in New England and out on the West Coast don't seem to be affected by this tax very much. But somehow, the Midwestern States are going to get clobbered by this tax. And the tax is justified on the worry about global warming. But it is not popular to say ''global warming'' anymore because the world isn't really warming, so we call it climate change.

So the problem is they are claiming we are making too much CO_2. So we are going to then tax nuclear reactors for the CO_2 they generate. That doesn't make a whole lot of sense, does it, because they don't generate any CO_2. Yet we are going to tax them anyway.

So a lot of these manufacturing States where there are a lot of jobs tied to energy, they are going to get hammered with this proposal. So not only is the budget out of control, but now we are trying to raise money with this hair-brained scheme of taxing energy, which is just going to really hurt our productivity, and that is the thing that either chases jobs overseas or it prevents jobs from being created in the first place.

I yield to my good friend from Texas.

Mr. CARTER. And they are taxing energy. If you look at that map, you see that the energy-producing States, right now I am from Texas, my neighbors Oklahoma, Louisiana and New Mexico are all energy-producing States, as is Mississippi to some extent, until you get over to the blackout area around Florida on the coastal offshore productions.

□ 1845

And so we're looking at those States that everybody's been calling, you know, the evil monsters of the oil and gas industry, that that's who we're going to get even with. The tax burden on those States is going to be less than the tax burden on our Midwestern States and some of our Southern States. This has been conceived with a program of attacking people that you can—it's easy, they think it's easy to get mad at. And the reality is this is going to hurt the very people that they're calling upon to get mad. It's going to hurt the Midwest and the Southern States. It's embarrassing how much the public is being fooled by this particular tax. This is just the beginning. We're talking about carbon, not necessarily energy. There will come a time when we figure out other carbon producers that we will tax.

Mr. AKIN. Reclaiming my time, I'd just like to try and tick off—I should have a list of them here tonight. Let's tick off what we're doing for our small business people.

First of all, if you're making $250,000 a year or more we're going to increase your taxes. That's more than half the small businesses. So first we're going to increase the taxes of the people that own the small businesses.

The next thing we're going to do is we're going to tax heavily energy, not only the energy they use to run their own homes, but the energy used to run their business and to buy supplies and things for their business.

Next thing we're going to do is we're going to let the death tax come back.

So now we have the death tax so that the guy that creates a business can't pass it on to his kids, and so he's going to have to sell his business in order to pay taxes when he dies. So some guy dies. The business needs a certain amount of capital goods and equipment to work. You've got to sell the business in order to pay the tax. Now the business isn't viable and the business goes away. Oh, that's wonderful for business, for small business.

And then we're going to do—what else are we going to do with the thing? Well, the other thing we're going to do is dividends and capital gains. Now we reduced dividends and capital gains tax to put liquidity into the small businesses at the beginning, in 2003. And the whole recession turned around to a very strong economy for a number of years, greatly helped by the dividend and capital gains money being plowed back in to investors and inventors and small business people. Now, that tax it is going to go away.

So we're hammering them on the $250,000. We're hammering them on the energy; we're hammering them on the death tax; we're going to get them on dividends and capital gains. I mean, how can a small business survive?

And then people are going to wonder, gosh, gee, I wonder where all the jobs went?

We're doing the wrong things, and yet we don't have to. We can learn from history.

I yield to the gentleman from Colorado.

Mr. COFFMAN of Colorado. Congressman AKIN, I think what the budget fails to realize is how much the American people are suffering, that the level of stress on small business and the level of stress on the average American family, that it is Congress' first responsibility to stabilize this economy, to end this steep descent into a recession. And then afterwards, we ought to have a debate on energy policy. We ought to have a debate on health care. We ought to have a debate on global warming. We ought to have a debate on all these other things. But our first and foremost responsibility is to stabilize this economy.

And I think that the President's Chief of Staff said it well; that a crisis is a terrible thing to waste, and words to the effect that we need to use it as an opportunity to do other agenda-driven items. And in doing so, I think they compromise the value of the stimulus and stabilizing this economy.

Mr. AKIN. Well, I appreciate your thoughts on that. And again, where we're coming from in this deal is this faulty idea that somehow we could fix the economy by excessive spending. And Henry Morgenthau really shot that thing full of holes. But if he didn't, certainly the Japanese in the 1990s did the exact same thing and it just didn't work. It's really crazy.

And you know, you talk about people suffering. You know, sometimes you think the upside down world in Washington, D.C. just doesn't seem to get it.

Here's a letter I got from one of my constituents, and it just kind of reflects a little bit of the tone. This is Shannon from Baldwin, which is part of St. Louis County. ''You asked how I would be affected by the Obama budget. I'm self-employed with my own small business, professional organizer, personal assistant. I do not earn a large amount of money, but it's been enough to live a simple but comfortable life. I do not have credit card debt, and I have always made it a point to live within my means. Yes, my business has been affected by the economic downturn of the last year. Many of my clients have cut back on their spending, which means less work for me. So whether it be increased taxes, spending that affects me directly, or increased taxing of my wealthier clients, it reduces my overall income. But more than anything else, I think the most negative effect of all the spending, bailouts, irresponsibility, etc cetera, has had on me is that I no longer have any faith in my own government to do what is fiscally right for the country.''

We are destroying the faith of our constituents that this government is in any kind of control whatsoever fiscally. That's what she's saying.

''The government produces nothing. It has no money to spend except for what it takes from taxpayers. I am disgusted with the enormous spending and bailing out of irresponsible or downright negligent behavior. It seems that while I have worked hard to be responsible and follow the rules, I'm now being punished by being forced to clean up the mess of those who choose not to with my tax dollars.''

There's a sense of anger. There's a sense of resentment out there. I think you're absolutely right. And it's interesting that you're sensing that in Colorado.

We also have our very distinguished Congresswoman FOXX from North Carolina. She's maybe not huge, but powerful things come in small packages like atoms, and I would like to yield some time to my good friend, Congresswoman FOXX.

Ms. FOXX. Well, I want to congratulate my colleague from Missouri and my colleagues from Texas and Colorado for spending the time that they have on this special order tonight. And I said I would come over and help a little bit, but you guys have been doing such a wonderful job, you don't need a lot of help.

But I have been interested in talking about what our colleagues in the House said in the past about deficit financing and deficit spending. And I'm wondering, at times, whether they've been on the road to Damascus in terms of the revelations that they've had and the changes that they've made.

I have a quote here from the chairman of the budget committee that I think we ought to talk about. He has talked about betting the budget on a blue sky forecast, and saying that he was concerned about these minor deficits under the Bush administration, a record deficit of $413 billion. And now they're talking about deficits of trillions and trillions of dollars, and that seems not to bother them in the very least. And I think that the chart that you have, the bar graph there shows the problems that we're facing in this country.

And I've said once before, I went home after we voted for the bailout, and said to my grandchildren when they asked me what were we doing in Washington. And I said, well, we're putting you and your children and your grandchildren in debt. And my granddaughter said to me with the wisdom of a child, Grandma, why do you want to put little children into debt? And I said, you know, I don't want to put little children into debt. But we know now that we have Debt Day the earliest that it's ever been in the history of this country. This coming Sunday is going to be Debt Day. It shows the size of government spending relative to our revenue. Never before has Debt Day come in April. It's coming up several months from when it used to come up. I mean, the earliest that it's ever come up before was in July 2004.

And I think what we also have to remind the American people is that up until the year 2007, there was a Republican Congress and a Republican President. They blame all that's happened in the last 2 years on President Bush. And I find that very intriguing. But when you ask——

Mr. AKIN. Reclaiming my time, I think he's the one that created that hurricane, isn't he?

Ms. FOXX. I think he created the hurricane too. He gets blamed for everything.

But when you point out to them that they were in charge in 2007, 2008 and now they're in charge in 2009 they just don't like to talk about that.

And they want to give President Clinton all the accolades for the budget that he had. But let's point out again, it was a Republican Congress that reined in spending under President Clinton.

So as I pointed out in the Rules Committee one day to the chairman of the Budget Committee, it's so convenient for them to give all the credit to a Democratic President with a Republican-controlled Congress, and all the blame to a Republican President with a Democratically-controlled Congress.

Mr. AKIN. Well, reclaiming my time, what we've got now very clearly is a huge majority of Democrats running the House; they're running the Senate, and they control the administration. So they have everything.

And now what you are saying is, this is the equivalent, I mean, this is really hair-raising what you're saying, the gentlelady from North Carolina. What you're suggesting is that essentially we're like a family and we've been given some money to spend for a year. And we've only gotten to April, April

28th. That's just a little after the deadline that taxes are due, and we've already spent it all. In other words, by April 28, that's next week, we're going to have spent all the money that comes in in taxes in the year 2009. And that's what these different charts are showing in very different ways.

But, you know, you've got the tax day, when you have to have your income taxes in, April 15. And now we've got Debt Day, which is April 28. My goodness.

Ms. FOXX. It's April 26.

Mr. AKIN. 26 is it? Yeah.

Yielding to the gentleman from Texas.

Mr. CARTER. Well, I'm very sad to say that, to learn that Debt Day, the day we don't have any money that we raise from taxes, is my daughter's birthday. I wish her a happy birthday. But, quite frankly it's coming up this weekend. And you know, it's mind boggling that taxes are paid on the 15th, and basically we'll have spent all the money that we've gotten from tax revenues by the 26th. That's spending some money, folks. That's doing it better than anybody's ever done it.

Mr. AKIN. Reclaiming my time, and I note that you are not so different in age than I am, and I'm just asking the same question I asked earlier this evening about our parents' generation. They've been called by some people the greatest generation. And they were called the greatest generation, because, among other things they had this intrinsic compass that said, we're going to leave our Nation better than it was when we were here. And they went to Europe, and they went to the China Seas and they did their bit and they left us a freer country. And they may not have gone through college themselves, but they saved their money so we could go through college, so that we could have a little bit better lifestyle.

Some of those people now are like my own parents. They're just still alive, but they still have that attitude of making this a better country.

And it breaks my heart to say, when I take a look at these numbers, that instead of leaving it a better country, we're leaving debt as an inheritance for our children. And that's tragic.

I thank everyone for joining us this evening; look forward to next Wednesday night.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1145, NATIONAL WATER RESEARCH AND DEVELOPMENT INITIATIVE ACT OF 2009

Mr. ARCURI (during the Special Order of Mr. AKIN), from the Committee on Rules, submitted a privileged report (Rept. No. 111–82) on the resolution (H. Res. 352) providing for consideration of the bill (H.R. 1145) to implement a National Water Research and Development Initiative, and for other purposes, which was referred to the House Calendar and ordered to be printed.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the 5-minute special order of the gentleman from Texas (Mr. CARTER) is vacated.

There was no objection.

□ 1900

RIGHT-WING EXTREMISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes.

Mr. CARTER. Thank you, Mr. Speaker, and thank you for recognizing me for this hour. I'm very pleased to be here.

I'm here to talk about a subject that, I think, is very interesting, and I don't think the American people have really gotten their hands on this subject yet, but it's also extremely concerning. It really concerns me a great deal.

I happen to serve on the Subcommittee on Appropriations for the Department of Homeland Security. We have spent an awful lot of time and an awful lot of effort trying to make sure that we keep our country safe from clearly identified terrorists who, if you have any question of do they mean us harm, then just look back at the Pentagon and the World Trade Center, and then ask yourself: Do they mean us harm?

We have been diligently trying to defend our borders, diligently trying to stop terrorism and trying to catch it before it gets here and trying to deal with these people who have identified themselves and who have told everyone publicly they're here to hurt us. Now we have a new administration, and we have a new memo that has come out from Ms. Napolitano over at the Department of Homeland Security. It would just shock you to know that she is warning not of al Qaeda, not of the Taliban, not of Osama bin Laden. She is warning people about right-wing radical domestic terrorism.

Now, this would be almost humorous, but those of us who have a little age on us, like I do, can think back to the Clinton administration and can remember how many times when anybody ever criticized the Clinton administration you would hear the First Lady then and now Secretary of State say, ''Well, it's all a plot by those right-wing extremists, those right-wing extremist organizations.'' President Bill Clinton would say, ''Well, they don't agree with my party and with what we're saying here, but it's really the people you're hearing from who are right-wing extremists.'' They label talk show hosts as right-wing extremists. All this fear was generated about right-wing extremists. Now we're not even 6 months into the Obama administration, and the people who are supposed to be protecting our homeland are warning us against right-wing extremists.

This is the intelligence briefing right here. Now, I'm not trying to be mean about all of this. I'm just trying to tell you what they tell me is a right-wing extremist. I just took the things that they tell people who fall into that category, and then I put those classifications in with a poll that we did to identify the nature of my congressional district. Believe it or not, based upon accurate polling data that has been done in my district, 81 percent of the registered voters in my congressional district would qualify as right-wing extremists under Ms. Napolitano's memo—81 percent. They're probably going to come up with a category to cover the other 19 percent. I'm not being facetious about this. I happen to have Fort Hood, Texas in my district. Fort Hood, Texas is the largest military base on the face of the Earth. It has two field divisions of the corps headquarters.

One of the things they tell us in this report is very sad in light of what our Army has been going through, which is to watch out for returning, disgruntled military veterans coming back from Iraq and Afghanistan in that they have the potential to be right-wing terrorists. These young men and women, some of whom have done four and five deployments overseas, some of those deployments for as much as 15 months, have served our Nation as heroes, as the next great generation, and our government is labeling them: At the time they finish their service, we should consider them potential right-wing extremists and terrorists. They are defining them as people the government had better keep an eye on. Veterans who have served in other wars are in here. They classify them as right-wing extremists.

Are you opposed to abortion? It says right here at the bottom of this page: ''It may include groups and individuals that are dedicated to a single issue, such as opposition to abortion or immigration.''

It's just shocking. It basically says, if you disagree with the Obama administration, you could be a right-wing terrorist. Now, I hate to say that. It talks about people who believe in the right to keep and bear arms: right-wing terrorists. It talks about people who disagree with the stimulus package: right-wing terrorists. It talks about people who disagree with the economic path of recovery that this Nation is taking: potential right-wing terrorists. This is what this report says. I'm sure it's available. It's unclassified. It's for official use. We got it off the Internet. There's more, a lot more.

I have friends here who have joined me on this shocking thing that's going on in this country. I'm going to start with my good friend, VIRGINIA FOXX, who was with us here in the last hour, and I'm very pleased to have her again.

I'll yield to her what time she may need to consume.

Ms. FOXX. Well, I want to thank the gentleman from Texas for his willingness to take this hour and to bring attention to this report.

I had a chance to skim over this report today for the first time. I, frankly, was appalled when I read it. I didn't think I would live to see the time when Representatives of this government would be characterizing the good people of this country, who love this country and who have served this country so well, as extremists and terrorists. We can't even get the Secretary of the Department of Homeland Security to use the word ''terrorism'' anymore for real terrorists. What she wants to do, though, is to characterize very, very patriotic Americans as terrorists, and I am simply appalled by it.

As somebody pointed out today to me, when the President was campaigning, he promised to transform this country, but you know, I don't think people really understood what that meant. He never said he was going to improve the country. He said he was going to transform it. I think that these folks are on their way to doing that, and I don't think people are going to like, primarily, the way they transform it.

You've done a great job, Congressman CARTER, of highlighting this really, really scary definition of ''right-wing extremism.'' I want to highlight a couple of parts of that definition. I want to talk about rejecting Federal authority in favor of State or local authority or rejecting government authority entirely.

I guess that what these people in the Department of Homeland Security mean is that the 10th amendment of the Constitution, which I consider an integral part of our system of federalism, is part of the danger that they see in this country, and I'm going to read the 10th amendment just so we're all clear on it.

''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

I tell people when I speak to them, particularly to school groups, that the three most important words outside the Bible, in my opinion, are the words ''we the people.'' That begins the preamble to the Constitution.

These folks see the American people as right-wing extremists in their concern for terrorists. So, as for those of us who are members of the Constitution Caucus, who for the last 4 years have come here on a fairly regular basis and who have talked about the 10th amendment in order to bring attention to the overreaching of the Federal Government, we're those right-wing extremists. So many patriots who have served in this House and in the Senate before us who felt very strongly about the 10th amendment and who did everything that they could to hold down the reach of the Federal Government are considered right-wing extremists.

I just cannot understand how we have put in power in this country the kind of people who have so little regard for our Constitution.

You and I and all of us in this body, who come here every day to vote, are sworn to uphold the Constitution. Many of my ''no'' votes are based on the 10th amendment, rejecting Federal authority in favor of State or local authority. When I say that on this floor, then these people consider me a right-wing extremist. I don't consider myself a right-wing extremist. I consider myself a person who believes in this 10th amendment, which, by the way, we understand from history that the Constitution probably could not have been ratified had that amendment not been in this because the Founders understood so well what a dangerous country this would become if we gave too much power to the Federal Government.

I also fail to see how someone who holds fast to the Constitution and to the Bill of Rights should be lumped into a category with homegrown terrorists and violent racist groups. This is an affront and an insult to the millions of law-abiding and taxpaying citizens who long for a return to limited Federal Government and to a restoration of limited Federal power.

The question that must be answered in light of this document is: Since when does being a small government conservative make one a right-wing extremist?

The claims in this report that limited government activists pose a threat are completely unsubstantiated and paint law-abiding citizens with the broad brushstrokes of extremism.

I have to say that, I think, most of us who consider ourselves conservatives see this as a real slap in the face because we consider ourselves patriots for this country. I think also offensive—and I want to highlight another part of the definition of ''right-wing extremists''—are those groups and individuals who are dedicated to a single issue, such as opposition to abortion or immigration.

You know, I'm not opposed to immigration. All of us come from people who immigrated to this country, but I am very much opposed to abortion, and that does not make me a right-wing extremist. That makes me, I believe, a person who celebrates life, and I believe that it is completely wrong to say that those of us who cherish life and who oppose abortion on demand pose a security risk to the United States. Such an assertion not only insults the moral beliefs of countless Americans but threatens their very right to freedom of expression. I've been on this floor many times in the past few months saying that I believe we're going down a slippery slope in this country in terms of how our right to freedom of expression may be impinged upon.

I think, again, this report—which, by the way, I'm going to post a link to it on my Web site because I want every American to have the right to read this and to make some judgment for themselves.

Opposition to abortion is a profoundly moral issue to those of us who oppose abortion. The willful taking of innocent human life is not a matter of right-wing extremism. It's a matter of conscience and of deep personal conviction. When we belittle our conscience and our deep personal convictions, we've come to, I think, a very, very bad place in our country. There is also not a shred of evidence anywhere to back up the claim made here that pro-life Americans who hold deeply rooted beliefs in the immorality of abortion are a threat to our Homeland Security. There is not a shred of evidence.

When people read this, they're going to see all kinds of assertions made in here that I do not believe they can back up. I think that, again, those assertions undermine our ability to have freedom of speech and are a real threat in the opposite way to our country.

Again, I want to commend the gentleman from Texas for taking on this Special Order tonight and for highlighting this report. I do hope that millions and millions of Americans are going to read this report. I believe they will judge for themselves that this is a bad definition for ''right-wing extremism.''

I yield back to the gentleman from Texas.

□ 1915

Mr. CARTER. I thank the gentlelady for her excellent comments on what we're dealing with here.

You know, I think these—every kid that ever graduated from high school and took, whether they call it civics now or whether they call it government, and just had a brief study of the Constitution, knows that every single provision of the United States Constitution is equal and that these amendments have a purpose. They define what is our governing body. Remember, every person elected in this Congress and every person who serves in the Federal Government and every person who serves in the State government takes an oath to preserve, protect and defend the Constitution, all parts of the Constitution.

The 10th amendment, the part that says all those things that are not specifically given to the Federal Government or aren't specifically excluded from the State government, those powers belong to the States.

Now, to say that because a person believes that they ought to support what is written in the Constitution in the 10th amendment, that makes them a right-wing radical, then does somebody who thinks they ought to be able to—that we should support the right of free speech in the First Amendment, does that make you a right-wing radical? Does supporting any amendment or

any provision of the Constitution make you a right-wing radical?

I had one of my friends today say to me, They are radicalizing the war. If you are a right-wing radical because you're opposed to abortion and you're passionate on that issue, then does that make you a left-wing radical if you favor abortion and are passionate on that issue? If you are a right-wing radical if you believe that our Constitution clearly says that our citizenry has the right to keep and bear arms, do you become a left-wing radical when you believe that the government should regulate and take away the right to keep and bear arms?

I mean, at what point does disagreement on issues make you a radical?

I see the gentlelady from Minnesota, Mrs. BACHMANN, has risen to speak on this issue, and I will yield her such time as she may wish to consume.

Mrs. BACHMANN. I thank you, Judge CARTER, for holding this important forum this evening.

I think, just as Mrs. FOXX said of North Carolina, we absolutely can hardly believe that we're in this day and time when our own United States Government and our own Secretary of Homeland Security is illustrating a very different definition of words.

I think a lot of us were shocked when about a month ago the Secretary of Homeland Security, Janet Napolitano, came out and said that she would no longer call terrorists, what we know as terrorists, what the average American knows as terrorists—Osama bin Laden, people who actually committed and planned terrorist attacks on American soil and have, in fact, committed those attacks on American soil—she said for purposes, and I quote—she was in an interview with a German paper, and she was asked about the word ''terrorism'' and she said that she never—the questioner said, ''You never mentioned the word 'terrorism.' Does Islamic terrorism suddenly no longer pose a threat to your country?'' And the Secretary said, ''Of course it does. I presume there is always a threat from terrorism. In my speech although, I did not use the word 'terrorism.' I referred to man-caused disasters.'' And I think it's important for the record to note she said that with a straight face. She decided not to use the word ''terrorism'' but ''man-caused disaster.'' ''That is, perhaps,'' the Secretary said, ''only a nuance, but it demonstrates that we want to move away from the politics of fear toward a policy of being prepared for all risks that can occur.''

Now, that's pretty interesting because the Secretary of Homeland Security was very careful to nuance her words. She didn't want to upset other countries, she didn't want to upset the terrorists by calling them ''terrorists.'' So our Secretary of Homeland Security was very, very careful that she would no longer use the word ''terrorism'' and that she would very carefully nuance her words.

Well, while she was making that statement, we could only presume a report was being issued, and the report that was being issued by Secretary Janet Napolitano's Department and it's called—we have it here. It's available to Americans now, and we will all be linking to it on our Web sites, I am sure—Right-Wing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment.

Now, this is interesting. Here we have the specter of our own Homeland Security Secretary who is very reluctant to call actual terrorists ''terrorists,'' so we're all told now we have to wipe that dictionary definition clean. We have to call them manmade disasters, and we have to call acts of war ''overseas contingencies.'' So we're now being told to alter and change our definition of words. While on the same hand she, under her authority, is issuing a right-wing extremism guide. This is an assessment. This was just released. I was really curious about this. It was released the day before all of the TEA parties occurred here in the United States talking about right-wing extremism.

What is very interesting is there was no reluctance to have any nuancing of any words in this report. I didn't see any, and I am sure that the judge from Texas, Judge CARTER, I don't see you saw any extremist, any willingness to have nuance of these words. As a matter of fact, as I was going through this document—and I invite every American to please go through this document—I am reading the words, ''domestic right-wing terrorists.'' She is presuming that those who are on the right wing who hold conservative views apparently are not only terrorists, they are domestic terrorists here in this country.

And she goes on in item after item in this document, right-wing extremists, right-wing extremists, domestic terrorists, right-wing extremists. This sounds pretty serious. It must be that Osama bin Laden's guys got through the border. They are here. That must be the domestic terrorists she is talking about. Or maybe she is talking about those violent Mexican gangs. Maybe they got over the border. Maybe those are the domestic right-wing terrorists. Or perhaps the Secretary of Homeland Security is talking about those detainees down in Gitmo that are going to be released from Gitmo and put here on American soil. Maybe that's who the Secretary of Homeland Security is talking about.

But I don't think so. And the reason I think Mrs. FOXX doesn't think so and why Mr. CARTER doesn't think so, why Mr. BRADY doesn't think so, why Mr. BURGESS doesn't think so is because of the words that the Homeland Security Secretary states in this article.

Now, it's unclassified, but it is for official use only. I don't think the Department of Homeland Security had any idea that the American people were going to have access to this document because it says quite simply this, that who they are concerned about are returning military veterans.

Now can you believe this? Every one of us, I think, are horrified when we hear this. Probably some of the most patriotic people that we know of are returning military veterans. They laid their lives down for you and for me and for this great country. No one has more love for this country than a returning military veteran. And here we have our own Department of Homeland Security calling these people potential domestic extremists, terrorists? This is unbelievable. I don't think any of us can believe it.

And I think we're at the point now where we need to have a hearing, we need to have our Director of Homeland Security in front of the Members of Congress, call her to account, ask her why on multiple occasions in this document she calls people who believe in the sanctity of life, who believe in owning firearms, who believe in serving their country in the military and coming back who are very concerned about the policies that this Nation is embarking on, spending too much money, taxing too much, it's all listed right here. These are the domestic right-wing extremists. That is so frightening that we need to have the Secretary of Homeland Security before the Members of Congress and ask her, does she really believe this? Is this really her opinion?

But if it is, I think it would be imperative and incumbent upon us to ask for her resignation. It is not too soon to do that. Because to consider whole blocks of the American electorate somehow a threat to American security—because I didn't notice any nuance in this document. There was no being careful. There was no saying, you know, we need to recognize and understand that there might be a difference of opinion, that there might be diversity of public opinion on these issues. There is no nuancing about that in this document. It is like a hammer coming down on interest group after interest group that apparently the Obama administration perceives as a threat.

Mr. CARTER. If I could reclaim my time to point out to the gentlelady what we've got in this definition that I have got on this board right here. And it says, ''right-wing extremism,'' I like this right here where it says ''those that are mainly anti-government, rejecting Federal authority in favor of State and local authority.

Then, if I understood what the TEA parties were all about, the TEA parties were all about all of these millions of people that came out to express their right to free speech and to demonstrate and to step up and petition their government and say, ''You know what? We don't like what the Federal Government is doing. We don't like the way you're taxing. We don't like the way you're spending.'' Guess what? The Obama administration just classified them as right-wing extremists, terrorists.

Now, if the gentlelady needs to conclude her remarks and then—or maybe

I will let Mr. BRADY take over and then we will come back to you.

KEVIN BRADY, my good friend from Texas. I will yield you as much time as you need.

Mr. BRADY of Texas. Congressman CARTER, thank you for your leadership on this issue.

Look at the board that you're standing next to. They are basically saying—our government is saying that right-wing extremists in the United States fall into two groups: those who hate others, hate-oriented groups, and those who are anti-government. So those who hate people and those who just don't think we ought to have a big government—according to our Department of Homeland Security—there is no difference. None. What kind of country are we becoming?

I, like you, was in front and participated in two of our TEA parties in Montgomery County. Hundreds of people attended downtown Conroe, thousands in the Woodlands at Creekside Park waiting hours to get to the park. Average people. Americans. The type that built this country.

I took a good look at this crowd and didn't see an extremist in the bunch. And don't you know I was looking for it after reading all about Secretary Napolitano's memo who paints them as the new national security threat in our country.

But let me tell you what I did see. I saw Americans who are fed up with the government spending their money hand-over-fist, Americans who live within their means and pay taxes to a government that, starting this Saturday, will run out of money for the entire year. We just paid our taxes on the 15th. The government is already out of money, living on a credit card. They are asking why. What is extremist about that?

I saw Americans who want secure borders, Americans who welcome immigrants who are seeking a better life. They are just asking that they come in through the front door of legal immigration rather than the back door of illegal immigration, just like generations of Americans before them.

I saw veterans, veterans from World War II, Korea, Vietnam, veterans home from Iraq and Afghanistan. They didn't look extreme or maladjusted or dangerous. They looked concerned for a country they put their lives on the line for. As Mrs. BACHMANN said, they put their lives on the line. And now this country is at a crossroads, and these veterans who are willing to fight for it overseas, they are also willing to fight for their country here at home by speaking out. And my brother, who I am so proud of, a master sergeant in the Army, served in Iraq, has been deployed overseas as well, he's not extremist. He's my hero.

□ 1930

And I would say that goes for every family that has someone who served in our wars; they are not the threat to America, man, they are the solution for America.

I think Americans are waking up all across this country—we saw this this past week—they want to know if Congress, they want to know if Washington hears them. And it seems to me that not only do they not believe they are extreme, they believe the Constitution gives them the right to disagree, respectfully and forcefully, with their government, that the Constitution actually allows them to question these decisions, to question reports like you, Congressman CARTER, have brought to light, rightfully so. They want and are speaking out for lower taxes. They are speaking out for families. They are speaking out for the unborn. They want all the rights afforded them in the Constitution under the Bill of Rights, including the right to keep and bear arms, and they simply ask that it be protected.

In case anyone hasn't noticed, there are a lot of people in America who think that solutions to our country come from individuals, families, neighborhoods, local communities, even States. And they don't get anointed from Washington and then passed on to—Washington doesn't know best. And just because people believe in those rights, they shouldn't be labeled as extremists.

The Secretary's comments were offensive. She apologized to veterans, sort of.

Mr. CARTER. Not really.

Mr. BRADY of Texas. Not much, not much at all. And she absolutely ignored everyone else. And it seems to me that she should recant this report forcibly. She should apologize to everyone who was offended. As you said, 80 percent of Americans are now a national security threat. She should apologize to them. She should commit to the American people that she will not confuse the patriots within our country who want to build it up with extremists outside who want to tear it down. There is a huge difference. And if our government doesn't know, I really am frightened. Some pundit said, you know, maybe the snake is out of the box. Maybe this really is the attitude of our government about those who simply disagree with it. If it is, then the TEA parties will only continue to grow to be more valuable, to be critical to where we go.

I appreciate Congresswoman BACHMANN, Congressman BURGESS—you, especially, Congressman CARTER—for bringing this issue to us tonight so the American public can see that we are as outraged and angry at this report as they are, and we intend to hold those accountable who drafted and support it.

With that, I would yield back.

Mr. CARTER. I thank the gentleman from Texas, and my good friend, very much for his comments. As you were saying that, you know, I had to think, if you are first classifying people who disagree with you as terrorists, or dangerous, then the next step is dealing with those people. The next step may be, we'll read headlines like this, ''Venezuelan Government arrests Chavez opponent.'' ''Equatorial Guinea: Arrest and torture of political opponents.'' ''Zimbabwe arrests opposition leaders.'' ''Britain tells Pakistan Government don't arrest political opponents.'' ''Obama administration issues warning over right-wing extremists.'' What is the next headline going to say? I am not trying to be a scare factor, but when you start classifying ordinary Americans who disagree with you as an extremist, we have to be concerned.

I am not going to change my position on State's rights and the right of our States under our Constitution. I am not going to change my position on abortion. I am not going to change my position on the right to keep and bear arms. And if I have to go to prison for it, I am going to do it because that is what our Founding Fathers would have done. And that is where we have got to be.

I yield back to Mrs. BACHMANN.

Mrs. BACHMANN. I thank the gentleman from Texas, and I also thank Mr. BRADY for his remarkable words as well.

I think, in answer to where do we go from here? We need look no further than the statements that were made by then candidate Obama during the election when he said this—this is a statement of President Obama during last year's election campaign that got remarkably little attention in the media, but he suggested the creation of a Federal police force comparable to the size of the military. And he made that statement, I believe, in Colorado Springs, Colorado. And so the question that we need to ask is, why would you need such an organization? There is no constituency calling for a Federal police force, there is no one out there doing it. But yet, Barack Obama made the suggestion himself that we needed to create and fund a domestic army that would be a Federal police force. Why would we need a Federal police force the size of the U.S. military? For what purpose? Would it be for this purpose?

It is intriguing to me, we have a report now that says—as Mr. BRADY said and as Judge CARTER said—80 percent of the American people would be classified as ''right-wing extremists'' under this report. Couple that with a statement made by President Obama during the campaign that we need to have a Federal police force the size of the military. Add it up. No wonder people right now who are gun owners, who cherish their second amendment rights, are purchasing weapons and are purchasing ammunition. They see the handwriting on the wall. They know the Obama administration is looking at weapon bans and is looking at pulling back on gun ownership and registration of firearms, and they are rightly concerned about that. So what? They are purchasing firearms lawfully. They are purchasing

ammunition lawfully. And yet this document would categorize these law-abiding citizens, which our Founders—as Judge CARTER correctly stated, are exercising their second amendment right to own and bear arms. They are doing that, and now our government is calling them right-wing extremists?

We need to be on this floor tonight. We need to be outraged. And furthermore, we need answers, as Mr. BRADY said, from the Secretary of Homeland Security, Janet Napolitano. What did she really mean? Does she agree with this report? Does she recant this report? If not, she should resign.

Mr. CARTER. Reclaiming my time, I am going to yield just briefly to Mr. BRADY.

Mr. BRADY of Texas. Congressman CARTER, again, I appreciate your leadership on this issue, but it begs the question of the discussion tonight; in America, we don't tolerate racial profiling, so why are we tolerating values profiling? Why are we allowing this government to profile people based on those who believe in smaller, limited government, who believe in pro-family issues, who believe in their constitutional right, the second amendment, or who just believe they ought to be able to disagree with their government? Why is our government profiling those with values at a time when we ought to be encouraging all Americans to raise their values, to speak out, to be engaged? It seems to me we have got the gun pointed at ourselves when we really ought to be, again, protecting this country against the real terrorists who threaten our way of life, not those inside who are trying to preserve it.

I just want to thank you and our other speakers tonight for their very insightful remarks on this issue.

Mr. CARTER. Reclaiming my time for a moment, the other thing that is very offensive to me—and I think it should be very offensive to every American—is that this report, when you read it—and we haven't even touched it, but I am going to tell you I am going to touch it right now—almost every paragraph begins, ''Due to the election of an African American President.'' They are lumping everyone who disagrees politically with them, they are lumping them all into a racist category. And that is offensive to me. That should be offensive to every single free American that breathes a breath on this soil because disagreeing with your government does not make you a racist against electing an African American. With all that we have done and this great victory of an African American President that everybody recognizes as a turning point in the history of America, and then to say, but anyone that disagrees with anything he says or anything he does or anything anybody under his auspices does is a racist and a domestic terrorist?

I agree with the gentlelady from Minnesota; it is time to talk seriously about who is in charge of the new Obama department that we have got that is supposed to be protecting our Nation, Homeland Security.

I have my very good friend and colleague, one of my classmates, and a very intelligent gentleman, Mr. BURGESS from Texas, who has been my buddy since we got here, and I am glad to yield the time he needs.

Mr. BURGESS. I thank the gentleman for yielding.

You know, home on the 2-week recess that we just had, you are so busy—recess is a misnomer, you are so busy going from one place to another that oftentimes you don't even have an opportunity to keep up with the current events of the day. And I did what I was doing so often as I drive through my rather long and narrow district, I was listening to talk radio, a subversive station there in the Dallas/Fort Worth market, and they started talking about this report that had just come out from the Secretary. Well, I was so upset about what I was hearing on the radio that I got on my phone and I called the staff up here in the Washington office and I said, we need to get a letter to the Department of Homeland Security, to the Secretary right away. So I am going to read to you a few excerpts from the letter that I wrote last week to the Secretary of the Department of Homeland Security. And Judge, it actually goes back to something that you were saying.

Within the letter, the report states that ''the economic downturn and the election of the first African American President present unique drivers for right-wing radicalization and recruitment.'' The report goes on to connect associations with right-leaning ideology with the Oklahoma City bombing, the murder of law enforcement officials, bank robbery, attacks on infrastructure, racism, and bigotry in general. This report claims that, ''high unemployment leads to alienation, increasing an individual's susceptibility to extremist ideas.''

This report appears to claim that high unemployment amongst Caucasians, Christians, second amendment supporters and Armed Forces veterans has a causal relationship with radicalism and violence against the State. I call into question this underlying assumption and baseless claim. The implication that veterans returning home from serving our country are at risk of becoming domestic terrorists or assassins is sensational at best, but dishonorable and disrespectful of their service.

Profiling based on race, ethnicity, religious beliefs, or life experiences is always wrong. I believe the Department of Homeland Security owes an apology to the Americans that are offended by this report, especially to the men and women of our Armed Forces. Furthermore, the Department should rescind this report so that those local, State and Federal law enforcement officials who received it are not compelled to profile individuals as terrorists simply because they associate themselves with conservative organizations. I ask that you enact these recommendations on behalf of the constituents of the 26th District of Texas.

And just briefly, I want to read some lines from a stack of mail that I got from my constituents back home. Some of them are pretty outspoken. A resident from Flower Mound, Texas put it pretty simply; ''Fire Napolitano immediately. The United States is not a police state.'' Another resident wrote, ''The only acceptable response is to fire Secretary Napolitano immediately. No apology should be accepted. Even her resignation should not be allowed. All Americans should demand that the Secretary be fired without delay.''

Another resident from Mound, ''Dear Congressman Burgess: Americans are repulsed by the leaked DHS Anti-Terrorism Security Assessment Summary that clearly targets mainstream Americans as dangerous extremists.''

A resident from Keller, Texas, ''The report issued yesterday by the Department of Homeland Security was reprehensible and insulting to tens and millions of Americans. The statement issued today by Secretary Napolitano standing behind the report is absolutely inexcusable. Secretary Napolitano should resign.''

A resident from Hurst, quoting from the body of the letter, ''I ask you to speak out against this kind of rhetoric, Congressman, and to call for the immediate resignation of the Secretary of the Department of Homeland Security, Janet Napolitano.''

Another resident writing from Hurst said, ''In fact, I am considering calling the Department of Homeland Security and giving them my name and address so they can keep an eye on me and my radical ideas, like a smaller Federal Government, more control back to the States. Maybe we should start a list for them.''

A resident from Corinth, Texas stated, quite simply, ''Fire Janet Napolitano immediately. I viewed her so-called apology on Fox and Friends in the morning on Thursday; that was no apology as she stands by the report.''

Another one writing in said, ''I have spent over 20 years of my life serving my country as an officer in the United States Navy fighting to protect the Constitution and America from the very likes of this. I joined during the Cold War, and I know firsthand how Communists act and what they do to political dissenters. Now to have this said of me and my family, my children, my friends, my neighbors, my church, and everyone else I know by my own government makes me''—I'll use a colloquial term here, I'll just say ''sick to my stomach.''

□ 1945

I demand Janet Napolitano's immediate firing. She has demonstrated she is unfit for service in any capacity in the U.S. governments. Another resident of Flower Mound. ''This is disgusting. Of all the departments and

agencies in our government which should be apolitical, Homeland Security is one of the most, if not the most critical, to remain apolitical. They are tasked with defending all Americans. I implore you to call for a congressional investigation immediately. I urge you to call immediately for the resignation of Secretary Napolitano. If she is so concerned with advancing a political agenda, let her go work for ACORN, whoever they are.''

A resident from Pilot Point, ''Warmest regards from Pilot Point. We are former U.S. Army officers. One of us is a West Point graduate. We are both veterans of Desert Storm. Both of our fathers and my grandfather are veterans. My father was a career Army officer and my uncle a Navy fighter pilot. My little brother, a U.S. Army officer, has served tours in Afghanistan and just returned from a tour in Iraq last month.

''Forgive my tedious intro, but in the spirit of full disclosure, I thought you should know that we are biased. We bleed red, white and blue. I cannot find the words to share with you, how repugnant we find the justification of discriminatory governmental directives and a complete lack of rational government demonstrated by the DHS Secretary.

''Someone can be given knowledge, but unless they truly accept and internalize the error of their actions they cannot be taught good judgment. She must be held accountable with a full investigation. Short of that, please demand her resignation.

''There is no apology that will change the discriminatory character that she demonstrates and apparently supports. Please make an outspoken stand on principle. I feel we cannot change her character.''

Well, to the two Army officers from Pilot Point, consider it done.

Resident from Lantana, ''Why have Republicans not been screaming for Janet Napolitano's firing? My employees would be fired in this situation.''

It goes on to say ''I love you, and I went to the Denton TEA party.''

A resident from North Richland Hills, ''Returning veterans are being subjected to unjust scrutiny by the DHS Secretary.''

A resident from Denton, ''Her pronouncements are an insult to every American and probably 95 percent of hardworking citizens. To hear such word from a high-ranking Federal employee, language that denigrates those who defend our country and every patriotic American makes me one that Napolitano, I suppose, would consider a threat even though I have always thought that nothing in my personal life and belief system would so delegate me.''

Well, I have a few more, but in the interest of time, I am going to stop there. Those are some of the most poignant that were submitted to the office.

Certainly this is something that has gotten people's attention and appropriately so. I think, Judge, you are doing the correct thing by having this special hour tonight, giving many of us a chance to come down to the floor and talk about this.

I can't say it any better than my constituents have said it, an investigation, to be sure, a replacement of the Secretary, I think, is certainly in order, and I do have to question the sincerity of an administration that would not undertake these measures after the types of very, very painful words that have been included in that report, and how it has affected those that we have depended upon to fight for us and maintain our freedom.

APRIL 16, 2009.

Hon. JANET NAPOLITANO,
Secretary, U.S. Department of Homeland Security, Federal Office Building, Washington, DC.

DEAR SECRETARY NAPOLITANO: I am writing to express my concerns regarding a recent Department of Homeland Security (DHS) report entitled, ''Rightwing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment.'' This report claims to provide law enforcement officials with the tools to help them deter, prevent, preempt, correspond to terrorist attacks against the United States. I understand the purpose of shared intelligence, however, I am concerned that by broadly characterizing those who support a conservative ideology with terrorism the DHS may have mischaracterized and offended several million Americans and placed them at risk of profiling bylaw enforcement officials.

This report states, ''The Economic downturn and the election of the first African American president present unique drivers for rightwing radicalization and recruitment.'' The report goes on to connect associations with right-leaning ideology with the Oklahoma City bombing, the murder of law enforcement officials, bank robbery, attacks on infrastructure, and racism and bigotry in general.

This report claims that ''high unemployment leads to alienation, increasing an individual's susceptibility to extremist ideas.'' This report appears to claim that high unemployment among Caucasians, Christians, Second Amendment supporters, and Armed Forces Veterans has a causal relationship with radicalism and violence against the state. I call into question this underlying assumption and baseless claim. The implication that veterans returning home from serving our country are at risk of becoming domestic terrorists or assassins is sensational at best and is dishonorable and disrespectful to their service.

Profiling based on race, ethnicity, religious beliefs, or life experiences is always wrong. I believe the Department of Homeland Security owes an apology to the Americans that are offended by this report, especially the men and women of our Armed Forces. Furthermore, the Department should rescind this report so those local, state, and federal law enforcement officials who received it are not compelled to profile individuals as terrorists simply because they associate themselves with conservative organizations.

I urge you to enact these recommendations on behalf of the constituents of the 26th District of Texas.

Sincerely,

MICHAEL C. BURGESS, M.D.

Mr. CARTER. I thank my good friend for his comments. Let me read something just for a moment from this report, let me read something. As we recall, we have had a lot of discussion on this floor by our friends on the other side of the aisle, the Democrats, about some of the things that they are concerned about in manufacturing.

Let me read you another definition of right-wing extremists. ''Right-wing extremist views bemoan the decline of the U.S. stature and have recently focused on themes such as U.S. manufacturing capability going to China and India. Russian control of interview resources and the use of these to pressure other countries, and China's investment in the United States real estate and corporations, are part of the subversive strategy.''

Wait a minute, we have been arguing on the floor of this House with Democrats bemoaning China taking jobs away from the manufacturing industry. Good Lord, they are domestic terrorists. Good Lord, you know, I am pretty dad gum mad about this, and I agree with my colleagues.

Mr. President, fire that woman. Ms. Napolitano, this is inexcusable to go on television and say, your apology would be, ''I am sorry you were offended by this report.

That's no apology. That's saying I am sorry, you have got a chance to read it, and know what our plans were for you in the future.

Mr. President, respectfully, this woman deserves firing. I think it's time we act.

I yield to my friend from Minnesota.

Mrs. BACHMANN. Again, I agree with Judge CARTER of I think he is exactly right. I think the question we need to ask now is what's next, political show trials? That's the concern.

When you have disagreement of political opinion, and then you set up the grounds for punishment for disagreement with political opinion, then the government creates what's called political show trials. In other words, kangaroo courts where people are put on trial for their political beliefs.

So what's next? Is it political show trials? Well, shazam, wouldn't you know it, just this week President Obama, together with MoveOn.org, MoveOn.org running television adds by the way, this week calling for political show trials of those in the Bush administration that worked so hard to keep the American people free from terrorist acts, real terrorist acts, like trying to blow Americans up on American soil.

The problem is the Homeland Security Secretary has now redefined real terrorists as foreign victims with Miranda rights and access to American courts with lawyers paid for by the American taxpayer, while at the same time the Homeland Security S has redefined pro-life gun-owning veterans who like smaller government and who believe America should secure our borders against invasion from illegal aliens as domestic right-wing extremists, as you have in the report upon the stand.

Homeland Security, I think we should also note, has the Transportation Security Administration. Any of our constituents that go to the airport, they see people that have TSA on their shirts.

You can't get on a plane in the United States, a commercial aircraft, without going through security. What's going to happen now? Will the Federal Government start IDing returning veterans, start IDing gun owners, start IDing pro-lifers and then pull us out of line for special searches at the airports before we are allowed to get on a plane because we could be considered a domestic right-wing terrorist while we would see Osama bin Laden and his friends skate by because they are not, because maybe they would be involved in a manmade disaster. But those who are pro-life gun owners, returning veterans on the other side, they are the real threat?

This is an upside down Alice in Wonderland world. I can see why the American people are so upset right now. They are so upset. They look at what's happening. They shake their head. They say, is this America? Is this what we are used to? We are normal God-fearing people who love this country, and now we are the threat while Osama bin Laden and the people who seek to really bring us harm are let off scot free. And we are going to call them manmade disaster, we have got to be nuanced and so careful so we don't hurt their feelings?

Has this Homeland Security Secretary gone absolutely stark raving mad? She needs to come before Congress. She needs to answer a few questions.

I don't think Mr. BURGESS is the only one with constituents that want to know. I think all of us have constituents that want to get some answers to these questions.

Mr. CARTER. You know, I am just reading some more of our report, it just continues to be more and more offensive.

The category where this provision comes from, talking about right-wing extremists being our returning veterans, some examples given, after Operation Desert Shield/Storm 1990–1991, some returning military veterans, including Timothy McVeigh, joined and associated with right-wing extremist groups.

Yes, maybe Timothy McVeigh did, but the veterans that MIKE BURGESS just read about, they didn't. Okay? They served their Nation, and they have left the military service and have been good citizens of his congressional district, and yet they lumped them with Timothy McVeigh.

Another one says, a prominent civil rights organization report, without telling us who they are, ''that large numbers of potentially violent neo-Nazi skinheads and other white supremacists are now learning the art of warfare in the United States Armed Forces.''

That is so insulting, it's beyond belief, it's beyond belief. It is condemning every bit of our Armed Forces.

So basically they are there. We are not sure who they are. Watch them all. Watch they all. They have got a uniform on. If it says Iraq or Afghanistan or has that American flag, keep an eye on those guys. They might shave their head when they get home and be a skin head. What kind of paranoia is this? It's just beyond belief that there is this kind of thought processes beginning this term of an American President, someone he put in this position.

Mrs. BACHMANN. Less than 100 days, within 90 days.

Mr. CARTER. That's exactly right. This is his responsibility. He chose to be our leader, he needs to lead on this issue.

It is absolutely inexcusable to let a head of a major department, whose purpose is to protect the innocent of this country, to accuse possibly 80 percent of Americans of being right-wing extremists.

Mrs. BACHMANN. Judge CARTER, you are exactly right, because what you are doing is you are calling into question the judgment of President Obama by selecting this Secretary of Homeland Security to come out with a report. Insulting 80 percent of the American people within 90 days of assuming office? You are exactly right.

On page 4 of this report, ''It says prominent antigovernment conspiracy theorists have incorporated aspects of an impending economic collapse.'' Aren't we all worried about that? Economic collapse to intensify fear and paranoia.

But then it goes on to say this. This is for people of faith. This is where people of faith need to perk up their ears because the report actually says this.

It says, End Times prophesies could motivate extremist individuals and groups that stockpile food, ammunition and weapons. These teachings have also been linked with a radicalization of domestic extremist individuals and groups in the past, such as violent Christian identity organizations.''

I find this offensive.

Mr. CARTER. I do too.

Mrs. BACHMANN. The percentage of people who believe in this Book of Revelations, End Times prophecy, the Book of Daniel, the Book of Ezekiel, the Book of Isaiah, the people who believe in the teachings of Christ that talk about end-time prophecy? These are people that our government should be watching out for?

This administration needs to be ashamed of this. This is a piece of religious bigotry. That's what this is. This is religious bigotry.

As a matter of fact, we were told we were going to deal with hate crime laws this week. I think this document is an example of hate crimes on the part of the Federal Government labeling its own citizens, practically calling American citizens criminals to be tracked down by an American government.

And we have to keep in mind the statement that President Obama said on the campaign trail that he believed that a Federal police force should be created, just the same size of the U.S. military, unbelievable, and the media didn't pick up on it. The American people need to know.

Mr. CARTER. What was the exact term that you said that he was calling those that are outside the country, rather than terrorists? Now Ms. Napolitano calls them something nebulous.

Mrs. BACHMANN. Yes. What she said in her interview exactly, ''I did not use the word 'terrorism,' I referred to man-caused disasters. That's perhaps only a nuance, but it demonstrates that we want to move away from the politics of fear,'' from the politics of fear.

Mr. CARTER. So a person who believes in an interpretation of the Book of Revelations in the Bible is, by her definition, labeled as a terrorist.

But a man who, live on television, on videotape, cuts another man's head off on television in the name of another religion is a what?

Mrs. BACHMANN. That's right, a man-caused disaster.

Mr. CARTER. Man-caused disaster.

Mrs. BACHMANN. That's skewed thinking. We had a man who beheaded his wife in upstate New York. Not a word was said about that. The media didn't cover it, I didn't see anything here about religious groups where maybe something like that would happen, it's unbelievable the accusations that are made in this document.

Mr. CARTER. Before we finish here, because we are about to run out of time, I want to say something else. When we are talking about immigration, we are not talking about people who come to this country legally.

Mrs. BACHMANN. That's exactly right.

Mr. CARTER. We are not talking about people who came here illegally and meet their obligation to the country, get in line and become good American citizens.

Mrs. BACHMANN. That's exactly right.

Mr. CARTER. We are talking about people who break this law in this country. We all, every one of us support immigration, good legal immigration in this country, because that's who we are. Every one of us, unless we are an American, a Native American is an illegal immigrant.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REYES (at the request of Mr. HOYER) for today and the balance of the week on account of death in family.

Mr. JACKSON of Illinois (at the request of Mr. HOYER) for today on account of illness.

Mr. DANIEL E. LUNGREN of California (at the request of Mr. BOEHNER) for April 21 after 6 p.m. and today on account of illness.

Mr. BACHUS (at the request of Mr. BOEHNER) for April 21 on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ENGEL) to revise and extend their remarks and include extraneous material:)

Mr. BOYD, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. MICHAUD, for 5 minutes, today.

Mr. SESTAK, for 5 minutes, today.

Mr. BOCCIERI, for 5 minutes, today.

Ms. MOORE of Wisconsin, for 5 minutes, today.

(The following Members (at the request of Mrs. SCHMIDT) to revise and extend their remarks and include extraneous material:)

Mr. POE of Texas, for 5 minutes, April 29.

Mr. JONES, for 5 minutes, April 29.

Mr. REICHERT, for 5 minutes, today.

Mr. CARTER, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today, April 23, 27, 28 and 29.

Mr. HUNTER, for 5 minutes, April 23.

Mr. ROE of Tennessee, for 5 minutes, today.

Mrs. SCHMIDT, for 5 minutes, today.

ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 p.m.), the House adjourned until tomorrow, Thursday, April 23, 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:

1291. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Swine Health Protection; Feeding of Processed Product to Swine [Docket No.: APHIS-2008-0120] (RIN: 0579-AC91) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1292. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's report on the use of Aviation Continuation Pay (ACP) during Fiscal Year 2008, pursuant to 37 U.S.C. 301(b); to the Committee on Armed Services.

1293. A letter from the Assistant Secretary for Global Security Affairs, Department of Defense, transmitting the Department's report on National Guard Counterdrug Schools Activities, pursuant to Public Law 109-469, section 901(f); to the Committee on Armed Services.

1294. A letter from the Acting Assistant Secretary of the Army for Acquisition, Logistics, and Technology, Department of the Army, transmitting the Department's report on the implementation of the Product Improvement Pilot Program (PIPP), pursuant to Public Law 110-181, section 330; to the Committee on Armed Services.

1295. A letter from the Vice Chair and First Vice President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Saudi Arabia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1296. A letter from the Vice Chair and First Vice President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1297. A letter from the Vice Chair and First Vice President, Export-Import Bank, transmitting a report on a transaction involving a credit facility that will support U.S. exports to various countries pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1298. A letter from the Acting Chairman, National Foundation on the Arts and the Humanities, transmitting the Federal Council on the Arts and the Humanities' thirty-third annual report on the Arts and Artifacts Indemnity Program for fiscal year 2008; to the Committee on Education and Labor.

1299. A letter from the Regulation Coordinator, HHS-ODRM, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; State Flexibility for Medicaid Benefit Packages [CMS-2232-F2] (RIN: 0938-AP72) received April 6, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1300. A letter from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's final rule — Commonwealth Virginia: Discontinuance of Certain Commission Regulatory Athority Within the State; Notice of Agreement Between the NRC and the Commonwealth of Virginia; Notice of Waiver Termination [NRC-2008-0607] received April 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1301. A letter from the Acting Assistant Secretary Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period December 1, 2008 through January 31, 2009, pursuant to Section 620C(c) of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

1302. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Responses to Specific Questions Regarding the Department of Employment Service's 2008 Summer Youth Employment Program,'' pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

1303. A letter from the Acting Deputy Assistant Administrator Bureau for Legislative and Public Affairs, Agency for International Development, transmitting the Agency's Year 2008 A-76 Inventory of Commercial Activities for Fiscal Year 2007, pursuant to the Federal Activities Inventory Reform Act of 1998; to the Committee on Oversight and Government Reform.

1304. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's Annual Performance Report for Fiscal Year 2008; to the Committee on Oversight and Government Reform.

1305. A letter from the Deputy Assistant Secretary for Information Systems and Chief Information Officer, Department of the Treasury, transmitting the Department's report for fiscal year 2008 on the Acquisition of Articles, Materials, and Supplies Manufactured Outside the United States, pursuant to Public Law 110-28, section 8306; to the Committee on Oversight and Government Reform.

1306. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2009 Annual Performance Plan, pursuant to the Government Performance and Results Act of 1993; to the Committee on Oversight and Government Reform.

1307. A letter from the Chairman, Federal Election Commission, transmitting draft legislation on the electronic filing of Senate reports; to the Committee on House Administration.

1308. A letter from the Chairman, Federal Election Commission, transmitting draft legislation on fraudulent misrepresentation of campaign authority; to the Committee on House Administration.

1309. A letter from the Chairman, Federal Election Commission, transmitting draft legislation on the conversion of campaign funds; to the Committee on House Administration.

1310. A letter from the Chairman, Federal Election Commission, transmitting draft legislation on senior executive service; to the Committee on House Administration.

1311. A letter from the Acting Director, Department of the Interior, transmitting the Department's report entitled, ''Mineral Commodity Summaries 2009''; to the Committee on Natural Resources.

1312. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program [Docket No.: 0910091344-9056-02 and 0810141351-9087-02] (RIN: 0648-XN73) received April 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1313. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Pacific Halibut Fisheries; Catch Sharing Plan [Docket No.: 0812311655-81657-01] (RIN: 0648-AX44) received April 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1314. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2009 Scup and Black Sea Bass Specifications; Correction [Docket No.: 090311306-9309-01] (RIN: 0648-XN88) received April 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1315. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XL91) received April 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1316. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule —

Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 0810141351-9087-02] (RIN: 0648-XO11) received April 14, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1317. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Airplanes [Docket No.: FAA-2008-1327; Directorate Identifier 2008-NM-161-AD; Amendment 39-15859; AD 2009-06-22] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1318. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200 and 767-300 Series Airplanes [Docket No.: FAA-2008-0898; Directorate Identifier 2007-NM-200-AD; Amendment 39-15856; AD 2009-06-19] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1319. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG (RRD) BR700-715A1-30, BR700-715B1-30, and BR700-715C1-30 Turbofan Engines [Docket No.: FAA-2008-0224; Directorate Identifier 2007-NE-44-AD; Amendment 39-15860; AD 2009-07-01] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1320. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, ''24th Annual Report of Accomplishments Under the Airport Improvement Program for Fiscal Year (FY) 2007,'' pursuant to 49 U.S.C. 47131; to the Committee on Transportation and Infrastructure.

1321. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Series Airplanes and Model A300-600 Series Airplanes [Docket No.: FAA-2008-0018; Directorate Identifier 2007-NM-145-AD; Amendment 39-15842; AD 2009-06-06] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1322. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) Airplanes [Docket No.: FAA-2008-1216; Directorate Identifier 2008-NM-111-AD; Amendment 39-15841; AD 2009-06-05] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1323. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 190 Airplanes [Docket No.: FAA-2008-0668; Directorate Identifier 2008-NM-088-AD; Amendment 39-15847; AD 2009-06-11] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1324. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.27 Mark 050 Airplanes [Docket No.: FAA-2009-0224; Directorate Identifier 2007-NM-302-AD; Amendment 39-15852; AD 2009-06-15] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1325. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727-100 and 727-200 Series Airplanes [Docket No.: FAA-2008-1103; Directorate Identifier 2008-NM-048-AD; Amendment 39-15846; AD 2009-06-10] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1326. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No.: FAA-2006-25390; Directorate Identifier 2005-NM-224-AD; Amendment 39-15844; AD 2009-06-08] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1327. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; 328 Support Services GmbH Dornier Model 328-100 Airplanes [Docket No.: FAA-2008-1043; Directorate Identifier 2008-NM-036-AD ; Amendment 39-15845; AD 2009-06-09] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1328. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747SR, and 747SP Series Airplanes [Docket No.: FAA-2008-1072; Directorate Identifier 2008-NM-109-AD; Amendment 39-15838; AD 2009-06-02] (RIN: 2120-AA64) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1329. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Implementation of the Ryan Haight Online Pharmacy Consumer Protection Act of 2008 [Docket No.: DEA-322I] (RIN: 1117-AB20) received April 3, 2009, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ARCURI: Committee on Rules. House Resolution 352. Resolution providing for consideration of the bill (H.R. 1145) to implement a National Water Research and Development Initiative, and for other purposes (Rept. 111–82). 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. GORDON of Tennessee (for himself, Mr. HALL of Texas, Mr. LIPINSKI, Mr. EHLERS, Mr. WU, Mrs. BIGGERT, and Mr. LUJÁN):

H.R. 2020. A bill to amend the High-Performance Computing Act of 1991 to authorize activities for support of networking and information technology research, and for other purposes; to the Committee on Science and Technology.

By Mr. BOEHNER (for himself, Mr. CAMP, Mr. MCKEON, Mr. KLINE of Minnesota, Mr. TIBERI, Mr. ROYCE, Mr. SAM JOHNSON of Texas, Mrs. BACHMANN, Mr. PAULSEN, Mr. HELLER, Ms. JENKINS, Mr. LATTA, Mr. GUTHRIE, Mr. DREIER, Mr. SESSIONS, Mr. BLUNT, Mr. LEE of New York, Mr. HERGER, Mr. BURTON of Indiana, Mr. MCCARTHY of California, Mr. CARTER, and Mr. PENCE):

H.R. 2021. A bill to help rebuild retirement, college, and personal savings; to the Committee on Ways and Means, 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. MURTHA (for himself, Mr. MACK, Mr. KANJORSKI, Ms. KILPATRICK of Michigan, Mr. HOLDEN, Mr. WESTMORELAND, and Mrs. BONO MACK):

H.R. 2022. A bill to amend the Internal Revenue Code of 1986 to provide for tax preferred savings accounts for individuals under age 26, and for other purposes; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 2023. A bill to amend the Internal Revenue Code of 1986 to reform the estate and gift tax; to the Committee on Ways and Means.

By Mr. THOMPSON of California (for himself, Mr. DAVIS of Kentucky, Mr. DEFAZIO, Mr. LEVIN, Mr. SHULER, Mr. DREIER, Mr. GONZALEZ, Mr. JONES, Mrs. MYRICK, Mr. PETERS, Mr. ROGERS of Michigan, and Mr. WATT):

H.R. 2024. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to facilitate the accelerated development and deployment of advanced safety systems for commercial motor vehicles; to the Committee on Ways and Means.

By Mr. MINNICK (for himself and Mr. SIMPSON):

H.R. 2025. A bill to ensure public access to Federal land and to the airspace over Federal land; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Transportation and Infrastructure, 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. KLINE of Minnesota (for himself, Mr. MCKEON, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mrs. BACHMANN, Mr. SESSIONS, Mr. BARTLETT, Mrs. BLACKBURN, Mr. PRICE of Georgia, Mr. JORDAN of Ohio, Mr. LATTA, Mr. MARCHANT, and Mr. CONAWAY):

H.R. 2026. A bill to amend the Workforce Investment Act of 1998 to make non-union training programs eligible for Federal funding under the ''Green Jobs'' program; to the Committee on Education and Labor.

By Mr. CHAFFETZ:

H.R. 2027. A bill to amend title 49, United States Code, to establish limitations on the use of whole-body imaging technology for aircraft passenger screening, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself, Ms. GIFFORDS, Mr. BRADY of

Texas, Mr. MOORE of Kansas, Mr. RYAN of Wisconsin, and Mr. MITCHELL):

H.R. 2028. A bill to amend the Social Security Act to prevent unauthorized earnings from being credited toward benefits under title II of such Act and to make improvements in provisions governing totalization agreements, to amend the Social Security Act and the Immigration and Nationality Act to prevent unauthorized employment, and to improve coordination of the provisions of such Acts, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and Labor, Rules, 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 Mr. ABERCROMBIE:

H.R. 2029. A bill to authorize the Marine Mammal Commission to establish a national research program to fund basic and applied research on marine mammals, and for other purposes; to the Committee on Natural Resources.

By Mr. BLUMENAUER (for himself, Mr. PAYNE, Mr. ROHRABACHER, Mr. JACKSON of Illinois, Mr. BOOZMAN, Mr. GEORGE MILLER of California, Mr. BURTON of Indiana, Mr. FORTENBERRY, Mr. WELCH, and Mr. WAMP):

H.R. 2030. A bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005; to the Committee on Foreign Affairs.

By Mr. BOREN (for himself, Mr. RYAN of Wisconsin, Mr. MILLER of Florida, and Mr. ROSS):

H.R. 2031. A bill to amend Public Law 106-206 to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana:

H.R. 2032. A bill to amend title 11 of the United States Code to make nondischargeable debts for personal injuries that result in permanent disability; to the Committee on the Judiciary.

By Mr. CASSIDY (for himself, Mr. ALEXANDER, Mr. BOUSTANY, Mr. CAO, Mr. FLEMING, Mr. MELANCON, and Mr. SCALISE):

H.R. 2033. A bill to apply an alternative payment amount under the Medicare Program for certain graduate medical education programs established to train residents displaced by natural disasters; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. CLAY (for himself, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. HINOJOSA, Mr. GUTIERREZ, Mr. MEEKS of New York, and Mr. HODES):

H.R. 2034. A bill to permit refinancing of certain loans under the Rural Housing Service program for guaranteed loans for rural housing, and for other purposes; to the Committee on Financial Services.

By Mr. DAVIS of Tennessee (for himself, Mr. SMITH of New Jersey, Ms. BORDALLO, Ms. KAPTUR, Mr. SOUDER, Mr. LAMBORN, Mr. FRANKS of Arizona, Mr. LIPINSKI, Mr. GORDON of Tennessee, Mr. SHULER, Mr. MOLLOHAN, Mr. DONNELLY of Indiana, Mr. MELANCON, Mr. BERRY, Mrs. DAHLKEMPER, Mr. OBERSTAR, Mr. HOLDEN, Mr. CARTER, Mr. COSTELLO, Mr. PETERSON, Mrs. BLACKBURN, Mr. MCINTYRE, Mr. TAYLOR, Mr. ORTIZ, Mr. PLATTS, Mr. CAO, and Mr. DAVIS of Alabama):

H.R. 2035. A bill to provide for programs that reduce abortions, help women bear healthy children, and support new parents; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, 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. GALLEGLY (for himself and Mr. MATHESON):

H.R. 2036. A bill to amend the Elementary and Secondary Education Act of 1965 to expand grant programs for gifted and talented students; to the Committee on Education and Labor.

By Ms. HERSETH SANDLIN (for herself and Mr. FORTENBERRY):

H.R. 2037. A bill to amend the Internal Revenue Code of 1986 to provide an exception to the reduction of renewable energy credit for certain authority under the Farm Security and Rural Investment Act of 2002; to the Committee on Ways and Means.

By Mr. HODES (for himself, Ms. GIFFORDS, and Mr. PERRIELLO):

H.R. 2038. A bill to amend the Federal Election Campaign Act of 1971 to prohibit an authorized committee of a candidate who is a Member of Congress from accepting contributions from any entity for which the candidate sought a Congressional earmark; to the Committee on House Administration.

By Ms. KAPTUR (for herself and Mr. HARE):

H.R. 2039. A bill to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing a Congressional seal, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington:

H.R. 2040. A bill to authorize a process by which the Secretary of the Interior shall process acquisitions of certain real property of the Samish Indian Nation into trust, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY:

H.R. 2041. A bill to establish a program to provide child care through public-private partnerships; to the Committee on Education and Labor.

By Mrs. LOWEY:

H.R. 2042. A bill to authorize additional appropriations to the National Institutes of Health for research on the early detection of and the reduction of mortality rates attributed to breast cancer; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 2043. A bill to amend the Public Health Service Act to authorize capitation grants to increase the number of nursing faculty and students, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 2044. A bill to reduce childhood obesity, and for other purposes; to the Committee on Energy and Commerce, 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 Mrs. MALONEY (for herself, Ms. HIRONO, and Ms. CLARKE):

H.R. 2045. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for expenses paid for household and dependent care services necessary for gainful employment and to increase, and make refundable, the credit for such expenses; to the Committee on Ways and Means.

By Mr. MARKEY of Massachusetts (for himself and Mr. MORAN of Virginia):

H.R. 2046. A bill to amend the Solid Waste Disposal Act to require a refund value for certain beverage containers, and to provide resources for State pollution prevention and recycling programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCCAUL (for himself, Mr. CUELLAR, Mr. OLSON, Mr. BILBRAY, and Mr. MARCHANT):

H.R. 2047. A bill to authorize appropriations for Operation Stonegarden of the Department of Homeland Security; to the Committee on Homeland Security.

By Mr. MCCAUL (for himself, Mr. POE of Texas, Mr. OLSON, Mr. BILBRAY, and Mr. MARCHANT):

H.R. 2048. A bill to authorize appropriations for the Office of Detention and Removal of United States Immigration and Customs Enforcement; to the Committee on the Judiciary.

By Mr. MEEK of Florida (for himself and Mr. HERGER):

H.R. 2049. A bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare Program; 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. MICHAUD:

H.R. 2050. A bill to prohibit the introduction or delivery for introduction into interstate commerce of novelty lighters, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MILLER of Florida:

H.R. 2051. A bill to amend title 10, United States Code, to authorize extended benefits for certain autistic dependents of certain retirees; to the Committee on Armed Services.

By Mr. MORAN of Kansas:

H.R. 2052. A bill to provide for special rules relating to assistance concerning the Greensburg, Kansas tornado; to the Committee on Education and Labor.

By Mr. REYES (for himself, Ms. JACKSON-LEE of Texas, Mr. EDWARDS of Texas, Mr. RODRIGUEZ, Mr. DOGGETT, Mr. HINOJOSA, Mr. ORTIZ, Mr. GONZALEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, Mr. CUELLAR, Mr. SMITH of Texas, Mr. HALL of Texas, and Mr. LOBIONDO):

H.R. 2053. A bill to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the ''Albert Armendariz, Sr., United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. SARBANES (for himself, Mr. GRIJALVA, Ms. SHEA-PORTER, Mr. STARK, Mr. HARE, Mr. HINCHEY, Mr. LOBIONDO, Mr. TIERNEY, Ms. LEE of

California, Mr. HASTINGS of Florida, Mrs. CAPPS, Ms. BORDALLO, Mr. OLVER, Mr. HOLT, Mr. KIND, Ms. HIRONO, Mr. VAN HOLLEN, Mr. POLIS of Colorado, Mr. SESTAK, Mr. CONNOLLY of Virginia, Mr. WU, Ms. CASTOR of Florida, Mr. BLUMENAUER, Mr. LEWIS of Georgia, Mr. HINOJOSA, Mr. FILNER, Mr. SCOTT of Virginia, Mr. BISHOP of New York, Mr. HONDA, Mr. YARMUTH, Mr. SERRANO, Mr. MORAN of Virginia, Ms. MATSUI, Mr. ELLISON, Ms. CLARKE, Mr. SIRES, Mr. CUMMINGS, Mr. BERMAN, Mr. MICHAUD, Ms. DEGETTE, Mr. MCGOVERN, Mr. COURTNEY, Mr. EHLERS, and Mr. PERLMUTTER):

H.R. 2054. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON of California (for himself, Mr. DICKS, Mr. SIMPSON, Mr. GEORGE MILLER of California, Mrs. CAPPS, Mr. INSLEE, Mr. BLUMENAUER, and Mrs. TAUSCHER):

H.R. 2055. A bill to establish a Salmon Stronghold Partnership program to protect wild Pacific salmon, and for other purposes; to the Committee on Natural Resources.

By Mr. TIERNEY (for himself and Mr. PLATTS):

H.R. 2056. 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, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOWNS (for himself, Mr. GEORGE MILLER of California, and Ms. ESHOO):

H.R. 2057. A bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BUCHANAN:

H.J. Res. 43. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Mr. POE of Texas, Ms. WASSERMAN SCHULTZ, Ms. LORETTA SANCHEZ of California, Mr. MCGOVERN, Ms. BORDALLO, Ms. EDWARDS of Maryland, Mr. COSTA, Ms. HERSETH SANDLIN, Mr. KENNEDY, Mr. CUMMINGS, Mr. KIND, Mr. SESTAK, and Ms. MCCOLLUM):

H. Con. Res. 104. Concurrent resolution supporting the goals and ideals of National Sexual Assault Awareness and Prevention Month; to the Committee on the Judiciary.

By Mr. MINNICK:

H. Res. 351. A resolution expressing the sense of the House of Representatives that a Federal statute requiring firearm registration would unduly burden the Second Amendment right of the people to keep and bear arms; to the Committee on the Judiciary.

By Ms. DELAURO (for herself, Ms. NORTON, Mr. PAYNE, Ms. KILPATRICK of Michigan, Mr. SCHIFF, Mr. SABLAN, Mr. LEWIS of Georgia, Ms. MATSUI, Mr. PIERLUISI, Ms. BORDALLO, Mr. HINCHEY, Ms. MCCOLLUM, Mr. GRIJALVA, Mr. REYES, Mr. COURTNEY, Mr. HASTINGS of Florida, Mr. SESTAK, Mr. MORAN of Virginia, Mr. BLUMENAUER, Ms. SLAUGHTER, Ms. LORETTA SANCHEZ of California, Mr. CAPUANO, Ms. KAPTUR, Mr. VAN HOLLEN, Mr. MINNICK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, and Mr. BOCCIERI):

H. Res. 353. A resolution supporting the goals and ideals of Global Youth Service Days; to the Committee on Education and Labor.

By Mrs. LOWEY:

H. Res. 354. A resolution recognizing that the climate system of the Earth is warming and that most of the increase in global average temperatures is very likely due to the observed increase in human greenhouse gas emissions; to the Committee on Energy and Commerce.

By Mr. MCCOTTER:

H. Res. 355. A resolution recognizing May 17-23, 2009, as National Dog Bite Prevention Week, and calling upon all municipalities to work with the American Veterinary Medical Association, the United States Postal Service, and the American Academy of Pediatrics to adopt and implement effective dog bite injury prevention programs to protect Postal Service employees, including laws encouraging responsible dog ownership; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

22. The SPEAKER presented a memorial of the State Senate of Kansas, relative to SENATE RESOLUTION No. 1859 supporting the Airborne Laser program and urging the United States Congress to provide the necessary funding for the on-going development and operation of the program; to the Committee on Armed Services.

23. Also, a memorial of the House of Representatives of Illinois, relative to House Resolution No. 97 urging the U.S. Congress to fund the Illinois Community College Sustainability Network's request for $648,600,000 from the federal government for the training and development of a green-collar workforce and the creation of green-collar jobs through community college renewable energy and energy conservation projects; to the Committee on Education and Labor.

24. Also, a memorial of the State Senate of Oregon, relative to Senate Joint Memorial 5, respectfully urging the Congress of the United States to enact legislation creating the Office of the National Nurse; to the Committee on Energy and Commerce.

25. Also, a memorial of the Senate of Pennsylvania, relative to Senate Resolution No. 21 memorializing the President of the United States and members of the United States Senate and the United States House of Representatives to work cooperatively to ensure that businesses located in the United States, and domestic employees, be the primary beneficiaries of economic-relief legislation by incorporating Federal and State Buy American and Domestic Content requirements in any taxpayer-funded economic recovery legislation; to the Committee on Energy and Commerce.

26. Also, a memorial of the Sixtieth State Legislature of Wyoming, relative to JOINT RESOLUTION NO. 1 requesting Congress to preserve the exemption of hydraulic fracturing in the Safe Drinking Water Act and to not pass any future legislation which would remove the exemption; to the Committee on Energy and Commerce.

27. Also, a memorial of the Senate of Michigan, relative to Senate Resolution No. 30, expressing support for the people of India and constituents of Indian origin who may have been affected by the terrorist attacks in Mumbai and to urge the President and Congress to work with Indian authorities in both humanitarian and strategic capacities; to the Committee on Foreign Affairs.

28. Also, a memorial of the House of Representatives of Pennsylvania, relative to HOUSE RESOLUTION No. 7 Urging the support of the Congress of the United States for the State of Israel in the ongoing Israeli-Palestinian Conflict in the Gaza Strip; to the Committee on Foreign Affairs.

29. Also, a memorial of the House of Representatives of Pennsylvania, relative to HOUSE RESOLUTION No. 98 Memorializing the Citizens' Stamp Advisory Committee of the United States Postal Service to issue a commemorative stamp honoring coal miners; to the Committee on Oversight and Government Reform.

30. Also, a memorial of the State Legislature of New Mexico, relative to SENATE MEMORIAL 32 REQUESTING THAT CONGRESS BE URGED TO HOLD HEARINGS ON A NEW MANAGEMENT SYSTEM FOR THE VALLES CALDERA NATIONAL PRESERVE; to the Committee on Natural Resources.

31. Also, a memorial of the Sixtieth State Legislature of Wyoming, relative to JOINT RESOLUTION NO. 2 expressing Wyoming's opposition to inclusion of the black tailed prairie dog on the list of candidate species to be considered for listing as a threatened or endangered species under the Endangered Species Act of 1973; to the Committee on Natural Resources.

32. Also, a memorial of the State Senate of New Jersey, relative to Senate Resolution No. 12 respectfully urging the United States Congress to remove the federal ban on sports wagering; to the Committee on the Judiciary.

33. Also, a memorial of the Sixtieth State Legislature of Wyoming, relative to JOINT RESOLUTION NO. 3 to repeal requests made to Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States; to the Committee on the Judiciary.

34. Also, a memorial of the Sixtieth State Legislature of Wyoming, relative to JOINT RESOLUTION NO. 1 requesting that Congress adequately fund Interstate 80; to the Committee on Transportation and Infrastructure.

35. Also, a memorial of the House of Representatives of Michigan, relative to House Resolution No. 11 TO MEMORIALIZE THE PRESIDENT, THE CONGRESS, AND THE DEPARTMENT OF HOMELAND SECURITY OF THE UNITED STATES TO CHANGE REQUIREMENTS, AGREEMENTS, AND MEMORANDUMS OF UNDERSTANDING RELATING TO THE CREATION OF ENHANCED DRIVERS LICENSES; to the Committee on Homeland Security.

36. Also, a memorial of the Sixtieth State Legislature of Wyoming, relative to JOINT RESOLUTION NO. 2 urging Congress to oppose federal legislation that interferes with a state's ability to direct the transport or processing of horses; jointly to the Committees on Energy and Commerce and Agriculture.

37. Also, a memorial of the State Senate of Oklahoma, relative to SENATE RESOLUTION NO. 8 commending the President and the Congress for their support of the State Children's Health Insurance Program; jointly to the Committees on Energy and Commerce, Ways and Means, and Education and Labor.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. LUETKEMEYER and Mr. BUYER.

H.R. 104: Mr. DOGGETT.
H.R. 186: Mr. OLVER and Mr. RANGEL.
H.R. 197: Mr. MCHENRY, Mr. SPACE, Mr. BOREN, Mr. HERGER, Ms. JENKINS, and Mr. WILSON of South Carolina.
H.R. 211: Mr. STUPAK, Mr. HODES, Mr. ADLER of New Jersey, Mr. LOEBSACK, Mr. BERMAN, Mr. BRALEY of Iowa, and Mr. COURTNEY.
H.R. 265: Mr. HASTINGS of Florida.
H.R. 270: Ms. KAPTUR, Mr. SPRATT, Ms. ROS-LEHTINEN, Mr. SPACE, Mr. PLATTS, and Mr. HOLDEN.
H.R. 303: Mr. BONNER, Mr. GRAVES, Ms. BALDWIN, Mr. BRALEY of Iowa, Mr. BUCHANAN, and Mr. WOLF.
H.R. 333: Mr. PATRICK J. MURPHY of Pennsylvania, Ms. BALDWIN, Mr. BRALEY of Iowa, Mr. WEXLER, Mr. WITTMAN, Mr. GRIFFITH, Mr. KISSELL, Mr. GERLACH, and Mr. PRICE of North Carolina.
H.R. 442: Mr. ALTMIRE, Mr. PUTNAM, and Mr. WILSON of South Carolina.
H.R. 450: Mr. MCCOTTER and Mr. SESSIONS.
H.R. 481: Mr. PETERSON.
H.R. 498: Mr. MANZULLO.
H.R. 556: Mr. HODES.
H.R. 574: Mr. GONZALEZ, Mr. COHEN, Mr. SNYDER, Mr. MASSA, Mrs. KIRKPATRICK of Arizona, Mr. LUETKEMEYER, Mr. CARNEY, and Mr. BLUNT.
H.R. 581: Mr. WAMP.
H.R. 586: Mr. CLAY and Mr. QUIGLEY.
H.R. 593: Mr. GRIFFITH.
H.R. 595: Mr. RYAN of Ohio.
H.R. 622: Mr. COHEN.
H.R. 627: Mr. LEVIN, Mr. STARK, Mr. VAN HOLLEN, Mr. LEWIS of Georgia, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Ms. CASTOR of Florida, Ms. KILROY, Mr. MASSA, Mr. LUJÁN, Mr. KISSELL, Mr. BOSWELL, Mrs. DAHLKEMPER, Mr. PATRICK J. MURPHY of Pennsylvania, Ms. MARKEY of Colorado, Mr. WALZ, and Ms. GIFFORDS.
H.R. 645: Mr. DAVIS of Alabama.
H.R. 678: Mrs. DAVIS of California.
H.R. 702: Ms. HERSETH SANDLIN.
H.R. 745: Mr. BRALEY of Iowa, Mr. WEXLER, Mr. MCINTYRE, Mr. SPACE, Mr. SARBANES, Ms. HARMAN, Mr. PITTS, Mr. SMITH of Washington, Mr. MCCOTTER, Mr. CAO, Ms. BORDALLO, Mr. CONNOLLY of Virginia, Mr. CARTER, Mr. CARNAHAN, Mr. DELAHUNT, Mr. SOUDER, Mr. BOUSTANY, and Mr. KLEIN of Florida.
H.R. 751: Mr. WAMP.
H.R. 847: Mr. WEXLER and Mrs. CHRISTENSEN.
H.R. 855: Mr. SARBANES and Mr. GERLACH.
H.R. 874: Ms. FUDGE, Mr. HOLT, and Mrs. DAVIS of California.
H.R. 950: Mr. PETERSON.
H.R. 1066: Ms. BALDWIN, Mr. KIRK, Mr. ELLISON, Mr. SESTAK, Ms. FUDGE, Mr. CAPUANO, and Ms. CORRINE BROWN of Florida.
H.R. 1074: Mr. PUTNAM and Mr. BISHOP of Georgia.
H.R. 1121: Mr. MICA.
H.R. 1136: Mr. TIM MURPHY of Pennsylvania and Mr. PERLMUTTER.
H.R. 1176: Mr. DREIER.
H.R. 1177: Mr. EDWARDS of Texas.
H.R. 1178: Mr. WALZ and Mr. KLINE of Minnesota.
H.R. 1191: Mr. HONDA, Ms. BALDWIN, and Ms. MCCOLLUM.
H.R. 1194: Mr. CHANDLER, Mr. CONYERS, Mr. SESTAK, Mr. PALLONE, Mr. BURTON of Indiana, Mr. GENE GREEN of Texas, Mr. HERGER, Mrs. MILLER of Michigan, Mr. LATOURETTE, Ms. JACKSON-LEE of Texas, Mr. DRIEHAUS, and Mr. KAGEN.
H.R. 1203: Mr. KLEIN of Florida and Mr. HIGGINS.
H.R. 1207: Mr. ROONEY, Mr. MASSA, Mr. SAM JOHNSON of Texas, Mr. THOMPSON of Pennsylvania, Mr. BRADY of Texas, Mr. SMITH of Washington, Mr. SHIMKUS, and Mr. GRAVES.
H.R. 1209: Mr. LANCE, Mr. STEARNS, and Mr. BILIRAKIS.
H.R. 1210: Mr. BRALEY of Iowa, Ms. LEE of California, Mr. REICHERT, Mrs. BONO MACK, Mr. CUMMINGS, Mr. RYAN of Ohio, Mr. CARNEY, Mr. COURTNEY, Mr. CALVERT, and Ms. Velázquez.
H.R. 1228: Mr. MORAN of Kansas.
H.R. 1270: Mr. JACKSON of Illinois.
H.R. 1285: Mr. LANCE and Mr. TIM MURPHY of Pennsylvania.
H.R. 1319: Mr. ISSA.
H.R. 1327: Mr. LIPINSKI, Mr. LARSEN of Washington, Ms. TITUS, Ms. BERKLEY, Mr. REHBERG, Ms. WASSERMAN SCHULTZ, Mr. CARDOZA, and Mr. KING of New York.
H.R. 1339: Mr. FRANK of Massachusetts and Mr. COHEN.
H.R. 1354: Mr. FLEMING.
H.R. 1362: Ms. WOOLSEY.
H.R. 1383: Mr. BOREN and Mr. MARSHALL.
H.R. 1392: Mr. JOHNSON of Georgia, Mr. PAULSEN, Mr. DAVIS of Alabama, Mr. GERLACH, Mr. REHBERG, and Mr. HASTINGS of Florida.
H.R. 1401: Mr. MCGOVERN.
H.R. 1402: Mr. COHEN, Mr. PAYNE, Mr. GRIJALVA, and Mr. YARMUTH.
H.R. 1410: Mr. BISHOP of Georgia, Mr. HIMES, and Mr. SMITH of Washington.
H.R. 1454: Mr. PALLONE.
H.R. 1460: Mr. TERRY.
H.R. 1476: Mr. BISHOP of Georgia.
H.R. 1505: Mr. MASSA and Mr. LIPINSKI.
H.R. 1547: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. THOMPSON of California, Mr. DAVIS of Kentucky, Mr. DOYLE, Mr. STEARNS, Mr. ELLSWORTH, Mr. MANZULLO, Mr. FLEMING, Mr. WITTMAN, Mr. KENNEDY, Ms. MATSUI, and Mr. SHUSTER.
H.R. 1548: Mr. MCCOTTER, Mr. SHULER, and Mrs. BIGGERT.
H.R. 1549: Mr. FATTAH and Mr. BERMAN.
H.R. 1557: Mr. SMITH of Washington, Mr. DANIEL E. LUNGREN of California, Mr. BILBRAY, Mr. PLATTS, Mr. BRADY of Texas, Mr. CAO, Mr. ROE of Tennessee, Mr. FORTENBERRY, Mr. DENT, Mr. HOEKSTRA, and Mr. CHAFFETZ.
H.R. 1570: Ms. KILPATRICK of Michigan.
H.R. 1585: Mr. SARBANES, Mr. BRALEY of Iowa, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. POMEROY, and Mrs. NAPOLITANO.
H.R. 1587: Mr. RAHALL.
H.R. 1588: Mr. ALTMIRE.
H.R. 1615: Mr. PLATTS and Mr. PALLONE.
H.R. 1616: Mr. HOYER, Mr. BRALEY of Iowa, Ms. KILPATRICK of Michigan, Mr. BLUMENAUER, and Mr. CONYERS.
H.R. 1618: Mr. SMITH of Washington, Mr. WEXLER, Ms. LEE of California, Mr. ISRAEL, Ms. JACKSON-LEE of Texas, and Mr. COURTNEY.
H.R. 1628: Mr. SCHOCK.
H.R. 1640: Mr. FILNER.
H.R. 1646: Ms. BALDWIN, Mr. PLATTS, Mr. PAULSEN, Mr. CHANDLER, Mr. WEXLER, Mr. BUTTERFIELD, Mr. ROGERS of Alabama, Mr. RUPPERSBERGER, Mr. MEEKS of New York, Ms. ROYBAL-ALLARD, and Mr. KAGEN.
H.R. 1670: Mr. HODES, Mr. ABERCROMBIE, Mr. VISCLOSKY, Mr. MEEK of Florida, Mr. SMITH of New Jersey, and Mrs. MALONEY.
H.R. 1671: Ms. LEE of California, Mr. LOEBSACK, and Mr. BLUMENAUER.
H.R. 1684: Mr. BLUNT, Mr. WILSON of South Carolina, and Mr. HENSARLING.
H.R. 1708: Mr. FARR, Mr. CARNEY, Mr. WILSON of Ohio, Mr. GRIJALVA, Mr. MCCOTTER, and Mr. SIRES.
H.R. 1723: Mr. AL GREEN of Texas and Mr. ELLISON.
H.R. 1724: Mr. DAVIS of Illinois.
H.R. 1737: Mr. BOSWELL.
H.R. 1739: Mr. FILNER.
H.R. 1740: Mr. LEWIS of California and Mr. MORAN of Virginia.
H.R. 1744: Mr. MCINTYRE, Mr. PRICE of Georgia, Mr. PLATTS, Mr. KING of Iowa, Mr. WESTMORELAND, Ms. GRANGER, Mr. THORNBERRY, Mr. GINGREY of Georgia, Mr. CONAWAY, Mr. PASTOR of Arizona, Mr. MCCAUL, Mr. BONNER, Mrs. BLACKBURN, Mr. PUTNAM, Mr. MORAN of Virginia, Mr. MANZULLO, and Ms. CORRINE BROWN of Florida.
H.R. 1748: Mr. GONZALEZ.
H.R. 1751: Mr. MEEK of Florida, Mr. CARSON of Indiana, Ms. WOOLSEY, Mr. STARK, and Mr. WU.
H.R. 1756: Mr. MANZULLO.
H.R. 1759: Mr. WELCH.
H.R. 1760: Ms. LEE of California.
H.R. 1761: Mr. LIPINSKI, Mr. HINCHEY, Ms. WOOLSEY, Mr. SPACE, and Ms. FUDGE.
H.R. 1762: Mr. SHADEGG.
H.R. 1764: Ms. TITUS, Ms. KILPATRICK of Michigan, and Mr. SIRES.
H.R. 1799: Mr. HASTINGS of Washington and Mr. OLSON.
H.R. 1802: Mr. MANZULLO.
H.R. 1814: Mr. MANZULLO.
H.R. 1817: Mr. GORDON of Tennessee, Mr. WAMP, Mr. COOPER, Mr. DUNCAN, Mr. ROE of Tennessee, and Mr. TANNER.
H.R. 1820: Mr. CARDOZA and Ms. ROYBAL-ALLARD.
H.R. 1826: Mr. GENE GREEN of Texas.
H.R. 1827: Mr. CARNAHAN.
H.R. 1835: Ms. FALLIN and Mr. AL GREEN of Texas.
H.R. 1836: Mr. BURTON of Indiana and Mr. THORNBERRY.
H.R. 1869: Mr. MCDERMOTT, Ms. SUTTON, Ms. BORDALLO, Ms. JACKSON-LEE of Texas, Mr. TIERNEY, Mr. ARCURI, Mr. SESTAK, Mr. BUTTERFIELD, Mr. WEXLER, Mr. LARSEN of Washington, Mr. HASTINGS of Florida, Mr. BOSWELL, Mrs. CAPPS, Mr. ROTHMAN of New Jersey, Mr. CARSON of Indiana, Mr. SIRES, Mr. MASSA, Mr. CONYERS, Mr. SKELTON, Mr. PASTOR of Arizona, Mr. BISHOP of Georgia, Mr. CROWLEY, Ms. WOOLSEY, Mrs. MALONEY, Mr. BERMAN, and Ms. LEE of California.
H.R. 1870: Mr. SABLAN, Mr. FATTAH, Mr. ACKERMAN, Mr. STARK, Mrs. TAUSCHER, and Mr. CUMMINGS.
H.R. 1872: Mr. MITCHELL, Mr. RODRIGUEZ, Ms. KILPATRICK of Michigan, Ms. MATSUI, Mr. HALL of New York, and Mr. HEINRICH.
H.R. 1873: Mr. COURTNEY.
H.R. 1877: Ms. ROYBAL-ALLARD and Mr. LANGEVIN.
H.R. 1895: Mr. VAN HOLLEN.
H.R. 1913: Mr. DOGGETT, Mr. PASTOR of Arizona, Mr. BRADY of Pennsylvania, Mr. GRIJALVA, Ms. ZOE LOFGREN of California, Ms. NORTON, Mr. QUIGLEY, Mr. LEWIS of Georgia, Ms. ROYBAL-ALLARD, Mr. PRICE of North Carolina, Mr. WU, Mr. CLYBURN, Mr. MITCHELL, Mr. OBERSTAR, Mr. GEORGE MILLER of California, Mrs. MCCARTHY of New York, Ms. MATSUI, Mr. VISCLOSKY, Mr. SMITH of Washington, Mr. SESTAK, Mr. PLATTS, Mr. GONZALEZ, Mr. COURTNEY, Ms. JACKSON-LEE of Texas, and Ms. GIFFORDS.
H.R. 1933: Mr. COHEN, Mr. WILSON of South Carolina, and Mr. BURTON of Indiana.
H.R. 1941: Mr. PASTOR of Arizona.
H.R. 1960: Mr. MANZULLO.
H.R. 1970: Mr. ROGERS of Alabama and Mr. WAMP.
H.R. 1977: Mr. MARIO DIAZ-BALART of Florida.
H.R. 1993: Ms. DELAURO, Mr. MAFFEI, Ms. CLARKE, and Mr. DAVIS of Illinois.
H.R. 2000: Mr. WOLF, Mr. MICHAUD, and Mr. MCDERMOTT.
H.R. 2001: Mr. DINGELL.
H.R. 2002: Ms. BERKLEY.
H.R. 2003: Mr. COHEN.
H.J. Res. 12: Mr. MCGOVERN.
H. Con. Res. 74: Mr. SENSENBRENNER.
H. Con. Res. 89: Ms. BERKLEY, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, Ms. CORRINE BROWN of Florida, Mr. KLEIN of

Florida, Mr. NADLER of New York, Mr. MORAN of Virginia, and Mr. AL GREEN of Texas.

H. Res. 81: Mr. MCHENRY, Mr. INGLIS, Mr. COURTNEY, and Mr. MELANCON.

H. Res. 160: Ms. DEGETTE.

H. Res. 174: Mr. LIPINSKI.

H. Res. 175: Mr. MORAN of Kansas.

H. Res. 185: Ms. KILPATRICK of Michigan.

H. Res. 191: Mrs. MALONEY.

H. Res. 192: Mr. PASCRELL, Ms. GINNY BROWN-WAITE of Florida, and Mr. MOORE of Kansas.

H. Res. 193: Mr. KIRK and Mr. KIND.

H. Res. 209: Mr. ROTHMAN of New Jersey, Mr. JOHNSON of Georgia, and Mr. DINGELL.

H. Res. 215: Mr. PAYNE.

H. Res. 232: Mr. BISHOP of Georgia and Ms. NORTON.

H. Res. 236: Mr. MCMAHON and Mr. TIM MURPHY of Pennsylvania.

H. Res. 241: Mr. SIRES.

H. Res. 259: Mr. BROUN of Georgia, Mr. KLINE of Minnesota, Mr. PETERSON, Mr. CARTER, Ms. SHEA-PORTER, Mr. LATTA, Mr. SMITH of Washington, and Mr. BARTLETT.

H. Res. 299: Mr. PIERLUISI, Mr. DELAHUNT, Mr. HINCHEY, Mr. REYES, Mr. BISHOP of Georgia, Ms. WOOLSEY, Mr. MASSA, Mr. HOLT, Mrs. CHRISTENSEN, Mr. HINOJOSA, Mr. SARBANES, and Mr. BOSWELL.

H. Res. 300: Ms. BORDALLO, Mr. SKELTON, Mr. DAVIS of Illinois, and Mr. LAMBORN.

H. Res. 309: Mr. WEXLER, Ms. HIRONO, and Mr. MCKEON.

H. Res. 311: Ms. ZOE LOFGREN of California and Mr. FILNER.

H. Res. 319: Mr. COFFMAN of Colorado, Mr. MCKEON, Mr. ROGERS of Michigan, Mr. AKIN, Mr. BOOZMAN, Mr. THORNBERRY, and Mr. KLINE of Minnesota.

H. Res. 321: Mr. HINOJOSA, Mr. GRIJALVA, Mr. LYNCH, Mr. CLAY, Mr. GUTIERREZ, Mr. MEEKS of New York, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. GARY G. MILLER of California, Mr. MCCARTHY of California, Mr. WATT, Mr. PERLMUTTER, Mr. DONNELLY of Indiana, Mrs. MCCARTHY of New York, Ms. WATERS, Mr. SHERMAN, Ms. SPEIER, Mr. CAPUANO, Mr. MOORE of Kansas, Mr. SCOTT of Georgia, Mr. ROYCE, Mr. WILSON of Ohio, Mr. ELLISON, and Ms. MOORE of Wisconsin.

H. Res. 323: Mr. MANZULLO.

H. Res. 329: Mr. MCHUGH, Mr. HUNTER, Mr. INSLEE, Mr. CASTLE, Mr. MCGOVERN, Mr. MOORE of Kansas, Mrs. CAPPS, Ms. TSONGAS, Mr. HEINRICH, Mr. BLUMENAUER, Mr. FILNER, Mrs. EMERSON, Mr. COHEN, and Mr. SKELTON.

H. Res. 337: Mr. MCGOVERN, Ms. BORDALLO, Mr. SESSIONS, Mr. MCCAUL, Mr. MARCHANT, Mr. SMITH of Texas, Mr. POE of Texas, Mr. OLSON, Ms. JACKSON-LEE of Texas, Ms. MATSUI, Mr. BROWN of South Carolina, Mr. NUNES, Mr. YOUNG of Florida, Mr. CARTER, Mr. ROONEY, and Mr. BURTON of Indiana.

H. Res. 338: Mr. MANZULLO, Mr. GERLACH, Mr. PETRI, Mr. MCKEON, Ms. MCCOLLUM, and Mr. BURGESS.

H. Res. 341: Mr. BOSWELL, Mr. SHULER, Mr. KRATOVIL, Mr. TANNER, Mr. CHILDERS, Mr. KISSELL, Mr. CARDOZA, Mr. MINNICK, Mr. HILL, Mrs. HALVORSON, Mr. BARROW, Mr. NYE, Mr. PERRIELLO, Mr. MELANCON, Mr. TAYLOR, Mr. MATHESON, Mr. DONNELLY of Indiana, Mr. DAVIS of Tennessee, Mrs. DAHLKEMPER, Mr. BOREN, Mr. HEINRICH, Ms. VELÁZQUEZ, Ms. PINGREE of Maine, Mr. COHEN, Mr. MOORE of Kansas, Mr. WALZ, Mr. PETERS, Mr. JOHNSON of Georgia, Ms. KOSMAS, Ms. TITUS, Mr. BOCCIERI, Mr. THOMPSON of Mississippi, and Mr. TEAGUE.

H. Res. 344: Ms. ESHOO, Mr. PASCRELL, Mr. YARMUTH, Mr. HARE, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. CHILDERS, Ms. BEAN, and Mr. LINDER.

H. Res. 349: Ms. CASTOR of Florida, Mr. LOBIONDO, Mr. WILSON of South Carolina, Ms. GRANGER, Mrs. BONO MACK, Ms. ROS-LEHTINEN, Mr. DEFAZIO, Mr. BLUNT, Mr. SHERMAN, Mr. MACK, Mr. YOUNG of Florida, Mrs. SCHMIDT, Mr. HERGER, Mr. PASCRELL, Mr. YOUNG of Alaska, Ms. BERKLEY, Mr. DENT, Mr. LEE of New York, Mr. WESTMORELAND, Mr. BARTLETT, Mr. SHUSTER, Mr. WOLF, Mr. PLATTS, Mr. BURTON of Indiana, Mr. TERRY, Mr. DAVIS of Kentucky, Mr. MURPHY of Connecticut, Mrs. BIGGERT, Mr. REHBERG, Mr. TIBERI, Mr. TURNER, and Mr. EHLERS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 875: Ms. PINGREE of Maine.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

27. The SPEAKER presented a petition of the San Francisco Board of Supervisors, relative to Resolution No. 73-09 Requesting San Francisco's Congressional and State Legislative Delegations Reform Laws Governing use of Public Education and Government Cable Access System Funds; to the Committee on Energy and Commerce.

28. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 124 of 2009 Requesting That The United States Postal Service Re-Issue The Purple Heart Stamp As A Forever Stamp; to the Committee on Oversight and Government Reform.

29. Also, a petition of the San Francisco Board of Supervisors, relative to Resolution No. 72-09 urging Congress to pass the Uniting American Families Act and supporting the removal of legal barriers to immigration by permanent same-sex partners; to the Committee on the Judiciary.

30. Also, a petition of the Forest District Civic Association, relative to the Association's motion to table the Freedom of Choice Act and the New York bill called RHAPP, as they should not be voted into law as they both deny the right to life of the fetus; to the Committee on the Judiciary.

31. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 130 of 2009 Urging The Obama Administration To Reconsider Implementation Of The Federal Aviation Administration's Northeast Airspace Redesign Plan; to the Committee on Transportation and Infrastructure.

32. Also, a petition of the City of Pembroke Pines, Florida, relative to RESOLUTION NO. 3214 SUPPORTING THE PASSAGE AND ADOPTION OF AN AMENDMENT TO THE FEDERAL REGULATIONS ALLOWING FOR THE ISSUANCE OF TAX-EXEMPT BONDS TO HELP CITIES FUND THEIR PENSION OBLIGATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE; to the Committee on Ways and Means.

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PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, FIRST SESSION

Vol. 155 WASHINGTON, WEDNESDAY, APRIL 22, 2009 No. 59

Senate

The Senate met at 10 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, we come to You in weakness and seek Your strength. Without Your presence in our lives, we can't succeed.

Today, strengthen the Members of this body to do Your will. Lift their burdens and fill them with Your wisdom, transforming them into instruments of Your providence. May they dedicate their talents to be used for Your glory. Reach out and touch them with the finger of Your love so that they can feel You guiding them. Lord, make them willing to follow. Give them courage to creatively confront the problems that bring hopelessness to so many in our world. We pray in the Name of Him who is our hope for years to come. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 22, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. UDALL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, there will be a period of morning business for 30 minutes. The Republicans will control the first 15 minutes and the majority will control the final 15 minutes. Following that, the Senate will begin consideration of the Fraud Enforcement and Recovery Act. Rollcall votes in relation to amendments are expected throughout the day.

As I announced last night, we expect some amendments on this bill. We would ask Senators to be ready to start offering those amendments. We have a lot to do. I had a discussion yesterday with the Republican leader as to what we are going to do next. I think he has a pretty good idea of that, and I will be in discussion with him sometime today so we can move toward having a productive week.

I think it speaks well of the Senate that we were able to move to this bill without a vote on the motion to proceed. I think that will allow us to get to the bill quickly and allow whoever doesn't like the bill to try to change it in any way they feel appropriate.

RECOGNITION OF THE REPUBLICAN LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TARP OVERSIGHT

Mr. MCCONNELL. Mr. President, last fall, many of us in Congress weren't all that excited about rescuing financial firms from problems that many of them had brought about themselves, but we decided swift action was needed precisely to protect ordinary Americans from the mistakes these firms had made. At the time, Republicans insisted on strong taxpayer protections. None of us had any doubt that once these banks were healthy again, they would pay the money back to the taxpayers who gave it to them.

Let me say that again. None of us had any doubt that once the banks were healthy again, they would pay the money back to the taxpayers. In fact, many of my colleagues on this side of the aisle only supported the bill because of the representations that were made that we would recoup—the Government would recoup—the money. Now we are hearing a different story.

A number of the firms that taxpayers helped out last fall are now on the road to recovery and want to pay back their loans. Unfortunately, Treasury doesn't seem to want to take the money. Let me say that again. These firms are getting healthy, they want to pay back the money, and Treasury doesn't seem to want to take the money. This wasn't the original plan, and it doesn't seem right to most people. If a bank wants to pay the taxpayers back—if a bank wants to pay the taxpayers back—the Government shouldn't block the door.

Just as troubling is a new report by the special inspector general who is overseeing all the financial rescue programs. It alleges the same kind of fraud we warned about back in October, including about 20 preliminary and full criminal investigations for everything ranging from securities fraud to mortgage fraud, to insider trading, to public corruption related to the $700 billion in rescue funds.

All of this is a major wakeup call. The Treasury needs to root out the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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fraud now, particularly at a time when the new administration is vastly expanding the size and the scope of these programs. As these programs expand, so will the potential for abuse. The Treasury Department also needs to let these banks extract themselves from Government control as soon as they want to. That was the original plan the American people signed onto, and they have a right to expect that the original plan will be carried out free from fraud and abuse.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 30 minutes, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak for up to 15 minutes in morning business, and would the Chair please let me know when I have 2 minutes left.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the Chair will do so.

ENERGY POLICY

Mr. ALEXANDER. Mr. President, today is Earth Day, a day of celebration of the environment and the landscape of the great American outdoors. The President is on his way to Iowa to visit a windmill factory.

It is also a good day for us in the Senate to ask, ''exactly what is our energy policy in the United States and what should it be?'' Is it a national clean energy policy; or is it a national renewable energy policy; or is it a national windmill policy? It makes a difference. Because in terms of electricity, we use about a quarter of all the electricity in the world, and our computers and our homes in the summer and winter and our factories all depend upon a generous supply of reliable, low-cost electricity. That is what we need.

I believe this is our policy, and I believe most on the Republican side believe this as well, and I hope many on the other side do too. I believe that what we should do for the foreseeable future is to produce American energy, and use less energy, and that we ought to do it as cleanly as possible, as reliably as possible, and at as low a cost as possible.

Let's see if that is what we are actually doing and if that is what the legislation we are considering would actually do. Nothing has captured the media's attention, nor the attention of those of us who are elected to office, quite so much as renewable energy. I heard the Presiding Officer make what I believe was his maiden speech on the floor of the Senate on this subject not long ago. And the President of the United States—President Obama—has talked about powering our electricity by capturing the energy of the Sun, and the wind, and the Earth.

We will be considering, within a few weeks, legislation that would require all our electric utilities to generate a portion of their electricity from a very narrowly defined group of energies—mostly the Sun, the wind, and the Earth—and we have huge subsidies, especially for windmills—billions of dollars by taxpayers. That is the subject of another speech, but last year we added another $13 billion or $14 billion in subsidies over the next 10 years that we would be giving to banks and wealthy people and others who are wind developers.

The total number is in the $25 billion to $26 billion in taxpayer money that is now going just to subsidize wind turbines. The subsidies are huge. As a country, we have gotten infatuated with energy from the Sun, the wind, and the Earth.

I went to the Oak Ridge National Laboratory a year ago and talked about the importance of a clean energy future for our country, and among the suggestions I made was that we have a new Manhattan Project (like the World War II project that created the atom bomb), or a series of mini Manhattan Projects, and that they would be directed toward such things as making solar cost competitive within 5 years. Solar energy costs three or four times as much as other energies, so the technology needs to be improved. Also, we should make advanced biofuels more of a reality. In other words, making fuel from crops that we don't eat so we don't distort the food market.

We have made some progress on renewable energy, but there is a potentially dangerous energy gap facing us in America because, today, renewable energy from the Sun, the wind, and the Earth produces 1½ percent of all the electricity we use. The President wants to double that. Well, that is 3 percent. What if we tripled it? Well, that is on up to 5 or 6 or 7 percent. What about the other 90 percent? How are we going to heat our homes and cool our homes and how are we going to keep prices low enough so our factories and jobs will stay here rather than going overseas? It will be a long time before electricity or energy from the Sun and the wind and the Earth can power this big country of ours. There will be a gap between the renewable energy we want and the reliable, low-cost energy we must have.

Congressman HEATH SHULER of North Carolina and I are co-chairs of the Tennessee Valley Authority Congressional Caucus. We went to Knoxville last week and held a very interesting forum on the renewable energy options in the Tennessee Valley Authority area. One of the two big plants that make polysilicon, which is essential for solar, provided testimony. We are very glad to see that in Tennessee. But each of those plants uses 120 megawatts of power. They will become almost immediately TVA's largest, or among their largest, customers. They need large amounts of low-cost, reliable electricity to make solar panels. Today, of course, the kind of energy President Obama wants to use only produces 1.5 percent of that needed by the United States. We need low-cost electricity for all jobs, not just green jobs.

Here is what we found that was promising—solar especially. I mentioned it cost a lot more today and that it takes up a whole large area. A nuclear powerplant might take up one square mile. The equivalent amount of solar power might take up 10 times that much area. But nevertheless, our State and the Oak Ridge Laboratory and the University of Tennessee are focused on doing our best to try to make solar cost competitive, and we should redouble that effort in this country. We should be spending our money on energy research and development for that purpose.

For example, we heard about underwater river turbines. The Federal Energy Regulatory Commission says there may be 30,000 megawatts of electricity that could be produced by turbines in the Mississippi River. That would be pretty good, if it works, because the river runs all the time, unlike the Sun, which only produces energy when the Sun shines. Of course, you can't store energy from the Sun. People overlook that sometimes. You have to use it when it happens. The wind often blows at night, when we don't need it. But the river runs all day long—old man river does—and if it can produce that kind of energy, that would be promising.

Biomass may help. The Southern Companies are building a plant that would have about 100 megawatts. In our part of the world, a bad choice would be wind turbines. We have one wind plant. The problem with it is, No. 1, the wind doesn't blow, at least not enough to make much electricity. It blows 18 percent of the time in the case of TVA's one wind farm—the only wind farm in the southeastern United States.

Second, much of that is at night, when TVA has about seven nuclear powerplants worth of electricity that is unused. So TVA is wasting, in my opinion, $60 million on big wind turbines that it could be spending on conservation, nuclear power, and pollution control equipment.

More than anything else, we do not want to see giant, 500-foot wind turbines on top of the most beautiful mountains, we believe—with all respect to the Senator from New Mexico—the

most beautiful mountains at least in the eastern part of the United States. Boone Pickens was asked if he was going to put wind turbines on his ranch? He said: No, they are ugly. If they are too ugly for his ranch then they are too ugly for the Great Smokey Mountains, and they are the wrong choice for us. Solar? Yes. Underwater turbines? Yes. Biomass? Yes. There may be others, but there are good choices and there are bad choices.

The bridge to the future for clean energy means this. While we do all we can on research and development to find a way to make solar cost competitive, to find a way to create advanced biofuels, we are still going to need a lot of power. Based on what we saw in the TVA region, you could start with conservation. We use 143 percent of the national average, per person, of electricity in Tennessee. We waste a lot of electricity. If we just used the national average, that would be the same as four new nuclear plants, five coal plants the size of Bull Run and nine natural gas plants such as the ones TVA is building in Jackson. So we start with conservation.

If we are talking about fuel, the simplest and easiest thing to do on Earth Day is to recognize we could electrify half of our cars and trucks in America—that might take 20 years—but without building one single new powerplant, not one nuclear plant, not one coal plant, not one windmill on a mountaintop. We don't have to do that because, in TVA's case, they have 6,000 or 7,000 megawatts of unused electricity at night when we are all asleep and the factories are not working. So plug your car in at night at cheaper rates, bring in a lot less oil from overseas, save billions of dollars. That would take care of us for the next 20 years. That would be a smart decision to make on Earth Day.

But the other thing we need to do is recognize that, if we care about clean air, and especially if we are worried about global warming, as I am, that we have to take nuclear seriously. Nuclear plants in America produce only 20 percent of our electricity but they produce 70 percent of our carbon-free, mercury-free, nitrogen-free, sulfur-free electricity. Let me say that again. They are only 20 percent of our electricity but they are 70 percent of our clean electricity. So in the Tennessee region especially, we should not be wasting money on windmills where the wind doesn't blow and it desecrates the environment. We should be spending money on making coal plants cleaner through pollution control. We know how to do that, except for carbon. We should also build more nuclear plants and retire the dirtiest coal plants. That is the smart thing to do. And we should emphasize conservation.

My point today is simply this. I think all of us want to make sure we have a stable energy future. A stable energy future means plenty of reliable, low-cost electricity so we can heat and cool our homes and keep our jobs from going overseas. And we want to make sure it is clean. So our goals should be to produce more American energy, to make us more energy independent by electrifying our cars, to make coal clean, and to use wind and solar when it is appropriate to do that. But if we truly want to make a difference, we should build 100 new nuclear powerplants in the next 20 years, at least five or six a year, because that is the best way to have clean air. That is the best way to have low costs. And we should launch another mini-Manhattan Project and reserve a Nobel Prize for the scientist who can get rid of the carbon from existing coal plants, because coal provides half our energy. We know what to do about nitrogen, mercury, and sulfur. But we have not figured out what to do about carbon. If we did, India would also do it, China would also do it, the rest of the world would do it, and we could have low-cost energy.

I mention low cost because so often we talk about new forms of energy as if cost didn't matter. It matters to the executives who met with me yesterday from the TVA region. TVA's residential rates are low, relatively. But the industrial rates are not. If they are too high, those jobs move out of our region, maybe overseas. And last December the people in Nashville, our capital city, did not think the residential rates were so low because 10 percent of them said they were unable to pay their electric bill in December because it was too high.

The ACTING PRESIDENT pro tempore. The Senator has 2 minutes remaining.

Mr. ALEXANDER. Thank you very much, Mr. President.

So on Earth Day my suggestion is that, as we celebrate the day, we should ask what is our energy policy—Is it a national clean energy policy? Is it a national renewable energy policy? Is it a national windmill policy?—we should recognize there is a potentially dangerous gap between the renewable energy we want and the reliable low-cost energy we must have, and between now and then we must build a strong bridge to a clean energy future.

We can agree on conservation, but during that time we will need 100 new nuclear plants, we will need offshore drilling for oil, and fast, because we need the gas and we can't electrify all of our cars as quickly as we might like.

Earth Day is a day for celebration, but it is also a day for realism.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

GLOBAL WARMING

Mr. DURBIN. Mr. President, I thank my colleague from Tennessee for acknowledging Earth Day. All of us are conscious of the fact that, at least over the last 30 years or so, we have begun to realize the importance of our environment and the important responsibility we have toward our environment. I am troubled by the fact that only a few weeks ago on this very Senate floor as we debated the budget resolution, amendment after amendment was offered to try to stop us from dealing with the issue of global warming. I think it is a sad commentary that still too many Senators of both political parties are looking for excuses to do nothing. We give our speeches, we acknowledge to student groups and others that we face a challenge. Yet when we have an opportunity, as we do in the Senate, to deal with that, too many of my colleagues race away. We cannot do that any longer. We owe it to future generations to make important, albeit difficult, decisions which will lead us to the point where we are resolving the challenge of global warming and climate change. These are realities. We owe nothing less to the next generation but to come up with responsible approaches to those.

The budget resolution debate of a few weeks ago was a discouraging chapter in this saga. I hope many of my colleagues will come to realize that we must accept this responsibility.

U.S. POLICY TOWARD CUBA

Mr. DURBIN. Mr. President, last month during the vote on the omnibus bill we heard the beginnings of a discussion on the best way to encourage change in Cuba. Shortly thereafter several of my colleagues, including Senators DORGAN, LUGAR, DODD, and ENZI spoke about their bill, the Freedom to Travel to Cuba Act, which I am pleased to cosponsor.

And last week President Obama announced an easing of U.S. policy toward Cuba—one that allows for, among other things, greater family travel and unlimited remittances to the island. These wise steps begin to undo decades of counterproductive policy toward Cuba.

The President's similarly timed visits to Mexico and the Summit of the Americas in Trinidad demonstrate a welcome and hopeful level of reengagement in the region—one in which we have many shared interests and challenges.

Yet the debate on U.S. policy toward Cuba raises many passions and heart felt concerns.

While all of us want to see a more open and democratic Cuba, the means to reach that goal are often vigorously debated.

I am under no illusions about the horrendous record of the Cuban regime regarding human rights and political freedom. The Castro government has regularly jailed those who oppose its rule or want even a semblance of political freedom. Many languish in inhuman conditions without trial or recourse.

According to the State Department's most recent Human Rights Report on

Cuba, at least 205 political prisoners and detainees were in jail at the end of 2008 and as many as 5,000 citizens, including 1,000 women, served sentences this year without being charged with a specific crime.

Beatings and harassment of human rights activists and political dissidents by government-recruited mobs, police, and state security officials remain commonplace. Journalists continue to be denied the right to openly criticize their government without fear of reprisal. And domestic human rights groups are not even recognized or permitted to legally function.

We all want this to change. It must change.

Yet for almost 50 years the United States has tried the same policy with Cuba, one of isolation, and it has failed.

I wish that were not true, but it is.

I believe sanctions can be an important foreign policy tool. Their use should be carefully considered on a case by case basis.

Yet after almost half a century of a failed isolation policy in terms of Cuba, don't we owe it to ourselves and the Cuban people to rethink this issue?

I am not arguing that we lift all sanctions against Cuba. The regime must begin to release its political prisoners and implement political reforms before we take any such steps.

The Cuban government must listen to the brave voices of its own people such as Oswaldo Paya, who has collected thousands of signatures for a petition given to the Cuban government requesting greater political freedoms—a petition process that is in fact allowed for under the Cuban constitution.

But President Obama was right in beginning to change U.S. policy toward Cuba.

Cuba is no longer a serious threat to the United States; we no longer need to think in black or white Cold War terms. Since that time, we have seen globalization, an unprecedented flow of information between people in different countries, and the emergence of many new countries seeking democracy.

Why should the people of Cuba be held back from the benefits of this new world? There is already limited use of the Internet and cell phones on the island—but I bet if you ask the Cuban people, they would tell you they want more access to these links to the outside world, not less. President Obama's policy of allowing telecommunications licensing on the island should help foster such access to the outside world.

We should replace the Castro regime with an open, democratic Cuba the same way we brought down the Berlin Wall and the Soviet Union. We need to expand the contact of everyday Cubans with freedom, opportunity and people whose lives are inspired by our values.

Isolation is not the answer. An invasion is the answer—but not a military invasion; the invasion of openness and freedom and new ideas.

It is not a Pollyanna-ish position to argue this. My mother was born in Lithuania. Lithuania, a Baltic nation, was under suppression by the Soviet Union after World War II, isolated, cut off from the world as was most of Eastern Europe. But then the day came when the conversation opened, when the doors opened, when the people of the Baltics and Eastern Europe could see the Western world and realize how much their lives had been denied by totalitarian rule.

I think the same thing can happen in Cuba. We should not be closing the doors to Cuba. We should throw them wide open. I had some friends who recently went to Cuba, through Mexico, with a visa. They came back and said, ''You know, they are still using oxen for power in their agriculture.'' Yoking oxen, in the 21st century, 90 miles offshore from the United States? If they knew and could see what modern agriculture could bring to them, if they could understand what freedom meant, even more, we would have a greater chance of bringing real change to Cuba.

Earlier this year, Congress eased travel restrictions. President Obama has eased them further. The more Americans and Westerners move into Cuba, the more they will bring ideas and commerce and opportunity and change to Cuba. Isolation for 50 years has failed. Why would we cling to a failed policy?

It is a poor country, a nation that struggles with natural disasters as well as poverty of its own creation and one that would be open to change and opportunity.

I might also say that the embargo which we have imposed has hurt our chances to export food to Cuba, which is needed. We should open those opportunities in the hopes that commerce will not only feed people who are hungry but establish stronger relationships and a better understanding by the Cubans of what a free market economy could bring them. The U.S. policy of isolation strengthens the Castro dictatorship. If at a time when we should be opening the doors by closing them, we gave Castro, Fidel Castro, and his brother Raul excuses for the misfortunes that people realize in Cuba, we have an opportunity to change those things, and I certainly hope that we do.

It was interesting to me when the President of the United States went down for this Summit of the Americas, the biggest story that came out of it was the fact that he was not rude to Hugo Chavez of Venezuela, that he actually shook his hand and took a book from him.

Some of the cold warriors that I hear on television, the commentators just cannot get over that. They cannot imagine that we would change a foreign policy that we have had over the Bush administration years, a policy that sadly did not reach its intended goals of better relationships and better respect around the world.

President Obama is opening negotiations and conversations with countries around the world and creating an opportunity, an opportunity for new freedom, an opportunity for new strength, and a new image of the United States. It may trouble some of the cold warriors of years gone by who want confrontation and lack of communication, but that certainly does not serve the needs of the 21st century.

I welcome this change that President Obama has brought to Washington. I welcome this opening of foreign policy in the hope that his approach and his image and status in the world will bring us to a safer place in the 21st century.

I yield the floor.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER (Mr. BENNET.) The Senate is in morning business with 5 minutes remaining under the majority's control.

Mr. LEAHY. Thank you, Mr. President. I want to compliment the distinguished senior Senator from Illinois for what he just said. As he knows, of course, he was the earliest supporter of his then-colleague, then-Senator Barack Obama, and he knows I also supported him very early on.

I was asked why I supported then-Senator Obama, and I said because we have to reintroduce America to the rest of the world. I believe we are a great and wonderful nation. We are the Nation of the Marshall Plan, the Peace Corps, the Nation that brought together a coalition to defeat the fascists and the Nazis and others in World War II. We are a great nation. We discovered polio vaccines. We have done so much. The rest of the world had lost sight of that. There is animosity toward our ''it is our way or no way'' approach. It is the ''we are right you are wrong'' attitude of this country and the reference to ''Old Europe'' and things like this that were so dismissively done. Any of us who traveled around the world realized how that was.

As a proud American, as one who believes we do live in the greatest democracy history has ever known, I wanted to reintroduce America, the America I believe in, to the rest of the world. That is why I supported Barack Obama. That is why I was glad to see President Obama reintroduce us first in Europe and then in Latin America.

The Senator from Illinois is absolutely right. It is all I hear in my State, a State that has a very strong sense of internationalism but a very strong sense of patriotism: Thank goodness somebody is showing what America is.

I commend the President for doing that.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

FRAUD ENFORCEMENT AND RECOVERY ACT OF 2009

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 386, which the clerk will report by title.

The bill clerk read as follows:

A bill (S. 386) to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fraud Enforcement and Recovery Act of 2009'' or ''FERA''.

SEC. 2. AMENDMENTS TO IMPROVE MORTGAGE, SECURITIES, AND FINANCIAL FRAUD RECOVERY AND ENFORCEMENT.

(a) DEFINITION OF FINANCIAL INSTITUTION AMENDED TO INCLUDE MORTGAGE LENDING BUSINESS.—Section 20 of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' after the semicolon;

(2) in paragraph (9), by striking the period and inserting ''; or''; and

(3) by inserting at the end the following:

''(10) a mortgage lending business (as defined in section 27 of this title) or any person or entity that makes in whole or in part a federally related mortgage loan as defined in 12 U.S.C. 2602(1).''.

(b) MORTGAGE LENDING BUSINESS DEFINED.—

(1) IN GENERAL.—Chapter 1 of title 18, United States Code, is amended by inserting after section 26 the following:

''§ 27. Mortgage lending business defined.

''In this title, the term 'mortgage lending business' means an organization which finances or refinances any debt secured by an interest in real estate, including private mortgage companies and any subsidiaries of such organizations, and whose activities affect interstate or foreign commerce.''.

(2) CHAPTER ANALYSIS.—The chapter analysis for chapter 1 of title 18, United States Code, is amended by adding at the end the following:

''27. Mortgage lending business defined.''.

(c) FALSE STATEMENTS IN MORTGAGE APPLICATIONS AMENDED TO INCLUDE FALSE STATEMENTS BY MORTGAGE BROKERS AND AGENTS OF MORTGAGE LENDING BUSINESSES.—Section 1014 of title 18, United States Code, is amended by—

(1) striking ''or'' after ''the International Banking Act of 1978),''; and

(2) inserting after ''section 25(a) of the Federal Reserve Act'' the following: ''or a mortgage lending business whose activities affect interstate or foreign commerce, or any person or entity that makes in whole or in part a federally related mortgage loan as defined in 12 U.S.C. 2602(1)''.

(d) MAJOR FRAUD AGAINST THE GOVERNMENT AMENDED TO INCLUDE ECONOMIC RELIEF AND TROUBLED ASSET RELIEF PROGRAM FUNDS.—Section 1031(a) of title 18, United States Code, is amended by—

(1) inserting after ''or promises, in'' the following: ''any grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance, including through the Troubled Assets Relief Program, an economic stimulus, recovery or rescue plan provided by the Government, or the Government's purchase of any preferred stock in a company, or''; and

(2) striking ''the contract, subcontract'' and inserting ''such grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance,''.

(e) SECURITIES FRAUD AMENDED TO INCLUDE FRAUD INVOLVING OPTIONS AND FUTURES IN COMMODITIES.—

(1) IN GENERAL.—Section 1348 of title 18, United States Code, is amended—

*(A) in the caption, by inserting ''**and commodities**'' after ''**Securities**'';*

(B) by inserting ''any commodity for future delivery, or any option on a commodity for future delivery, or'' after ''any person in connection with''; and

(C) by inserting ''any commodity for future delivery, or any option on a commodity for future delivery, or'' after ''in connection with the purchase or sale of''.

(2) CHAPTER ANALYSIS.—The item for section 1348 in the chapter analysis for chapter 63 of title 18, United States Code, is amended by inserting ''and commodities'' after ''Securities''.

(f) MONEY LAUNDERING AMENDED TO DEFINE PROCEEDS OF SPECIFIED UNLAWFUL ACTIVITY.—

(1) MONEY LAUNDERING.—Section 1956(c) of title 18, United States Code, is amended—

(A) in paragraph (8), by striking the period and inserting ''; and''; and

(B) by inserting at the end the following:

''(9) the term 'proceeds' means any property derived from or obtained or retained, directly or indirectly, through some form of unlawful activity, including the gross receipts of such activity.''.

(2) MONETARY TRANSACTIONS.—Section 1957(f) of title 18, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) the terms 'specified unlawful activity' and 'proceeds' shall have the meaning given those terms in section 1956 of this title.''.

(g) MAKING THE INTERNATIONAL MONEY LAUNDERING STATUTE APPLY TO TAX EVASION.—Section 1956(a)(2)(A) of title 18, United States Code, is amended by—

(1) inserting ''(i)'' before ''with the intent to promote''; and

(2) adding at the end the following:

''(ii) with the intent to engage in conduct constituting a violation of section 7201 or 7206 of the Internal Revenue Code of 1986; or''.

SEC. 3. ADDITIONAL FUNDING FOR INVESTIGATORS AND PROSECUTORS FOR MORTGAGE FRAUD, SECURITIES FRAUD, AND OTHER CASES INVOLVING FEDERAL ECONOMIC ASSISTANCE.

(a) IN GENERAL.—

(1) AUTHORIZATION.—There is authorized to be appropriated to the Attorney General, to remain available until expended, $165,000,000 for each of the fiscal years 2010 and 2011, for the purposes of investigations, prosecutions, and civil proceedings involving Federal assistance programs and financial institutions, including financial institutions to which this Act and amendments made by this Act apply.

(2) ALLOCATIONS.—With respect to fiscal years 2010 and 2011, the amount authorized to be appropriated under paragraph (1) shall be allocated as follows:

(A) Federal Bureau of Investigation: $75,000,000 for fiscal year 2010 and $65,000,000 for fiscal year 2011.

(B) The offices of the United States Attorneys: $50,000,000.

(C) The criminal division of the Department of Justice: $20,000,000.

(D) The civil division of the Department of Justice: $15,000,000.

(E) The tax division of the Department of Justice: $5,000,000.

(b) ADDITIONAL APPROPRIATIONS FOR THE POSTAL INSPECTION SERVICE.—There is authorized to be appropriated to the Postal Inspection Service of the United States Postal Service, $30,000,000 for each of the fiscal years 2010 and 2011 for investigations involving Federal assistance programs and financial institutions, including financial institutions to which this Act and amendments made by this Act apply.

(c) ADDITIONAL APPROPRIATIONS FOR THE INSPECTOR GENERAL FOR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.—There is authorized to be appropriated to the Inspector General of the Department of Housing and Urban Development, $30,000,000 for each of the fiscal years 2010 and 2011 for investigations involving Federal assistance programs and financial institutions, including financial institutions to which this Act and amendments made by this Act apply.

(d) ADDITIONAL APPROPRIATIONS FOR THE UNITED STATES SECRET SERVICE.—There is authorized to be appropriated to the United States Secret Service of the Department of Homeland Security, $20,000,000 for each of the fiscal years 2010 and 2011 for investigations involving Federal assistance programs and financial institutions, including financial institutions to which this Act and amendments made by this Act apply.

(e) USE OF FUNDS.—The funds authorized to be appropriated under subsections (a), (b), (c), and (d) shall be limited to cover the costs of each listed agency or department for investigating possible criminal, civil, or administrative violations and for prosecuting criminal, civil, or administrative proceedings involving financial crimes and crimes against Federal assistance programs, including mortgage fraud, securities fraud, financial institution fraud, and other frauds related to Federal assistance and relief programs.

(f) REPORT TO CONGRESS.—Following the final expenditure of all funds appropriated under this section that were authorized by subsections (a), (b), (c), and (d) the Attorney General, in consultation with the United States Postal Inspection Service, the Inspector General for the Department of Housing and Urban Development, and the Secretary of Homeland Security, shall submit a joint report to Congress identifying—

(1) the amounts expended under subsections (a), (b), (c), and (d) and a certification of compliance with the requirements listed in subsection (e); and

(2) the amounts recovered as a result of criminal or civil restitution, fines, penalties, and other monetary recoveries resulting from criminal, civil, or administrative proceedings and settlements undertaken with funds authorized by this Act.

SEC. 4. CLARIFICATIONS TO THE FALSE CLAIMS ACT TO REFLECT THE ORIGINAL INTENT OF THE LAW.

(a) CLARIFICATION OF THE FALSE CLAIMS ACT.—Section 3729 of title 31, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

''(a) LIABILITY FOR CERTAIN ACTS.—

''(1) IN GENERAL.—Subject to paragraph (2), any person who—

''(A) knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;

''(B) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim;

''(C) conspires to commit a violation of subparagraph (A), (B), (D), (E), (F), or (G);

''(D) has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property;

''(E) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

''(F) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge property; or

''(G) knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the Government, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the Government,

is liable to the United States Government for a civil penalty of not less than $5,000 and not more than $10,000, as adjusted by the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note; Public Law 104–410), plus 3 times the amount of damages which the Government sustains because of the act of that person.

''(2) REDUCED DAMAGES.—If the court finds that—

''(A) the person committing the violation of this subsection furnished officials of the United States responsible for investigating false claims violations with all information known to such person about the violation within 30 days after the date on which the defendant first obtained the information;

''(B) such person fully cooperated with any Government investigation of such violation; and

''(C) at the time such person furnished the United States with the information about the violation, no criminal prosecution, civil action, or administrative action had commenced under this title with respect to such violation, and the person did not have actual knowledge of the existence of an investigation into such violation,

the court may assess not less than 2 times the amount of damages which the Government sustains because of the act of that person.

''(3) COSTS OF CIVIL ACTIONS.—A person violating this subsection shall also be liable to the United States Government for the costs of a civil action brought to recover any such penalty or damages.'';

(2) by striking subsections (b) and (c) and inserting the following:

''(b) DEFINITIONS.—For purposes of this section—

''(1) the terms 'knowing' and 'knowingly'—

''(A) mean that a person, with respect to information—

''(i) has actual knowledge of the information;

''(ii) acts in deliberate ignorance of the truth or falsity of the information; or

''(iii) acts in reckless disregard of the truth or falsity of the information; and

''(B) require no proof of specific intent to defraud;

''(2) the term 'claim'—

''(A) means any request or demand, whether under a contract or otherwise, for money or property and whether or not the United States has title to the money or property, that—

''(i) is presented to an officer, employee, or agent of the United States; or

''(ii) is made to a contractor, grantee, or other recipient, if the money or property is to be spent or used on the Government's behalf or to advance a Government program or interest, and if the United States Government—

''(I) provides or has provided any portion of the money or property requested or demanded; or

''(II) will reimburse such contractor, grantee, or other recipient for any portion of the money or property which is requested or demanded; and

''(B) does not include requests or demands for money or property that the Government has paid to an individual as compensation for Federal employment or as an income subsidy with no restrictions on that individual's use of the money or property;

''(3) the term 'obligation' means a fixed duty, or a contingent duty arising from an express or implied contractual, quasi-contractual, grantor-grantee, licensor-licensee, statutory, fee-based, or similar relationship, and the retention of any overpayment; and

''(4) the term 'material' means having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.'';

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(4) in subsection (c), as redesignated, by striking ''subparagraphs (A) through (C) of subsection (a)'' and inserting ''subsection (a)(2)''.

(b) EFFECTIVE DATE AND APPLICATION.—The amendments made by this section shall take effect on the date of enactment of this Act and shall apply to conduct on or after the date of enactment, except that subparagraph (B) of section 3729(a)(1) of title 31, United States Code, as added by subsection (a)(1), shall take effect as if enacted on June 7, 2008, and apply to all claims under the False Claims Act (31 U.S.C. 3729 et seq.) that are pending on or after that date.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I understand the distinguished Senator from Pennsylvania is about to come to the floor. As each of us probably have times we are going to have to be on and off the floor, I am going to begin my comments now.

I said Monday at the outset of this debate on the motion to proceed to the fraud enforcement bill that I hoped the objection to proceeding and any filibuster effort against this bill would be short lived. I am glad to see that cooler heads have prevailed. That actually happens in the Senate now and then.

After being delayed 2 days, we have agreement to turn to the Leahy-Grassley Fraud Enforcement and Recovery Act. I thank the majority leader for his persistence. I regret that the weeks we spent reaching across the aisle for a time agreement on this bill were unavailing. The majority leader was required to file cloture to get us to this point.

We are talking about going after people who defrauded American taxpayers, and the sooner we can go after them, the better we all are. I commend Senators GRASSLEY and KAUFMAN, KLOBUCHAR, DORGAN, and SHAHEEN for their statements to the Senate on Monday in support of this fraud enforcement bill. Their strong statements no doubt contributed to the reversal of the position that now allows us to proceed to what is a bipartisan fraud enforcement bill. In total, six Senators spoke in favor of the bill on Monday and no one spoke against. Each of us who spoke on Monday is a cosponsor. The bipartisan group of 16 Senators who have cosponsored this bill include, Senators SCHUMER, MURRAY, BAYH, SPECTER, SNOWE, HARKIN, LEVIN, WHITEHOUSE, ROCKEFELLER, and SANDERS.

On Monday, as the Senate debated the motion to proceed to the Leahy-Grassley fraud enforcement bill, the Obama administration issued a Statement of Administration Policy on the bill.

I ask unanimous consent to have a copy of the Statement of Administration Policy printed in the RECORD at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEAHY. This statement begins:

> The Administration strongly supports enactment of S. 386. Its provisions would provide Federal investigators and prosecutors with significant new criminal and civil tools and resources that would assist in holding accountable those who have committed financial fraud.

I thank the President and the administration for their strong support.

The statement continues:

> [The] legislation would benefit U.S. taxpayers by both addressing existing fraud and deterring waste, fraud and abuse of public funds.

That is something we all should be in favor of. They went on to add that it ''would provide needed resources to strained law enforcement agencies.'' Of course, pointing out what we all know, these additional resources will far more than pay for themselves through fines and penalties, restitution, damages, and forfeitures.

But there is more of a human thing in here. We have families losing their homes, defrauded, and losing their life savings. People are defrauding them and getting away with it. I want to not only get the people who did it, but I want to deter others from doing it in the future.

I said on Monday that the Justice Department and the FBI, the Secret Service, the special inspector general for TARP, law enforcement officers, and many good-government advocates supported the bill.

As we continue our debate, I ask unanimous consent to have printed in the RECORD at the conclusion of my statement a number of editorials and news articles favorable to the legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. LEAHY. Just this weekend, the New York Times wrote that fraud enforcement must be one of our priorities as we rebuild our economy, not only to hold accountable those who committed fraud and contributed to these hard times but to protect our efforts to stabilize the banking system and to jump-start the economy. They wrote:

> While Washington is spending billions to shore up the financial system, it is doing far too little to strengthen the federal government's ability to investigate and prosecute the sort of corporate and mortgage frauds that helped cause the economic collapse.
>
> Those efforts—never fully adequate—have suffered in recent years as money and people were shifted from white-collar fraud to anti-terrorist activities.

That is precisely what law enforcement officials from the Justice Department and the FBI and the special inspector general for the Troubled Asset Relief Program told us in their testimony before the Judiciary Committee.

As the Times wrote, referring to the Fraud Enforcement and Recovery Act:

> A bipartisan measure newly approved by the Senate Judiciary Committee and now coming before the full Senate would begin to close the enforcement gap . . . and strengthen existing federal fraud and money-laundering provisions, updating the definition of ''financial institution'' in federal fraud statutes to include largely unregulated mortgage businesses, for example, and reversing flawed court decisions that have undermined the effectiveness of the False Claims Act, one of the most potent weapons against government fraud.
>
> Like a similar enforcement buildup in response to the savings and loan crises of the 1980s, this one will contribute far more than it costs to the federal Treasury through restitutions and asset recoveries. . . .Senators should not be asking if the expenditure is affordable, but whether it is enough.

Every prosecutor I have talked to says they need this. I am willing to bet that every person who has been defrauded by some of these unregulated mortgage companies would give anything to have had this on the books and these people there 6 months or a year ago before they lost their life savings, before they lost their homes, their chance for their children to go to college, and before they lost the chance for retirement. But there are still millions of Americans at risk. Let's protect them. Let's show that we are against such crime and that we will provide the tools to stop it.

One of the things every prosecutor knows and learns is, if you ask people if they are against crime, everybody is against crime. If you ask legislative bodies: Are you willing to pass resolutions against crime, of course they are. But then you ask the real question: Will you give us the tools to fight crime? That is where everybody goes: Well, let's see.

Here are the tools to fight crime.

This is something supported across the political spectrum. Look at the Washington Times, a very conservative newspaper. They raised very similar concerns about the need to fight fraud and protect the taxpayers' money being spent on the economic stimulus. In an editorial on March 26 entitled ''Stimulus Spending Ripe for Fraud,'' the Washington Times called for fraud enforcement. In commenting on an Energy Department official who was concerned with waste, fraud, and abuse in stimulus funding, they wrote:

> The same attitude must be adopted by all agencies overseeing the implementation of the massive spending measure.

Well, they are right. They went on to say that simply having a Web site to provide greater transparency, while a good thing, is not enough. They said:

> [E]ven an unprecedented level of post-spending transparency will do only so much to ensure waste is kept to a minimum. . . . It will take more than a new Web site and the sort of staff training the administration has implemented to turn an understanding of the problem into real accountability. . . .

The administration is, in fact, doing more than creating the most transparent Government in history. They are supporting this bill and its aggressive response to fraud enforcement. The bill will actually translate rhetoric into reality, a reality that can save billions. It is just the kind of action these editorials from the right to the left have asked for.

Look at a front page article of March 12, entitled ''Financial Fraud Is the Focus of Prosecutors.'' The New York Times reported that fraud was surging, particularly mortgage fraud cases.

It is very interesting. We talk about tough enforcement. The chairman of the House Banking Committee said, ''Rules don't work if people have no fear of them.'' Anybody in law enforcement can tell us that. Every State has laws against burglary, for example. But put two warehouses on the same street, one with a rusty lock on the door and no alarm system, no lights, one with a state-of-the-art alarm system, lights, the ability to call police immediately, and which one gets broken into? The law is the same. You are going to break into the one that is easy. You can have all the laws in the world on mortgage fraud, and if people think they are not going to be enforced, they are going to break those laws. If you believe the worst that will happen is you might get a fine, if you have a $100 million fraud operation going and you might get a $5 million fine, gee-whiz, that is the cost of doing business. If you find out, however, that you might go to prison, that in all likelihood you will go to prison as well as losing the money you defrauded from people and allow that money to go back to them, then you are going to think twice.

Neil Barofsky, the special inspector general for the Troubled Assets Relief Program, issued a 250-page report warning yet again that the bank bailout funds are particularly vulnerable to fraud. He talked about protecting American taxpayers. He testified about similar concerns when he appeared before the Judiciary Committee in support of the bill.

Strengthening fraud enforcement is a key priority for the President. During the campaign, President Obama promised to ''crack down on mortgage fraud professionals found guilty of fraud by increasing enforcement [but also] creating new criminal penalties.'' The President, in his budget to Congress, called for additional FBI agents ''to investigate mortgage fraud and white collar crime,'' as well as hiring more Federal prosecutors and civil attorneys ''to protect investors, the market, and the Federal Government's investment of resources in the financial crisis, and the American public.'' Additional money was included in the initial recovery package for the FBI, but it was cut out during negotiations that led to its passage. This bill is our chance to authorize the necessary resources.

I can't state enough, it is not enough to have a law on the books that says: Thou shalt not commit crime. It works only if people think they are going to get caught and they are going to lose the money they have stolen and they are going to go to jail on top of that. As long as people carrying out these frauds and these scams think they will never get caught, will never get prosecuted, the laws aren't tough enough, they are in an unregulated industry, nobody is going to go after them, why not keep trying. The worst that could happen is somewhere along the line you might have to give a little bit of the money back and keep scamming people, keep ruining people's lives, keep taking people's homes away from them, keep taking people's retirement accounts, keep taking the money they have saved for their kids to go to college. If all you think you might get is a little slap on the wrist or in all likelihood you will get away with it completely, what is to stop you?

Obviously not a sense of morality, as we saw with Bernie Madoff and others. We have to have laws to stop them. We have to have enforcement of the laws. We have to have people go to prison for stealing retirement accounts and stealing children's money being saved for college and stealing homes through mortgages scams. We should pass this.

I see the distinguished Senator from Pennsylvania in the Chamber. He is a man with a distinguished career, first as a prosecutor before he came here and now a man who has been both chairman and ranking member of the Senate Judiciary Committee. He understands this.

I yield the floor.

EXHIBIT 1

STATEMENT OF ADMINISTRATION POLICY

S. 386—FRAUD ENFORCEMENT AND RECOVERY ACT OF 2009

(Sen. Leahy (D) Vermont and 4 cosponsors, Apr. 20, 2009)

The Administration strongly supports enactment of S. 386. Its provisions would provide Federal investigators and prosecutors with significant new criminal and civil tools and resources that would assist in holding accountable those who have committed financial fraud.

Specifically, the legislative enhancements would help the Department of Justice to combat mortgage fraud, securities and commodities fraud, money laundering and related offenses, and to protect taxpayer money that has been expended on recent economic stimulus and rescue packages. Further, the legislation would amend the False Claims Act (FCA) in several important respects so that the FCA remains a potent and useful weapon against the misuse of taxpayer funds. In general, this legislation would benefit U.S. taxpayers by both addressing existing fraud and deterring waste, fraud, and abuse of public funds. Moreover, S. 386 would provide needed resources to strained law enforcement agencies and prosecutors that would enable the Department and its partners to advance the pace and reach of the enforcement response to the current economic crisis. These additional resources will provide a return on investment through additional fines, penalties, restitution, damages, and forfeitures. With the tools and resources that S. 386 provides, the Department of Justice and others would be better equipped to address the challenges that face this Nation in difficult economic times and to do their part to help the Nation respond to this challenge.

EXHIBIT 2

[From the New York Times, Apr. 18, 2009]

FRAUD FACTOR

While Washington is spending billions to shore up the financial system, it is doing far too little to strengthen the federal government's ability to investigate and prosecute the sort of corporate and mortgage frauds that helped cause the economic collapse.

Those efforts—never fully adequate—have suffered in recent years as money and people were shifted from white-collar fraud to anti-terrorist activities. Over time, the ranks of fraud investigators and prosecutors were dramatically thinned, leaving the F.B.I. and the larger Justice Department ill prepared to keep pace with a skyrocketing number of serious fraud allegations. Now they are ill equipped to police the vast infusion of federal money into the economy.

A bipartisan measure newly approved by the Senate Judiciary Committee and now coming before the full Senate would begin to close the enforcement gap.

Sponsored by Senators Patrick Leahy of Vermont and Edward Kaufman of Delaware, both Democrats, and Senator Charles Grassley, Republican of Iowa, the Fraud Enforcement and Recovery Act of 2009 would significantly expand the number of prosecutors, agents and analysts devoted to pursuing financial crimes.

It would strengthen existing federal fraud and money-laundering provisions, updating the definition of ''financial institution'' in federal fraud statutes to include largely unregulated mortgage businesses, for example, and reversing flawed court decisions that have undermined the effectiveness of the False Claims Act, one of the most potent weapons against government fraud.

The measure envisions spending $490 million over the next two fiscal years. Like a similar enforcement buildup in response to the savings and loan crisis of the 1980s, this one will contribute far more than it costs to the federal Treasury through restitutions and asset recoveries, according to the Congressional Budget Office forecast. Senators should not be asking if the expenditure is affordable, but whether it is enough.

[From the Washington Times, Mar. 26, 2009]

STIMULUS SPENDING REMAINS RIPE FOR FRAUD

The many billions shoveled to the Energy Department as part of the $787 billion stimulus package recently signed into law may provide a cautionary tale about potential abuse, judging from a recent Energy Inspector General's warning.

As if on cue, FBI Director Robert Mueller told Congress yesterday that he, too, expects a surge in stimulus-related fraud. ''Our expectation is that economic crimes will continue to skyrocket,'' he said. ''. . . The unprecedented level of financial resources committed by the federal government . . . will lead to an inevitable increase in economic crime and public corruption cases.''

Undaunted, President Obama earlier this week continued his intense promotion of the stimulus package, ignoring the great potential for significant fraud as federal agencies rush to dispense the money. He hyped the $59 billion for clean energy and related tax incentives in the stimulus bill as a down payment on an additional $150 billion in Energy Department spending in his 2010 budget. He didn't seem to get the recent warnings from Energy Inspector General Gregory Friedman about the high probability for fraud and waste in distributing stimulus dollars, which call into question the agency's ability to even distribute the stimulus money effectively.

Most importantly, Friedman, a Clinton-era appointee, highlighted the need for a level of proactive accountability historically absent in the federal bureaucracy. As reported by Congress Daily, Friedman's memo last week to Energy Secretary Steven Chu and other department officials argues that the massive increase in funding going through the agency will strain and fundamentally change the agency's mission while creating the potential for rampant abuse. The stimulus provides the agency over $38 billion in funding along with authority over energy loans totaling $127 billion, spending that dwarfs the $27 billion provided in the agency's 2009 budget.

Friedman reportedly notes that during regular agency operations misuse of funds, falsification of data, kickbacks, bribes and other forms of fraud happen with ''troubling'' frequency. He also argues, correctly, that anti-corruption oversight should be a priority. Friedman's laudable honesty exposes both the unintended consequences inherent in the quickly passed package and the daunting task faced.

The same attitude must be adopted by all agencies overseeing the implementation of the massive spending measure. What is true, or likely, at Energy is very likely true or likely at other departments and agencies as well. Exhibit ''A'' is the continued lax oversight and lack of transparency seen with the Treasury Department's handing of the banking industry bailout. The White House is yet to be convincing that it is adequately addressing the potential of a major waste of taxpayer funds.

Recovery Accountability and Transparency Board chairman Earl Devaney, who is functionally the chief auditor of the stimulus package, told a House panel last week that some fraud is inevitable. But he also expressed horror that accounting industry standards for fraud acceptability is 7 percent, or $55 billion in taxpayer money. Devaney, who has a reputation for vigilance, promised a zero tolerance approach. That is very good to hear.

With over 40 states launching websites intended to track stimulus spending, Devaney's board will oversee the Web site Recovery.gov, aimed at maintaining public access to the Fed's spending records. The board aims to change the fact that the federal government has never been particularly successful in the timely and reliable tracking of spending data.

But even an unprecedented level of post-spending transparency will only do so much to ensure waste is kept to a minimum. Perusing the data online only comes after the fact. It will take more than a new Web site and the sort of staff training the administration has implemented to turn an understanding of the problem into real accountability.

While some degree of waste is almost inevitable from any government endeavor, the degree must not reach the level of finding 7 percent fraud—$55 billion in the case of the entire package—an acceptable figure. The White House is saying the right thing by indicating zero is the goal, not $55 billion. We can only hope their rhetoric translates into additional action that defies history and saves billions.

[From the New York Times, Mar. 12, 2009]

FINANCIAL FRAUD IS FOCUS OF ATTACK BY PROSECUTORS

(By David Segal)

Spurred by rising public anger, federal and state investigators are preparing for a surge of prosecutions of financial fraud.

Across the country, attorneys general have already begun indicting dozens of loan processors, mortgage brokers and bank officers. Last week alone, there were guilty pleas in Minnesota, Delaware, North Carolina and Connecticut and sentences in Florida and Vermont—all stemming from home loan scams.

With the Obama administration focused on stabilizing the banks and restoring confidence in the stock market, it has said little about federal civil or criminal charges. But its proposed budget contains hints that it will add to this weight of litigation, including money for more F.B.I. agents to investigate mortgage fraud and white-collar crime, and a 13 percent raise for the Securities and Exchange Commission.

Officials at the Justice Department have not said much in public about their plans. But people who have met with Attorney General Eric H. Holder Jr. say he is weighing a range of strategies.

''It's clear that he and other top-level members of the Obama administration want to seize the opportunity to send a message of zero tolerance for mortgage fraud,'' said Connecticut's attorney general, Richard Blumenthal, who attended a meeting with Mr. Holder and other state attorneys general last week in Washington. ''The only question is when and how they will do it.''

One person who had discussed the matter with Mr. Holder, but declined to be identified because he was not authorized to speak for the Justice Department, said that the attorney general was deciding whether to form a task force to centralize the effort or allow state attorneys general to develop cases on their own.

A Justice Department spokesman, Matthew A. Miller, would not comment, other than to write by e-mail, ''It will be a top priority of the Justice Department to hold accountable executives who have engaged in fraudulent activities.''

At the low end of the mortgage transaction ladder, state prosecutors have had a relatively easy time prevailing, but recent history suggests that the government's odds of winning drop when they go after Wall Street executives. Some high-profile convictions have been won in the last decade, but several of the Enron-related prosecutions and some cases brought by Eliot Spitzer when he was New York's attorney general fell apart or were overturned on appeal.

As federal authorities decide on a course of action, Congress is becoming impatient. Representative Barney Frank, chairman of the House Financial Services Committee, announced plans last week for a hearing on March 20, inviting Mr. Holder, bank regulators and leaders of the S.E.C. to answer questions about their enforcement plans.

''Rules don't work if people have no fear of them,'' Mr. Frank, Democrat of Massachusetts, said. State and local prosecutors, it seems, do not need the nudge. Last week, the district attorney's office in Brooklyn announced the creation of a real estate fraud unit, with 12 employees and a mandate to ''address the recent flood of mortgage fraud cases plaguing New Yorkers.'' In late February, Maryland unveiled a mortgage fraud task force, bringing together 17 agencies to streamline investigations.

With all the state activity and portents of a new resolve at the federal level, lawyers who defend white-collar clients sense growing momentum to perp walk and prosecute executives involved in the mortgage crisis.

''It's going to be open season,'' says Daniel M. Petrocelli, a lawyer whose clients include Jeffrey K. Skilling, the former chief executive of Enron. ''You'll see a lot of indictments down the road, and you'll see a lot of prosecutions that rely on vague theories of 'deprivation of honest services.' ''

Many financial executives have hired lawyers in the last few months, either through

internal counsels or, more discreetly, on their own, several lawyers who defend white-collar clients said.

While assorted Wall Street executives have been prosecuted over the years, any concerted legal attack on the financial sector would have little precedent. After the Depression, Congress formed what became known as the Pecora Commission, which grilled top financiers. But the point was mostly to embarrass them, and the upshot was to set the stage for stricter regulations. The most indelible image of the commission's hearings was a photo of J.P. Morgan Jr. with a midget who had been plopped in his lap by an opportunistic publicist.

The question behind any cases brought against Wall Street will boil down to this: Was the worst economic crisis in decades caused by law-breaking or some terrible, but noncriminal, mix of greed, naïveté and blunders? The challenge for the Obama administration will be to prove that it was the former, said Michael F. Buchanan, a partner at Jenner & Block and a former United States attorney in New Jersey.

''We punish people for intentional misconduct, we don't punish them for stupidity or innocent mistakes,'' he said. ''If you're a prosecutor, you want evidence that shows real dishonesty. You want something that shows that these people were doing something wrong, and they knew it.''

That nearly all of the banking industry acted the same, possibly reckless, way could actually help any executive who lands in court, lawyers said. The herdlike behavior suggested that bankers were competing for business using widely shared assumptions, rather than trying to get away with a crime. It would be hard to prove that anyone broke the rules, these lawyers said, since regulations in the riskiest parts of the mortgage industry were so lax.

One defense lawyer said he expected to argue that either his clients did not understand the financial instruments they were marketing, or were not warned of the dangers by underlings.

''We'll all sing the stupidity song,'' said the lawyer, who said he feared that speaking publicly by name would deter potential clients. ''We'll all sing the 'These guys never told me' song.''

But for government lawyers, the environment for corporate fraud cases could scarcely be more inviting. It is not just that the public's zeal for Wall Street pelts is high. The resources are there, too, because some of the money once used to fight terrorism is being shifted to fighting financial fraud. And in recent years the use of wire fraud statutes has expanded, allowing prosecutors to turn virtually anything said or sent by e-mail in private into a federal crime, if it contradicts what investors were told in public disclosures.

Wire fraud charges were among those against two former Bear Stearns managers who were arrested in June, accused of praising their hedge fund to clients as they worried about it to colleagues. Federal sentencing guidelines also link the length of a prison term to the size of the financial loss to the public. Given that so many billions have vaporized recently, convictions could easily lead to life sentences, defense lawyers said, and the mere threat of such sentences gives prosecutors enormous leverage in settlement talks.

''There are executives now getting sentences longer than murderers and rapists,'' said Mr. Petrocelli, the lawyer, referring to white-collar prosecutions in recent years, including that of Mr. Skilling of Enron, who is now serving a 24-year sentence for securities fraud and other crimes.

Why has there not been a batch of subpoenas at the federal level already? The Department of Justice is missing important staff members, says Reid H. Weingarten, a defense lawyer and former trial lawyer for the Justice Department. Former members of the Justice Department say that prosecutors and regulators are reluctant to act while the markets are in such disarray for fear of further unnerving investors and the public.

Lawyers for white-collar clients say they expect to be busy, but not all of them predict that means they will be earning huge fees. In the past, the legal bills of Wall Street higher-ups were paid by insurers that indemnified them. But that is not necessarily the case with banks that have gone bankrupt or disappeared.

''I know bankers are not now evoking much sympathy from the public at large,'' Mr. Weingarten said. ''But these days many Wall Street types are struggling mightily with mortgage payments, tuition bills and health insurance. It's a very different world out there now.''

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I have sought recognition to comment on the Fraud Enforcement Recovery Act, the legislation which is currently on the floor. Before the distinguished chairman leaves the Chamber, if I could have his attention, I agree with him about the importance of having strong law enforcement on crimes involving business fraud and on white-collar crimes. We are dealing with a financial situation where there are billions of dollars at stake, if not trillions. It is hard to know exactly how many zeros to add on. We are faced with a very desperate—strong word but understated if anything—challenge as to what to do with the economy worldwide. We had a $700 billion program proposed by President Bush for companies in trouble and a twin brother proposed by President Obama, $787 billion.

As I travel through my State, all I hear are questions. I don't hear any commendations. The Congress is not exactly held in high esteem. And the questions are: Why are we bailing out companies which made bad business judgments? If somebody makes a bad business judgment, why shouldn't they sustain the loss instead of coming to the taxpayers for a bailout?

You have these fancy Wall Street instruments. What is a derivative? Then there is the explanation about how no longer do you have mortgages with simply a home buyer and a banker, but you have all of these commercial papers lumped together and securitized. I do not know how long the word ''securitized'' has been in the dictionary. In fact, I am not sure it is in the dictionary, and most Americans are trying to find out what it means.

You slice them up, and they are securitized, and they are sold around the world. Much of the time, they are filled with misrepresentations to the extent that they become fraud. Fraud is a crime, and you have prosecutions which are brought which involve extraordinary sums of money, and then there is a fine which looks big in the newspapers but not when compared to what has been involved. It is a license to do business or, perhaps more accurately, a license to steal. But if you have criminal prosecutions and you have jail sentences, that is meaningful.

Mr. President, may I direct a question to the distinguished chairman.

I say to the Senator, I believe you were a prosecuting attorney in Vermont. What experience did the Senator have on the difference between a fine and a tough jail sentence?

Mr. LEAHY. Well, Mr. President, I suspect my experience is probably similar to that of the distinguished Senator from Pennsylvania. Fines, especially in these commercial fraud type things, were seen as the cost of doing business. If you steal $100 million, and you get a $5 million fine, then you stole $95 million. But if they think they are going to go to prison, that is when they think twice. We saw this after Enron and other things that when people actually believe they are going to go to prison, then they start thinking twice.

I am sure this was the experience the Senator from Pennsylvania had. It is the experience I had. Nothing focuses the attention of somebody who is going to want to defraud someone if they think they are going to spend years in a tiny cell. That focuses their attention, and suddenly it is not worth the effort. That is what we want to do here because the people who are being defrauded are the most defenseless. They are the people who have lost their retirement. They are the people who have lost their homes. They are the people who have lost the ability to pay for their kids to go to college.

The Senator from Pennsylvania is absolutely right.

(Mrs. GILLIBRAND assumed the chair.)

Mr. SPECTER. Madam President, may the RECORD show the Presiding Officer has changed while I was looking at Senator LEAHY. I concur with what Prosecutor LEAHY said. It bears out the experience I had when I was a prosecuting attorney myself: that jail sentences are important in the way to deal with this kind of crime.

When I have been questioned by my constituents on my travels through Pennsylvania about who is going to be held accountable, and I tell them that the prospects for jail sentences are real, they are somewhat assuaged.

Madam President, I note the distinguished Republican leader has come to the floor. If I may have his attention and make an inquiry. If he cares to take precedence—he is busier than I am, although I am very busy—I would be glad to yield to Senator MCCONNELL.

Mr. MCCONNELL. Madam President, I was not seeking the floor. I was going to talk to the Senator from Pennsylvania when he finishes his remarks. So I am not seeking recognition.

Mr. SPECTER. Well, I thank Senator MCCONNELL for those comments.

The statute which is on the floor—the bill which is on the floor, proposed statute—is a very important legislative

piece. It will strengthen law enforcement being directed against precisely the kinds of white-collar crime we are talking about.

The bill authorizes $165 million a year for hiring fraud prosecutors in the Department of Justice, including $75 million for the FBI to bring on 190 additional special agents and more than 200 professional staff. The bill includes $50 million a year for the U.S. Attorneys' Offices to staff those strike forces. The bill authorizes $80 million a year over the next 2 years for the U.S. Postal Inspection Service, the Inspector General, the Secret Service, and the office of Housing and Urban Development.

It amends the definition of ''financial institution'' to extend Federal fraud laws to mortgage lending businesses that are not directly regulated or insured by the Federal Government. These companies were responsible for nearly half of the residential mortgage market before the economic collapse, yet they remain today largely unregulated and outside the scope of traditional Federal fraud statutes. This bill will correct that.

It amends the major fraud statute to protect funds expended under TARP, the Troubled Asset Relief Program, and the economic stimulus package. So we are providing criminal sanctions for the people who are going to misuse the moneys which have been appropriated in the past year.

It amends the Federal securities crime statute to cover fraud schemes involving commodities futures and options, including derivatives involving the mortgage-backed securities that caused such damage to our banking system.

It also amends the Federal money laundering statutes to cover not only profits but proceeds. The Supreme Court interpreted the statutes so narrowly that it needs modification. And there were also judicial interpretations of the False Claims Act which this legislation will correct.

So this is a very important bill. That is a very short statement of the bill and its purpose. It is my hope anyone who has amendments would come to the floor to offer them. I believe this is a bill which will get very widespread support in the Senate. We have a great many important legislative matters behind it, so it would be my hope we could move this bill through expeditiously, giving people an opportunity to offer amendments if they have some. We would be looking for a time agreement as soon as we could construct one. So I urge my colleagues to come to the floor to help on this process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. KAUFMAN. Madam President, I want to say, the Senator from Pennsylvania is someone who, when I was growing up in Philadelphia, was the district attorney there and known to be a tough and good prosecutor. So having Senator SPECTER speak to this bill says a lot about the bill and about the underpinnings of it.

I want to make a few comments. This bill is important. The American people are upset and outraged with the abuses that have rocked the financial sector, and which has especially put so many Americans into dire financial straits.

It is a good bill, plain and simple. I wish to run through some of the reasons why I think this bill is important and why I think it is one of the easiest votes a Member will make in this session of the Congress.

First, this bill is a critical step to restoring investor confidence in the financial markets by assuring the public that criminal behavior by unscrupulous mortgage brokers and corrupt financiers will be prosecuted and punished.

When I travel around and talk to people, they feel no one is paying a price for this—except the hard-working people out around America who have been hit so hard by this financial crisis. They do not feel as though the people on Wall Street, the people who did this, the people involved and the mortgage brokers are paying a price. Therefore, very importantly, they do not feel it is time to get back into the markets. They are concerned the markets are not fair and the markets are not on the up and up.

So what we are going to do with this legislation is assure the public that criminal behavior by unscrupulous mortgage brokers and corrupt financiers will be prosecuted and punished.

Second, this bill is a deterrent. Prosecuting white-collar crime today sends a message to those who would be tempted to cheat and defraud again. I do not want to be a party to the fact that 5, 10, 15, 20 years from now people will be ready to make a financial deal and someone will say: This is breaking the law. We are doing something here that is against the law. And someone else will say: Well, they did that back in 2007, 2008, 2009, and no one ever was prosecuted for it. These are very complicated financial dealings. If we do this, we are going to be just fine because, remember, nobody went to jail for what happened. Frankly, if we do not add more FBI agents, more prosecutors, and more financial training, that is exactly what could happen.

Third, this bill rebalances law enforcement resources. If you go back to September 11, many Federal agents were rightly redeployed from criminal work to counterterrorism. Counterterrorism was the key thing. We had to do something about this. We had to find the people who perpetrated 9/11. We had to find the people who could think about doing us harm in the future. So, rightfully, we moved FBI agents away from financial fraud and on to counterterrorism. But the problem is, we never replaced those agents.

In 2008, we had less financial fraud cases brought than we had in 2001. It is incredible to believe that in this environment we had less criminal cases brought in 2008 than in 2001. So what we have to do is rebalance law enforcement resources. That is what this bill does. It allows us to get more Federal agents, more prosecutors, and more training back to where it was before.

We have about 240 FBI agents now working on financial fraud. At the height of the savings and loan crisis, we had over 1,000. So we want to get back to that level. We want to get the FBI agents back, get them the training they need, and get the prosecutors and the training they need. So this is a wonderful way to rebalance law enforcement resources.

Fourth, this bill helps ensure that sophisticated criminals cannot cover their tracks and escape liability. Unless we get more agents working on these cases soon, the trails may go cold.

I know many people in America watch ''Law & Order.'' They know if you do not catch a criminal usually within the first 24 hours, it is very difficult to ever catch them. I think in this case that is what is going on here. This is one of the reasons why we have to pass this bill, and pass this bill soon. Because when you have these complicated financial cases, the sooner you get to the case—before people can cover their tracks, before people can go back and clean up what they have done—the better. We need the FBI agents on the job gathering the data and gathering the information.

Another point is, this bill modernizes several areas of Federal fraud law. Among other things, it updates the definition of ''financial institution'' to cover mortgage lending businesses that are not directly regulated or insured by the Federal Government.

Remember, much of the things that went on, much of our problem had to do with the mortgage lending business. The fact is, people went out and searched for and had people take out mortgages, many of whom were not qualified to have the mortgages; then they bundled up the mortgages and securitized them and then went off and sold them. In this area, there is enough anecdotal evidence to indicate there was some kind of fraud going on with this.

What this bill does is it makes financial fraud—it moves the mortgage lending businesses under the definition of ''financial institution'' so we can go after these folks.

Sixth, this bill is money well spent. Taxpayers have paid billions for bailouts. We should spend the millions it would take to find and prosecute all those who should be in jail. Again, taxpayers have paid billions in bailouts. No American whom I talk to—no American in my home State of Delaware—can understand why we would not spend the money we need to spend to prosecute these people for the crimes they have committed. It sends the wrong signal to the American people if, in fact, we do not get these folks

and if we do not take the money and prosecute all those who were involved in this financial fraud.

Next, this bill is an investment. This is easy. As I said, this is the easiest vote anyone will cast in this session of Congress. History tells us funds spent on fraud enforcement net money for the Government at a rate of $15 recovered for every dollar spent. I have heard from some people concerned about spending this money. I think I have gone through the points on why we should spend the money, but if you are fiscally and financially conservative and if you basically believe there is nothing the Federal Government should spend money on, there is one thing that even you will agree with, and that is spending $1 to get back $15. That is the most fiscally conservative program that has ever been invented in the history of the Federal Government. We have a program where we will have to spend some money, but we know we are going to get the money back but many times over.

Finally, and I think most importantly, this bill will make it clear to all Americans that we hold Wall Street to the same standards as Main Street. We have to have people believe—it is essential to our system—that if you break the law, you will suffer the consequences. Keep in mind that many banks and mortgage brokers avoided the subprime market and acted responsibly. Respect for the rule of law demands that we identify, investigate, and punish those who self-dealt millions of dollars to line their own pockets while leaving investors in the dark. However, we have to be careful about whom we are trying and whom we are prosecuting. This is not a witch hunt. We are not out to get everybody and nail everybody in this business, but we need the FBI agents and the prosecutors to make sure we get the right people and that they are prosecuted to the full extent of the law.

I think the American people—I know the American people—are looking for swift action to restore faith in our financial markets and the rule of law. This bill is a great opportunity to do that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KAUFMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KAUFMAN. Madam President, I ask unanimous consent to speak as in morning business for 6 minutes for the purpose of introducing a bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Delaware is recognized.

Mr. KAUFMAN. I thank the Chair.

(The remarks of Mr. KAUFMAN pertaining to the introduction of S. 853 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. KAUFMAN. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAUFMAN). Without objection, it is so ordered.

EARTH DAY

Mrs. GILLIBRAND. Mr. President, in honor of Earth Day, I want to share with you some of the experiences I had this week when I was in New York. I met with a number of students from the New York Harbor School. Robert Kennedy, Jr., joined me. We were celebrating the achievements and efforts this school has made to make a difference for our future. The school is focusing on teaching the next generation about the environment and offering an environmental education so that we can create the stewards of our air and water into the next generation.

I was pleased to stand with Bobby Kennedy and these outstanding young people to discuss the importance of progressive environmental policy. I will partner with them and be a strong advocate for a greener New York and country.

What was so exciting about these children is that they were telling me about the work they were doing to ensure a cleaner Hudson River, what they were doing to make sure we can have a cleaner environment and air. Their curiosity was extremely compelling and inspiring. We talked about how the work they were doing would allow for their communities to be safer, to be able to have a clean Hudson River so they can eat fish out of it someday, and to have air that is cleaner. They really did understand the relationship between the communities around them and what they could do to have an impact in the future.

I met with Murray Fisher, the founder of the New York Harbor School. I met with him in Washington, and then I talked with him and his students in New York. The Harbor School brings innovative environmental and maritime-focused learning to the Bushwick neighborhood of Brooklyn—taking graduation rates from 20 percent, before their program began, to 75 percent this year. The student body of the school represents the most at-risk young people—80 percent come from households that are actually under the poverty line.

The skills these children have been learning—measuring water quality and studying aquaculture—will enable them to be part of a green future, part of the energy revolution. It was inspiring not only to see young people so engaged and enthusiastic about environmental education but realizing in speaking with them that they now understand what it takes to have a cleaner New York and the impact it can have in their own lives. I asked a young girl what she hoped to do when she graduated. She said she wants to be a marine biologist. I asked a young man if this is something he thought could make a difference. He said: I think so because it can change the quality of water and air that we have. They see a future for themselves to be the stewards of our environment.

Too often, the young people of low-income New York neighborhoods live with the risks of polluted environments. There are many brownfields sites across New York City, and the majority are located within the low-income people-of-color communities. Brownfields are clustered in these communities due to a history of industrial use, illegal dumping, or improper storage and handling of commercial products. These incidents have led to health hazards that further diminish the limited opportunities afforded many New Yorkers. For example, in the Bronx, we have the Nation's leading rate of asthma. In the Bronx neighborhood of Hunts Point, for example, we have one in four elementary children who suffers from asthma. I have been to the Bronx and to the community health center there, and I have met with parents. They do worry because the air quality is poor, and they have this historical environmental degradation.

We need to do better by our communities and make sure every child in America has a chance to achieve his or her God-given potential. That means having clean air to breathe, safe water to drink, and a community that is healthy.

When we bring our environmental education into our schools, such as the Harbor School, we are teaching children that they can have an impact on their environment and that it actually creates opportunities for them.

The current economic challenges we face in New York and around the country are significant, but the programs that are offered by the New York Harbor School can really make a difference. Unfortunately, many of these programs are in jeopardy due to budget cuts, and schools are being forced to scale back environmental education. No Child Left Inside, introduced by Senator JACK REED this week, would provide for environmental education in schools; it would provide the critical funding that is necessary to ensure our children receive the kinds of hands-on education that connects them with the environment and prepares them for our future.

Despite all of the economic challenges our country is facing, we must not lose our focus on the important investments that are required to assure New York's and our Nation's leadership in the years to come. The environmental problems that many of our communities face are also opportunities for the young people of the Harbor

School to be the problem-solvers of the future and to be able to make a difference in their own communities.

Bobby Kennedy recognized early on that State and Federal environmental legislation cannot only be positive for air, land, and water, but also good for the economy and job creation. He said to me:

> We can turn every American into an energy entrepreneur, every home into a power plant, and fuel our country through our own energy initiatives, rather than Saudi oil.

I thought that statement was extremely inspiring. He is saying that through energy entrepreneurialism and innovation, we can transform this economy not only into a green economy but into an energy revolution where we are creating not only the products through energy sources—whether it is fuel cells, hydropower, wind, solar, biofuel, or cellulosic ethanol—but we have the opportunity to transform manufacturing in this country to create the new products that are going to run on these new energy sources. It is a recognition that there is extraordinary opportunity here to make an opportunity for every individual, every home, and every business to be part of the energy solution.

As a country, we have undertaken infrastructure projects with the understanding that once the upfront costs were incurred and building was completed, private investment would follow, creating lucrative paths of commerce. This has been seen throughout New York's history. In the early days of America, we had one very audacious building project called the Erie Canal. It was going to connect Lake Erie to the Hudson River, opening markets of the eastern seaboard to inland goods. Even some visionaries, such as Thomas Jefferson, didn't think it was a very good idea, calling it ''a little short of lunacy,'' and ultimately it fell on New York State, under Gov. Dewitt Clinton's leadership, to fund the project. The Erie Canal contributed immensely to the economic growth and wealth of New York. From New York City through Buffalo, it made an enormous difference to open Upstate New York and western New York to commerce, and that legacy continues to be with us today.

That is why the vision of President Obama on new infrastructure is so important. Today, we have high-speed rail, which is a great opportunity for mass transit. If we can have high-speed rail from New York City to Niagara, again it would open not only downstate to upstate but upstate to the rest of the eastern seaboard. It is very exciting to be able to create these opportunities for long-term economic growth.

The same thing is true with the power grid. When T. Boone Pickens talks about his windmills, he cannot build them if he doesn't have anyplace to plug in. We cannot have electric cars that can transform the entire automotive industry if we don't have a place to plug in. That is what President Obama's vision is in terms of building the new electric grid, so we can have sustainable, renewable energy and be able to use the new technologies and innovations to drive a new economy.

New York is in the enviable position to lead the Nation's green movement. We have had a history of energy independence. We have had hydropower for well over 100 years, whether you are talking about the Hudson River Valley or Niagara Falls. We have some of the greatest agriculture in the whole Nation, so we can be a source for cellulosic ethanol and other biofuels. We have some of the greatest entrepreneurs of this generation, from fantastic SUNY schools to terrific engineering schools, including engineering students from RPI, where we are at the forefront of photovoltaic energy, wind, and solar. We are in a position to lead the Nation's recovery through energy independence.

I celebrate Earth Day today by commending the great work of the Harbor School and the extraordinary leadership of Robert F. Kennedy, Jr., and also to talk about our future because when children are interested in learning about the environment and they create a relationship to the environment, whether it is through cleaner air or cleaner water or being that young engineer who figures out how to build an electric car for $25,000 so all of America can get the equivalent of 240 miles per gallon, that is a vision of the future that I see, and that is the vision of how we are going to turn the economy around and create jobs.

I will work with President Obama to make sure we create good-paying jobs all across New York.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. GILLIBRAND). Without objection, it is so ordered.

Mr. REID. Madam President, it is my understanding that we are on the financial fraud legislation.

The PRESIDING OFFICER. That is correct.

Mr. REID. That vehicle is open for amendment, true?

The PRESIDING OFFICER. That is correct.

AMENDMENT NO. 984

Mr. REID. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from Nevada [Mr. REID] proposes an amendment numbered 984.

Mr. REID. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To increase funding for certain HUD programs to assist individuals to better withstand the current mortgage crisis)

At the appropriate place, insert the following:

SEC. _____. ADDITIONAL FUNDING FOR HUD PROGRAMS TO ASSIST INDIVIDUALS TO BETTER WITHSTAND THE CURRENT MORTGAGE CRISIS.

(a) ADDITIONAL APPROPRIATIONS FOR ADVERTISING IN SUPPORT OF HUD PROGRAMS.—There is authorized to be appropriated to the Secretary of Housing and Urban Development, to remain available until expended, $10,000,000 for each of the fiscal years 2010 and 2011 for purposes of providing additional resources to be used for advertising in support of HUD programs and approved counseling agencies, provided that such amounts are used to advertise in the 50 metropolitan statistical areas with the highest incidence of home foreclosures per capita, and provided, further that at least $5,000,000 of such amounts are used for Spanish-language advertisements.

(b) ADDITIONAL APPROPRIATIONS FOR THE HOUSING COUNSELING ASSISTANCE PROGRAM.—There is authorized to be appropriated to the Secretary of Housing and Urban Development, to remain available until expended, $50,000,000 for each of the fiscal years 2010 and 2011 to carry out the Housing Counseling Assistance Program established within the Department of Housing and Urban Development, provided that such amounts are used to fund HUD-certified housing-counseling agencies located in the 50 metropolitan statistical areas with the highest incidence of home foreclosures per capita for the purpose of assisting homeowners with inquiries regarding mortgage-modification assistance and mortgage scams.

(c) ADDITIONAL APPROPRIATIONS FOR PERSONNEL AT THE OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY.—There is authorized to be appropriated to the Secretary of Housing and Urban Development, to remain available until expended, $5,000,000 for each of the fiscal years 2010 and 2011 for purposes of hiring additional personnel at the Office of Fair Housing and Equal Opportunity within the Department of Housing and Urban Development, provided that such amounts are used to hire personnel at the local branches of such Office located in the 50 metropolitan statistical areas with the highest incidence of home foreclosures per capita.

Mr. REID. Madam President, what we hear on the morning news almost every day—but today especially—is that there are problems in the housing industry around America. Today, they listed the top 10 cities for foreclosure. No. 1 is Las Vegas. We have a lot in common with nine other cities. Many of the 10 are in California, and Phoenix, AZ, is one, and there are places in Michigan and in Florida.

I hope this amendment can be worked out with the managers. It is an amendment that authorizes money in three different areas: $10 million to HUD for the purpose of providing resources to be used for advertising in support of HUD programs and approved counseling agencies in the 50 metropolitan statistical areas with the highest incidence of home foreclosures per capita. At least half of those resources are to be used for Spanish-language advertising. We have found that in Las

Vegas, which has a significant number of Spanish-speaking people, they are being scammed by people who are trying to take advantage of them and others. The rationale is that some of these metropolitan statistical areas are being flooded with advertising from illegitimate actors promising mortgage reductions and modifications for a fee. HUD will use these funds to advertise HUD services, as well as to explain the availability of HUD-approved counseling to homeowners to avoid some of these scams.

No. 2 is the authorization of $50 million to be provided through the Housing Counseling Program at the Department of Housing and Urban Development to HUD-certified housing counseling agencies located in the 50 metropolitan statistical areas. These would be areas with the highest incidence of home foreclosures per capita, for the purpose of assisting homeowners with inquiries regarding mortgage modification assistance and mortgage scams.

We have found in the economic recovery package, and in the housing bill, that direct moneys went to these agencies—approved agencies—to help them talk to people and counsel them as to what they can do to avoid foreclosure. It has worked very well.

The 2008 housing bill and subsequent spending bills directed funds to counseling agencies, but the metropolitan statistical areas that are hardest hit—Las Vegas among those—still need more resources given the depth of the problem.

Additional resources will allow HUD-certified agencies to staff up and meet growing demand for their services, which will counterbalance the increase in illegitimate agencies promising mortgage modification services for a fee. These entities that are going to get this money charge nothing.

Finally, Madam President, the authorization of $5 million to HUD's Office of Fair Housing and Equal Opportunity will help to provide additional personnel in HUD offices located in these 50 areas with the highest incidence of foreclosure. The rationale, of course, is that local HUD offices in these areas are understaffed and unable to meet the demand for their services and expertise concerning mortgage scams. Fair Housing Program personnel are trained to address these issues, and they are badly needed.

I would hope the managers and those other Members who are interested in this issue would review this matter. We believe strongly this is the right direction. If people have a better idea, I would be happy to visit with them. I will not call for a vote until people, of course, have an opportunity to review this in detail.

The PRESIDING OFFICER. The Republican whip.

AMENDMENT NO. 985

Mr. KYL. Madam President, I ask unanimous consent to lay aside the pending amendment for purposes of offering an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 985.

Mr. KYL. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To modify the definition of the term ''obligation'')

On page 26, strike lines 1 through 5, and insert the following:

''(3) the term 'obligation' means an established duty, whether or not fixed, arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, from a fee-based or similar relationship, from statute or regulation, or from the retention of any overpayment; and

Mr. KYL. Madam President, let me describe this amendment briefly and note that it is my understanding that when Senator LEAHY is able to be on the Senate floor, it is his intention to suggest that we take this amendment by unanimous consent. It has been worked out with representatives on both sides of the aisle, but I would like to describe it briefly.

This is an amendment relating to section 4 of the bill, which amends the False Claims Act. My amendment replaces the bill's proposed definition of the word ''obligation,'' which has important implications for the so-called ''reverse'' False Claims Act pursuant to which private parties may be held liable for failing to pay an obligation due to the United States.

This amendment originally grew out of concerns about the underlying bill that were raised by the Chamber of Commerce and other business groups. Having reviewed those concerns, I have concluded that some of them could only arise under a strained reading of the bill.

The bill's new definition of the word ''obligation,'' in particular, posed several problems. The original language spoke of ''contingent'' obligations. Such contingent or potential duties could include duties to pay penalties or fines, which could arise—and at least become ''contingent'' obligations—as soon as the conduct that is the basis for the fine has occurred.

Obviously, we don't want the Government or anyone else suing under the False Claims Act to treble and enforce a fine before the duty to pay that fine has been formally established. It is unlikely that Justice would ever have brought suit to enforce a claim of this nature, but the FCA can also be enforced by private realtors who often may be motivated by personal gain and not always exercise the same good judgment that the Government usually does.

To preclude such a reading of the act, my amendment strikes contingent obligations from the FCA's new definition of ''obligation.''

My amendment also makes a few other housekeeping changes to the definition of ''obligation.'' It removes the words ''quasi-contractual relationship.'' A ''quasi-contract'' is a remedy for a breach of duty, not an independent source of a duty. The amendment also makes clear that the words ''similar relationship'' only modify the words ''fee-based relationship'' and not the entire list of relationships that precede that term.

Under some readings of the rule of the last antecedent, the comma in the committee-reported bill that preceded the words ''or similar relationship'' could be read to reverse the usual presumption of that rule and have the words ''similar relationship'' modify all of the words in that list. My amendment makes clear that ''similar relationship'' only modifies ''fee-based relationship.''

As a result of discussions with the sponsors of the bill, I have also agreed to allow my amendment to add duties arising out of regulations, rather than just statutes, to the list of obligations made actionable under the law. I declined, however, to also allow obligations to be enforced that arise out of a mere rule. The term ''rule'' is defined at section 551 of title V, and as that definition makes clear, the term is far too broad. It can include all manner of rules of which defendants would have no reasonable notice.

Regulations, on the other hand, are published in the Federal Register in the Code of Federal Regulations, and so Congress can reasonably expect participants in regulated industries to have notice of them. Thus, as amended, the term ''obligation'' encompasses duties arising out of statutes and out of formal regulations published in the CFR.

I might also say a few words about aspects of the definition of obligation that I ultimately concluded that it was not necessary to address in this amendment. At the Judiciary Committee's mark up of this bill, I circulated an amendment that would limit obligations arising out the retention of any overpayment so as to make clear that no obligation arises if the defendant is pursuing some type of administrative, judicial, or other process for reconciliation of alleged overpayments. The sponsors of the bill raised the concern, however, that such a safe harbor might immunize parties that intentionally and maliciously obtain an overpayment, and then spend years exhausting a reconciliation process, all in bad faith and knowing full well that they must repay the money, but earning interest on the overpayment in the interim. Apparently incidents like this have occurred, in cases involving sums that allowed the defendant to earn tens of millions of dollars in interest. The sponsors of the bill also noted to me that, under subparagraph (G)'s modification of the reverse False Claims

Act, avoiding or decreasing an obligation is only actionable, in relevant part, if the defendant ''knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the Government.'' Therefore, a good-faith pursuit of a reconciliation process would not be actionable.

I asked my staff to research the meaning of ''knowingly and improperly'' to confirm that a person who pursues reconciliation of an overpayment in good faith could not be held liable under the reverse False Claims Act. The answer that I received is that the term ''knowingly and improperly,'' though infrequently used in the caselaw, is consistently construed to mean that a person either acted with bad intent or that he employed means that are inherently tortious or illegal.

For example, the State of Massachusetts uses the standard of ''knowing and improper'' to determine whether a business competitor's inducing a third party to breach a contract constitutes tortious interference with contract. See Boyle v. Boston Foundation, Inc., 788 F.Supp. 627 (D. Mass. 1992); Restuccia v. Burk Technology, Inc., 1996 WL 1329386, at *3 (Aug. 13, 1996). And as the cases giving content to the Massachusetts standard make clear, under that test the ''[d]efendant's liability may arise from improper motives or from the use of improper means.'' United Truck Leasing Corp. v. Geltman, 406 Mass. 811, 816 (1990) (quoting Top Service Body Shop, Inc. v. Allstate Ins. Co., 283 Or. 201, 209–210 (1978). See also United Truck Leasing at pages 816–817, quoting other cases as construing this standard to require an ''improper purpose or improper means.'' The Top Service Body Shop case, quoted by the Massachusetts court, further elaborates, at footnote 11, on what types of means constitute ''improper means.'' These are noted to commonly include ''violence, threats or other intimidation, deceit or misrepresentation, bribery, unfounded litigation, defamation, or disparaging falsehood.'' In the False Claim Act context, this list may include other improper means, but ''improper means'' must be means that are malum in se—that is, means that are inherently wrongful and constitute an independent tort.

Though less carefully considered than the Massachusetts intentional-interference jurisprudence, other judicial uses of the words ''knowing and improper'' confirm that the term would not reach good-faith exhaustion of procedures for reconciling an overpayment. In the Matter of Banas, 144 N.J. 75, 81 (1996), for example, reprimands a lawyer for ''knowingly and improperly retaining—his client's—$5,000 payment.'' And the court makes clear that it bases this conclusion on a previous finding that the lawyer ''knew from the beginning that the purpose of the payment'' was to satisfy a condition that he had not met. See Banas at 80. In another attorney-sanctions case, In re Aston-Nevada Limited Partnership, 391 B.R. 84, 102 (D. Nev. 2006), the court found that the lawyer ''repeatedly, knowingly, and improperly'' misused particular words in his filings, and then emphasized that the lawyer's ''prevarications and misstatements were deliberate and not careless.''

Given that the words ''knowingly and improperly'' have a fixed meaning that, at the very least, requires either improper motives or inherently improper means, the changes made by this bill cannot be read to make actionable the retention of an overpayment when the defendant is pursuing in good-faith the exhaustion of a reconciliation procedure. It is with this understanding that I have declined to insist on further qualification of the bill's predication of liability on the retention of an overpayment.

Finally, as a matter of usage, I would note that, contrary to the wording of the bill's new definition of ''obligation,'' duties arise from contracts and the like, not from ''relationships.'' The bill's language is somewhat Oprahfied in this regard, but given that the sponsors have accommodated me on other, more substantial issues, I did not think it worth forcing a rewording of the provision to address this problem.

Other groups have also suggested the bill's new definition of the word ''claim,'' by encompassing situations where money is spent or used ''to advance a government program or interest,'' could make actionable under the False Claims Act any garden-variety overbilling or underpayment of a contractor by a subcontractor if some Federal money is involved in the project. I think this is an unreasonable reading of the bill that is precluded by the committee report, as well as by common sense. The report makes clear that the purpose of the new definition of ''claim'' is to overrule the Totten and Allison Engine cases and preclude application of a formalistic presentment requirement of an unnecessary intent requirement, and to restore the previous understanding of the law. And that previous understanding, as well as common sense, dictate that a particular transaction does not ''advance a Government program or interest'' unless it is predominantly federal in character—something that at least would require, as the report notes in footnote 4, that the claim ultimately results in a loss to the government. Obviously, the government does not intend to make actionable under the FCA any garden-variety dispute between a general contractor and a subcontractor simply because the general receives some federal money. On the other hand, if the transaction is still predominantly Federal in character, and the false claim results in a loss to the government, recovery under the FCA should not be precluded simply because the claim was not directly presented to the government, or because the malfeasant did not specifically intend to defraud the government.

Madam President, I ask unanimous consent to lay aside this amendment for the purpose of calling up four other amendments pending at the desk, and those numbers are 986, 987, 988, and 989.

Mr. KAUFMAN. Will the Senator please yield so we have a chance to look at the amendments?

The PRESIDING OFFICER. Is there objection?

Mr. KAUFMAN. Object.

The PRESIDING OFFICER. Objection is heard.

Mr. KYL. I am happy to share these amendments with the other side, but I was not aware the other side had a veto over amendments offered by Members of this side of the aisle.

Mr. KAUFMAN. I would just like to——

Mr. KYL. I am happy to share the amendment, of course. I will withhold for a moment so the Senator can see what the amendment is, and perhaps we can move forward.

Mr. KAUFMAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. LEAHY. Madam President, I understand there is a pending amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. I ask unanimous consent that the pending amendment be set aside and it be in order for me to send an amendment to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 993

Mr. LEAHY. Madam President, I send to the desk an amendment on behalf of myself and Senator GRASSLEY. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. GRASSLEY, proposes an amendment numbered 993.

Mr. LEAHY. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To clarify the amendments relating to major fraud)

On page 15, strike beginning with line 20 through page 16, line 10, and insert the following:

(d) MAJOR FRAUD AGAINST THE GOVERNMENT AMENDED TO INCLUDE ECONOMIC RELIEF AND TROUBLED ASSET RELIEF PROGRAM FUNDS.—Section 1031(a) of title 18, United States Code, is amended by—

(1) inserting after ''or promises, in'' the following: ''any grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance, including

through the Troubled Assets Relief Program, an economic stimulus, recovery or rescue plan provided by the Government, the Government's purchase of any troubled asset as defined in the Emergency Economic Stabilization Act of 2008, or in'';

(2) striking ''the contract, subcontract'' and inserting ''such grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance,''; and

(3) striking ''for such property or services''.

Mr. LEAHY. Madam President, I rise to explain what this is, and then I will try to schedule a vote on the Kyl amendment and the Grassley-Leahy amendment at some time, I hope in the next few minutes.

As we begin consideration of the bill, Senator GRASSLEY and I are offering a brief managers' amendment. I was just explaining for everybody that it makes two simple technical changes in the bill in order to clarify the original intent of the bill and in order to avoid any ambiguity in the statutory language. It makes sure the bill extends the major fraud statute to all the funds being expended to stabilize and strengthen our banking system.

The original language in the bill amended the major fraud statute to protect against frauds related to many Government economic recovery programs, including the purchase of ''preferred stock in a company'' by the Government as part of our efforts to stabilize banks. The Justice Department advises that this language may be too narrow, as recovery efforts may include purchases of other types of stock or other troubled assets. So the Justice Department, which supports the Leahy-Grassley bill, has requested that the reference to ''any preferred stock in a company'' be replaced with the phrase ''any troubled asset as defined in the Emergency Economic Stabilization Act of 2008.'' This simple change will make clear that all troubled assets purchased by the Government as part of the recovery effort will be covered under the major fraud statute. This change is consistent with the original intent of the bill and simply provides greater assurances that taxpayers' money will be protected to the full extent of the Federal law.

Second, the amendment strikes five words in the bill that could create unintended ambiguity in the statute and could be used to limit the effect of the bill. The phrase ''for such property or services'' appears in the original statute as a modifier of the kinds of contracts or subcontracts covered by the major fraud statute. With the changes included in the bill, the language is no longer applicable because the transactions involved in our efforts to stabilize banks include grants, loans, and purchases of assets that may not legally be characterized as ''property or services.'' If this phrase remained in the statute, it could be used improperly to limit the scope of the major fraud statute and undermine the intent of this legislation, which is to cover all of the Government's efforts to rebuild our economy and restart our banking system.

Frankly, when we send prosecutors out to get people for defrauding Americans, I don't want to have something unintentionally in the statute which may limit the ability of prosecutors to go after those who are defrauding Americans.

These changes that have been requested and supported by the Justice Department have the full support of Senator GRASSLEY, the lead Republican cosponsor of this bill and the Republican manager for this bill. All Senators should support this bipartisan managers' amendment which should protect our efforts to strengthen the banking system and restart the economy.

What I am going to do, Madam President, I am going to suggest that when Senator KYL gets here and Senator GRASSLEY gets back to the floor, we accept this managers' amendment—I think it is noncontroversial—and that we then have a vote as soon as he has had a chance to say what he would like to on the Kyl amendment. In the meantime, we will leave the managers' amendment the pending amendment just so Senators then can understand, if we can work it that way, hopefully we will have a vote relatively soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. SANDERS are printed in today's RECORD under ''Morning Business.'')

Mr. SANDERS. Mr. President, I now wish to speak in support of S. 386, the Trade Enforcement Recovery Act. I commend Senator LEAHY, my colleague from Vermont, the chairman of the Judiciary Committee, for introducing this important piece of legislation.

As a result of the greed, recklessness and, in my view, illegal behavior of a handful of executives on Wall Street, we are suffering today from the most severe economic crisis that we have experienced since the Great Depression.

Millions of people have lost their homes, their jobs, their life savings, their ability to send their kids to college, and their sense of hope that their children will follow the American dream and have a higher standard of living than they do.

It is critical that we provide the FBI, the Justice Department, and all our Federal agencies the tools and resources they need to hold those responsible for the financial crisis accountable and throw those who engaged in fraud in jail where they belong. That is what the Fraud Enforcement and Recovery Act is all about. It is imperative we pass this bill as soon as possible.

Under President Bush, the Federal Government basically turned a blind eye to white-collar crime. After September 11, about 100 FBI white-collar fraud investigators had their job responsibilities shifted to focus on terrorism, which is understandable. But the problem is, they were never replaced to do and continue the work on white-collar crime. As a result, literally thousands of allegations of financial and mortgage fraud are going unexamined this day.

Chairman LEAHY's bill will turn this abysmal situation around by providing the resources necessary for the FBI to hire 160 additional special agents and more than 200 professional staff and forensic analysts dedicated to investigating white-collar crime.

This bill also provides the resources necessary for the Justice Department to add up to 200 prosecutors and civil enforcement attorneys nationwide, as well as 100 support staff to focus on fighting fraud. This bill provides the resources necessary for the U.S. Postal Inspection Service, the U.S. Secret Service, and the inspector general at HUD to hire several hundred additional fraud agents, analysts, and investigators to combat fraud.

This bill is desperately needed. It is important that we take a very aggressive look at the fraud that is going on in that area. I hope very much that all our colleagues will support this legislation

With regard to this issue of what has been going on on Wall Street, there is no question but that the American people are furious—and rightly so. The American people want answers. What I wish to do now is say a word above and beyond this legislation, some of the areas that I think we have to go after we pass this bill. I think the American people are demanding an investigation to understand how we got into this financial crisis in the first place. Who are those people responsible? Some people say: Well, it is all of us. We are all responsible for this financial crisis. That simply is not accurate. The truth of the matter is, there are probably a few hundred people who, through their greed, their recklessness, their illegal behavior, have pulled our Nation and much of the world into a deep recession.

We need to know who they are. We need to know what they did. We need to make sure this never happens again. And where illegal activity has taken place, we need to hold them accountable.

One other area I wished to touch on, to look at another issue that is of concern to people in the State of Vermont—and I get e-mails on this virtually every day, I know it is true nationwide—at the same time as we are bailing out huge Wall Street financial institutions, at the same time as these financial institutions are getting zero interest loans from the Fed, you know what they are saying to the American people. They are saying: Thanks,

chump. We appreciate all your help. Now we are going to charge you 20, 25, 30 percent interest rates on the credit cards we gave you.

Recently, I have been receiving many e-mails from people who have seen the Bank of America, for no particular reason, doubling their interest rates all over this country. People are using their credit cards to pay for their groceries, to pay for basic needs. College kids, they are using credit cards to pay college expenses, and they are being charged outrageous rates.

The reality is, today in America, if you can believe it, one-third of all credit card holders in this country are paying interest rates above 20 percent, and as high as 41 percent, which is more than double what they paid in interest in 1990.

What we are looking at right here is a situation in which the American people are bailing out these large institutions and in return what we get are outrageously high interest rates. I have introduced, along with Senators DURBIN, LEVIN, LEAHY, HARKIN, and WHITEHOUSE, legislation that will require any lender in this country to immediately cap all interest rates on consumer loans at 15 percent, including credit cards.

The reason we have selected that number is, it is precisely what credit unions all over the country are operating under and have operated under for 30 years, and they have done well. They are not coming to Washington for hundreds of billions of dollars in bailouts.

I think if it has worked well for the credit unions, it can work well for financial institutions. I hope we can get that bill on the floor and see it pass to protect millions of credit card holders all over this country.

There is another issue I think we have to address. The reason Congress has provided $700 billion to bail out Wall Street, against my vote I should say but that is what happened, the reason the Fed has lent out over $2 trillion to large financial institutions has a lot to do with the phenomenon of ''too big to fail.''

The thought is, if a large financial institution goes under, it will bring systemic damage to our entire economy, and it has to be propped up. As I said on the floor of this Senate more than once, if an institution is too big to fail, it is too big to exist.

I will be introducing legislation soon to require that the Federal banking regulators examine every bank in this country to make sure no bank is too big to fail over a reasonable period of time. In other words, I think we have to take a look at what Teddy Roosevelt did 100 years ago, over 100 years ago. If an institution is too big to fail, let's start breaking them up right now so we do not find ourselves back in the same place some years from now.

It goes without saying, in another area, we have clearly got to end the deregulation of banking laws that were passed over the last decade that helped cause this crisis. There was a belief that if we let Wall Street do all the wonderful things they are capable of doing, well, they are going to provide and create prosperity, not only for their people but all over our country.

Clearly, we have learned a lesson: When you leave Wall Street alone, they will do what they do best; that is, act in a very greedy way to maximize their profits. For them, 20 percent, 30 percent were not enough. They needed 40 percent, they needed 50 percent rates of return. Their CEOs needed not $20 million, not $50 million, in some cases they needed $1 billion.

I think it is now widely understood that we have to reverse the deregulation that took place over the last decade, and we have to move forward with sensible regulation. That means we have to revisit certainly Gramm-Leach-Bliley, we have to restore the firewalls that were imposed by the Glass-Steagall Act in 1934 and that were repealed as a result of deregulation.

On another issue, I think there is growing concern that the Federal Reserve has taken on new responsibilities and that there is a clear lack of transparency in the Fed. The American people have a right to know what is going on there, and today we are kept in the dark.

Regardless of one's views on the merits of the $700 billion financial rescue package that was signed into law by President Bush on October 3, one thing we can say is that if the taxpayers and the citizens of this country want to know who received this money, all they have to do is go to a Web site and they can find that.

On the other hand, if you want to know who received $2.2 trillion from the Fed, if you want to know what the terms are of those agreements, you will not find any information whatsoever. All of that information has been kept secret from the American people.

I am grateful that as part of the budget debate, the Senate voted 59 to 39 in favor of an amendment I offered to the budget resolution with Senators BUNNING, WEBB, and FEINGOLD, calling on the Fed to release this information. In my view, it is time for the Fed to listen to the will of the Senate and the American people and release this information as soon as possible.

Let me conclude by simply saying I think today we are debating a very important piece of legislation, the Fraud Enforcement and Recovery Act, introduced by my colleague from Vermont. This is an extremely important legislation. Let's get it passed as soon as possible with as large a vote as we can.

After we do that, let's start turning our attention to other aspects of this Wall Street crisis so we can respond to the frustration and the anger of the American people, create a new Wall Street, create accountability, lower interest rates, and do many of the things the American people want to us to do.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I have been in discussions with the distinguished Republican deputy leader, Senator KYL. We do not have a formal agreement but what we are looking toward doing, in the next 10 minutes or so, is having acceptance of the managers' technical amendment and then going to a rollcall vote on Senator KYL's amendment, which I will support.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 993, AS MODIFIED

Mr. LEAHY. Mr. President, I ask unanimous consent to modify the Leahy-Grassley amendment at the request of the Justice Department to add the word ''or'' after the comma at page 2, line 1. I send the modification to the desk.

The ACTING PRESIDENT pro tempore. The Senator has that right. The amendment is so modified.

The amendment, as modified, is as follows:

On page 15, strike beginning with line 20 through page 16, line 10, and insert the following:

(d) MAJOR FRAUD AGAINST THE GOVERNMENT AMENDED TO INCLUDE ECONOMIC RELIEF AND TROUBLED ASSET RELIEF PROGRAM FUNDS.—Section 1031(a) of title 18, United States Code, is amended by—

(1) inserting after ''or promises, in'' the following: ''any grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance, including through the Troubled Assets Relief Program, an economic stimulus, recovery or rescue plan provided by the Government, or the Government's purchase of any troubled asset as defined in the Emergency Economic Stabilization Act of 2008, or in'';

(2) striking ''the contract, subcontract'' and inserting ''such grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance,''; and

(3) striking ''for such property or services''.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

Mr. COBURN. I ask unanimous consent to be recognized until Senator KYL returns to the floor or for a shorter period of time, whichever may be the shortest.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. COBURN. Mr. President, nobody disputes the intent that we ought to go after the fraud that has been associated with the mortgage industry and some of the problems thereof. We passed the stimulus bill that had a lot of money for the Justice Department in it. We didn't tell them they should

use the money on this. We passed an omnibus bill, none of which did we put money in. We put $10 million in for the FBI. Now we come before the Senate wanting to authorize $500 million more for a bill in a department, the Justice Department, that will end this fiscal year with over $2 billion in the bank. Since I have been a Senator, they have had over $2 billion at the end of the year. There is something unique about the Justice Department. The Justice Department is the only Federal agency that doesn't ultimately have to send its unspent money back to the Treasury. They get to keep it.

In a time where we are spending money to the tune of $112 billion a day every day we have been in session so far in this 111th Congress, to say that we ought to send another $500 million to an agency that is going to have $2 billion left over at the end of this year and the next few years to come tells us we are not good money managers, but most of the American people know that already.

On fiscal grounds, what we are doing is, we are authorizing money. And that is what will be the response to this debate: It is just an authorization. The fact is, if you are authorizing, you intend to spend it. You are going to try to get another $500 million appropriated on this bill.

Secondly, we don't have ex post facto laws. So everything this bill does has no application in terms of a statute change to any of the crimes committed, either the fraud or money laundering or anything else. It has no application. None of it will apply to misdeeds and infractions of the law that happened that got us into this crisis.

Additionally, every act that was committed that broke a law under the statutes we have today, both Federal mail fraud and wire fraud, can be prosecuted already. What is going on? What is going on is, we are going to pass a bill in reaction to a problem that Congress created in the first place by incentivizing poor behavior at Fannie Mae and Freddie Mac, by not doing oversight, and we are going to make everybody feel better because we reacted to it. We don't need new laws on the books. What we need to do is enforce the laws we have today. It may be true that the Justice Department might need additional moneys. But where is the oversight?

We released a report earlier this year that showed $10 billion over the last 5 years of waste in the Justice Department. Here is a department that has wasted $10 billion over the last 5 years, has $2 billion at the end of this year with which they could fund this. We didn't fund any of it except $10 million in the stimulus bill or the omnibus bill, and we are adding new laws to the books that we don't need to prosecute the people who broke the law. It is a typical congressional reaction when what we should be doing is enforcing the laws already on the books and supplying on a priority basis the funding for the Justice Department to prosecute that.

I see Senator KYL is here. I will continue my comments later.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, we have the Leahy-Grassley technical amendment. I ask for its passage.

The ACTING PRESIDENT pro tempore. Is there further debate on the pending amendment?

Hearing no further debate, without objection, the amendment, as modified, is agreed to.

The amendment (No. 993), as modified, was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. KYL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 985

Mr. LEAHY. I believe it would be in order now to bring up the Kyl amendment; is that correct?

The ACTING PRESIDENT pro tempore. That is the pending amendment.

Mr. LEAHY. I ask for the yeas and nays on the Kyl amendment.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. KYL. Mr. President, I will describe this amendment in one sentence so as not to be more confusing than it otherwise would be. It is clearly a technical amendment and has strong support on both sides. It modifies the bill's definition of the term ''obligation'' as used in the reverse False Claims Act to exclude contingent obligations, thus precluding the possibility that conduct that makes a defendant liable for a penalty or a fine could become actionable under this law before that fine is actually established or assessed. I believe the amendment is agreed to on both sides.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Senator from Arizona. He worked with me and Senator GRASSLEY. We both support his amendment. I will vote for it.

The ACTING PRESIDENT pro tempore. If there is no further debate on the amendment, the question is on agreeing to amendment No. 985.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY), the Senator from Massachusetts (Mr. KERRY), and the Senator from West Virginia (Mr. Rockefeller) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Kansas (Mr. ROBERTS).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 1, as follows:

[Rollcall Vote No. 160 Leg.]

YEAS—94

Akaka	Durbin	McConnell
Alexander	Ensign	Menendez
Barrasso	Enzi	Merkley
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murkowski
Begich	Gillibrand	Murray
Bennet	Graham	Nelson (NE)
Bennett	Grassley	Nelson (FL)
Bingaman	Gregg	Pryor
Bond	Hagan	Reed
Boxer	Harkin	Reid
Brown	Hatch	Risch
Brownback	Hutchison	Schumer
Bunning	Inhofe	Sessions
Burr	Inouye	Shaheen
Burris	Isakson	Shelby
Byrd	Johanns	Snowe
Cantwell	Johnson	Specter
Cardin	Kaufman	Stabenow
Carper	Klobuchar	Tester
Casey	Kohl	Thune
Chambliss	Kyl	Udall (CO)
Coburn	Landrieu	Udall (NM)
Cochran	Lautenberg	Vitter
Collins	Leahy	Voinovich
Conrad	Levin	Warner
Corker	Lieberman	Webb
Cornyn	Lincoln	Whitehouse
Crapo	Lugar	Wicker
DeMint	Martinez	Wyden
Dodd	McCain	
Dorgan	McCaskill	

NAYS—1

Sanders

NOT VOTING—4

Kennedy	Roberts
Kerry	Rockefeller

The amendment (No. 985) was agreed to.

AMENDMENT NO. 995

(Purpose: To establish the Financial Markets Commission, and for other purposes)

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the pending amendment be set aside and the clerk call up amendment No. 995.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Georgia [Mr. ISAKSON] proposes an amendment numbered 995.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. ISAKSON. Mr. President, I ask unanimous consent to speak for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I am honored to be introducing this amendment today on this piece of legislation. I am particularly pleased to have worked for the past 3½ months with the Senator from North Dakota, Mr. CONRAD, who is the principal cosponsor on what is known as the Financial Markets Commission.

In the last year, the people of the United States have seen the value of their homes decline, the value of their

529 savings accounts for their kids' college decline, their mutual funds, and their investments in whatever category. Declines that started out to be a hiccup became colossal and we now find ourselves in a position where we are deleveraging and we are deflating in the United States of America.

There should be some answers. Quite frankly, there is plenty of blame to go around, but we need some answers. We need some guidance. We need to ensure that my grandchildren and my children and yours don't ever go through the experiences we have gone through and we have shared with the American people in the last 12 months.

The only way to get an objective evaluation of what went wrong and where mistakes were made is to create an independent commission of recognized people of experience to look into the financial markets, the rating agencies, Freddie Mac, Fannie Mae, investment bankers, hedge fund operators, commodities traders—everybody—and FASB and say: What went right, what went wrong, and what could we have done better to have prevented this from going on?

I have a lot of suggestions. I could drop a lot of bills right now, including transparency for hedge funds and changing who compensates the rating agencies from the seller securities to the buyer securities. But we need a forensic audit of the laws of the United States as it relates to the financial markets, the Federal Reserve, and every aspect, so whatever did go wrong that could have been avoided is avoided.

This Commission is designed to operate for 18 months. It has a budget of $5 million and subpoena powers and it is directed to report back to the Congress of the United States its findings. It is specific in every regard so that anybody who could have been a part of what happened in this financial collapse is subject to investigation, is subject to scrutiny, and is subject to the sunshine that is necessary to get answers.

I think we owe it to the American people. I know I owe it to my children and grandchildren and to those people who voted for me to find out what went wrong and try and make it right.

Senator CONRAD has been diligent in his effort to help. He has made very constructive suggestions concerning the amendments to this legislation. Jointly with him, we worked with the Banking Committee members, the ranking member, and the chairman to try to incorporate the ideas of everyone and to make sure we don't miss the mark, that we stay on focus, and we get what the American people deserve; that is, answers to what caused the financial collapse that has decreased the value of their homes, the value of their savings accounts, protracted their retirement, and brought about the uncertainty that we have today in the economy of the United States of America.

With that, I thank the Senator from North Dakota for his help. I thank the chairman and ranking member of the Banking Committee.

I yield the floor.

The PRESIDING OFFICER (Mr. MERKLEY). The Senator from North Dakota is recognized.

Mr. CONRAD. I thank Senator ISAKSON for his leadership in this matter. It has been exemplary. I have truly enjoyed working with Senator ISAKSON and his staff. They are the leads on this legislation, which I think is one of the more important pieces of legislation we will consider this year.

We have had two extraordinary tragedies in this country in the last period of time: September 11, when this country was attacked, and also what was very close, I believe, to a global financial meltdown. In fact, I will never forget as long as I live when, last fall, being called to a special urgent meeting in the leader's office with the chairman of the Federal Reserve and the Secretary of the Treasury of the previous administration and being told they were going to take over AIG the next day and they believed if they did not do it, we could suffer irreparable damage to the economy of the United States and, in fact, we could face a global economic meltdown.

After 9/11, we put into place a commission—bipartisan, nonpartisan—to review what happened, why it happened, and what could be done to prevent it from ever happening again.

That is precisely what we must do now with respect to the economic crisis that is upon us. We have an obligation to the people of this country and to our colleagues to put into place a commission, which is separate from partisan politics, to do a careful review of what happened, why it happened, and how it could be avoided from ever happening again.

All across America, millions of people are wondering about their retirement. They are wondering if they will be able to retire. They are wondering what the quality of their life is going to be in retirement. They are wondering how their 401(k) became a 201(k). How did their retirement savings get cut in half? What occurred and who is responsible and what could be done to prevent it from happening again?

This Commission will have 10 members appointed by the majority and minority leaders of the Senate, the speaker and minority leader in the House of Representatives, the chairman and ranking members of the Senate Banking Committee and the House Financial Services Committee. It will be charged with reporting back to the President, the Congress, and the American people by the end of next year. The Commission will also have the authority to refer evidence of criminal wrongdoing to the Justice Department and State attorneys general for prosecution.

I believe this Commission is absolutely essential to determine, in a nonpartisan way, how this financial crisis occurred. Where were the mistakes made? Were there failures of regulation? Were there failures in the regulatory agencies? Were there failures in the private sector?

I think we all know the answer to every one of those questions is yes. There were failures in the Congress of the United States and in the administration. This is not a finger-pointing exercise; this is an exercise to determine, on a fair and objective basis, what occurred and what can be done to prevent it from happening again. That is the goal of the legislation introduced by Senator ISAKSON, which I am proud to cosponsor.

Let me conclude by saying that working with Senator ISAKSON has been a delight. He is a fairminded, serious legislator who has spent an enormous amount of time doing this legislation—and, let me say, doing it right, talking directly to the committees of jurisdiction, trying to get their input, their assessment, and also talking to other colleagues and preparing something that I think is fair, balanced, and is completely intended to be objective in its outcome.

I think all of us have a responsibility to see this through to the end, so that at some future date the American people will be able to look back and find out, on an objective basis, what were the failures of fiscal policy, what were the failures of monetary policy, what were the failures of the private sector, what were the failures of Government regulation and the policymakers in the Congress of the United States and in the administration? What could be done to prevent it from ever happening again? We have that obligation to the American people.

Again, I thank Senator ISAKSON for his leadership on this important matter.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I have listened to some of the things being said. I agree with the distinguished Senator from Georgia, who said we should find out what went wrong and try to make it right. The distinguished Senator from North Dakota said we should find out what happened and why it happened and make sure it never happens again. And it should be a nonpartisan effort, not finger pointing.

I find myself closely aligned with this. I said the same thing about having an accountability commission on what happened in areas including torture, the OLC memos that twisted statutes and policy, and with White House interference in prosecutions and law enforcement. And I have been making such a recommendation for some time, so that we can find out just what happened. As we now found, opinions were written that were totally contrary to the law. We find such things as the Bybee memo. I hope that Judge Bybee, now that that memo has become public, will do the honest thing, the moral thing, the right thing, and resign from

the bench. We find out about more and more of these alarming issues, but we still do not have all the facts.

I think we should have some type of a nonpartisan commission, as the Senator said—not for finger-pointing, as he said—but to find out what happened and why it happened and to make sure it never happens again. We must find out what happened in order to try to make it right, as the Senator has also said.

I am tempted to offer, as a second-degree amendment to this one, an amendment to include an examination of everything that went on during the last administration with regard to the manipulation of prosecutors, the manipulation of the law, and those who wrote memos saying basically that certain people in the Government are above the law, cannot be affected by the law, and cannot be held accountable to the law. Those individuals even went so far as to say that the President could simply decide the law does not apply to him, which, of course, would be the first time in this Nation's history that any binding Executive branch memo has ever claimed a President has that authority that I am aware of. All the arguments made by the Senator from North Dakota, which I believe were good arguments, could be made, for my commission proposal. On the question of why people decide not to follow our laws, how they convinced themselves to do that, and how they managed to get lawyers to write twisted memos to justify the idea that they did not have to follow the law: we had a certain cadre of such people within the White House and within the administration. And they apparently believed they could automatically excuse themselves from following the law.

As I have said, there is the temptation to offer this as a second-degree amendment. I will not. But I simply point out that if it is applicable here, it is certainly applicable in those areas where people were not just trying to steal money, they were trying to steal the Constitution of the United States. And they are trying to steal the laws of the United States. I think that should be looked into just as much as somebody who might want to steal money from the United States. Money can be paid back and should be paid back. Once you lose honor, once you lose your integrity, once you lose credibility, once you lose adherence to our Constitution, that takes a lot longer to get back.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I will speak on a provisions of the bill dealing with money laundering. This section of the bill that I am referring to would amend the criminal money laundering statute to make clear that the proceeds of specified unlawful activity include the gross receipts of illegal activity and not just the profits of that illegal activity.

The money laundering statutes make it an offense to conduct financial transactions involving the ''proceeds'' of a crime, sometimes referred to as ''specific unlawful activity'' in the statutes.

These statutes, however, do not define what the term ''proceeds'' amounts to. Instead, the term has been left to definition by our courts.

For 22 years, since the money laundering statute was enacted in 1986, courts have construed ''proceeds'' to mean ''gross receipts'' and not ''net profits'' of illegal activities consistent with the original intent of Congress.

However, last year, the Supreme Court entered into it and, of course, reverses the definition in a case called United States v. Santos.

The Supreme Court suggested that the term ''proceeds'' was ''ambiguous''—that is their word—and as a result, under the rule of lenity, the Court gave the term a much narrower definition.

In this decision, the Court mistakenly limited the term ''proceeds'' to the ''profits'' of a crime, not the more global word ''receipts.''

As a result, the Court's decision has limited the money laundering statutes to only profitable crimes. It gives criminal defendants an argument against their criminal conduct by forcing the Government to prove that they actually made a profit, regardless of the criminal activity.

This decision of the Court is contrary to the intent of Congress in passing the money laundering statutes and weakens one of the Federal Government's primary tools used to recover the proceeds of illegal activity, including mortgages and securities fraud.

For example, these are some of the problems created by the Santos decision.

If a drug dealer committed a financial transaction with the proceeds of illegal drug dealing but the money was only used to purchase drugs, then they could not be prosecuted for money laundering. I know, everybody hears that, and they say common sense dictates otherwise. But the Supreme Court interpretation puts us in that sense that is contrary to common opinion.

Another example: If a fraudulent broker, such as a mortgage broker, intentionally overvalued the fair market of a home for purposes of a mortgage, that broker could only be charged for money laundering related to any fees or potential profit made in the fraudulent transaction, not based on the full value of the house.

Another example: An executive who committed security fraud could not be charged with money laundering if the fraud were unsuccessful in making a profit even though there was a fully completed financial transaction.

Those are just three of many examples I could give about how Santos very narrowly construes the possible prosecution and limits the prosecution of certain unlawful activity in the area of money laundering.

This legislation corrects the Santos decision and moves us forward so that profit or not, there is money laundering actually going on, we will have an opportunity to prosecute and hopefully succeed in the prosecution.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I will in a period of time offer an amendment with my colleague, Senator MCCAIN, dealing with a select committee of the Senate. We are waiting for Senator DODD, and as soon as Senator DODD arrives I will relinquish the floor so he might proceed.

As we are waiting, I wish to commend my colleagues, Senator ISAKSON and Senator CONRAD, on the legislation they have introduced dealing with a commission. The formulation of a commission seems to me to make some sense.

I offered something called the Taxpayer Protection Act in late January of this year. One of the five provisions of that act called for the creation of such a commission. Frankly, Senator ISAKSON and Senator CONRAD have substantially improved on that idea. Their amendment is very well done. It is something I very strongly support and I think will advance the interests of the Congress and the American people in trying to understand what exactly has happened here.

I do want to mention that the amendment I will offer following a discussion in a few minutes by Senator DODD will be an amendment that relates to S. Res. 62, a Senate resolution Senator MCCAIN and I jointly submitted about 2 months ago calling for the creation of a select committee to investigate, through the use of subpoenas and other approaches, the narrative of what has happened. While I think a commission is valuable in making recommendations, having some of the best minds around the country serving on an independent commission, I also believe there is a responsibility in the Senate for a select committee of the type that has existed in history on a number of occasions to do the work to understand what is the master narrative here, what has happened to cause this unbelievable financial crisis. I will talk more about the

issue and the need for the establishment of a select committee when I introduce the amendment, but for the moment I wanted to say a couple of things.

One, I believe this issue of a commission that my colleagues have advanced is something very worth supporting. Both my colleagues, Senator ISAKSON and Senator CONRAD, have done a lot of work on this, and it is very good work and it deserves, in my judgment, our support.

I also want to say, in the context of these discussions, that before our colleague, Senator DODD, who is coming to the floor in a bit, and who is chairman of the Senate Banking Committee, now lies the task of trying to put together the pieces of this puzzle and to find out how all of this works. He has done an enormous number of hearings. What Senator DODD is doing in these hearings in the committee and under his leadership is trying to figure out how do you lift this country out of the ditch? How do you put this system back together? How do you fix what is wrong in this banking system? How do you put the pieces together so they fit and represent the public interest so this doesn't happen again?

Senator DODD has done so many hearings on this in the recent months. Very few Members of the Senate, I think, understand the hours it has taken Senators DODD and SHELBY, leading that committee. But I must say again, they are forward looking to try to figure it all out. This country is in a huge hole. We have a banking system in chaos. We have a financial crisis. How do you get out of this hole? How do you lift this country? How do you put the pieces back together? How do you fix what is wrong in order to make it right so we can provide for recovery in this country?

I want to say again that our colleague, Senator DODD, and let me also say the ranking member of that committee, has an enormous burden. Under Senator DODD's leadership, I think they have done an extraordinary job and they are at that work even today as I speak.

As we talk here on the floor about these issues, I don't want anybody to misunderstand the responsibilities of the committee and what that committee is trying to do. I don't serve on that committee, but we have some awfully good Senators who do—Republicans and Democrats—and we have a good chairman—who are all trying to figure out how you put this together going forward.

You know, this country has not seen this kind of financial collapse for a long time—the first time in my lifetime, certainly. It is a collapse of the sort that harkens back to the Great Depression. And the question isn't whether this country will recover—it will. This is a great country, very resourceful, and full of great people who want to lift this country up. We need to do that work together. The question isn't whether; the question is when and how we will effect this recovery. And that is part of what all of us are grappling with, most notably, of course, the Senate Banking Committee. The discussions that are underway this afternoon are discussions about a commission, a committee, and so on. They are very important.

Let me make one other point. The legislation that is the subject of amendment is legislation brought to us on a bipartisan basis by Senator LEAHY and Senator GRASSLEY and others. That is a piece of legislation that is very important as well, and I will speak more about that at some later point. But the underlying legislation is another piece of trying to grapple with something that should never have happened but now must be fixed. They are talking about providing the resources necessary for the investigators, for the prosecutors, for the law enforcement functions that need to be exercised here to find accountability—who did what. We don't know.

It is interesting, there are a lot of things that have caused us problems and that steered this country into a financial ditch—a lot of them. Debt, deregulation, and dark money are just three, and I could describe all of them at great length. But our colleagues, Senator LEAHY and Senator GRASSLEY and others, on a bipartisan basis, are bringing something to the floor that says let us have the resources to go after some of these kinds of practices.

Let me show you something. I went to the Internet today. This is on the Internet today. This is an advertisement: You want to get a loan? These folks want to give you a loan. It is called speedy bad credit loans. Isn't that unbelievable? With all this country has faced, you can go to a company called speedybadcreditloans.com. You have bad credit? They say that is okay. You have no credit? Well, that is OK too. If you have been bankrupt, that is no problem. Come to us, we will give you some money. These are the same shysters who have been involved in this and who ran this country into the ditch.

I was wondering if I should spell that word. Maybe I shouldn't have used the word, but the fact is it is the same kind of folks who ran this country into the ditch in the first place by putting out subprime mortgages and saying: If you have bad credit, come to us. No credit, slow pay, no pay? Come to us. Doesn't matter. We want to give you some money. It is unbelievable to me.

So here on the Internet today—bad credit mortgage, no credit, bad credit, bankruptcy, no downpayments, no delays. You certainly don't need delays if you don't have a good credit rating. You want to get some money from somebody? By the way, these folks are making a fortune. They put money out there on the street and then they would securitize it, pass the risk on up, and everybody was making a bunch of money.

My colleagues, Senators LEAHY and GRASSLEY and others, are saying: You know what, the resources needed to go after these kinds of people and prosecute this bad behavior and hold people accountable, those resources need to be passed by this Congress. And I agree with that.

Here is another on the Internet today. CC&G Financial Group working together to build your dreams. Bad credit? Poor credit? We can get you in your dream home. In fact, we will finance the current home that you have. Isn't that something? CC&G Financial Group says, you have bad credit? You have poor credit? Hey, we have a deal for you. Borrow some money from us.

Let me tell you the little trick these folks have been doing. They put you into a mortgage with a teaser loan. They say: You know what, you are paying way too much on your monthly payment. We will give you a loan with a 2-percent interest rate. We can cut that monthly payment by hundreds and hundreds of dollars a month. Oh, they don't tell you that it will reset; and yes, that 2-percent interest rate that gets that payment way down in about 2 or 3 years will reset to 10 percent or 12 percent, and then you won't be able to afford to make the payment. And by the way, we will lock in something called a prepayment penalty—which you will never hear about. It means you can never repay it.

Now, why do they do that? So they could pack these up like sausages. They used to pack sawdust in sausages for filler. They would pack them up like sausages with sawdust, and then slice them and dice them and sell them as securitized loans. And they say to these hedge funds, investment banks, and others that wanted to buy all this nonsense, all this investment trash, they would say, we have a good deal for you. We have a bunch of loans in here with prepayment penalties, so they can't get out of it, and by the way, the yield is good. All these smart people in the room didn't understand that nobody was going to be able to repay those loans.

They also say: Do you want a loan with no documentation of your income? It is called a no doc. No documentation. We will give you a loan on your home and you don't even have to document your income. We don't care. No doc. You want a loan you don't have to pay any principal on, just the interest? If that is not good enough, you can't pay the interest even? We will do this for you. You don't have to pay any principal, or all the interest. We will wrap it around the back side of the mortgage. Or even better, we don't have to document your income, you don't have to pay any principal, any interest, and we will make the first 12 payments for you.

That is how lucrative this business was. You got bad credit, can't pay your bills, are you a bad risk? Come to us. The biggest mortgage company in the country—Countrywide Mortgage—here

is what they said—the biggest mortgage company in the country. And by the way, they went belly up, and the folks at the top of that company went home with hundreds of millions of dollars—hundreds of millions of dollars. Here is what the biggest mortgage company in the country said in the middle of all this. They said: Do you have less than perfect credit? Do you have late mortgage payments? Have you been denied by other lenders? Call us. We consider you a buddy, because we can make a bunch of money off of you.

Well, Mr. President, I will discuss more about this later. I have been waiting for my colleague from Connecticut, who I indicated was on his way, and I wish to yield the floor now, and following my colleague's presentation, at that point I wish to offer an amendment with my colleague from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I see my colleague from Connecticut is waiting, so I will be brief. There is not much I can add to the words of my friend and colleague Senator DORGAN of North Dakota, whom I have had the privilege of working with in the past on a number of issues, especially the investigation of a scandal that is still ongoing, as a matter of fact, concerning Mr. Abramoff and his corrupting effect on both sides of the aisle.

All of us just came back from a recess. All of us had an extended opportunity to visit with our constituents. In Arizona, I had that opportunity. Traveling around my State, I saw that there is confusion, there is frustration, and there is justified anger. People are not able to stay in their homes, and they are unable to keep their jobs, with unemployment continuing to go up. A State such as mine was hurt very badly because we were on the crest of the wave of the housing and the crashdown in the most dramatic fashion. So I understand and appreciate and sympathize with the fear and anger and frustration people feel about what is going on in America's economy today, and they want answers.

Actually, they want two things: They want answers and they want relief. But they also want to know what are we going to do to prevent a crisis of this nature from ever happening again. So far we haven't given them any real good answers. That is why the proposal of Senator DORGAN, which I am pleased to join in, is so important at this time. The American people deserve to know what caused this crash, what caused this catastrophe which caused them to lose their homes, their families, their jobs, and futures.

A select committee could get to work right away. We could be in business for a year. I have been on select committees before, including the one on POW and MIA issues. We were able to resolve the issue to a significant degree in a bipartisan fashion. I have no doubt this could be a bipartisan select committee. There have been select committees in the past and there may be select committees in the future, but this is vital to Americans now because they lack confidence in our economy today and in their future.

Americans deserve to know what happened, to apportion responsibilities, and most importantly to know this will never befall them again. So I urge my colleagues to act and act quickly. We can talk about a commission. I have no objection to commissions. Some have been successful, some have not. The 9/11 Commission, which I was proud to sponsor, had magnificent results. The Commission on Social Security and Medicare disappeared like a stone.

I understand there are various areas of jurisdiction. The distinguished chairman of the Judiciary Committee is here, the distinguished chairman of the Banking Committee is here, and I know they are working hard, and I know they are going into their areas of responsibility. But I would allege that these areas of examination include economic, financial, banking, housing, trade, and a broad range of issues which are not under the jurisdiction of a specific committee. I understand jurisdictional proprietorship. I also understand some people may view this as some kind of encroachment upon their responsibilities. But another thing about a select committee is that it gets the kind of attention that select committees get. I have been around the Congress long enough to see that when there is a crisis, select committees get the kind of attention and the kind of results that can lead to the kinds of reforms that are necessary.

We are in the greatest economic crisis since the Great Depression. Everyone knows that. The American people deserve to know what happened, who caused it, and what we are going to do about it.

It does not just lie under the jurisdiction of one committee. It crosses all lines, and it should be composed, frankly, of the most qualified people and staff we can come up with. So I urge my colleagues, in the interest not of specific committee jurisdiction but in the argument that this crisis, in its size and severity, is nearly unprecedented in American history and requires extraordinary actions. That is not business as usual.

I urge my colleagues to set aside any partisan or jurisdictional differences and vote in favor of an immediate appointment of a select committee to immediately address this crisis which has affected the United States of America in the most painful fashion.

I thank my colleague from North Dakota, who fits the best and finest and most admirable definition of a prairie populist. I thank him and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, on the particular matter, the distinguished Senator from Arizona and the distinguished Senator from North Dakota have spoken about the jurisdiction of the Judiciary Committee, and I assume the chairman of the Rules Committee will speak about it. I also understand that Senators SCHUMER and COBURN have amendments. I urge them to come to the floor because there has been a request for a vote on the Isakson-Conrad amendment. I will not make a unanimous consent request at the moment, but it is our intent to have a vote on that around 4:20, 4:30—on the Isakson-Conrad amendment.

I understand, because of budget matters that come up tomorrow, there is an intent to try to finish this bill tonight. We can finish this bill tonight. I hope we could finish it before 6 or 7 or 8 o'clock. Having an Irish father and Italian mother, I come with a hopeful attitude by nature. But I note we will have a vote around 4:30, 4:20 or 4:30.

There are a number of matters. I see the distinguished and able chairman of the Banking Committee here. There are a number of matters within the jurisdiction of the Banking Committee. I will let him speak to that.

I urge Senators who have amendments to bring them to the floor because as soon as we have no amendments apparently here, we are going to try to move to final passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, let me, first of all, commend our colleague from Vermont for his work on the underlying subject matter, which is of great importance not only to the Senate but to the American people, to deal with issues of fraud and related matters. I think it is tremendously helpful.

I was not on the floor. I apologize to my colleague from Georgia, Senator ISAKSON, and to Senator CONRAD, with whom I have joined in offering their proposal to establish a commission to examine, as the Senator from Arizona has accurately pointed out, and the Senator from North Dakota pointed out, the most serious economic crisis in the last 100 years of our Nation. This is a matter that not only deserves our attention, in terms of what steps we take as legislators to avoid the kind of problems we are witnessing today, but also, I think importantly, to look back as to how we ended up in this situation over the last several years.

Going back, it all didn't begin a year ago or 2 years ago, but decisions that were made as many as 20 years ago—15, 10 years ago—had an awful lot to do with the problems that emerged, particularly in the area of residential mortgage foreclosures that became the root cause of the economic collapse.

There is no debate about whether we ought to look back. At least I don't see any. I think it is critically important, as other Congresses at other moments in our Nation's history when confronted with other crises have done. Whether it was the great Civil War, the

sinking of the Titanic, the so-called Pecora Commission—which was named for the legal counsel of the Senate Banking Committee during the Great Depression, looking back, obviously, the 9/11 Commission. There is example after example. The only question that remains for us to decide here is what is the best way to do this.

Senator ISAKSON, Senator CONRAD, myself, and others who may join us, believe the outside commission is probably the best alternative, given the magnitude of the problem that must be examined. I think it will take a significant amount of hard work by some very talented and knowledgeable people over the next year, year and a half or so to do the job. Or do we engage in the same effort internally in this body with a select committee made up of Members of the Senate who would have to pretty much dedicate almost their entire time, in my view, to that subject matter at the very time we are trying to step forward with some answers that will provide some solutions as to how we avoid pitfalls.

Obviously, we were not waiting in the Banking Committee. Senator SHELBY and I, my very able and competent former chairman of the committee and today ranking member, have already had, I think, some 15 or 16 hearings just since the end of January on the subject matter—the Presiding Officer is a distinguished member of our committee—on how we create the architecture to go forward and fill in the gaps so we don't end up with the same kind of problems that created the situation we are in. We cannot wait until the next Congress to do that. I believe it incumbent on us to come up with some answers to that in this Congress. We are working very hard on exactly that effort. There are some other matters we have to pay attention to, but that, I would argue, is the principal job of our committee in this the 111th Congress.

I know other committees are deeply involved. The Finance Committee is deeply involved in health care. Senator MAX BAUCUS and Senator CHUCK GRASSLEY are going to be spending virtually every waking hour over the next several months, along with Senator KENNEDY and Senator ENZI, on the Health and Education, Labor, and Pensions Committee, not to mention others, dealing with that issue.

We have the climate change issues. We have the budgetary matters. Senator CONRAD and his committee, along with JUDD GREGG from New Hampshire, are deeply involved in the budgetary questions.

When you start talking about forming a select committee made up of Members of this body, some of the very people on the Finance Committee, the Banking Committee, the Budget Committee, are already consumed with major responsibilities. The likelihood that a group of ourselves here could dedicate the time and the effort that needs to be dedicated to the examination of this issue while simultaneously trying to get our economy back on its feet again, I think is asking an awful lot.

My disagreement with my very good friend, and he knows this, my close friend from North Dakota, along with JOHN MCCAIN, with whom I have had a very good and positive relationship over the years, is not about whether we ought to do this—there is no debate about that—but where is the best venue for this to occur.

Let me make a second argument to my colleagues. This has already been a pretty acrimonious debate regrettably, but it has turned into that. There was a lot of finger-pointing going on. None of us may like that individually, but it is what it is. I think to the extent we can ask the body, that is a political body in nature, to kind of do the job without engaging in some of that ''blame the other guy for the problems we have'' is unavoidable. I don't think any of us objectively believe that is a very good way to proceed. We are not going to get very much out of it if that becomes what happens in these select committees, making sure someone else gets responsibility for the difficulty. Believe me, there is a lot of responsibility to go around.

But I believe if you end up having that kind of framework you are inviting that kind of environment and I think the last thing this body needs at this hour is to be seen as engaging in nothing more than the politics of the blame game.

I argue, again, that an outside commission made up of people who are knowledgeable, coming from the world of finance, academia, labor, consumers, others, who could dedicate the time and effort along with a competent staff to work with them and reporting back to us, the committees that have jurisdiction, as they uncover evidence or ideas that would help us fill in these gaps that we need to do legislatively, makes more sense. For that reason, I commend Senator ISAKSON, who is the principal author of this. Senator CONRAD has joined him, as I have and my staff. We worked together over the last number of days. Senator SHELBY's staff has also been tremendously constructive and positive trying to put together this idea that would make sense to our colleagues.

That is the difference. Do we go with a select committee made up of ourselves—and certainly every committee that has some jurisdiction on this would want some members on the committee. The idea that we would ask a group of us who have nothing to do with the subject matter to become part of the select committee also works counter to what we are trying to achieve, and so the Members who have jurisdiction, I assume, would insist on being a part of it.

Which subcommittee chairs it? How do you decide how big that committee is? All these are matters which could end up dividing us, when our job ought primarily to be to find out what went on and utilize a means that would help us achieve that and then, more importantly, to do our jobs to make sure the very problems and gaps that existed to allow this problem to emerge are taken in so we plug those, in effect, or mend those in a way and help create that architecture that would allow our economy to grow, the confidence to be restored, and the sense of optimism to come back to our country.

I am very complimentary of my colleague from North Dakota for talking some weeks ago. He is not a Johnny-come-lately to the issue. He argued for this idea of looking back. I thought about it a lot and have been trying to determine which way is the best for us to proceed. It is always with some regret when you disagree with a friend—not about the goals. In that there is an absolutely common interest. But which of the methods should we use to help us achieve those goals? I believe our colleague from Georgia and our colleague, ironically, from North Dakota as well—the two Senators from North Dakota are kind of on opposite ideas of this issue. Not on the issue of what we ought to achieve but rather——

Mr. DORGAN. Would the Senator yield on that point?

Mr. DODD. I will be happy to yield.

Mr. DORGAN. We are not on opposite sides, necessarily. I said I support the Isakson-Conrad-Dodd Commission; I don't think it is a case of either/or. I think it is a case where both are necessary. But I wish to make the point I am not at odds with my colleague from my State or Senator DODD or Senator ISAKSON on this issue.

Mr. DODD. I stand corrected on that point. I appreciate my colleague making that correction.

That is my case, basically. I don't know what my colleague from Georgia, Senator ISAKSON, or my colleague, Senator CONRAD, had to say about this, about how this might have to be constructed, but this may be a choice we have to make in the coming half-hour or an hour or so, as to which of these ideas we will use. The idea that we do both gets a little complicated but, nonetheless, sometimes as an institution we are inclined to take the course or the path of least resistance on these matters, which sometimes can even add to more difficulties down the road.

But I urge my colleagues to support the Isakson-Conrad-Dodd proposal. We think it makes a great deal of sense to achieve that very important goal while simultaneously allowing this institution to perform the function many would expect us to fill and that is to start crafting the structures that would allow the modernization of our financial institutions in a responsible and thoughtful manner. That work alone, as the Presiding Officer knows, is going to be almost all consuming in the coming weeks.

With that, I yield the floor and thank my colleagues for their attention on this matter.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I, too, rise in support, as I have indicated earlier, in support of the proposal that was offered by my colleagues, Senator ISAKSON, Senator CONRAD, Senator DODD. I think it is a worthy thing. As I indicated, I offered a Taxpayer Protection Act in late January that included a commission involved in that 5-step proposal. But I think they have dramatically improved on that. I think this bill they have offered is one worthy of support, and I certainly support it. I think an outside commission makes a great deal of sense.

But as I indicated, it is not either/or. It cannot and should not be either/or. This notion that somehow this is too much politics in the Congress to be evaluating what has happened here and what you need to do about it—I don't know. John F. Kennedy used to say that every mother kind of hopes her child might be able to grow up to be President, as long as they don't have to be active in politics. Oh, yeah? Politics is what we do. The political system is the system in which we make decisions. I happen to agree—the New York Times wrote a piece about this, and I agree with it fully:

> The investigation should not be performed by outside experts . . . whose report the Congress is free to accept or reject. It should be a part of the Congressional process and include an investigator with subpoena power and the right to participate in the questioning of witnesses, as well as to prep lawmakers for the hearings.

Let me make this point. This is not either/or. I support this Commission. This Commission makes sense. My colleague from Georgia is here, and I wish my colleague from North Dakota were here because, as I read the proposal of theirs, they have done some good work. I strongly support it.

But let me make this point. In addition to an outside commission taking a look outside of this institution, it is this Congress that has offered up $700 billion of funding to the Secretary of the Treasury. That is what this Congress has done: Here is $700 billion. We are the ones who appropriate the money. Accountability exists to do what is necessary to find out what has happened, to do the master narrative of what has occurred here and what are the things we can and must and should learn from that.

Let me describe a select committee. Let me describe a committee in 1940 named the Truman Committee. Harry S. Truman on the floor of this Senate, with a member of his own party in the White House, said there is unbelievable waste and fraud going on in defense spending and we ought to investigate it. They investigated for 7 years with a special committee. They did 60 hearings a year. Think of that. The committee spent $15,000 to be created and saved the taxpayers $15 billion over 7 years.

What an unbelievable value that was for the Senate to have done, the Truman Committee. In fact, you know, I spoke a while back to Herman Wouk, one of the great authors in America, the author of ''War and Remembrance'' and so many other great works. He is in his nineties, one of America's great authors. He is still writing, by the way.

One of the things he talked about, he said, I do not know a lot going forward, but I know from about 1950 back, 1945 back.

He talked about the Truman Committee as a part of the history of what the Senate has done in the middle of the Second World War, a special committee established by the Senate, the Truman Committee, bipartisan, subpoena power, 60 hearings a year, 7 years. Saved the taxpayers $15 billion, we are told.

Well, you know, I am on the floor with my colleague from Arizona, Senator MCCAIN, because both of us believe there is a requirement for a select committee in this case. The Truman Committee, Kefauver Committee on Organized Crime, Church Committee, Kerry-McCain on POWs-MIAs I mean there have been a lot of examples of committees that have done some extraordinary work here on very big issues.

I said before my colleague from Connecticut came in something that will embarrass him, I am sure. I said the Banking Committee with my colleagues Senator DODD and Senator SHELBY is doing extraordinary work that most of us are not aware of, because we are not sitting over there hour after hour after hour trying to put together the notions of what are the solutions to get us out of this ditch.

The Banking Committee has done extraordinary work and continues to do it and will be required to do that for months now to try to lift this country. So my hat is off to the work of Senator DODD, the leadership he offers us, and all of those who are working on the Banking Committee. This proposal for a select committee is not a reflection on their work at all.

But I would say this: There is not one committee in the Congress—that includes the Banking Committee—there is not one committee here that has anything more than three or four or five investigators at best. No committee has the capability that ought to exist and ought to be required to discharge the responsibilities that fall on the shoulders of this Congress and this Senate, in my judgment.

I know the Speaker of the House last week talked about a Pecora committee. In fact, they called it a Pecora Commission. Pecora, that was not a select committee, but that was right after the financial collapse and the Great Depression. He held a lot of hearings, a lot of hearings. He was I believe the chief counsel to the Senate Banking Committee. History records the Pecora committee or Commission, the Pecora effort. We remember it in 2009 it was so significant, because he was looking back.

Senator DODD does not have that luxury at the moment. We have got to look forward and lift this country up and put the economy back together. And we have got to do it in a hurry. We do not have 3 years or 5 years. We have got to lift this country out of this ditch. This is a financial crisis unlike anything we have seen since the Great Depression. So they do not have a lot of luxury over in the Banking Committee to say, you know what, we are going to spend a lot of time looking in the rearview mirror. But I will tell you this: If we do not fully understand the narrative of what has happened here, we are destined someday to repeat it. We are destined to allow it to happen again.

I said this, and this relates to the underlying bill on the floor that Senators LEAHY, GRASSLEY, and others have brought here. Go to the Internet today and take a look at this. This is one. I could have brought many. This is a company who says—it is called speedybadcreditloans.com.

After all we have faced and the financial collapse and the subprime loan scandal, with a bunch of bad actors leaving with hundreds of millions of dollars of ill-gotten gains and leaving victims in their wake all over this country, massive foreclosures and the financial collapse—after all of this, go to the Internet today, and find a company that is called speedybadcreditloans. They say on the Internet: Do you have bad credit? That is okay. Do you have no credit? That is all right. Do you have bankruptcy? No problem. Come and get a loan from us. Is that unbelievable? Just unbelievable.

There is one more, CC&G Financial Group. If you have bad credit, you got poor credit—I could do 40 of these, by the way—come to us. We can get you into your dream home, by the way. They say: With all of these values due to foreclosures and short sales, now is the time. Got bad credit, got an appetite to get a new home.

I wonder if they are doing what those mortgage companies did that steered us into the ditch to say to potential borrowers: Hey, come over here. You are paying $700 a month house payments. You know what, we will give you a mortgage to pay $200 a month. Why should you pay more than triple what you ought to pay? You get a mortgage from us, $200 a month. Oh, by the way, you do not even have to document your income. We do not care. We will charge you an extra quarter percent, but you do not have to document it. Well, maybe 2.25 percent will be your new mortgage, maybe $210 a month. We are going to put a little deal in there, it is going to reset in 3 years, it is going to be 12 percent. That may be a problem, but do not worry, that home value is going like that. You can sell it if there is a problem. But we are going to allow that to reset. And we are not going to mention this to you. We are going to put a prepayment penalty in it so you cannot get out of this.

Then what we are going to do is we are going to wrap it into a big piece of sausage, like they used to fill sausage with filler. Then we are going to chop it up and we are going to sell it. We have got hedge funds and investment banks that are yearning for these kinds of instruments. So we sell the risk. I am a big old mortgage company that advertises: We want bankrupt people to come to us. We want people with bad credit to come borrow with us, because, you know what, we are not going to sit across the desk and look into their eyeballs to see whether they can repay this loan. No, we are not going to do that. We are going to sell the risk. So we do not have to do what is called underwriting. That means sitting across the desk, and the lender evaluates whether the borrower can actually repay it. It is the old way you used to do things, not the modern way. It is the old way. You do not have to underwrite if you are going to sell the risk. In fact, sell it two or three times.

Then, by the way, when someone is being foreclosed upon, the new technique is to say in court: Show us the original mortgage. And they are having a devil of a time trying to find an original mortgage because it has been sold upstream. Disconnect the borrower and the lender from the risk—well, not the borrower, but the lender from the risk. And meanwhile they are all making massive amounts of money.

You know, the year before last, I looked up to see who was the biggest income earner in the country in the middle of this unbelievable avalanche of financial good news. Who earned the biggest income in the country, individually?

Well, a guy who ran a hedge fund earned the biggest income, $3.6 billion. Now, that person earned in 3.5 minutes what the average worker in America earned in a year. When that person comes home and says: I had a pretty good day, and the spouse says: Well, honey, how are you feeling?

Well, I made $10 million today.

Mr. President, $10 million every day. How is it that people were working those kinds of stratospheric incomes, $3.6 billion, or even much lower, a CEO from one of the biggest mortgage banks in the country that went belly up, and he left with a couple of hundred million dollars, much lower income? How is it they ended up with all of this money? They ended up with all of this money by creating all kinds of fancy instruments and getting payments by moving all kinds of money around and a lot of victims in their wake. So the question is, what do you do about all of this? Well, the first thing to try to understand here is what has happened. I am talking now about subprime mortgages.

But you know what, that is one piece. It is like a book with several chapters, many chapters. It is one piece. But I am describing how unbelievable this piece is. So the question is, what do we know at this point? What really do we know about what has happened that has caused this collapse?

I talked about dark money a bit ago. Debt helped cause this collapse. Some of that is here. Federal budget debt. Federal trade debt, by the way, $800 billion a year trade debt. That is money we owe to other countries, $800 billion a year.

So debt, part of our responsibility. Somebody said to me, well, it is the Federal Government that is spending more than it has. I said: Oh, really, have you taken a look at credit card debt and household debt? Doubled in a reasonably short period of time. Corporate debt. Take a look at household and credit card and corporate debt. Dramatic increases. Take a look at Federal debt by the Congress. Substantial increases. Trade debt. Debt is a problem. We know that.

Deregulation. You decide, you know what, we are going to loosen the rules and not look. We will hire regulators who want to boast that they do not have the foggiest interest in seeing what is happening. Boy, that is a recipe for disaster. And yet that is exactly the case. Dark money, all of this money.

Did anybody know I wrote a piece in 1994, 1994, that was the cover story for the Washington Monthly magazine? My article was the cover story for the Washington Monthly magazine 15 years ago that was titled: ''Very Risky Business.'' It was about the notion that at that point there were $40 to $50 trillion dollars of notional value of derivatives in this country. So there is a lot to discuss about the narrative of what has happened with this financial crisis. Some take the position that we should do only a commission and they oppose a select committee of the Senate. I support a commission because I think that would provide another view, another way of outside experts. I think as I said before my colleague from Georgia came in, Senator ISAKSON and Senator CONRAD have produced a piece of legislation that I think is very smartly done, very well crafted, makes a lot of sense. I stand here to strongly support it.

But I disagree with my other colleague who seemed to suggest that it is an either/or. Doing an outside commission does not absolve the responsibility of the Congress, in, I think, one of the most significant and momentous events of our lifetime, that is, the financial collapse that has, at its root, so many different causes.

It does not absolve us of the responsibility to do what is necessary to investigate that cause, understand it, and make sure it can never happen again.

Again, let me read from the editorial I started with from the New York Times:

> Investigation needs to be a part of the Congressional process, and include an investigator with subpoena power and the right to participate in the questioning of witnesses, as well as to prep lawmakers for the hearings [and so on.]

We have done that in the past with the Watergate hearings. We have done it in the past with the Church hearings. We have done it in the past with the Truman Committee, which I think is a shrine to what this Congress can and should do when it puts its mind to it.

If we decide we cannot do it now and should not do it now, we will have missed a very significant opportunity, and we will have abrogated a significant responsibility of this Congress. It is our job as well. So I stand here to say, I strongly support the commission proposal. We will vote for it. I am very pleased my colleagues have offered it.

But I also believe, as Senator MCCAIN does, that there is more to do and there is a responsibility that cannot be delegated. And that responsibility that cannot be delegated is our responsibility to empanel a select committee to do what is necessary to investigate from the standpoint of the Congress what has happened to cause this very substantial financial crisis.

I ask unanimous consent to lay aside the pending amendment, and I offer the amendment I have described.

The PRESIDING OFFICER (Mr. BURRIS). Without objection, it is so ordered.

Mr. DORGAN. Let me withhold my request.

The PRESIDING OFFICER. The request is withdrawn.

Mr. DORGAN. I will withhold that request for a moment. While I am waiting, let me say that the underlying bill we are dealing with is a piece of legislation that will address the opportunity to prosecute, which is another issue, prosecute wrongdoing and illegal behavior and some of these financial shenanigans that we have seen and that I have discussed.

The underlying bill as well as a piece of legislation is something I would strongly support.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank the Senator from North Dakota for his comments with regard to the commission. I want to reiterate what I said in my earlier speech. When I thought about this, when I watched my kids' 529s, when I watched my own savings for retirement, when I saw what was happening to men and women across the United States, I felt this was a situation that needed a forensic audit, maybe even an autopsy. The damage had already been done. There were multiple factors that led to it. I am not smart enough—I don't know that anybody is—to put a finger on exactly where the blame lies, but I know this: To not find the problems and cure them would be a mistake on the part of the Senate.

Without talking about the select committee as a pro or a con, I want to say why I didn't go that route with this legislation. We are part of what needs to be scrutinized—the Senate. We are part of what needs to be seen. If we left this just strictly to a select committee,

it would be like appointing the board of directors to AIG to tell us what went wrong with AIG. It wouldn't be a good autopsy. It wouldn't be objective. Senator CONRAD and I have tried to put together a piece of legislation that no one could say is partisan, that no one could say is loaded, that is objective, that gives subpoena power to individuals who have the credibility, the knowledge, and the past experience to evaluate the highly technical derivatives, the highly technical hedge funds, and the rules of trading on the Securities and Exchange Commission.

We may need a select committee for oversight if our committees can't do oversight. But we do not need a select committee to investigate the collapse that has happened. We need an independent body, independent of this body. We need them to have the power and the funds necessary to get the answers to the problem so we can objectively say we exposed ourselves to the same scrutiny to which we wish to expose everybody else. We will have the recommendations of what went wrong, who might have done wrong, and if there were criminal acts on the part of somebody, referrals to the Justice Department.

This is a clean, targeted, bipartisan, specific approach to address the No. 1 financial problem the American people are facing today, and that is the collapse of their savings and the retirement and college education funds of millions of Americans.

I appreciate the endorsement of the Senator from North Dakota, but I want to make sure we understand that a select committee would be no substitute for this independent commission at this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise to speak in strong support of the underlying bill, the Fraud Enforcement and Recovery Act of 2009, and in particular about its impact on detecting fraud in the housing industry. First, however, let me offer my appreciation to the senior Senator from Vermont for bringing forward this important piece of legislation for our consideration. We all know the grave nature of the economic crisis we are in. Oregon has been hit particularly hard. The unemployment rate in Oregon is 12.1 percent. It has nearly doubled in just over 6 months, the second highest unemployment rate in the Nation. Oregonians are going into foreclosure at record rates. This legislation, by giving law enforcement additional tools, will help stop the bleeding and begin the process of addressing an underlying problem that caused this crisis, deceptive practices in the mortgage industry.

The bill before us today is straightforward but important. It gives the Government the extra tools and resources it needs to combat, identify, and prosecute financial fraud. As the Federal Government spends billions to bring stability to the economy, the modest amount of money authorized in this bill will go a long way to protect our investments and return money to the taxpayer.

Let me highlight just how important this effort is in the area of housing. A lot of attention has been paid to the rising number of foreclosures and the havoc these foreclosures are wreaking on the housing market. But not so much attention has been paid to the role fraud has played in causing these foreclosures.

Just last month, HUD's interim report on the root causes of the foreclosure crisis found that 1 in 10 delinquencies in this crisis has been associated with some form of fraud. That means this week alone 5,000 families will lose their homes to foreclosure as a result of fraud. That is 5,000 families too many.

Mortgage fraud is at an all-time high. The Mortgage Asset Research Institute has found that mortgage fraud increased by 26 percent from 2007 to 2008. Sadly, this number is only growing as new schemes come forward seeking to defraud Americans of the financial foundation of their future.

Let me give a couple of examples. In one widespread fraud, buyers with stolen identities bought homes. If the value of the homes went up, they sold the homes and cashed in. If the value of the homes went down, they walked away, leaving not only a vacant home but leaving the unsuspecting victim of identity theft in a very difficult situation.

In another case identified by HUD, defrauders inflated home values through bogus appraisals, fabricated borrowed deposit amounts, falsified loan documents to obtain FHA-insured mortgages, and HUD lost $2.3 million on just 30 mortgages. Over 9,000 FHA loans have entered into default after no or only one payment, a particular sign of fraud.

HUD's inspector general has done much to address this. The office captured $2 billion in questionable expenses, obtained $80 million in restitution money, and closed over 1,000 cases. That is a significant effort. But it is only the tip of the iceberg. That is why this fraud act we are considering today is so important. It takes a significant step in restoring an investigative unit that was largely dismantled in 2003 under the Bush administration. It expands the inspector general's staff. It takes an important step to restore investigative capabilities which are so important to protecting the vital nature of the American housing market. In these extraordinary economic times, we need to be especially vigilant against new forms of fraud.

I am thinking now of the predatory foreclosure scams that so many of my Oregon constituents have been talking about. These scams engage in deeply deceptive practices and sometimes outright fraud. The worst of these schemes falsely promised homeowners a way out of foreclosure if they put up a small fee of several thousand dollars. In one such scam—I will call the couple John and Mary who were affected. They are 70 years old and 66 years old, respectively, hard-working Oregonians. John is a self-employed trucker. Most of his business is generated from hauling debris from the demolition of houses. His business has declined with the fall-off of new construction.

In the course of things, John and Mary struggled to keep up their mortgage payments. They reached out to their servicer—at the time it was Countrywide—to explore their options but couldn't connect and get anyone to work with them on their mortgage. But telemarketers started calling with offers to help them modify their mortgage for $2,000 or $3,000. It is fortunate that John and Mary didn't sign any of these contracts but instead contacted my office. We connected them with a HUD-approved housing counselor who was able to help them modify their loan and get back on a straight path.

Let me tell my colleagues what might have happened; that is, a scam in which not only is the family facing foreclosure asked to put up a fee, but they are asked to sign over their house to the firm, and then they are converted into being a renter. When they miss a rent payment, they are evicted from their house. So not only do they lose their investment, they lose a place to live. They can go from a homeowner in slight trouble to homeless in short order.

These scams are unacceptable. It is our job to step forward and protect the American people. We must fireproof our mortgage lending business and ban deceptive and risky practices. In the coming days, I and others will be offering and working on legislation to reestablish sound practices in the mortgage finance markets. But today we consider a significant act that empowers our officials to lay down a firebreak against the most blatant forms of fraud. I encourage colleagues to support it. It is an important step. Let's work together to protect American homeowners.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senate proceed to vote in relation to amendment No. 995 at 4:32 p.m. today and that the 4 minutes immediately prior to the vote be equally divided and controlled between myself and Senator ISAKSON or our designees; that no amendment be in order to the amendment prior to a vote in relation thereto; and upon disposition of amendment

No. 995, Senator DORGAN be recognized to offer his select committee amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

Mr. ISAKSON. I thank the chairman for the 2 minutes.

Mr. President, Senator CONRAD and I have worked very diligently for 3½ months to create a platform in which we can get the answers the American people deserve and need with regard to the financial collapse that happened to this country. We have created a bipartisan commission that has no elected officials on it—all experts are within their chosen fields—a commission that has both subpoena power and the funding necessary to do precisely what the 9/11 Commission did. It is structured in the same way except targeted on the investigation of the financial markets, the securities markets, the commodities markets, Freddie Mac, Fannie Mae, the financial services market, the hedge funds, and every other institution that had a part in what has been a collapse of our economic system and a great decline in the value of equity for our people, college savings for their children, and retirement for their future.

I urge colleagues to vote favorably on the creation of the Financial Markets Commission.

I retain the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Vermont.

Mr. LEAHY. Mr. President, has the Senator from Georgia requested a rollcall vote?

Mr. ISAKSON. Mr. President, I consulted with Senator DODD and Senator CONRAD, both of whom want a rollcall.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Mr. LEAHY. Mr. President, I yield back all time and ask that the rollcall vote start now.

The PRESIDING OFFICER. If all time is yielded back, the question is on agreeing to amendment No. 995.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 4, as follows:

[Rollcall Vote No. 161 Leg.]

YEAS—92

Akaka	Barrasso	Bayh
Alexander	Baucus	Begich
Bennet	Feinstein	Mikulski
Bennett	Gillibrand	Murkowski
Bingaman	Graham	Murray
Bond	Gregg	Nelson (NE)
Boxer	Hagan	Nelson (FL)
Brown	Harkin	Pryor
Brownback	Hatch	Reed
Burr	Hutchison	Reid
Burris	Inhofe	Risch
Byrd	Inouye	Sanders
Cantwell	Isakson	Schumer
Cardin	Johanns	Sessions
Carper	Johnson	Shaheen
Casey	Kaufman	Shelby
Chambliss	Kerry	Snowe
Coburn	Klobuchar	Specter
Cochran	Kohl	Stabenow
Collins	Landrieu	Tester
Conrad	Lautenberg	Thune
Corker	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Crapo	Lieberman	Vitter
DeMint	Lincoln	Voinovich
Dodd	Lugar	Warner
Dorgan	Martinez	Webb
Durbin	McCaskill	Whitehouse
Ensign	McConnell	Wicker
Enzi	Menendez	Wyden
Feingold	Merkley	

NAYS—4

Bunning	Kyl
Grassley	McCain

NOT VOTING—3

Kennedy	Roberts	Rockefeller

The amendment (No. 995) was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, it is my understanding that the Senator from North Dakota, Mr. DORGAN, is offering an amendment. We are not going to have any more votes tonight. If there is a vote required, we will add it to whatever we have to vote on tomorrow morning. The managers are here, willing to take whatever amendments they think are appropriate tonight.

As I have indicated to the Republican leader, we are going to finish this bill this week, and we are going to finish the budget, getting it to conference this week. We hope we can do it in a real short week; otherwise, we will have to work into the weekend, which we don't want to do and there is no reason to do that. I have a couple of meetings I have to attend tonight involving the Speaker and the President, so we can't have any more votes tonight. I apologize to everyone if they wanted to vote late tonight. I don't think we will be able to do that.

Mr. LEAHY. Mr. President, will the Senator yield?

Mr. REID. Yes.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the comments of the Senator from Nevada, the distinguished majority leader. I will stay here for a few minutes, if there are some amendments pending. If there are some amendments pending that we could take by voice vote, I am perfectly willing to do that tonight. If there are rollcalls, if there are amendments people think will need rollcalls, I don't know what time the distinguished leader wants to go back on the bill in the morning, but I would suggest that if we start early on that——

Mr. REID. If my friend would yield, we will have no morning business tomorrow, so we will go to this bill early. But sometime tomorrow we are going to have to go to the budget and conference, so we should, by 1 or 2 o'clock, do our best to finish this bill.

Mr. LEAHY. Then if I might further inquire of the leader—and I think that is perfectly fair—I intend that at such time as there are no amendments pending, or no amendments pending that people actually expect to go forward, we will go to final passage.

This is a bill that saves taxpayers' money but more importantly protects a lot of people who are being preyed upon by people wanting to defraud them out of their homes, out of their retirement, out of the money they have saved for their children to go to college. So I think, with what is happening—and it has been proven—all of these frauds that have taken place all over the country, the last thing in the world the American people want to see is us delay it.

I thank the distinguished leader for bringing up this bill this week. It is my intention—my hope, anyway—to have it finished by noon tomorrow.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I would also say to my friend that he covered everything except that this is a bipartisan bill, it is as bipartisan as any bill could be, and there shouldn't be any problem. If people have amendments, the managers of the bill have been ready for those amendments all day.

Mr. LEAHY. I would note further to the leader that Senator GRASSLEY, who is not only the chief sponsor, but we have a dozen or so sponsors on both sides of the aisle—Senator GRASSLEY and I worked very closely with a number of Senators to work out amendments. The first amendment we brought up was one we worked on with Senator KYL on, and I think that passed 95 to 1, or something like that. So we are ready to work with people, but we will finish this bill soon.

Thank you. I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from North Dakota is recognized.

AMENDMENT NO. 999

(Purpose: To establish a select committee of the Senate to make a thorough and complete study and investigation of the facts and circumstances giving rise to the economic crisis facing the United States and to make recommendations to prevent a future recurrence of such a crisis)

Mr. DORGAN. Mr. President, I ask unanimous consent that the pending amendment be set aside so that I can offer an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself and Mr. MCCAIN, proposes an amendment numbered 999.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. DORGAN. Mr. President, I have spoken on this amendment previously. I have spoken of the underlying bill Senator LEAHY and Senator GRASSLEY and others have brought to the floor and my admiration for that bill. That bill falls right in with what the responsibility of the Senate should be at this point. I commend them for that. It is not my intention, nor would it be the intention of my colleague, Senator MCCAIN, as we offer this amendment to in any way interrupt the legislation on the floor. We believe our amendment enhances it.

Second, let me say to my colleague, Senator DODD, the chairman of the Banking Committee, I have spoken at length about what they are doing to try to put the pieces together to lift this country out of the ditch and try to figure out how to put this financial system together in a way that makes it work again.

Having said all of that, I indicated earlier that I offered an amendment with my colleague, Senator MCCAIN, that would establish a select committee of the Senate, in the tradition of the Truman Committee and the Watergate Committee and other select committees, to try to do a narrative of what has happened with respect to the financial crisis. I believe that a commission is fine, but we cannot delegate all responsibility. There is a responsibility for Congress to do comprehensive oversight on this issue, which I think is the largest financial issue we have faced—the financial crisis, the financial collapse—since the Great Depression.

Mr. LEAHY. Will the Senator yield for a question?

Mr. DORGAN. I am happy to yield.

Mr. LEAHY. Mr. President, I understand there is a request for a rollcall on the Senator's amendment. I was not going to ask for one, as he knows. I wonder if he would have any problem with a unanimous consent agreement that when we come back on the bill in the morning, his amendment will be the pending amendment and there be 10 minutes a side, and we then proceed to a vote on it.

I am throwing this out as a suggestion, so my colleagues will hear it. For one thing, rather than spend several hours on the same amendment in the morning, or tonight, perhaps we will be able to do this: I say to the floor staff that this is a unanimous consent request that I will be making. I do not intend to make a unanimous consent request at this time. I will soon make this request.

Mr. DORGAN. Mr. President, I would certainly agree with that. It is a fair request. Let me finish so my colleague, Senator MCCAIN, can say a few words as well.

This amendment doesn't do a disservice to the underlying bill. It is exactly in the tradition of what the Senate ought to do. We cannot delegate the responsibility. This financial crisis has imposed an enormous burden on this country. All of us hope and pray that we can lift this country out of this difficulty. We are all working to do everything we can.

Do you know what. We need to understand what is the dimension, the narrative of what happened, what caused all of this, and make sure we put into place things that will prevent it from happening again. That is our responsibility. In the grand tradition of the Senate of select committees on big issues, this ought to be a bipartisan select committee with subpoena power to understand what happened and to make sure it can never happen again. That is why I have offered this with Senator MCCAIN.

I have one final point. I hope we will be able to get you to take this without a recorded vote. Maybe only one person in the Senate has suggested maybe a recorded vote is necessary. We can talk to this person, and we can talk to that person. Whatever the request will be by the chairman, I will be amenable to it.

I yield the floor so that my colleague from Arizona may speak.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. MCCAIN. Mr. President, I also thank the chairman of the Judiciary Committee and floor manager for his cooperation. We are trying to get the request for a recorded vote vitiated. Right now, there is a request on this side for a recorded vote. Whatever, I know the distinguished manager wants to move forward with the bill. We are ready to dispense with it as quickly as possible. Senator DORGAN and I have spoken at sufficient length.

I thank Senator DORGAN again for this very important legislation. Why is it important? Mr. President, America is in the midst of the greatest economic crisis of our lifetime. The American people are angry and confused. They have a right to know what caused this. But, most of all, they have a right to know the path out so that we can prevent it from ever happening again to the American people.

All the cards have to be put on the table. Everything that happened that caused this—somebody called it a ''house of cards'' that collapsed. Many Americans lost homes, jobs, health insurance, and their very futures. They deserve to know. The most effective way to do that, in my view, is a select committee.

I have seen select committees in action before. They have been efficient and effective. The American people have a right to know what caused this train wreck and how we can prevent it from ever happening again. I hope my colleagues cannot only voice-vote it but put enough pressure on so that we could act immediately with the appointment of this select committee with subpoena powers, which I am confident will have bipartisan participation, bipartisan support, and the nonpartisan support of the American people.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, let me just make another brief comment about the amendment that is pending. I will be mercifully brief. I mentioned earlier the grand tradition of the Senate, as demonstrated by the Truman committee, Harry Truman, a former Member of this body, who had a select committee established in 1940 to investigate waste and abuse and fraud with respect to defense contracting. When I talked about the Truman committee, I said I had talked to one of America's great authors, Herman Wouk. I mentioned his book, ''War and Remembrance.'' He also wrote ''Winds of War'' and ''Caine Mutiny.'' He is an unbelievably wonderful man who is now 92 or 93 years old. I had the opportunity, last year and the year before, to visit with him. He is still writing; he is writing a new work. He talked about the Truman committee. He said something interesting because he wrote so much about especially the Second World War.

He said, ''I don't know much beyond 1945, but I know everything just before 1945.'' He put it in his wonderful books. Then he talked about the contracting going on in Iraq and the stories of waste, fraud, and abuse—perhaps the greatest waste, fraud, and abuse in this country—those are my words. He said, ''You ought to create a Truman committee.'' He described to me the select committee headed by Harry Truman.

I went back and read the record of what they did in 1940—Truman with a member of his own party in the White House. He traveled around the country to military installations and met with contractors on military bases, and he concluded there needed to be an investigation. They put together a bipartisan committee with subpoena power. It cost $15,000 to create a select committee and it met for 7 years and held 60 hearings a year and it saved the taxpayers by cutting down on the waste and abuse in defense contracting. They did it in the middle of a war. Think of it.

My point earlier, when I mentioned Herman Wouk, was to describe the Truman committee in the grand tradition of what the Senate can do when it should do what is necessary to make certain that the economy works and the taxpayers' money is spent effectively. So now we find ourselves in a circumstance unlike any we faced in my lifetime—an unbelievable financial wreck that has occurred. The victims of that wreck are all over. We have lots of folks—millions—looking for a job.

Can you imagine one person coming home—just one—saying: Honey, I have lost my job today. I worked there for 20 years, and I have done a good job. It is not my fault. I have tried hard, but I don't have a job anymore because I was told they are laying off at the office or plant. Think of that conversation—to tell the kids that dad or mom doesn't have a job anymore. Not just one time or 100,000 times—think about the millions of times that it happened in recent months; 3.6 million people since the recession began have had to come home and say: I have lost my job.

These are people who want to work. It describes why it is so important for an economy to expand and lift opportunity in this great country.

We have been blessed for a long time. It is not some inherent right of ours to live in an economy that grows in an unrelenting way. That is not an inherent right. This economy will grow and will produce expanded opportunities for the American people if we do the right things. We have been through a period where a lot of people in very important positions did a lot of wrong things, trading a lot of paper that didn't have any value at all, making money on both sides, buying things they never had from people who will never get it, and making money on both sides of the trade. That is not real finance. That is not real investment, real productivity. That is a paper economy that is built on speculation and is destined to come down.

I described a while ago just the subprime loan scandal. That is just a part of it. I described it, and it almost makes me sick to see the greed and avarice that existed under the name of responsible business. Shame on all of those people who were making a lot of money. They were making so much they could not count it, and they were leaving victims in their wake. They created this circumstance where the economy collapsed.

Our job is to find out what happened and try to lift it back up. You have to put the pieces of the puzzle together and decide and understand what happened. We owe it to ourselves and the American people to understand all of what happened to make sure we never allow it to happen again.

We cannot delegate that responsibility. I supported the commission, and I complement my colleagues who offered it. Having an outside group of experts to look at this and make recommendations, that makes sense. But we cannot delegate our responsibility. It is our responsibility. That is why this amendment I have offered with Senator MCCAIN is so important.

Finally, the underlying bill to which we are talking about amendments is so important because it is part of the solution—to say those folks who have been doing those things—there has to be a responsibility and funding for prosecutors and investigators to get to the bottom of that and make people accountable for the actions and behavior that steered the economy into a ditch.

I have great hope for the future of this country if we do the right thing. I believe we can. The step offered by Senator LEAHY is a step in that direction.

I yield the floor.

Mr. LEAHY. Mr. President, I ask unanimous consent that on Thursday, April 23, after the Senate resumes consideration of S. 386, the time until 10 a.m. be for debate with respect to Dorgan-McCain amendment No. 999, with the time equally divided and controlled between Senators DORGAN and myself, or our designees; that no amendments be in order to the amendment prior to a vote in relation thereto; that at 10 a.m., the Senate proceed to a vote in relation to the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 996 TO AMENDMENT NO. 984

Mr. INHOFE. Mr. President, I ask for the regular order so that I may offer a second-degree amendment to the Reid amendment.

The PRESIDING OFFICER. The regular order is the amendment.

Mr. INHOFE. At this point, I wish to offer a second-degree amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for himself, Mr. DEMINT, and Mr. VITTER, and Mr. ALEXANDER, proposes an amendment numbered 996 to amendment No. 984.

Mr. INHOFE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To amend title 4, United States Code, to declare English as the national language of the Government of the United States)

On page 3, after line 8, add the following:

(d) AMENDMENT TO TITLE 4.—

(1) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following:

"CHAPTER 6—LANGUAGE OF THE GOVERNMENT

"Sec.

"161. Declaration of national language.

"162. Preserving and enhancing the role of the national language.

"163. Use of language other than English.

"§ 161. Declaration of national language

"English shall be the national language of the Government of the United States.

"§ 162. Preserving and enhancing the role of the national language

"(a) IN GENERAL.—The Government of the United States shall preserve and enhance the role of English as the national language of the United States.

"(b) EXCEPTION.—Unless specifically provided by statute, no person has a right, entitlement, or claim to have the Government of the United States or any of its officials or representatives act, communicate, perform or provide services, or provide materials in any language other than English. If an exception is made with respect to the use of a language other than English, the exception does not create a legal entitlement to additional services in that language or any language other than English.

"(c) FORMS.—If any form is issued by the Federal Government in a language other than English (or such form is completed in a language other than English), the English language version of the form is the sole authority for all legal purposes.

"§ 163. Use of language other than English

"Nothing in this chapter shall prohibit the use of a language other than English.".

(2) CONFORMING AMENDMENT.—The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

"6. Language of the Government ..... 161".

Mr. INHOFE. Mr. President, today I am offering an amendment that I have offered on two other occasions. It is called the National Language Act of 2009. I offer it as an amendment to the Reid amendment No. 984. This legislation recognizes the practical reality of the role of English as our national language. It makes English the national language of the U.S. Government, a status in law it has not had before, and it calls on Government to preserve and enhance the role of English as the national language. It clarifies that there is no entitlement to receive Federal documents in languages other than the English language unless required by statutory law, recognizing decades of unbroken court opinions that civil rights laws protecting against national origin discrimination do not create rights to Government services and materials in languages other than English.

Let me be clear, there is nothing in the amendment that prohibits the use of a language other than the English language. When I offered this before, I remember several times people would stand up and object and the basis of that objection was that we were not able to use other languages. We can use other languages. I have spoken languages, such as the Spanish language, on the floor of this Senate. It has nothing to do with that.

There is no prohibition against giving Medicare services, for example, or any other Government services in languages other than English. All this amendment does is simply say there is no entitlement unless Congress has explicitly provided so. This bill does not ban translation services being offered by Federal employees who have the language skills to do so. Instead, it eliminates the notion that once one translation is provided to someone in one language, a legal entitlement has been created to provide translations to anyone in any language they wish.

The aim is to prohibit class action lawsuits based upon perceived entitlements that some individuals claim.

The National Language Act is an attempt to legislate a common sense language policy that a nation of immigrants needs one national language. Our nation was settled by a group of people with a common vision. As our population has grown, our cultural diversity has grown as well. This diversity is part of what makes our nation great. However, we must be able to communicate with one another so that we can appreciate our differences. When members of our society cannot speak a common language, misunderstandings arise. Furthermore, the individuals who do not speak the language of the majority miss out on many opportunities to advance in society and achieve the American dream. By establishing that there is no entitlement to receive documents or services in languages other than English, we set the precedent that English is a common to us all in the public forum of government.

I want to empower new immigrants coming to our Nation by helping them understand and become successful in their new home. I believe that one of the most important ways immigrants can achieve success is by learning English.

There is enormous popular support for English as the national language, according to polling that has taken place over the last few years. Eighty-seven percent of Americans support making English the official language of the United States. Seventy-seven percent of Hispanics believe English should be the official language of government operations. Eighty-two percent of Americans support legislation that would require the Federal Government to conduct business solely in English. Seventy-four percent of Americans support all election ballots and other government documents being printed in English. This polling data refers to making English an ''official'' language of the United States, or further creating an affirmative responsibility on the part of government to conduct its operations in English. While I have drafted legislation that accomplishes this as well, the National Language Act is more measured, simply stating that no entitlement shall arise to government documents or services.

OMB reported in 2002 that they could not accurately endorse any single cost estimate of providing materials and services to Limited English Proficiency—LEP—persons, but that the estimate ''may be less than $2 billion, and perhaps less than $1 billion.'' When talking about dollar amounts of this magnitude, we know the cost is high regardless of the OMB's ability to accurately calculate, and it is likely becoming higher. If we are spending all this taxpayer money for services in a foreign language, we need to at least clarify that there is no legal entitlement to such.

My colleagues who have followed this debate will remember that the National Language Act of 2009 is identical to S. 2715 from the 110th Congress. It is also the same as the English amendment that passed the Senate in 2007 as Senate amendment No. 1151, and in 2006 as Senate amendment No. 4064, each being part of the Comprehensive Immigration Reform Act of each respective Congress. Senate amendment No. 1151 was agreed to in the Senate by a vote of 64 to 33. Senate amendment No. 4064 was agreed to in the Senate by a vote of 62 to 35. As you can see, there is widespread and bipartisan support for this legislation, and I hope that you will join me this Congress in supporting the National Language Act of 2009.

This is one of the few things that comes along that everyone is for. The lowest percentage we have from polling in the last 3 years as to people's acceptance of English as the national language is 87 percent. Interestingly enough, we even have polls showing that 71 percent of Hispanics would rather have English as the national language.

It is interesting, I have been around quite a bit, around the African countries quite a bit. Several of the African countries, including Ghana in West Africa, have English as their national language. When you try to explain to people in the real world—when you get out of Washington and get back to Illinois or the State of Oklahoma, you find people ask the question: Why is it some 52 countries have English as the national language and we don't here? There is no logical reason.

It probably enjoys a larger popularity than any amendment we have had in recent years. I ask that it be considered as a second-degree amendment to the Reid amendment.

The PRESIDING OFFICER. The amendment is pending.

Mr. INHOFE. I ask the Chair, at such time as we take up the Reid amendment, I will offer this as a second-degree amendment.

The PRESIDING OFFICER. Amendment No. 996 has been offered.

Mr. INHOFE. I ask unanimous consent to set aside this amendment for the purpose of offering an amendment to S. 386.

The PRESIDING OFFICER. I object.

Mr. INHOFE. I understand and appreciate that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 991

Mr. VITTER. Mr. President, I ask unanimous consent to set aside the pending amendment and call up the Vitter amendment No. 991.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 991.

Mr. VITTER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize and remove impediments to the repayment of funds received under the Troubled Asset Relief Program, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. REPAYMENT OF TARP FUNDS.

Section 111(g) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5221(g)) is amended—

(1) by striking ''Subject to'' and inserting the following:

''(1) REPAYMENT PERMITTED.—Subject to'';

(2) by inserting ''if, subsequent to such repayment, the TARP recipient is well capitalized (as determined by the appropriate Federal banking agency having supervisory authority over the TARP recipient)'' after ''waiting period,'';

(3) by striking '', and when such assistance is repaid, the Secretary shall liquidate warrants associated with such assistance at the current market price''; and

(4) by adding at the end the following:

''(2) NO REPAYMENT PRECONDITION FOR WARRANTS.—A TARP recipient that exercises the repayment authority under paragraph (1) shall not be required to repurchase warrants from the Federal Government as a condition of repayment of assistance provided under the TARP. The Secretary shall, at the request of the relevant TARP recipient, repay the proceeds of warrants repurchased before the date of enactment of this paragraph.''.

Mr. VITTER. Mr. President, this amendment is very simple. It is regarding the TARP program, and it simply allows banks that want to repay taxpayer dollars back to the Government, back into the program, to do so. It is a pretty simple idea. It only allows it if the bank is going to be financially stable and meet all the applicable capital requirements without the money. Again, it is a pretty simple idea. Yet this amendment is clearly necessary in order to allow banks to do that without having Washington bureaucrats veto that decision, which should rest with those private financial institutions.

As this body knows, I have been a cynic and critic of TARP from the very beginning. I voted against it last year under President Bush. Unfortunately, many of my greatest fears about its weaknesses and how it would develop have come to pass. But there is one recent trend with regard to the program that I find enormously promising, and that trend is that more and more banks that got the taxpayer money want to pay it back, want to exit the program and have nothing more to do with it as soon as possible.

I am happy to say that positive trend was begun in Louisiana. It was begun by a significant Louisiana bank named Iberia Bank of Lafayette which became the first bank in the country to try to repay its TARP money. Of course, the Iberia Bank did eventually get to repay

that money. The bank said that being a recipient of TARP funds, it realized, after some experience, placed it at an ''unacceptable competitive disadvantage.''

I think it is very important to underscore that this was not an issue of executive compensation or bonuses. Iberia Bank is in Lafayette, LA, not Wall Street, New York City, NY. It had nobody in its structure that would have been limited in terms of compensation by the rules Congress placed with regard to that. Executive compensation wasn't the issue with them at all. However, they feared a couple of things. They saw the increasing role of government in the boardroom of banks that had accepted TARP money, they saw what they considered a contract with regard to the TARP money between the bank and the taxpayer being unilaterally changed by Federal bureaucrats every week, and they saw that as a very clear building trend. So they decided they wanted out because they feared they were going to be more and more hamstrung by Federal bureaucrats and the government growing to become their senior partner, rather than as the original role of a junior partner. They saw the government becoming more and more involved in how their bank was run, and they wanted out. And as they said very directly, they then considered having the TARP funds as an ''unacceptable competitive disadvantage.''

Seven banks in all have reached that same conclusion and have been able to repay TARP funds to the program. That repayment has totaled about half a trillion. Iberia Bank of Lafayette, LA, was the first to start this trend, but they were followed by Bank of Maine Bankcorp, Old National Bankcorp, Signature Bank, Sun Bankcorp, Shore Bancshares, and Centra Financial Holding, Inc. All of these banks said: We want out. We think this is a real problem. The government is getting more and more into how we run our business. We want to repay and get out of the program. And these banks were allowed to repay TARP funds back to the government and withdraw from TARP.

Mr. President, you might say: Well, if these banks were allowed to do it, what is the problem? The problem is that Secretary Geithner and the Treasury Department have made it clear that while they allowed repayment in those cases, they may well not allow it in other cases, particularly in the case of much larger institutions. Again, this is very clear from recent discussion and recent testimony from Secretary Geithner. In the last few days, Secretary Geithner has testified on Capitol Hill, and the main message from that testimony with regard to the ever evolving TARP program and how precisely it is going to be operated in the future is that we are not sure. We are not sure about guidelines for repayment. Stay tuned.

On the one hand, the Secretary indicated a willingness to allow banks to repay, but at the same time, on the other hand, he indicated clearly that it will largely depend on the credit needs of the broader economy and not simply the health of that individual bank.

Yesterday's Wall Street Journal confirmed exactly this, because it reported an interview with Secretary Geithner where he indicated ''that the health of individual banks won't be the sole criterion for whether financial firms will be allowed to repay bailout funds.'' So in other words, the Secretary is taking the position that he wants to maintain a veto over any repayment beyond the issue of whether that single bank, that particular financial institution, would be perfectly sound and healthy without holding on to that TARP money.

I think that is unacceptable. I think that is offensive, in fact. That is a government bureaucrat saying: No, no, no, no. I know this is your business, but we know best. I know you have decided this is best for you, but we have a veto over this because of our general concerns about the broader economy. That is unacceptable.

So again, we come back to my amendment—Vitter amendment No. 991—which is necessary in light of this stance of Secretary Geithner and the Treasury Department. Again, my amendment is very simple. It ensures the immediate repayment of TARP funds for banks that want to repay, but only in a few circumstances. First, the government must be repaid everything it is owed. The government has to be repaid everything it is owed, although it does prohibit the government from requiring a company to repurchase its warrants.

My amendment also ensures that TARP recipients be well capitalized, meet all the soundness and safety and capitalization liquidity requirements after the repayment. So my amendment wouldn't allow a repayment if that repayment would sink a bank to a position of not being well capitalized, of not meeting the normal capitalization liquidity requirements to ensure safety and soundness. Those requirements are spelled out by the regulators, as they have always been. So my amendment does not threaten that at all. It requires that those capitalization requirements be adhered to and a repayment only happen if the bank meets those capitalization and liquidity requirements after the repayment.

I hope this amendment not only passes but gets overwhelming bipartisan support. After all, why shouldn't it? This amendment is simply saying that a private business will be in control of its own destiny; that a private business can pay back TARP money, with interest, with everything that is required to the government, if it decides that is the best thing for that business to do, as long as that repayment does not affect the safety and soundness of the institution and make it dip below already established guidelines with regard to capitalization and liquidity.

Again, I believe this idea and this amendment should not only pass, it should have overwhelming bipartisan support because it seems to me those who oppose this amendment—presumably including Secretary Geithner—have to be saying one of two things, or maybe both: No. 1, they have to be saying, in a very arrogant way: No, we know better. No, you may run your business, you may be aware of all aspects of it, but we know better so we have to have a veto, or they have to be saying and acting on the basis of: We are now involved in your business. You have the government as a dominant partner, and we are not going to let go because letting go means loss of power and control as well as your repaying the money.

I encourage all of our colleagues, Democrats and Republicans, to come together and support this very reasonable commonsense amendment. Banks that can afford to repay the TARP money and that want to repay the TARP money certainly should have the absolute unquestioned right to repay the TARP money. It is as simple as that. We shouldn't stand here on the Senate floor or in the Department of the Treasury and say: No, we know better. And we certainly shouldn't stand here on the Senate floor or in the Department of the Treasury and say: No, the government has now sunk its claws into you and we are not letting go. We like the control. We like the takeover. We like the authority and we are not giving that up.

That is a very dangerous statement for the government to get out, and it is quite frankly what so many Americans are fearful of—that these emergency measures in the midst of the financial crisis are really a dramatic, long-term expansion of the authority and role of the Federal Government in the free market.

With that, Mr. President, I look forward to further debate and a vote on this amendment tomorrow.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold his request for a quorum call?

Mr. VITTER. Certainly.

The PRESIDING OFFICER. The Senator from California.

AMENDMENT NO. 1000

Mrs. BOXER. Mr. President, I know we are waiting to see if I can send an amendment to the desk, and ask that the pending amendment be set aside. It would be my intention to do so when we can get the clearance on the other side.

This is a bipartisan amendment. I think it is important that people understand it is with Senator CORKER, Senator SNOWE, and Democratic Senator JEFF MERKLEY. What we are trying to do is make sure that in the TARP program, when these toxic assets are sold off, there are no kickbacks between the seller of the asset and the private party. What we would

do is make sure that the inspector general has enough funds to go after that type of conflict of interest.

Mr. President, I ask unanimous consent to set aside the pending amendment, and I understand the clerk has my amendment at the desk, if he would read it.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Ms. SNOWE, Mr. CORKER, and Mr. MERKLEY, proposes an amendment numbered 1000.

Mrs. BOXER. Mr. President, I ask unanimous consent that the reading be dispensed with, because I have described it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize monies for the Special Inspector General for the Troubled Asset Relief Program to audit and investigate recipients of non-recourse Federal loans under the Public Private Investment Program and the Term Asset Loan Facility)

On page 20, between lines 11 and 12, insert the following:

''(e) ADDITIONAL APPROPRIATIONS FOR THE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Special Inspector General of the Troubled Asset Relief Program (in this subsection referred to as the Special Inspector General), $15,000,000 for fiscal year 2010.

''(2) PRIORITIES.—In utilizing funds made available under this subsection, the Special Inspector General shall prioritize the performance of audits or investigations of recipients of non-recourse Federal loans made under the Public Private Investment Program established by the Secretary of the Treasury or the Term Asset Loan Facility established by the Board of Governors of the Federal Reserve System, to the extent that such priority is consistent with other aspects of the mission of the Special Inspector General. Such audits or investigations shall determine the existence of any collusion between the loan recipient and the seller or originator of the asset used as loan collateral, or any other conflict of interest that may have led the loan recipient to deliberately overstate the value of the asset used as loan collateral.''.

Mrs. BOXER. Mr. President, I thank Chairman LEAHY. I know he is so anxious to get this bill through, and it is not my intention to slow anything up. I do think I stand here as a former stockbroker, and I know we need integrity in the system, and I know that is the purpose of this bill, so I feel this bipartisan amendment would add quality to his already excellent bill.

Mr. President, I yield the floor, and it is my understanding that my amendment would be pending. I ask the Presiding Officer if that is the case.

The PRESIDING OFFICER. It is currently pending.

Mrs. BOXER. I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask to be able to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

A DOOMSDAY SOLUTION

Mr. BARRASSO. Mr. President, I come to the floor today because the Environmental Protection Agency has issued a proposal, a proposal finding that greenhouse gas emissions pose a danger to the public's health and welfare. The Washington Post has referred to this as a ''determination that could trigger a series of sweeping regulations affecting everything from vehicles to coal-fired power plants.'' According to legal experts, the scope of these regulations could cover hospitals, schools, farms, commercial buildings, and even nursing homes.

EPA Administrator Lisa Jackson said that the EPA was not looking for a doomsday solution. Well, I have news for the administrator—this is one. In fact, this endangerment finding, once finalized, could cover any source that emits more than 250 tons per year of carbon dioxide. This is the limit expressly mentioned in the Clean Air Act. Hospitals, schools, farms, commercial buildings, and nursing homes will be required to obtain preconstruction permits for their activities. Further, according to the legal scholars, the statutory language is mandatory and does not leave any room for the EPA to exercise discretion or to create exemptions.

The economic consequences of this will be great. According to the U.S. Chamber of Commerce, one-fifth of all food service businesses, one-third of all health care businesses, one-half of the entire lodging industry—all of those could be covered under the scope of the Clean Air Act. According to the Heritage Foundation, such regulations would lead to job losses that would exceed 800,000 jobs. I thought this administration was interested in creating jobs, not killing them. But that is what this ruling says. The gross domestic product lost to the country could be $7 trillion by the year 2029.

In short, unless Congress acts, this administration is taking an enormous risk, an enormous economic gamble with the future of the American people. It is a bad bet, with no hope for any temperature reductions—which is what they are trying to do.

The EPA Administrator has stated that she wants to avoid a regulatory thicket. If this approach is such a bad option, let's take it off the table. Why would the administration deliberately leave a bad option, a regulatory thicket for Americans, on the table? It makes no sense. It is for that reason that today I have sent a letter to President Obama asking that he take this option off the table. He must urge the Senate leadership and the House leadership right here to pass legislation to exempt the Clean Air Act from becoming a climate change tool. It is a bad option for Americans, and it is no option for America.

The Administrator of the EPA has stated that, if necessary, she is poised to be specific on what we regulate and on what schedule. I asked the EPA nominee, who will oversee the Clean Air Act, how this would be done. She responded that President George W. Bush's advance notice of proposed rulemaking laid out the options. This is the same advance notice of proposed rulemaking that has been so roundly criticized by the majority.

I asked how the EPA would handle losing court challenges if the department tried to exempt farms and schools and hospitals and nursing homes and small businesses from the reach of the Clean Air Act. The nominee responded again that President Bush's rulemaking ''explored a number of possible ways of streamlining'' the Clean Air Act. This is not an answer at all. The American people need to know how they will be protected from the long arm of Washington.

The EPA Administrator admits that a better option is to have Congress pass legislation to deal with climate change. The option on the table today is the President's energy tax. The President's energy tax is moving in the House of Representatives. It is called the American Clean Energy and Security Act of 2009. The President's energy tax will fund a trillion-dollar climate bailout scheme—a bailout scheme that will not reduce global temperatures by even a single degree. Moving forward with a $1 trillion climate bailout scheme to avoid the Clean Air Act regulations is the legislative equivalent of moving the American taxpayers from the frying pan into the fire.

This President's cap-and-trade scheme will dramatically raise prices on businesses as well as on consumers. It is bad for consumers, it is bad for jobs, and it is bad for our economy.

We have passed numerous bailout bills over the past 6 months. We passed a $787 billion stimulus package for an economic bailout intended to save or create jobs. This is money we have been borrowing from China. They have such concerns they are not so interested in lending it to us anymore.

The American people already have bailout and borrowing fatigue. We all know our deficits are soaring. We have saddled future generations with this debt for years to come. I hear that when I go to the schools and talk to the high school students.

Spending trillions of additional dollars to address climate change through an untested cap-and-trade scheme is an unnecessarily risky approach. It, too, is a regulatory nightmare. This approach will cost thousands of jobs in the very same sectors that will be hit

under the Clean Air Act. It is not a viable option, and it is not a responsible option.

I call on the Senate leadership to expedite legislation to the President that takes the Clean Air Act out of the business of regulating the climate. Let us come together and find a solution to our Nation's energy needs. With all seriousness, we need all of it, we need all the sources of energy because we will continue to use it all. We need a solution that makes American energy as clean as we can, as fast as we can, and without hurting our economy.

It is time for the Environmental Protection Agency to get that message.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET.) The Senator from Arizona is recognized.

Mr. KYL. Mr. President, I ask unanimous consent to lay aside the pending amendment for the purpose of offering four amendments.

The PRESIDING OFFICER. In my capacity as the Senator from Illinois, I object.

AMENDMENT NO. 986

Mr. KYL. Mr. President, I will offer one amendment at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, amendment No. 986 is at the desk. I call it up for its consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] proposes an amendment numbered 986.

Mr. KYL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To limit the amount that may be deducted from proceeds due to the United States under the False Claims Act for purposes of compensating private intervenors to the greater of $50,000,000 or 300 percent of the expenses and costs of the intervenor)

On page 26, after line 22, insert the following:

SEC. 5. LIMITATION ON AWARDS TO CERTAIN INTERVENORS.

Section 3730(d) of title 31, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence, by inserting ''but in no event more than the greater of $50,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''prosecution of the action''; and

(B) in the second sentence—

(i) by striking ''Government Accounting Office'' and inserting ''Government Accountability Office'';

(ii) by inserting ''but in no event more than the greater of $50,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''advancing the case to litigation''; and

(2) in paragraph (2), by striking the second sentence and inserting ''The amount, which shall be paid out of the proceeds of the action or settlement, shall be not less than 25 percent and not more than 30 percent of the amount of such proceeds, but in no event more than the greater of $50,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the third sentence of this paragraph''.

Mr. KYL. I will explain. The other three amendments are precisely the same, except they have a different dollar amount in them. I will ask for their consideration later, or for their introduction at a later time.

At this point, I defer to the Senator from Oklahoma if he is ready.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I rise today to discuss S. 386, the Fraud Enforcement and Recovery Act of 2009. Although I certainly support the well-intended purpose of this bill, I have concerns about the proposal that I would like to explain today.

S. 386 aims to ''beef up'' the Government's efforts to combat fraud, particularly in the mortgage industry and Federal assistance programs. To that end, the bill creates a host of new criminal provisions and authorizes nearly half a billion dollars in spending over the next 2 years.

As a threshold matter, I am concerned about the necessity of these new criminal provisions. In my mind, Congress should have a compelling reason for adding to the already monstrous Federal criminal code. With more than 4,400 Federal offenses already on the books, it is hard to imagine there being conduct the Government cannot reach.

The Federal criminal code is often criticized for being overly broad, and legislators on both sides of the aisle have been known to bemoan its growth. Yet when ''tough-on-crime'' bills come before Congress, nobody wants to stand in their way and risk political consequences. This is a truly unfortunate trend.

Turning back the tables on overcriminalization isn't a partisan issue. Legislators from both sides of the aisle have seen first-hand the sometimes devastating unintended consequences that flow from the application of Federal law. Democrats and Republicans could be working together to reevaluate some of these provisions; instead, we are doing business as usual, responding to every crisis by further littering the criminal code.

With respect to S. 386, two prominent organizations, the National Association of Criminal Defense Lawyers (NACDL) and the Heritage Foundation, formed an unlikely alliance in opposition to the bill. Both organizations believe that S. 386 contributes to overcriminalization, and their concerns are detailed specifically in a joint letter that describes the new criminal proposals as ''redundant and risks overreaching.''It notes that within the 4,450 offenses already in criminal law, prosecutors have all the tools needed to reach crimes associated with fraud. In general, it points to the Federal mail and wire fraud statutes as being sufficiently broad to cover mortgage fraud and other related crimes. As further evidence, it references an FBI press release identifying nine existing Federal criminal statutes that can be used to prosecute mortgage fraud.

Because it is not my intention to prevent law enforcement from pursuing truly criminal conduct, I studied the issue to determine whether there are any insufficiencies within existing law that would give perpetrators of fraud safe haven. I have found no examples of conduct or entities outside the reach of current law.

It is true that not every provision of the criminal code reaches certain fraudulent acts. It is also true that not every entity in the mortgage industry is regulated by the Federal Government. It is not true, however, that the conduct or entities targeted by this bill are currently going unpunished. Prosecutors have successfully used other laws, particularly the mail and wire fraud statutes, to aggressively prosecute these crimes at the Federal level.

The FBI's recent successes serve to demonstrate this point. The FBI has handled mortgage fraud since 1989 and is actively pursuing these crimes now. It has 65 mortgage fraud task forces and working groups across the country that coordinate federal, state and local law enforcement officials. The FBI has 180 agents devoted to the sector. They are handling more than 2,000 investigations, and have opened 734 cases this year. In fiscal year 2008, they obtained 560 indictments/informations and 338 convictions. Last year, one operation resulted in the roundup of more than 400 people accused of inflicting more than $1 billion in losses, who were caught up in a nationwide sweep named Operation Malicious Mortgage.

The Secret Service has also been working hard to combat fraud directed at financial institutions. It has an established network of 35 financial crimes task forces and 24 electronic crimes task forces. The Secret Service also partners with U.S. Attorney's Offices across the country to participate in mortgage fraud working groups. In fiscal year 2008 alone, the Secret Service indicted and arrested 5,633 individuals responsible for $442 million in fraud losses.

These impressive statistics, from both the FBI and the Secret Service, suggest that Federal criminal law is more than sufficient to address crimes of fraud associated with the ongoing economic crisis.

Federal prosecutors are not alone in pursuing mortgage fraud. Just last month, the New York Times ran an article saying, ''Across the country, attorneys general have already begun indicting dozens of loan processors, mortgage brokers and bank officers. Last week alone, there were guilty pleas in Minnesota, Delaware, North Carolina and Connecticut and sentences in Florida and Vermont, all stemming from home loan scams.'' The article gave specific examples of State actions being taken to address the crisis:

State and local prosecutors, it seems, do not need the nudge. Last week, the district attorney's office in Brooklyn announced the creation of a real estate fraud unit, with 12 employees and a mandate to ''address the recent flood of mortgage fraud cases plaguing New Yorkers.'' In late February, Maryland unveiled a mortgage fraud task force, bringing together 17 agencies to streamline investigations.

As the joint letter from the Heritage Foundation and the National Association of Criminal Defense Lawyers correctly notes, States are the ''primary regulators of mortgage brokers and the insurance industry.

State governments are also closest to the people and are well-situated to detect and prosecute these crimes. Aided by the recent allocation of nearly $5 billion in Federal funding for State and local law enforcement, states should be able to continue and enhance their existing efforts to pursue mortgage fraud.

In short, both Federal and State criminal law is sufficient to combat mortgage and other financial fraud crimes. Congress should resist the temptation to overreach on this issue by enacting new criminal laws, and instead focus its efforts on enforcing existing law.

Enforcing existing law, of course, requires resources. In addition to the significant resources already being expended by the Federal Government to address fraud, S. 386 authorizes $490 million for fiscal years 2009 and 2010. CBO has scored the bill and estimates that implementing it would cost the full amount over the 2010–2014 period.

Proponents argue that the recent influx of Federal dollars into the economy is sure to invite fraud. I do not disagree, but this problem did not develop overnight. Surely Congress realized the possibility for fraud when it wrote these checks just months ago? Instead of taking time to include safeguards in the bill or otherwise ensure responsible, effective allocation of hard-earned taxpayer dollars, Congress rushed the bills out the door at breakneck speed. In doing so, Congress created an environment ripe for fraud.

The answer to this problem is, of course, to ask the taxpayers to shoulder even more of the burden. The 111th Congress has now spent more than $1.5 trillion, yet it has somehow neglected to fund a priority as important as combating fraud. The omnibus appropriations bill, passed just weeks ago, only contained $10 million for the FBI to pursue mortgage fraud. The stimulus bill, which provided $4 billion for State and local law enforcement, amid nearly $1 trillion in spending, failed to provide any money specific to fraud enforcement. Why, when opportunities to address this problem arose, did Congress not do the right thing and prioritize the funding authorized by S. 386?

In this time of economic crisis, Congress no longer has the luxury of spending money haphazardly. We must learn to set priorities and make sacrifices, and perhaps even think creatively about how to stretch limited resources to meet our needs.

For example, the Department of Justice has access to ''unobligated balances,'' which are unspent dollars that have been appropriated but not obligated during a fiscal year. Such money is typically required to be returned to the U.S. Treasury, but the Justice Department has unique authority to retain and carry over its unobligated funds for use in the following year. Fiscal year 2007, DOJ had almost $2.9 billion in unobligated balances, and it is estimated to have had nearly $2.3 billion at the end of fiscal year 2008, and to have $2 billion at the end of fiscal year 2009. This excess would be a good source of funding for priorities such as investigating and prosecuting mortgage fraud during a housing crisis.

Moreover, the Department of Justice has become infamous for its wasteful spending. Last year, I released a report titled, ''Justice Denied: Waste & Mismanagement at the Department of Justice,'' which identified more than $10 billion in wasteful spending. The Justice Department should be required to make more responsible use of the funds currently within its authority before Congress entrusts it with even more of the taxpayers' hard-earned money.

Unfortunately, many of the dollars wasted at the Department of Justice are done by way of congressional earmarks. Earmarks consume scarce resources and prevent experts at DOJ from allocating money to areas with the most pressing need. Congress should allow DOJ officials to reprogram existing earmarks so that higher priority needs, like combating mortgage fraud, can be met.

One thing is certain, the American taxpayer has already paid too high a price for irresponsible governance. Continuing ''business-as-usual,'' by funding parochial pet projects before we take care of legitimate business, cannot continue.

While I surely support the legislation's goal of addressing fraud, especially in the mortgage industry, I do not believe S. 386 is either necessary or prudent at this time of economic crisis. Our national debt is more than $11 trillion, and CBO recently set this year's deficit at $1.7 trillion, projected to rise to $1.845 trillion by year's end. I believe Government can and should prioritize spending to fulfill its responsibilities without asking more of the American people. I also believe that State and Federal criminal law are sufficient to address fraud and would father see efforts focused on enforcing those existing laws, rather than on creating new ones.

AMENDMENT NO. 982

Mr. COBURN. I ask unanimous consent that the pending amendment be set aside and amendment No. 982 be called up.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 982.

Mr. COBURN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To authorize the use of TARP funds to cover the costs of the bill)

At the end of the bill, add the following:

SEC. 5. USE OF TARP FUNDS TO PAY FOR ADDITIONAL EXPENDITURES.

Effective upon the date of enactment of this Act, of the amounts of authority made available pursuant to paragraphs (1) and (2) of section 115(a) of the Emergency Economic Stabilization Act of 2008 (Public Law 110-343) to purchase troubled assets that remain unused as of such date of enactment, such amounts as may be necessary shall be available, notwithstanding any provision of such Act, to provide the amounts authorized under subsections (a), (b), (c), and (d) of section 3.

Mr. COBURN. Earlier today, I spoke for a short period of time on this bill. I wish to retrace some of that before I talk about this amendment. It is important that the American people understand what this bill is doing.

All of us wish to get rid of the fraud, the money laundering, we wish to punish the people who have, in fact, helped cause part of this problem. I would tell you the biggest person or group of people responsible for the problem we face today is the Congress, this body and the House of Representatives.

We failed to do our job on oversight. We incentivized and socialized housing, we incentivized Fannie Mae and Freddie Mac to do things that were inappropriate, to take risks they should not have done, and then we did not have the regulatory mechanisms in place, nor did we do the oversight to see what was going on.

This bill, however, is attempting to fix a problem with a statute, criminal statute. Most people know we do not need more criminal statutes. The fact is, nobody can name an act that occurred on any of this fraud or any of this money laundering that is not prosecutable under the Criminal Code we have today.

Off the record, when we asked some pertinent people from the Justice Department, they laughed when asked if we needed these new criminal statutes. The other point I would make is, none of this, with the exception of the false claim portion, has any application to what has already happened because you cannot apply a new law to a crime that already existed under our Constitution.

So what are we doing? What we are doing is trying to make the American public think we are doing something now that, in essence, does not need to be done. We may need to fund the Justice Department at a greater level because we did not do what we should have done earlier.

It is the typical knee-jerk reaction. We have plenty of laws on the books. As a matter of fact, the new penalties in some of this stuff are greater for fraud and mortgage than for manslaughter under the Federal Code.

We need to be very careful as we approach this. I am not saying we should not go after all those people. I am not saying we should not put in the resources to do that. But when we put the resource there, we ought to make sure they are used just for that.

No. 2, we ought to look at the Justice Department and how they spend money. Late last year I released a report on the $10 billion worth of waste in the Justice Department over the previous 5 years, $10 billion that was wasted over the previous 5 years.

Nobody disputed it. I mean, the Justice Department did not even answer it and say, that is not right, because they knew it was right. The fact is we refuse to make priorities.

This amendment is very simple. If we are going to appropriate a half billion dollars in increased funding to go after the fraud and money laundering associated with this financial situation that the Congress created and incentivized individuals, should we take it from the American taxpayers or should we take it out of money that we have already allocated?

The Justice Department is different than every other agency in the Federal Government, because at the end of the year, every other department's unexpended balances, unobligated balances eventually filter back to the Treasury. Not so at the Justice Department. They actually get to keep theirs. They are the only agency that gets to keep it.

Now, what have they averaged over the last 5 years in unobligated and unexpended balances? Over $2 billion a year. So here is an agency with $2 billion that they have not spent, and we are going to give them another $500 million, and their incentive is not to spend the money on the things we need to do; it is to keep it to do with what they want out of the direction of those that control the purse strings.

What this amendment says is we have already allocated money in terms of TARP funds; that if, in fact, we are going to send more money, which I do not think we should—I think we ought to spend it from the money we have—but if we are going to do it, let's take it from the money we have already taken from the American taxpayer, and it is not the American taxpayer; it is their grandkids, and let us use some of that money because the return on that money will be far greater than the return we are going to get on any TARP money.

It is very simple, very straightforward as a funding treatment. What we will use is money that has already been appropriated in the TARP funds, which they have a significant balance—in the billions—and we will take, over the next 2 years, $250 million or so to give to the Justice Department, if we agree we should be giving it to the Justice Department. Do not be fooled by the typical Washington turnaround that happens all the time up here, the sleight of hand that says: We are fixing a problem. We tend to fix problems that are not broken and not fix the problems that are broken. The mess we are in demonstrates that very straight forwardly.

We are going to have a $2 trillion deficit this year. We are going to double the national debt in 5 years. We are going to triple it in 10 under the Obama budget. Should not we be about priorities? Should not we be about holding the agencies accountable? Should not we be about making sure the money is spent properly?

If we are going to spend new money, try to get it from areas we already are not spending the money in but it has been appropriated. The American people would agree with that. I hope my colleagues will as well.

Mr. DODD. Mr. President, let me begin by complimenting the authors of the bill before the Senate today. The Fraud Enforcement and Recovery Act, or FERA, provides important tools to the Departments of Justice, Homeland Security and Housing and Urban Development to investigate and prosecute mortgage fraud. I am afraid that our government must be particularly vigilant today, as criminals seek to exploit people's economic hardships, and as some persons harmed by the downturn resort to fraud as a desperate measure.

This problem is grave, and it is getting worse by the day. Last year, financial institutions reported that mortgage loan fraud increased by 44 percent from the previous year. And this year, mortgage loan fraud is reportedly increasing even more—26 percent over last year. And still, disappointingly, many incidents of fraud go unnoticed. While this bill appropriately addresses the problem by providing additional resources to bring criminals to justice, including 400 new prosecutors and agents, I believe that efforts to arrest this alarming trend must also focus on preventing frauds from even being perpetrated in the first place.

Fortunately, the Obama administration is doing just that. Earlier this month, a new initiative was announced targeting mortgage loan modification fraud and foreclosure rescue scams. This effort, led by the Department of the Treasury's Financial Crimes Enforcement and Network, or FinCEN, is coordinating efforts across Federal and State governments as well as the private sector to share intelligence and identify criminal enterprises and deceptive schemes. Once such scams were identified, FinCEN is issuing ''early warnings'' to law enforcement, regulatory agencies, and the consumer protection community to watch for telltale signs of such scams. Already, FinCEN reports that this information is providing critical leads to protect consumers from falling victim to fraud. In addition, FinCEN is helping private industry perform their own due diligence, issuing advisories to alert financial institutions to the risks of emerging schemes by describing what they call ''red flags,'' that typify loan modification or foreclosure rescue scams. Banks, in turn are thus advised on how to file suspicious activity reports to Treasury, to ensure that law enforcement authorities may stay up-to-date in tracking potential fraud activity.

As the industry publication, American Banker, reported last week, increases in the filing of suspicious activity reports this year may be demonstrating a rise in fraud. In any case, in my estimation, these filings indicate that cases of fraud are being taken very seriously both by the government and industry. For that reason, I believe that, if implemented appropriately, the FinCEN-led Foreclosure Rescue Scams & Loan Modification effort will help both law enforcement combat fraud and consumers avoid scams.

I appreciate the Obama administration's efforts, and I urge every law enforcement agency, including the Department of Justice, to coordinate with FinCEN as we attempt to safeguard our financial system from fraud and prosecute those who break the law. I support the bill currently before the Senate, which I believe will greatly complement Treasury's programs to combat financial crimes.

ANTI-MONEY LAUNDERING

Mr. LEVIN. Mr. President, as chairman of the Permanent Subcommittee on Investigations, I have conducted a series of hearings and issued reports on various issues pertaining to money-laundering and tax havens, and I appreciate the benefit of the Banking Committee chairman's insight on these matters.

The Fraud Enforcement and Recovery Act of 2009 before us importantly modifies the money laundering statute to include tax evasion. I believe that we should also expand anti-money laundering laws to apply to other entities involved in financial transactions.

In particular, hedge funds, other private investment vehicles, and company formation agents are not subject to the same anti-money laundering regulations as others who play roles in the financial services world. Currently, unregistered investment companies, such as hedge funds and private equity funds, have limited responsibilities under the Bank Secrecy Act. For example, hedge funds themselves are not required to establish Know Your Customer programs or file suspicious activity reports. Suspicious activity and tax evasion by clients may go unnoticed by appropriate authorities. Indeed, offshore tax abuses cost the U.S. Treasury an estimated $100 billion each year.

Complicating the Government's ability to establish and enforce AML regulations for this industry is the fact that many private investment funds and company formation agents have largely escaped general regulatory oversight. For example, when the Securities and Exchange Commission attempted to require hedge funds to register, the Court of Appeals for the District of Columbia Circuit found that

the SEC, lacked the appropriate authority. I believe that the SEC's attempts were well-intentioned, but the court's findings indicate that clearer authority must be established for key sectors of the financial services industry, including hedge funds and company formation agents.

Because hedge funds, private equity funds, and company formation agents are as vulnerable as other financial institutions to money launderers seeking entry into the U.S. financial system, there is no reason why they should continue to serve as pathways into the U.S. financial system for substantial funds of unknown origin. We need to establish a clear statutory mandate for these entities to implement sound anti-money laundering programs and to report on suspicious activities.

Mr. DODD. I appreciate Senator LEVIN's and his subcommittee's hard investigative work on this very difficult subject matter. I share his conviction that America's regulatory system must be reformed to address challenges posed by business practices surrounding 21st century financial products. The United States cannot afford to have investment vehicles used to engage in abusive practices of fraud, illicit activity, and tax evasion. As the Banking Committee undertakes a comprehensive effort to modernize the securities and banking system, I will look forward to engaging the senior Senator from Michigan on issues of particular importance to him, including anti-money laundering measures.

Mr. REID. Mr. President, this housing crisis is the root of our larger economic crisis. As the mortgage mess rapidly worsens—and hurting more hardworking families—the implications for every other part of our economy are disastrous.

Today we learned that the number of American families at risk of losing their homes skyrocketed in the past few months. The problem is significantly worse at the beginning of this year than it was at the same time last year. In Las Vegas alone, 1 in every 22 homes received a foreclosure notice between January and March. That's seven times the national average.

The American people know we must do more. The people of Nevada certainly know this—families in my State lose their homes at the worst rate in the Nation. They know we must act now, before this emergency spins even further out of control.

But the declining health of our housing market comes with serious side effects. As foreclosures rise, so do reports of fraud. According to one report, the Nevada Bureau of Consumer Protection now receives 100 complaints each month from homeowners identifying possible mortgage scams. One Nevada scam recently offered a 100-percent money-back guarantee. The scammer, unsurprisingly, didn't hold up his end of the bargain. Another scheme charged homeowners heavy upfront fee and monthly charges on top of that—only later did they learn they were not getting any services in return.

While we are working to help the millions of desperate homeowners who need to modify their mortgages, countless swindlers are working to take advantage of them. And the way the system works now, we can't keep up.

The mortgage and corporate fraud bill will strengthen our ability to stop those who game the system on the backs of families who play by the rules and make an honest living. It gives law enforcement the necessary tools to probe, prosecute, and punish those responsible for the frauds that exploit hardworking homeowners and endanger our economy.

It is a strong start to solving a critical component of this crisis. But if we are going to protect families, it is not enough to punish the perpetrators—we must also stop the scams before they start. That is what the amendment I have submitted today does.

My Amendment No. 984 complements the larger effort in the underlying bill in three important ways, with each component focusing on the areas where foreclosures are the highest:

First, we will authorize more resources for advertising to help people avoid the mortgage rescue scams that bilk homeowners of thousands of dollars by raising awareness of the problem and encouraging the use of legitimate, free counseling agencies there to help. Because many of these areas have large Latino populations, at least half of those resources will be used for Spanish language advertising.

Second, we will increase resources for HUD-certified housing-counseling agencies in those hardest-hit areas. Las Vegas, Reno and other reeling regions still need more help as this problem gets worse. This amendment will help the agencies staff up and meet the growing demand for their services.

Third, we will send well-trained and experienced HUD officials to further support those agencies and other efforts by the Federal Government to combat the foreclosure crisis and prevent scams.

Hardworking Americans have lost enough in this storm. They need not give thousands of dollars to con artists who will leave them with struggling with the same mortgage and even less money to pay it. They need not be duped into turning over the keys to their home only to be evicted later.

To stabilize the economy, we must build on the administration's and our own prior efforts to stabilize the housing market. To do that, we must start by stopping fraud. Yes, we must put away the swindlers, but we must also do more to stop the vultures before they can prey on the most vulnerable.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BEGICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 999

Mr. BEGICH. Mr. President, I ask unanimous consent that the order with respect to a vote in relation to amendment No. 999 be vitiated, that the amendment be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, the amendment is agreed to.

The amendment (No. 999) was agreed to.

The PRESIDING OFFICER. The motion to reconsider is laid upon the table.

MORNING BUSINESS

Mr. BEGICH. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

DEPARTMENT OF JUSTICE OPINIONS ON CIA'S DETENTION AND INTERROGATION PROGRAM

• Mr. ROCKEFELLER. Mr. President, today Chairman DIANNE FEINSTEIN and I, with the agreement of Vice Chairman KIT BOND, have posted on the Web site of the Senate Select Committee on Intelligence, a document newly declassified by the Obama administration. I ask that this document be printed in the RECORD at the end of my remarks.

In so doing we conclude an effort that I began as chairman of the committee in the last Congress to provide to the public an initial narrative of the history of the interrogation and detention opinions of the Department of Justice's—DOJ—Office of Legal Counsel, OLC.

I applaud President Obama's decisive action last week not only to release four of the OLC opinions discussed in our narrative but also to state firmly our Nation's support for the front-line intelligence professionals who relied on that legal advice in good faith. I couldn't agree more.

Three of these OLC documents are among those that I sought for the committee starting as far back as 2005, when it became increasingly clear to me that Congress had not been given complete information regarding the Bush administration's interrogation policies and practices.

I said publicly in July of 2005 and still firmly believe today that secret legal opinions that are kept even from oversight by the Congress can lead to great error. In the years since then I—together with Chairman FEINSTEIN and others—have sought within the committee, on the Senate floor, and in

written demands to the Bush administration to launch a comprehensive investigation of these issues and to advance legislation to end coercive interrogation practices.

Now, thanks to President Obama's wise decision and to the ongoing work of the Senate Intelligence Committee, we have at last begun the task of fully setting the record straight, holding our government accountable, and learning from past errors in order to protect our country into the future.

Let me be clear—in the wake of 9/11 we all wanted to leave no stone unturned in our pursuit of terrorists to prevent future attacks. At that time and since, the Senate Intelligence Committee sought to work in partnership with the administration to keep America safe. But we now know that essential information was withheld from the Congress on many matters and decisions were made in secret by senior Bush administration officials to obscure the complete picture.

It is my hope and intention that the document we release today helps to fill in some of the facts, even as many other pieces of the puzzle are brought forth.

The genesis of this document is as follows:

Last year, I sought declassification of the August 1, 2002, OLC opinion, along with a short contextual narrative to accompany it. While declassification of that opinion was resisted, we engaged instead in a joint effort with Attorney General Michael B. Mukasey to declassify a broader narrative surrounding all of the OLC's opinions on these matters.

The objective was to produce a text that describes the key elements of the opinions and sets forth facts that provide a context for those opinions, within the boundaries of what the DOJ and the Intelligence Community would recommend in 2008 for declassification.

By late 2008, the DOJ, the Director of National Intelligence—DNI—and the Central Intelligence Agency—CIA—all had approved the public release of this narrative, but the Bush Administration National Security Council—NSC—held it and would not agree to its declassification.

I renewed the declassification effort as soon as Attorney General Eric Holder took office in early February 2009, and I am pleased to have received the support again of the DOJ, DNI and CIA, and now also of the NSC, for its release as a contextual description of the OLC memos.

Readers of the narrative should bear in mind that its text is current through President Obama's Executive orders of January 22, 2009, but has not been revised following the release of the four OLC opinions on April 16, 2009. While there is now more public information available about those four opinions, the narrative adds important facts about the approval of the interrogation program beginning in 2002 and about opinions subsequent to the four that have been released.

For the moment, I would like to note three points that emerge from the narrative: First, the records of the CIA demonstrate that the lawyers at the Office of Legal Counsel—OLC—did not operate in a vacuum. Key legal officials at the CIA, NSC, DOJ's Criminal Division, the Office of White House Counsel, all participated in meetings leading to the approval of methods used by the CIA. The then Vice President and the National Security Adviser are at the center of the discussions. But, strikingly, unless there is a further story in records not yet shown to us, the Secretary of State and the Secretary of Defense, were not involved in the decision making process despite the high stakes for U.S. foreign policy and for the treatment of the U.S. military.

Second, the narrative and the May 30, 2005, opinion demonstrate that the Detainee Treatment Act of December 2005, was substantially undermined by the May 30, 2005, OLC opinion. The Bush administration had already construed the main provisions of the act to authorize its full gamut of coercive techniques.

Third, the narrative demonstrates that the job of declassifying the interrogation and detention opinions of the OLC is not complete. There were important opinions in 2006 and 2007 that will, among other things, show how OLC interpreted the Detainee Treatment Act and the war crimes amendments of the Military Commissions Act of 2006, and Common Article 3 of the Geneva Conventions. The prompt declassification of those opinions, accompanied by their withdrawal as valid OLC opinions, is essential to completing the progress achieved by the President's declassification and the Attorney General's withdrawal of four opinions last week.

Finally, I am gratified that the release of the August 2002 and May 2005 opinions, followed by the release of this narrative of the history of OLC opinions from 2002 to 2007, are themselves but first steps.

In this new environment, and with the shared determination of our new chairman, the Senate Intelligence Committee is undertaking a major review not only of the origin of the detention and interrogation program but also of its actual implementation. We will be asking probing questions about what took place during interrogations and what intelligence was gained from detainees. We will also be examining what was told to the Congress, including both the content and the limitations on the briefings that were provided.

It is long overdue but certainly not too late. As we enter a new period committed to openness and change, and bid farewell to the former administration's obscurity and dishonesty, there is the potential for great progress in our intelligence and national security activities.

The trust between the executive branch and the Congress was breached, and the trust and confidence of the American people has been eroded. But I remain confident that if we restore the vital role of the Congress in overseeing our intelligence activities, we can bridge the divide, restore integrity, and get back to the business of lawfully and effectively securing this great Nation.

The material follows:

There being no objection, the material was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, April 17, 2009.

Hon. JOHN D. ROCKEFELLER IV,
Senate. Select Committee on Intelligence, Washington, DC.

DEAR SENATOR ROCKEFELLER: This responds to your letter of February 3, 2009, which requested declassification and release of a narrative regarding advice provided by the Department to the Central Intelligence Agency on the legality of the CIA's use of certain interrogation techniques.

As you know, we have worked with Committee staff in reviewing the narrative for this purpose and we are pleased to advise you that this process has now been completed. We are transmitting the now declassified narrative to you with this letter for the further action necessary in order to disclose the document.

We appreciate the leadership that you and the Senate Select Committee on Intelligence have demonstrated on these important issues. We also are grateful for your patience as we have worked through the process leading to this declassification.

Sincerely,

ERIC H. HOLDER, JR.,
Attorney General.

Enclosure.

RELEASE OF DECLASSIFIED NARRATIVE DESCRIBING THE DEPARTMENT OF JUSTICE OFFICE OF LEGAL COUNSEL'S OPINIONS ON THE CIA'S DETENTION AND INTERROGATION PROGRAM

(Senator John D. Rockefeller IV, April 22, 2009)

PREFACE

The release of the following declassified narrative completes an effort that I began last year as Chairman of the Select Committee on Intelligence. The document is an effort to provide to the public an initial narrative of the history of the opinions of the Department of Justice's Office of Legal Counsel (OLC), from 2002 to 2007, on the legality of the Central Intelligence Agency's detention and interrogation program.

In August 2008, I asked Attorney General Michael B. Mukasey to join the effort to create such an unclassified narrative. The Attorney General committed himself to the endeavor, saying that if we failed it would not be for want of effort. Over the next months, Committee counsel and representatives of the Department of Justice, CIA, Office of the Director of National Intelligence, and the office of the Counsel to the President discussed potential text. The shared objective was to produce a text that, putting aside debate about the merits of the OLC opinions, describes key elements of the opinions and sets forth facts that provide a useful context for those opinions, within the boundaries of what the Department of Justice (DOJ) and the Intelligence Community would recommend in 2008 for declassification.

The understanding of the participants was that while the final product would be a Legislative Branch document, the collaborative nature of this process would provide the Executive Branch participants with the opportunity to ensure its accuracy. Before the end

of the year, this process produced a narrative whose declassification DOJ, the DNI and the CIA supported. However, the prior Administration's National Security Council did not agree to declassify the narrative.

I renewed this effort in early February as soon as Attorney General Eric H. Holder, Jr., took office. Except for this preface, some minor edits, and the addition of a final paragraph to bring the narrative up to date as of President Obama's Executive Orders of January 22, 2009, this document is the same as the one that secured support for declassification last year. This declassification, which National Security Adviser James L. Jones effected on April 16, 2009 and Attorney General Holder transmitted to the Committee on April 17, 2009, is supported again by the DOJ, the DNI, and the CIA. Because the text of the narrative was settled prior to the release on April 16, 2009 of the declassified OLC opinions from August 2002 and May 2005, the narrative does not include additional information from those opinions that is now in the public domain.

JOHN D. ROCKEFELLER IV.

OLC OPINIONS ON THE CIA DETENTION AND INTERROGATION PROGRAM

Submitted by Senator John D. Rockefeller IV for Classification Review

On May 19, 2008, the Department of Justice and the Central Intelligence Agency (CIA) provided the Committee with access to all opinions and a number of other documents prepared by the Office of Legal Counsel of the Department of Justice (OLC) concerning the legality of the CIA's detention and interrogation program. Five of the documents provided addressed the use of waterboarding. Committee Members and staff reviewed these documents over the course of several weeks; however, the Committee was not allowed to retain copies of the OLC documents about the CIA's interrogation and detention program.

The Committee had previously received one classified OLC opinion—an August 1, 2002, OLC opinion—in May 2004 as an attachment to a special review issued by the CIA's Inspector General on the CIA's detention and interrogation program. The opinion is marked as ''Top Secret.'' The Executive Branch initially provided access to this review and its attachments to the Committee Chairman and Vice Chairman and staff directors. On September 6, 2006, all Members of the Committee obtained access to the Inspector General's review. The August 1, 2002, opinion is currently the only classified OLC opinion in the Committee's possession as to the legality of the CIA's interrogation techniques.

THE CAPTURE OF ABU ZUBAYDAH AND THE INITIATION OF THE CIA DETENTION AND INTERROGATION PROGRAM

In late March 2002, senior Al-Qa'ida operative Abu Zubaydah was captured. Abu Zubaydah was badly injured during the firefight that brought him into custody. The CIA arranged for his medical care, and, in conjunction with two FBI agents, began interrogating him. At that time, the CIA assessed that Abu Zubaydah had specific information concerning future Al-Qa'ida attacks against the United States.

CIA records indicate that members of the National Security Council (NSC) and other senior Administration officials were briefed on the CIA's detention and interrogation program throughout the course of the program. In April 2002, attorneys from the CIA's Office of General Counsel began discussions with the Legal Adviser to the National Security Council and OLC concerning the CIA's proposed interrogation plan for Abu Zubaydah and legal restrictions on that interrogation. CIA records indicate that the Legal Adviser to the National Security Council briefed the National Security Adviser, Deputy National Security Adviser, and Counsel to the President, as well as the Attorney General and the head of the Criminal Division of the Department of Justice.

According to CIA records, because the CIA believed that Abu Zubaydah was withholding imminent threat information during the initial interrogation sessions, attorneys from the CIA's Office of General Counsel met with the Attorney General, the National Security Adviser, the Deputy National Security Adviser, the Legal Adviser to the National Security Council, and the Counsel to the President in mid-May 2002 to discuss the possible use of alternative interrogation methods that differed from the traditional methods used by the U.S. military and intelligence community. At this meeting, the CIA proposed particular alternative interrogation methods, including waterboarding.

The CIA's Office of General Counsel subsequently asked OLC to prepare an opinion about the legality of its proposed techniques. To enable OLC to review the legality of the techniques, the CIA provided OLC with written and oral descriptions of the proposed techniques. The CIA also provided OLC with information about any medical and psychological effects of DoD's Survival, Evasion, Resistance and Escape (SERE) School, which is a military training program during which military personnel receive counter-interrogation training.

On July 13, 2002, according to CIA records, attorneys from the CIA's Office of General Counsel met with the Legal Adviser to the National Security Council, a Deputy Assistant Attorney General from OLC, the head of the Criminal Division of the Department of Justice, the chief of staff to the Director of the Federal Bureau of Investigation, and the Counsel to the President to provide an overview of the proposed interrogation plan for Abu Zubaydah.

On July 17, 2002, according to CIA records, the Director of Central Intelligence (DCI) met with the National Security Adviser, who advised that the CIA could proceed with its proposed interrogation of Abu Zubaydah. This advice, which authorized CIA to proceed as a policy matter, was subject to a determination of legality by OLC.

On July 24, 2002, according to CIA records, OLC orally advised the CIA that the Attorney General had concluded that certain proposed interrogation techniques were lawful and, on July 26, that the use of waterboarding was lawful. OLC issued two written opinions and a fetter memorializing those conclusions on August 1, 2002.

AUGUST 1, 2002 OLC OPINIONS

On August 1, 2002, OLC issued three documents analyzing U.S. obligations with respect to the treatment of detainees. Two of these three documents were unclassified: an unclassified opinion interpreting the federal criminal prohibition on torture, and a letter concerning U.S. obligations under the Convention Against Torture and the Rome Statute. Those two documents were released in 2004 and are publicly available.

The third document issued by OLC was a classified legal opinion to the CIA's Acting General Counsel analyzing whether the use of the interrogation techniques proposed by the CIA on Abu Zubaydah was consistent with federal law. OLC had determined that the only federal law governing the interrogation of an alien detained outside the United States was the federal anti-torture statute. The opinion thus assessed whether the use of the proposed interrogation techniques on Abu Zubaydah would violate the criminal prohibition against torture found at Section 2340A of title 18 of the United States Code. The Department of Justice released a highly redacted version of this opinion in July 2008 in response to a Freedom of Information Act lawsuit.

The classified opinion described the interrogation techniques proposed by the CIA. Only one of these techniques—waterboarding—has been publicly acknowledged. In addition to describing the form of waterboarding that the CIA proposed to use, the opinion discusses procedures the CIA identified as limitations as well as procedures to stop the use of interrogation techniques if deemed necessary to prevent severe mental or physical harm. Although a form of ''waterboarding'' has been employed on U.S. military personnel as part of the SERE training program, the Executive Branch considers classified the precise operational details concerning the CIA's form of the technique.

The opinion also outlined the factual predicates for the legal analysis, including the CIA's background research on the proposed techniques and their possible effect on the mental health of Abu Zubaydah. The opinion described the information provided by the CIA concerning whether ''prolonged mental harm'' would be likely to result from the use of those proposed procedures. Because the military's SERE training program, like the CIA program, involved a series of stressful interrogation techniques (including a form of waterboarding) the opinion discussed inquiries and statistics relating to possible adverse psychological reactions to SERE training.

The anti-torture statute prohibits an act ''specifically intended'' to inflict ''severe physical or mental pain or suffering.'' The opinion separately considered whether each of the proposed interrogation techniques, individually or in combination, would inflict ''severe physical pain or suffering'' or ''severe mental pain or suffering.'' The opinion also considered whether individuals using the techniques would have the mental state necessary to violate the statute.

The opinion concluded that none of the techniques individually was likely to cause ''severe physical pain or suffering'' under the statute. With respect to waterboarding, the OLC opinion concluded that the technique would not inflict ''severe physical pain or suffering'' because it does not inflict actual physical harm or physical pain. The opinion concluded that, although OLC did not then believe physical suffering to be a concept under the statute distinct from physical pain, waterboarding would not inflict severe suffering, because any physical effects of waterboarding did not extend for the protracted period of time generally required by the term ''suffering.''

The OLC opinion also concluded that none of the techniques would constitute ''severe mental pain or suffering'' as that term is defined under the anti-torture statute. The opinion concluded that under the anti-torture statute, ''severe mental pain or suffering'' requires the occurrence of one of four specified predicate acts, as well as ''prolonged mental harm.'' The opinion interpreted ''prolonged mental harm'' to require harm of some lasting duration, such as mental harm lasting months or years.

With respect to waterboarding, based on information provided by the CIA, the OLC opinion assessed whether it constituted, as a legal matter, one of the four predicate acts under the mental harm component of the anti-torture statute. The opinion concluded that the technique would not cause ''severe mental pain or suffering'' because, based on the U.S. military's experience with the form of 5 waterboarding used in its SERE program, the CIA did not anticipate that

waterboarding would cause prolonged mental harm.

After evaluating the proposed techniques individually, the OLC opinion considered whether the combined use of the proposed interrogation techniques would cause ''severe physical pain or suffering'' or ''severe mental pain or suffering.'' OLC concluded that the combined use of the interrogation techniques would not constitute severe physical pain or suffering, because individually the techniques fell short of and would not be combined in such a way as to reach that threshold. The opinion concluded that OLC lacked sufficient information concerning the proposed use of the techniques to assess whether their combined use might inflict one of the predicate conditions for severe mental pain or suffering. The opinion concluded, however, that even if a predicate condition would be satisfied, it would not violate the prohibition because there was no evidence that the proposed course of conduct would produce any prolonged mental harm.

Finally, the opinion addressed whether an individual carrying out the proposed interrogation procedures would have the specific intent to inflict severe physical or mental pain or suffering required by the statute. It concluded that the interrogator would not have the requisite intent because of the circumstances surrounding the use of the techniques, including the interrogator's expectation that the techniques would not cause severe physical or mental pain or suffering, and the CIA's intent to include specific precautions to prevent serious physical harm.

For those reasons, the classified opinion concluded that none of the proposed interrogation techniques, used individually or in combination, would violate the criminal prohibition against torture found at section 2340A of title 18 of the United States Code.

EVENTS AFTER ISSUANCE OF AUGUST 1, 2002 OLC OPINION

According to CIA records, after receiving the legal approval of the Department of Justice and approval from the National Security Adviser, the CIA went forward with the interrogation of Abu Zubaydah and with the interrogation of other high-value Al-Qa'ida detainees who were then in, or later came into, U.S. custody. Waterboarding was used on three detainees: Abu Zubaydah, Abd alRahim al-Nashiri, and Khalid Sheikh Muhammad. The application of waterboarding to these detainees occurred during the 2002 and 2003 timeframe.

In the fall of 2002, after the use of interrogation techniques on Abu Zubaydah, CIA records indicate that the CIA briefed the Chairman and Vice Chairman of the Committee on the interrogation. After the change in leadership of the Committee in January of 2003, CIA records indicate that the new Chairman of the Committee was briefed on the CIA's program in early 2003. Although the new Vice-Chairman did not attend that briefing, it was attended by both the staff director and minority staff director of the Committee. According to CIA records, the Chairman and Vice Chairman of the Committee were also briefed on aspects of the program later in 2003, after the use of interrogation techniques on Khalid Sheikh Muhammad.

In the spring of 2003, the DCI asked for a reaffirmation of the policies and practices in the interrogation program. In July 2003, according to CIA records, the NSC Principals met to discuss the interrogation techniques employed in the CIA program. According to CIA records, the DCI and the CIA's General Counsel attended a meeting with the Vice President, the National Security Adviser, the Attorney General, the Acting Assistant Attorney General for the Office of Legal Counsel, a Deputy Assistant Attorney General, the Counsel to the President, and the Legal Adviser to the National Security Council to describe the CIA's interrogation techniques, including waterboarding. According to CIA records, at the conclusion of that meeting, the Principals reaffirmed that the CIA program was lawful and reflected administration policy.

According to CIA records, pursuant to a request from the National Security Adviser, the Director of Central Intelligence subsequently briefed the Secretary of State and the Secretary of Defense on the CIA's interrogation techniques on September 16, 2003.

In May 2004, the CIA's Inspector General issued a classified special review of the CIA's detention and interrogation program, a copy of which was provided to the Committee Chairman and Vice Chairman and staff directors in June of 2004. The classified August 1, 2002, OLC opinion was included as an attachment to the Inspector General's review. That review included information about the CIA's use of waterboarding on the three detainees.

After the issuance of that review, the CIA requested that OLC prepare an updated legal opinion that incorporated actual CIA experiences and practice in the use of the techniques to date included in the Inspector General review, as well as legal analysis as to whether the interrogation techniques were consistent with the substantive standards contained in the Senate reservation to Article 16 of the Convention Against Torture.

Article 16 of the Convention Against Torture requires signatories to ''undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman and degrading treatment which do not amount to torture.'' The Senate reservation to that treaty defines the phrase ''cruel, inhuman and degrading treatment'' as the treatment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution. Thus, the CIA requested that OLC assess whether the interrogation techniques were consistent with the substantive provisions of the due process clause, as well as the constitutional requirement that the government not inflict cruel or unusual punishment.

In May 2004, after the issuance of the Inspector General review, CIA records indicate that the CIA's General Counsel met with the Counsel to the President, the Counsel to the Vice President, the NSC Legal Adviser, and senior Department of Justice officials about the CIA's program and the Inspector General review.

In June 2004, OLC withdrew its unclassified August 1, 2002, opinion on the anti-torture statute. OLC did not, however, withdraw the classified August 1, 2002 opinion, because it concluded that the classified opinion was narrower in scope than the unclassified opinion that was withdrawn. The classified opinion applied the anti-torture statute to the CIA's specific interrogation methods, but, unlike the unclassified August 1, 2002, opinion, it did not rely on or interpret the President's Commander in Chief power or consider whether torture could be lawful under any circumstances.

In July 2004, the CIA briefed the Chairman and Vice Chairman of the Committee on the facts and conclusions of the Inspector General special review. The CIA indicated at that time that it was seeking OLC's legal analysis on whether the program was consistent with the substantive provisions of Article 16 of the Convention Against Torture.

According to CIA records, subsequent to the meeting with the Committee Chairman and Vice Chairman in July 2004, the CIA met with the NSC Principals to discuss the CIA's program. At the conclusion of that meeting, it was agreed that the CIA would formally request that OLC prepare a written opinion addressing whether the CIA's proposed interrogation techniques would violate substantive constitutional standards, including those of the Fifth, Eighth and Fourteenth Amendments regardless of whether or not those standards were deemed applicable to aliens detained abroad.

DOJ ADVICE FROM JUNE 2004 TO MAY 2005

Following the withdrawal of the unclassified August 1, 2002, opinion in June 2004, OLC began work on preparing an unclassified opinion concerning its interpretation of the anti-torture statute. At the same time, in accord with the request described above, OLC worked on classified opinions that would evaluate the specific techniques of the CIA program, individually and in combination, under its revised interpretation of the anti-torture statute, as well as an opinion that would evaluate whether the program was consistent with the substantive provisions of Article 16 of the Convention Against Torture.

On July 14, 2004, in unclassified written testimony before the House Permanent Select Committee on Intelligence, an Associate Deputy Attorney General explained the Department of Justice's understanding of the substantive constitutional standards embodied in the Senate reservation to Article 16 of the Convention Against Torture. The official's written testimony stated that under Supreme Court precedent, the substantive due process component of the Fifth Amendment protects against treatment that ''shocks the conscience.'' In addition, his testimony stated that under Supreme Court precedent, the Eighth Amendment protection against Cruel and Unusual Punishment has no application to the treatment of detainees where there has been no formal adjudication of guilt.

While OLC worked on drafting new opinions with respect to the CIA program, the CIA continued its interrogation of high-value Al-Qa'ida detainees in U.S. custody. On July 22, 2004, the Attorney General confirmed in writing to the Acting Director of Central Intelligence that the use of the interrogation techniques addressed by the August 1, 2002, classified opinion, other than waterboarding, would not violate the U.S. Constitution or any statute or treaty obligation of the United States, including Article 16 of the Convention Against Torture. On August 6, 2004, the Acting Assistant Attorney General for OLC advised in writing that, subject to the CIA's proposed limitations, conditions and safeguards, the CIA's use of waterboarding would not violate any of those legal restrictions. The letter noted that a formal written opinion would follow explaining the basis for those conclusions. According to the CIA, the CIA nonetheless chose not to use waterboarding in 2004. Waterboarding was not subsequently used on any detainee, and was removed from CIA's authorized list of techniques sometime after 2005.

On December 30, 2004, the Office of Legal Counsel issued an unclassified opinion interpreting the federal criminal prohibition against torture, 18 USC 2340–2340A, superseding in its entirety the withdrawn August 1, 2002, unclassified opinion. That December 30, 2004, opinion included a footnote stating ''While we have identified various disagreements with the August 2002 Memorandum, we have reviewed this Office's prior opinions addressing issues involving treatment of detainees and do not believe that any of their conclusions would be different under the standards set forth in this memorandum.''

In January of 2005, in response to a question for the record following his confirmation hearing, Attorney General Gonzales indicated that ''the Administration . . . wants

to be in compliance with the relevant substantive constitutional standard incorporated in Article 16 [of the Convention Against Torture], even if such compliance is not legally required.'' Attorney General Gonzales further indicated that ''the Administration has undertaken a comprehensive legal review of all interrogation practices. . . . The analysis of practices under the standards of Article 16 is still under way.''

The CIA briefed the Chairman and Vice Chairman of the Committee on the CIA's interrogation program again in March 2005. At that time, the CIA indicated that it was waiting for a revised opinion from OLC.

MAY 2005 OPINIONS

In May 2005, OLC issued three classified legal opinions analyzing the legality of particular interrogation techniques. The first legal opinion analyzed the legality of particular interrogation techniques, including waterboarding, under the interpretation of the federal criminal prohibition against torture set forth in the December 30, 2004, unclassified opinion. The May 2005 opinion includes additional facts about the proposed techniques and a more extensive description of the applicable legal standards than the August 1, 2002, opinion.

With respect to waterboarding, the opinion concluded that while the technique presented a substantial question under the statute, the authorized use of waterboarding, when conducted with measures identified by the CIA as safeguards and limitations, would not violate the federal criminal prohibition against torture. To understand the possible effects of waterboarding, the May 2005 opinion relied on the military's experience in the administration of its form of the technique on American military personnel who had undergone SERE training, while recognizing some limitations with that reliance, such as the expectations of the individual going through the practice. The opinion also relied on the CIA's experience with the use of its form of waterboarding on the three detainees in 2002 and 2003.

The opinion concluded that waterboarding does not cause ''severe physical pain'' because it is not physically painful. It further reasoned that the CIA's form of waterboarding could not reasonably be considered specifically intended to cause ''severe physical pain.'' The opinion also concluded that under the limitations and conditions adopted by the CIA, the technique would not be expected to cause distress of a sufficient intensity and duration to constitute ''severe physical suffering,'' which the December 30, 2004 unclassified opinion had recognized to be a separate element under the federal anti-torture statute. The opinion concluded that waterboarding would not cause ''severe mental pain or suffering'' because OLC understood from the CIA that any mental harm from waterboarding would not be ''prolonged,'' even if it met a predicate condition under the statute.

OLC's second legal opinion issued in May 2005 addressed the legality of the combined use of particular techniques, including waterboarding, under the criminal prohibition against torture. That opinion relied on information provided by the CIA concerning the manner in which the individual techniques were proposed to be combined in the CIA program. After considering the combined use of techniques as described by the CIA, OLC concluded that the combined use of the proposed techniques by trained interrogators would not be expected to cause the severe mental or physical pain or suffering required by the criminal prohibition against torture.

OLC's third legal opinion in May 2005 assessed the legality of particular interrogation techniques under Article 16 of the Convention Against Torture. The Executive Branch had previously concluded that Article 16 does not apply to detainees, such as those in CIA custody, who were held outside territory under U.S. jurisdiction. Nonetheless, as articulated in the January 2005 testimony of the Attorney General, the Executive Branch had decided to comply, as a matter of policy, with the relevant substantive constitutional standards incorporated in Article 16. Because of that policy determination, and because of the CIA's request that OLC address the substantive ''cruel, inhuman or degrading'' standard, OLC analyzed whether a number of interrogation techniques, including waterboarding, would violate the substantive constitutional standards contained in the Senate reservation to CAT.

The May 2005 opinion on Article 16 concluded that the CIA's use of interrogation techniques, including waterboarding, on senior members of al-Qa'ida with knowledge of, or involvement in, terrorist threats would not be prohibited by the Fifth, Eighth or Fourteenth Amendments under the particular circumstances of the CIA program. OLC concluded that with respect to the treatment of detainees in U.S. custody, who had not been convicted of any crime, the relevant constitutional prohibition was the ''shocks the conscience'' standard of the substantive due process component of the Fifth Amendment. Under the ''shocks the conscience'' standard, OLC concluded that Supreme Court precedent requires consideration as to whether the conduct is ''arbitrary in the constitutional sense'' and whether it is objectively ''egregious'' or ''outrageous'' in light of traditional executive behavior and contemporary practices.

To assess whether the CIA's interrogation program was ''arbitrary in the constitutional sense,'' OLC asked whether the CIA's conduct of its interrogation program was proportionate to the governmental interests involved. Applying that test, OLC concluded that the CIA's interrogation program was not ''arbitrary in the constitutional sense'' because of the CIA's proposed use of measures that it deemed to be ''safeguards'' and because the techniques were to be used only as necessary to obtain information that the CIA reasonably viewed as vital to protecting the United States and its interests from further terrorist attacks.

OLC also concluded that the techniques in the CIA program were not objectively ''egregious'' or ''outrageous'' in light of traditional executive behavior and contemporary practice. In reaching that conclusion, OLC reviewed U.S. judicial precedent, public military doctrine, the use of stressful techniques in SERE training, public State Department reports on the practices of other countries, and public domestic criminal practices. OLC concluded that these sources demonstrated that, in some circumstances (such as domestic criminal investigations) there was a strong tradition against the use of coercive interrogation practices, while in others (such as with SERE training) stressful interrogation techniques were deemed constitutionally permissible. OLC therefore determined that use of such techniques was not categorically inconsistent with traditional executive behavior, and concluded that under the facts and circumstances concerning the program, the use of the techniques did not constitute government behavior so egregious or outrageous as to shock the conscience in violation of the Fifth Amendment.

Before the passage of the Detainee Treatment Act, in October of 2005, the Principal Deputy Assistant Attorney General for OLC noted in response to questions for the record: ''[I]t is our policy to abide by the substantive constitutional standard incorporated into Article 16 even if such compliance is not legally required, regardless of whether the detainee in question is held in the United States or overseas.'' Similarly, in December of 2005, both the Secretary of State and the National Security Adviser stated publicly that U.S. policy was to treat detainees abroad in accordance with the prohibition on cruel, inhuman and degrading treatment contained in Article 16.

SUBSEQUENT DEVELOPMENTS IN THE LAW

In December 2005, Congress passed the Detainee Treatment Act (DTA), and the President subsequently signed it into law on December 30, 2005. That Act applied the substantive legal standards contained in the Senate reservation to Article 16 to the treatment of all detainees in U.S. custody, including those held by the CIA. At the time of the passage of the DTA, the Administration had concluded, based on the May 2005 OLC opinion, that the CIA's interrogation practices, including waterboarding, were consistent with the substantive constitutional standards embodied in the DTA.

In June 2006, in Hamdan v. Rumsfeld, the Supreme Court held that Common Article 3 of the Geneva Convention applied to the conflict with Al-Qa'ida, contrary to the position previously adopted by the President. Common Article 3 of the Geneva Conventions requires that detainees ''shall in all circumstances be treated humanely,'' and prohibits ''outrages upon personal dignity, in particular, humiliating and degrading treatment'' and ''violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture.'' At the time of the Hamdan decision, the War Crimes Act defined the term ''war crime'' to include ''a violation of Common Article 3.''

In August 2006, OLC issued two documents considering the legality of the conditions of confinement in CIA facilities. One of the documents was an opinion interpreting the Detainee Treatment Act; the other document was a letter interpreting Common Article 3 of the Geneva Conventions, as enforced by the War Crimes Act. These documents included consideration of U.S. constitutional law and the legal decisions of international tribunals and other countries.

On September 6, 2006, the President publicly disclosed the existence of the CIA's detention and interrogation program. On the same day, the CIA briefed all Committee Members about the CIA's detention and interrogation program, including the CIA's use of enhanced interrogation techniques.

In October 2006, Congress passed the Military Commissions Act (MCA) to set forth particular violations of Common Article 3 subject to criminal prosecution under the War Crimes Act. Specifically, the MCA amended the War Crimes Act to designate nine actions as grave breaches of Common Article 3, punishable under criminal law. Although only these nine violations of Common Article 3 are subject to criminal prosecution, Congress recognized that Common Article 3 imposes additional legal obligations on the United States. The MCA provided that the President has the authority ''to interpret the meaning and application of the Geneva Conventions and to promulgate higher standards and administrative regulations for violations of treaty obligations which are not grave breaches of the Geneva Conventions.''

In July 2007, the President issued Executive Order 13440, which interpreted the additional obligations of the United States imposed by Common Article 3 of the Geneva Conventions. In conjunction with release of that Executive Order, OLC issued a legal opinion analyzing the legality of the interrogation techniques currently authorized for

use in the CIA program under Common Article 3 of the Geneva Conventions, the Detainee Treatment Act, and the War Crimes Act.

The July 2007 opinion includes extensive legal analysis of the war crimes added by the MCA, U.S. constitutional law, the treaty obligations of the United States, and the legal decisions of foreign and international tribunals. The July 2007 opinion does not include analysis of the anti-torture statute but rather incorporates by reference the analysis of the May 2005 opinions that certain proposed techniques do not violate the anti-torture statute, either individually or combined.

In considering ''traditional executive behavior and contemporary practices'' under the substantive due process standard embodied in the Detainee Treatment Act, OLC considered similar sources to those considered in the May 2005 opinion on Article 16. In addition, OLC examined the legislative history of the MCA, which the President had sought, in part, to ensure that the CIA program could go forward following Hamdan, consistent with Common Article 3 and the War Crimes Act. OLC observed that, in considering the MCA, Congress was confronted with the question of whether the CIA should operate an interrogation program for high value detainees that employed techniques exceeding those used by the U.S. military but that remained lawful under the anti-torture statute and the War Crimes Act. OLC concluded that while the passage of the MCA was not conclusive on the constitutional question as to whether the program ''shocked the conscience,'' the legislation did provide a ''relevant measure of contemporary standards'' concerning the CIA program and suggested that Congress had endorsed the view that the CIA's interrogation program was consistent with contemporary practice.

Because waterboarding was not among the authorized list of techniques, the 2007 OLC opinion did not address the legality of waterboarding. OLC therefore has not considered the legality of waterboarding under either of the two provisions that have been applied to the CIA's treatment of detainees since the passage of the Detainee Treatment Act in December of 2005: Common Article 3 of the Geneva Conventions and the War Crimes Act, as amended by the MCA.

PRESENT CIRCUMSTANCES

On January 30, 2008, at a hearing of the Senate Judiciary Committee on Oversight of the Department of Justice, the Attorney General disclosed that waterboarding was not among the techniques currently authorized for use in the CIA program. He therefore declined to express a view as to the technique's legality. The Attorney General also stated that for waterboarding to be authorized in the future, the CIA would have to request its use, the CIA Director ''would have to ask me, or any successor of mine, if its use would be lawful, taking into account the particular facts and circumstances at issue, including how and why it is to be used, the limits of its use and the safeguards that are in place for its use,'' and the President would have to address the issue.

In February 2008, in testimony before this Committee, the CIA Director publicly disclosed that waterboarding had been used on three detainees, as previously described. At that same hearing, the Director of National Intelligence (DNI) testified that waterboarding was not currently a part of the CIA's program, and that if there was a reason to use such a technique, the Director of the CIA and the Director of National Intelligence would have to agree whether to move forward and ask the Attorney General for a ruling on the legality of the specifics of the situation. The Committee also discussed the CIA's interrogation program with those two officials in closed session.

Although waterboarding was no longer a technique authorized for use in the CIA program, and the Attorney General and DNI testified in 2008 that a new legal opinion based on current law would be required before it could be used again, the May 2005 opinions on the legality of waterboarding under the anti-torture statute and Article 16 of the Convention Against Torture (the legal standards subsequently embodied in the DTA) remained precedents of the Office of Legal Counsel at the time of the Attorney General's and DNI's 2008 testimony.

On January 22, 2009, the President issued Executive Order 13491 on ''Ensuring Lawful Interrogations.'' The Executive Order revoked Executive Order 13440, limited the interrogation techniques that may be used by officers, employees, or other agents of the United States Government, and established a Special Interagency Task Force on Interrogation and Transfer Policies to report recommendations to the President. With respect to prior interpretations of law governing interrogation, section 3(c) of Executive Order 13491 directed that, unless the Attorney General provides further guidance, officers, employees, and other agents of the United States Government may not rely on interpretations of the law governing interrogations issued by the Department of Justice between September 11, 2001, and January 20, 2009.●

HONORING OUR ARMED FORCES

CORPORAL DONTE JAMAL WHITWORTH

Mr. BAYH. Mr. President, I rise today with a heavy heart to honor the life of Marine Cpl Donte Jamal Whitworth from Noblesville, IN. Donte was 21 years old when he lost his life on February 28, 2009, from injuries sustained from a vehicular accident near Al Taquddum Air Base in Al Anbar Province, Iraq. He was a member of Combat Logistics Regiment 15, 1st Marine Logistics Group, Marine Corps Air Station of Yuma, AZ.

Donte, a 2005 graduate of Noblesville High School, joined the Marines immediately after graduation, eager to serve his country. While deployed, he commanded supply convoys transporting goods between U.S. military bases in Iraq. Donte was a dedicated basketball fan who always had a smile on his face. Born into a family of marines, he was proud to embrace the tradition and become a member of our country's Armed Forces. Scheduled to return home in March, Donte planned on reenlisting after his tour was complete.

Today, I join Donte's family and friends in mourning his death. Donte will forever be remembered as a loving son, grandson, and friend to many. He is survived by his mother, Carla Plowden; father, Daniel Whitworth; step-father, Kerry McGee; grandparents, Robert and Catherine Williams; and a host of other relatives, friends, and fellow marines.

While we struggle to express our sorrow over this loss, we can take pride in the example Donte set as a dedicated soldier. Today and always, Donte will be remembered by family, friends, and fellow Hoosiers as a true American hero, and we cherish the sacrifice he made while dutifully serving his country.

As I search for words to do justice to this valiant fallen soldier, I recall President Abraham Lincoln's words as he addressed the families of soldiers who died at Gettysburg:

> We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.

This statement is just as true today as it was nearly 150 years ago, as we can take some measure of solace in knowing that Donte's heroism and memory will outlive the record of the words here spoken.

It is my sad duty to enter the name of Donte Jamal Whitworth in the official RECORD of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. I pray that Donte's family can find comfort in the words of the prophet Isaiah who said:

> He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Donte.

SERGEANT BRADLEY MARSHALL

Mr. PRYOR. Mr. President, today I pay tribute to the life, achievements, and memory of SGT Bradley Marshall of Little Rock, AR. He gave his life on July 31, 2007, defending citizens of the United States and advancing democracy throughout the world.

Sergeant Marshall served in the 2nd Battalion, 377th Parachute Field Artillery Regiment, 4th Brigade Combat Team, Airborne, 25th Infantry Division, Fort Richardson, AK. His bravery on behalf of this Nation is heroic. His service, professionalism and allegiance to this country will continue to serve as the standard bearer for which to honor our great Nation.

Friends and family described Bradley as athletic and fun-loving. He was a loyal and valued member of his church, community, and Nation. As a husband and father, Bradley loved his family greatly and always cherished their time together. His wife of 17 years, Gina Marshall, said of him ''Brad was the love of my life.'' His son Wesley remembers his dad stopping by his room each night to say, ''I love you.'' Tanner, Marshall's other son, put together a slide show presenting hundreds of pictures of his father.

He touched many lives and was respected by everyone that knew him. Bradley was known as the dependable man who made sure things got done in his own quiet way such as cutting the grass at church, remodeling a home for his former high school coach, doing chores around the house, and helping with vacations for the family. Bradley's church named their new Brad Marshall Family Life Center in honor

of him and the sacrifice he gave to this country.

Mr. President, I ask that my colleagues join me in recognizing the sacrifice SGT Bradley Marshall and his family have given to protecting our freedom.

REMEMBERING ELISHA ''RAY'' NANCE

Mr. WARNER. Mr. President, I wish to pay appropriate tribute today to an American hero—Elisha ''Ray'' Nance—of Bedford, VA.

He passed away last Sunday at the age of 94, and memorial services are being held today.

Mr. Nance was the last surviving member of what has come to be known as ''The Bedford Boys''—members of Company A, 116th Infantry, 29th Division.

Mr. Nance was among 38 National Guardsmen from the close-knit community of Bedford who were called to active service in World War II. On June 6, 1944, 19 were killed when they landed on Omaha Beach at the start of the D-day invasion. Two more died later.

''We Bedford boys,'' Nance recalled, ''we competed to be in the first wave. We wanted to be there. We wanted to be the first on the beach,'' he would write as he recovered from his own severe wounds.

Bedford recorded 21 casualties out of 38 men who served, all from the same small town of 3,200 people located in central Virginia.

That overwhelming loss led to Bedford's selection as the site of the National D-day Memorial—a worthy project I was honored to support, both as a private citizen and as Virginia Governor.

But Ray Nance's public service did not end with his military service.

To honor his fallen brethren, Nance returned home to Bedford and helped reorganize Company A of the Virginia National Guard, and served as its first commander. He then built a career as a rural postal carrier, and served in the Elks.

At the end of his life, he was a proud resident of the Elks National Home in Bedford.

In recent years, he visited the D-day Memorial often to help teach younger generations about the service, courage and sacrifice demonstrated by ''The Bedford Boys'' and others of the ''greatest generation.''

Ray Nance's life and example demonstrate the very best qualities—and the responsibilities—of citizenship.

My thoughts and prayers are with his widow Alpha and their children, grandchildren and great-grandchildren. A grateful Commonwealth and Nation thanks them for their lifetime of support for Ray Nance—a hero—and the last of ''The Bedford Boys.''

NATIONAL WORKERS MEMORIAL DAY

Mr. CRAPO. Mr. President, today I wish to mark an anniversary, one that was many tragic years in the making. According to the Idaho AFL–CIO, 35 Idaho workers were killed due to on the job injuries in 2007. Next Tuesday, April 28, is National Worker's Memorial Day, which celebrates the day the Occupational Safety and Health Act—OSHA—became law in 1970.

More than 30 years ago, in 1967 a construction worker in Nampa, ID, Louis Jose Archuleta, was killed in a jobsite accident. Louie and others were installing a sewer line, 35 feet deep, in sandy soil, when the soil caved in. It trapped Louie, and, although fellow workers and rescue crews worked diligently for two and a half hours, their efforts were hampered due to further collapses of cleared areas, and Archuleta did not survive.

But Louie and many other workers knew what they were facing. Just a week before the accident, Louie told his sister Victoria that it was the most dangerous job he had ever worked on. Safety inspectors were in the process of shutting the job down at the time of the accident, a process that, in 1967, took at least 5 days to shut down a job.

Louie was very active in the local labor union and served three terms—9 years—as president of Labor's Union Local No. 267 in Pocatello, ID. He was a strong advocate for a retirement system. As a result of the tragedy, the Idaho AFL–CIO joined the push for Federal legislation to protect workers, legislation that was later known as Occupational Safety and Health Act, OSHA.

With Louie, his family and the many others who have suffered due to worker safety issue, I am honored to recognize National Worker's Memorial Day, keeping in mind Louis Jose Archuleta and all fallen workers for their contribution to the infrastructure of the State of Idaho and the Nation and to the establishment of OSHA and much-needed increased worker safety standards.

IDAHOANS SPEAK OUT ON HIGH ENERGY PRICES

Mr. CRAPO. Mr. PRESIDENT, in mid-June, I asked Idahoans to share with me how high energy prices are affecting their lives, and they responded by the hundreds. The stories, numbering well over 1,200, are heartbreaking and touching. While energy prices have dropped in recent weeks, the concerns expressed remain very relevant. To respect the efforts of those who took the opportunity to share their thoughts, I am submitting every e-mail sent to me through an address set up specifically for this purpose to the CONGRESSIONAL RECORD. This is not an issue that will be easily resolved, but it is one that deserves immediate and serious attention, and Idahoans deserve to be heard. Their stories not only detail their struggles to meet everyday expenses, but also have suggestions and recommendations as to what Congress can do now to tackle this problem and find solutions that last beyond today. I ask unanimous consent to have today's letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

My personal and family circumstances are good with regard to income and out-go. That being said, the price of fuel, whether diesel or gasoline, is still an outrage, but there is absolutely nothing the government should do about it directly. Yes, we should make a meaningful effort to develop alternative fuel sources and methods of transportation and even responsibly drill for our own oil and gas here at home. But, the minute [price controls are started], that is when all hell breaks loose and things go to hell in a handbasket. Please advise your colleagues to not impose a windfall profits tax on oil companies. That will be another direct tax on the American consumer, [even though many do not pay attention.] Most Americans will just continue to believe it is the oil companies that are the culprits because of what we hear on TV!

Please be smart about this. Let capitalism rule. Tell our ''friends'' in the Middle East to enjoy selling to China and India and let us become responsibly self-sufficient, like we should be. And, by the way, if oil were not traded as a futures commodity, I am betting the price would tank quickly and substantially. What do you think?

SCOTT, *Malad.*

Thank you for asking about how gasoline prices are affecting my family. The increase of energy costs has allowed my family to make conscious decisions, instead of acting on impulses. Our family is combining trips and errands. We are going with each other instead of separately and enjoying our new shared times. I am so disappointed when I reviewed the salaries of the big oil executives and found them arrogant when I watched them testifying before the Committee on C–SPAN. It looks to me like they pocketed the money and failed to improve their facilities.

I have been discouraged that not one of Idaho's Congressional delegation has asked my family to conserve one ounce of petroleum. I do not want a knee-jerk reaction to higher prices at the pumps and check-outs; I want examination, reviews and bipartisan recommendations. It seems the decisions made in hurry during the last eight years have caught up with us. Slow down and do what is right for America.

JUNE.

I am grateful that you have given us a chance to be able to express our frustrations and opinions on what is going on with the energy situation.

We moved to Idaho Falls from Utah four years ago because my husband was able to get a job, with his Bachelors degree, that paid more per year than I was making with a Masters degree teaching. The cost of living was lower than Utah, and we absolutely love the area. We bought our home, as a foreclosure, three years ago about six miles outside of Idaho Falls, in Iona. It was cheaper to buy a foreclosure than it was to rent an apartment.

We are not extravagant by any means. We try to conserve energy. We are fixing our home as fast and as cost-effective as we can, which has not been too fast. About a year ago, because all of our bills were going up and our paycheck was not, we made the decision that it was better to forego medical insurance for the family and put money away into a health savings account (HSA). Our reasoning is that we have to live day-to-day

paying our bills, and it is an off-chance that we use our insurance. We have definitely paid more for premiums in the last two years than we have used since we married six years ago, besides the fact that the premiums were once again going up to a level that we could not afford them anyway. It was wonderful! We were able to start paying down debt (which we really do not have a lot of outside our house and student loans). We drive older vehicles that are paid off.

Since then, our bills have about doubled. We put a wood stove in our home two years ago because of the high increase in natural gas and, although that has saved us a lot of money, the price increase is still staggering. Our power bill has almost doubled also, although we use our furnace/AC about half as much as we used to, put in the compact fluorescent bulbs and put in a clothesline.

My husband works as a PSR worker and has anywhere from 6–10 clients a week, and is pretty much mandated by Medicaid to spend three or less hours with each client. The only problem is that his clients live anywhere from Menan to Ammon. His work reimburses him $3/hour/client (billable hour—meaning he has to be with his client to bill) to pay for gas, phone and wear and tear on our vehicle. He puts about 200 miles on the ''work car'' each week. He is already gone about 55 hours a week, in which he is only paid 40–43 because he is not paid for drive time. Lately [he has been] working overtime which allows us to pay our bills and pay a little extra each month. But his bosses have been getting tough on allowing overtime (which is a catch–22 since they will not guarantee him 40 hours a week—if he has a client cancel on him, tough luck). We have considered him getting another job, but he really does not have any time to fit in another job, and he is scared of leaving his current job because our family depends on him for support and he does not want to go from bad to worse.

Since the price of energy has gone up, we have cut our expenses as much as we can. We did not drive much before but other than my husband working, we go to church on Sunday and go into town, as a family, to do shopping and other errands about once a month. We have also had to cut our grocery list because of the price of food. It is not just gas, electricity and natural gas that have gone up, our water, sewer and now property taxes have gone up too, where is this going to end?

We look at our budget now and wonder what else we can cut when (and we have no illusions that anything is going down anytime soon) energy costs go up anymore. We can cut our internet, landline and our entertainment budgets which will save us $60 a month—a tank of gas right now. But other than that we are stretched pretty thin, and we are not paying anything into a HSA because there is nothing left.

I do not have all the answers, but I know that it is a failed policy on the part of our government that is making things more difficult than it needs to be. When our country is allowing a minority group of people (environmentalists) create our energy policies the majority of the people are going to suffer. I know that we have a need to protect our environment, but there are new technologies there that we are not allowed to pursue either. I am frustrated beyond words. Our government is trying to help everyone in a crisis, but is creating a greater crisis with regulations. I could have had the same policy as the government and not gotten a degree because it would not have immediate effects. I could completely neglect my children because the things I teach them now will not have an immediate effect. I could extend the analogy to a lot of things. We need to start working on new energy policies that may not take effect until later, but will help later. Let us stop procrastinating and do.

CAROLYN.

As a small business building contractor, our fuel prices have gone out of sight, let alone building materials, which our increases can hardly cover. The only thing that does not go up is wages. We have to subsidize our workers' fuel just to get them to work. It cannot go on this way for much longer.

J.K.

Like you and countless others, I believe that many of the serious lifestyle challenges we face are energy-related. It is obvious to any thinking Idahoan and hopefully most Americans, that our physical security as a nation is gravely undermined because of our dependence on foreign, particularly Mid-East oil. Unfortunately I do not believe most people understand the severe erosion and peril to our economic security this dependence has placed us in. Our founding fathers warned us against becoming entangled in foreign affairs. I am not ignorant to how the world has become smaller, but for us to be dependent on something so critical as energy independence is to me unconscionable. I believe the Founders roll in their graves when they look down on us and see how we have trampled on the sovereignty they bequeathed to us. I am hopeful that your effort includes work to help us restore the freedoms and independence that has made America such a remarkable phenomenon on the stage of world history. I fear that we as a people and our representatives have forgotten our roots the principles we were founded upon. We are being carefully led down a slippery slope away from a heritage enshrining freedom by federal and world nannies who ''know better'', patting us on the head along the way. My concern is that in the struggle to get anything ''accomplished'' in Washington, principles are sometimes sacrificed for the sake of expediency. Compromising principle for short-term gains, in my view, is not the noble and magnanimous deed that most ascribe them to be. Would that we defend principles in the Churchillian fashion of ''We will never surrender!''.

I know you wish this to be brief and so after that rather lengthy philosophic opener, I will now focus on some specifics. These specifics are predicated that we as Americans act as independent Americans, not vassals to world opinion and the Benedicts amongst us.

New Domestic Oil Reserves: I believe we are smart and responsible enough to aggressively pursue new petroleum sources domestically, including offshore sources, while being good stewards of our environment. No intelligent human wants to soil where he lives. Environmentalists were right with their concerns in the past. We did stupid things while chasing the dollar, ignoring the big picture impact of our actions. However, today's environmental wackos have swung the pendulum out of proportion. To remain a prosperous and free nation, we must have energy independence. This is not an option and we must move very quickly to achieve it. While doing this we must find a way to foster a climate of competition with existing interests rather than merely providing them more tools to control this vital segment of our economy.

A Call for a Congressional Investigation: The greatest export our country has given to the world is freedom resulting from our remarkable experiment in self-governance. The miracle of our country's success is based upon collective and individual freedom. We have wise laws prohibiting the undermining of competition. I believe that over time, the oil industries have systematically squelched competition and any technology that has had any possible chance of adversely affecting their sacred cash cows. I would like to see a congressional investigation into how the oil industry has been involved in these things over the last 50 years. There is way too much anecdotal evidence of new conservation technologies being snuffed out, new forms of energy being squashed, and collusion amongst oil companies and nations to just simply ignore as the rantings of those engaged in fringe conspiracy theories. Something just does not smell right and I would feel a whole lot better if there was an honest effort to focus the light of day on these issues to see if there will be any cockroaches scurrying for cover.

Nuclear Energy: I know you are aware of all of the arguments for this and I will not belabor the points here. I am in favor of getting the government off of our backs and out of our faces so we can speed up the process of harnessing the power of the atom. New research should also be aggressively pursued, including fusion research for the long term. Current nuclear regulations and bureaucracy have strangled us and created the mess we are in today. It would be an interesting exercise to pull the string on who has benefited from all the obstacles that have been placed in the path of the nuclear industry. While encouraging nuclear energy, care must be taken so that this new form of energy provides competition to those who already have one hand at our throats and the other in our back pockets.

Alternative Forms of Energy: Research should be supported exploring hydrogen, wind, solar, geothermal, hydro, etc. I believe this to be a national security issue and justifies the involvement of the federal government to achieve it. Although these will not solve our problems immediately, we should be doggedly engaged in reducing our dependence on oil from multiple fronts with lasting solutions.

Conservation: While I do not believe conservation adequately addresses the solution to our problems, I believe it plays a part. Conservation efforts need to be encouraged as long as they do not impinge upon the free market or individual constitutional freedoms. The question needs to be asked and then answered, ''Who has a vested interest in keeping things as they are by undermining conservation efforts?'' Then there are follow-up questions. Do they have the means to impose their wills? If the answer is yes, how and where have they done so? These same questions can also be applied to our lack of progress in moving toward alternate non-petroleum energy sources, including nuclear.

Political: I believe there are very powerful forces at play benefitting those who currently have money, influence, and power, maintaining and advancing their interests. I believe this to be the root problem of our energy situation. Unless this is addressed, I do not believe we will accomplish any lasting cure. We may win a minor skirmish here and there and deflect or delay the end result, but unless we attack the heart of the problem, in my opinion, we will lose the battle. The battle is over freedom. It is an ancient battle that has been waged from before the foundations of the earth. You are in a unique position to make a difference and what little ability and support I can give to you in that struggle is yours to draw from. I do not envy you if you choose to engage this problem head on but I hope that you recognize the truth in what I am saying. Much is at stake. You would risk much in attempting to tackle it. My prayers are with you.

Thanks for listening and soliciting input on this issue. I wish you good luck and

pledge you my support in this Herculean effort if you so choose to fully engage yourself in it.

KEITH, *Rigby*.

ADDITIONAL STATEMENTS

TRIBUTE TO PETER FITHIAN

• Mr. INOUYE. Mr. President, as Hawaii celebrates its 50th anniversary of statehood, I would like to recognize Mr. Peter Fithian for his illustrious career of 50 years and invaluable service as founder and director of the Hawaiian International Billfish Tournament.

Peter has been a dear friend of mine for many years, and I am honored to have this opportunity to share with you the profound impact he has had on my home State of Hawaii. His tremendous commitment to the people of Hawaii has led to the establishment of the internationally renowned Billfish Tournament, which truly put Hawaii on the map of sport fishing, drawing both spectators and competitors from all over the world. I commend him for his tireless efforts in building a longstanding tradition while promoting tourism and marine conservation in our island community. Through Peter's unwavering passion in cultivating Hawaii's proud heritage of recreational fishing, he has founded not only an event that encourages warm fellowship, but has created an educational opportunity that deserves our highest praise.

Mr. President, I ask my colleagues to join me in acknowledging the great service and accomplishments of Mr. Peter Fithian.•

BOSTON AREA RAPE CRISIS CENTER

• Mr. KERRY. Mr. President, next week is National Crime Victims' Rights Week when our country honors the heroism of crime victims and shows our gratitude to advocates who work to protect those who have been victimized. I am proud to say that as part of this commemoration Attorney General Eric Holder will be honoring the Boston Area Rape Crisis Center, BARCC. I would like to add my congratulations and sincerest thanks for the important work that is done at BARCC.

BARCC has been helping victims of rape and sexual assault in Boston since 1973, making it one of the first such centers of its kind. Highly trained counselors and advocates team with volunteers from the area to create a nurturing, and supportive, environment for these victims. Through their hard work and selfless dedication, they serve over 4,000 victims a year providing critical services to the people of Boston. Additionally, they participate in statewide and national training in best practices and education sharing their knowledge and experiences. BARCC is also committed to preventing future victims by doing outreach in the community on sexual assault awareness, particularly on the many college and university campuses in Boston. Their comprehensive expertise in violence prevention, victims' rights, and victims support is what makes BARCC such an exceptional facility.

I join Attorney General Holder, the people of Boston, and Janet Yassen, director of the Victims of Violence Program, Cambridge Health Alliance, who nominated BARCC for this honor, in expressing our gratitude to the staff and volunteers at BARCC for the incredible service they provide.•

TRIBUTE TO LOUISIANA WWII VETERANS

• Ms. LANDRIEU. Mr. President, I am proud to honor a group of 98 World War II veterans from all over Louisiana who will travel to Washington, DC, on April 25 to visit the various memorials and monuments that recognize the sacrifices of our Nation's invaluable service members.

Louisiana HonorAir, a group based in Lafayette, LA, sponsored this trip to the Nation's Capital. The organization is honoring each surviving World War II Louisiana veteran by giving them an opportunity to see the memorials dedicated to their service. The veterans visited the World War II, Korea, Vietnam, and Iwo Jima memorials. They also traveled to Arlington National Cemetery to lay a wreath on the Tomb of the Unknowns.

This is the second of four flights Louisiana HonorAir is making to Washington, DC, this spring. It is the 15th flight to depart from Louisiana, which has sent more HonorAir flights than any other State to the Nation's Capital.

World War II was one of America's greatest triumphs but was also a conflict rife with individual sacrifice and tragedy. More than 60 million people worldwide were killed, including 40 million civilians, and more than 400,000 American service members were slain during the long war. The ultimate victory over enemies in the Pacific and in Europe is a testament to the valor of American soldiers, sailors, airmen, and marines. The years 1941 to 1945 also witnessed an unprecedented mobilization of domestic industry, which supplied our military on two distant fronts.

In Louisiana, there remain today more than 33,000 living WWII veterans, and each one has a heroic tale of achieving the noble victory of freedom over tyranny. This group had 31 veterans who served in the U.S. Army, 23 in the U.S. Air Force, 35 in the Navy, 1 in the WAVES—Women Accepted for Volunteer Emergency Service—7 in the Marines, and 1 in the Merchant Marines.

Our heroes trekked the world for their country. Their journeys spanned Europe, the Utah and Omaha Beaches, France, the Rhineland, Central Europe, Holland, Italy and North Africa. They fought in the Pacific as well—at Russell Island, Gilbert Island, the Philippines, Tarawa, Luzon, New Guinea, Tinian, Guam, Okinawa, Iwo Jima, Guadalcanal, New Hebrides, Saipan and Bougainville. Their fight for freedom extended to Alaska, Azores, Iceland, and the Aleutian Islands.

One of our Army Air Corps veterans received the Croix de Guerre Avec Palm and the Bronze Service Star for campaigns in Northern France, Central Europe, and the Rhineland. He also fought at Utah Beach on D-day. Another of our Army Air Corps veterans fought in the Mediterranean Theater and completed 50 missions as a ball turret gunner.

One of our marines received the South Pacific Purple Heart, and an Army veteran fought at Omaha Beach with GEN George Patton. Yet another Army veteran was on GEN Douglas McArthur's staff.

I ask the Senate to join me in honoring these 98 veterans, all Louisiana heroes, who will visit Washington, and Louisiana HonorAir for making these trips a reality.•

TRIBUTE TO MAJOR GENERAL ELDER GRANGER, M.D.

• Mrs. LINCOLN. Mr. President, today I wish to recognize the outstanding service that MG Elder Granger has given to Arkansas and our great Nation through his work in the military medical services.

Since 2005, MG Elder Granger, M.D., has served his country as the deputy director of the TRICARE Management Activity in the Office of the Assistant Secretary of Defense for Health Affairs. Prior to joining TRICARE, Major General Granger led the largest U.S. and multinational battlefield health system in our Nation's recent history as Commander of the Task Force 44th Medical Command and Command Surgeon for the Multinational Corps in Iraq.

Major General Granger also brilliantly implemented TRICARE's $22.5 billion Defense Health Program that benefitted over 9.2 million people worldwide. With his compassion and dedication, Major General Granger improved patient care for the entire military health system by managing the TRICARE benefits for an international network of 75 military hospitals, 461 service clinics, and a network of civilian providers and hospitals. An enthusiastic advocate for the military health system, Major General Granger directed the launch of a TRICARE Web portal which improved communications between beneficiaries and enhanced health benefits information services. This technology is projected to reach 23 million individuals by 2009.

Through the TRICARE's mail order pharmacy program, Major General Granger increased the number of users utilizing mail-order pharmacy prescriptions by 16 percent, as well as increasing total prescription volume by

21 percent. In addition, he established a Web/call-in center which handled 21,412 beneficiary requests for 47,213 prescription conversions as of November 2008, which amounts to an estimated cost avoidance of $3.2 million to date. Major General Granger also oversaw the establishment of the voluntary agreement for retail rebates, which has resulted in a pharmaceutical industry rebate of $28 million since the beginning of 2007. Further, he established electronic claims processing which has already saved $1.6 million in administrative fees in addition to $105 million in overhead savings.

A native of West Memphis, AR, MG Elder Granger has played an active role in veterans' medical services since the beginning of his career. He represents the great progress that has and will continue to occur within the military health system. He is a mentor to his staff, a leader in his field, and a soldier ready for any mission.

I am honored to recognize his service.●

TRIBUTE TO HAROLD ''BUDDY'' BROWN

● Ms. MURKOWSKI. Mr. President, today the people of Interior Alaska—our Native people and the entire Fairbanks community—mourn the loss of one of the most promising Native leaders of this generation.

Harold ''Buddy'' Brown died yesterday of cancer at the age of 39. Buddy is survived by his wife Patti and two children, Xavier, age 7, and Alana, age 3.

Throughout Indian Country we are witnessing the generational shift in leadership to young people who have mastered the challenge of living in two worlds. They have completed college, gone on to obtain graduate and professional degrees, and returned to serve their people. One foot in the traditional world of their Native communities, the other in the modern worlds of business, finance, management and law.

Within the Alaska Native community, Buddy Brown stood at the vanguard of this generational shift. After graduating from the University of New Mexico Law School in 1997, he immediately went to work for the Tanana Chiefs Conference, the consortium of 42 tribes in Interior Alaska. He was hired on as associate counsel.

Five years later, Buddy was elected President of the Tanana Chiefs Conference. In this role he led a region which encompasses about 235,000 square miles, an area equal to about 37 percent of the State of Alaska and just slightly smaller than the state of Texas. In 2006, Buddy retired from this position to heal and to spend time with his family.

The Tanana Chiefs region is known throughout the State of Alaska for producing leaders of statewide and national repute—Bridge builders who have a particular talent for engaging the broader community to support the causes and concerns of our Native people.

The late Morris Thompson, who tragically died in the 2000 crash of Alaska Airlines Flight 261, is the best known Native leader to come from this region, beloved throughout the State for his talent in building bridges.

Morris Thompson was Buddy Brown's mentor and friend, and I am told that he expected Buddy Brown would grow to become a leader whose accomplishments would exceed Morris's own. Buddy was widely regarded in Alaska as the best and brightest of this new generation. He reached great heights in a few short years, but I am saddened that Alaska will never realize the true potential of this truly extraordinary individual.

There is little I can say to console our grieving community today but I do have a few words for Xavier and Alana and the Native youth of Interior Alaska. Buddy Brown appreciated that youth is no impediment to leadership, that the energy and new ideas of the youth are desperately needed to keep our Native institutions thriving. Buddy devoted his life to preparing to undertake this leadership role.

Take inspiration from Buddy's life and become the leader that each of you has the potential to be. I want to help you to achieve this goal for yourself, for your people, and for all of Alaska.●

REMEMBERING MORRIS O'QUIN

● Mr. PRYOR. Mr. President, today I honor the life and work of Morris O'Quin of Harrison, AR. Morris passed away unexpectedly on April 19, 2009, due to a sudden respiratory illness. I know the thoughts of many Arkansans and others around the country are with the O'Quin family, especially his wife of 21 years, Dana, and their children, Marrick and Morgan.

Morris devoted his life to public service and Arkansas agriculture. He most recently served as a Farm Service Agency—FSA—county director in Boone County, AR. In this capacity, he also served as a national board member for the National Association of Farm Service Agency State and County Office Employees—NASCOE—where he advocated on behalf of other employees and volunteers who served similar roles as public servants in the agricultural sector in Arkansas and throughout the country. He has been a lifelong advocate for agriculture.

Since coming to the Senate in 2003, I have had the benefit of getting to know Morris well during his frequent trips to Washington to meet with other leaders of the Farm Service Agency, advancing the mission and purpose of the Agency. He was an ambassador for the State of Arkansas and a tireless advocate for the FSA, its mission, and its employees. He understood Arkansas agriculture and the importance of the Agency in supporting continued production of agricultural products. His duty to the Farm Service Agency and the promotion of its mission were his passions.

I vividly remember working closely with Morris in 2005 to ensure that the Department of Agriculture did not irresponsibly move to reduce the essential services that the Farm Service Agency provides to farmers and ranchers through the county office structure. He explained to me that the county offices provide essential services to the farmer through face-to-face interactions and that shutting down multiple county offices without making needed technology upgrades and providing technical assistance for this transition would cause significant harm to our nation's farmers and ranchers.

His advocacy for FSA workers and the farm community in Arkansas along with his leadership within NASCOE helped me pass a critical amendment to 2006 Agriculture appropriations bill to prevent FSA county office closures and further consolidations. This amendment prevented the administration from closing over 700 county offices nationwide and ensured that the critical services provided by these offices would continue until the USDA developed technology upgrades needed to make such a transition, and until the USDA clearly explained the needs and benefits for making such drastic reforms. This was a tremendous accomplishment that would not have been possible without Morris's focus and leadership.

Morris understood that without the hard work and sacrifice of local FSA employees, many family farms would not have the resources necessary to make a living and provide America a safe and affordable food supply that we all too often take for granted. This understanding was behind his drive to convince me and other lawmakers of the importance of stopping the USDA initiative to diminish the role of FSA offices and employees.

Morris's most recent accomplishment revealed his care for the community. After the devastating Arkansas ice storms that hit in January of this year, Morris spent hours working to deliver essential FSA services to neighbors, farmers, and ranchers in Boone County and other parts of northern Arkansas. The 2009 ice storm caused extreme damage to northern Arkansas, and Morris stepped up to provide much needed assistance. Under much pressure, he was doing a tremendous job of providing Environmental Conservation Program funds to help get impacted farmers back on their feet and producing again. This is just one other example of his exemplary work in his capacity as a public servant.

While I will remember Morris for his work as a county director and a NASCOE advocate, I will remember him most for his kind and calm demeanor, his concern for the well-being of those around him, his tireless work on behalf of those who depended on him, and his character and integrity in all of his endeavors. He was a relatively quiet person, not a personality

that you get a lot of in Washington, but he was filled with pride for his work, the work of FSA employees, and American agriculture. He would always articulate the importance of these to me in the most clear, concise, and endearing terms. Meeting with him was always a pleasure as he carried a calmness about him that always reminded me of the best of Arkansas. Much like many Arkansans I know, he possessed a kind heart and a gentle spirit always putting others before him. He earned my enduring respect and admiration. I will remember him for his optimistic spirit, enjoyable personality, and humble and effective leadership.

It is with great sadness, that I come before the Senate today, but I know he has gone to a better place, and deservedly so. I am honored to have known him and worked with him during his time on Earth. I send his wife Dana and their two children my deepest condolences. Morris O'Quin will certainly be missed, but he will never be forgotten. I ask my colleagues to keep the O'Quin family, Morris's coworkers, and his friends in your thoughts and prayers in this most difficult time.●

VERMONT CELEBRATES ITS LEADERS IN LABOR RIGHTS

● Mr. SANDERS. Mr. President, I wish to rise today to honor two Vermont businesses, Chroma Technology Corporation and Seventh Generation, which have been named to the 2009 List of Most Democratic Workplaces. This list, compiled by the labor rights organization WorldBlu, selects the gold standard in fair labor practices each year.

By creating incentives for workers to constructively participate in the governance of their company, Chroma Technology Corporation of Rockingham, VT, exemplifies the ideal of the Most Democratic Workplace. With a decentralized power structure, and with every worker eligible to become a member of the board of directors, employees genuinely play a major role in business decisions and company practices. Moreover, Chroma is 100 percent employee owned, and sets a limit on executive compensation, a limit determined by a ratio of the pay scale for the lowest-paid workers in the firm. Chroma has also developed an innovative profit-sharing system for all its employees.

The other Vermont business to receive this prestigious award, Seventh Generation, is a producer of cleaning and home care products in Burlington, VT. This impressive firm truly challenges its employees to not only participate in all aspects of the company's operations, but also to take the company's mission of positive change and apply it to the outside world. Employees can apply for committee-approved paid sabbaticals in order to participate in philanthropic endeavors. To foster companywide professional development, Seventh Generation combines teambuilding with cross-functional communication so employees gain perspective on the company's big picture operations and goals. Through these professional opportunities and many other policies, employees work outside of the box and come to share the mission of the company.

Perhaps not all companies can adopt every strategy of these two industry leaders, but we should recognize the value of their business models. Both Chroma and Seventh Generation go above and beyond the duty of an employer, and our entire economy benefits from the investment they make in training the best employees possible. I urge every American company—indeed every lawmaker in Congress—to consider the lessons we can take from these Most Democratic Workplaces. Improving job training and developing human resources is important, especially in our current challenging economy; at the same time, investment in workers creates a lasting benefit that lays the foundation for a strong future.

Treating workers with dignity and respect, enabling them to not only develop their capacities, but participate in decisionmaking, is essential to creating democratic and productive workplaces.

Mr. President, I commend Chroma Technology and Seventh Generation for a job very well done and to congratulate them on their selection as a 2009 Most Democratic Workplace.●

HONORING MICRO TECHNOLOGIES

● Ms. SNOWE. Mr. President, in our present economic situation, small businesses are finding it increasingly difficult to maintain their current operations, let alone expand their facilities, add new employees, or make significant improvements. Despite that, some firms are attempting to move forward on planned expansions, hoping to see a greater return on their investment in the future. I rise today to recognize Micro Technologies, a small company in my home State of Maine that is pushing ahead to expand its business and bring new jobs to Midcoast Maine.

Founded in 1996, Micro Technologies, located in the rural town of Richmond, serves a very specialized niche in the world of science. Focusing on aquatic animal health, Micro Technologies provides critical research and testing, diagnostics, and veterinary services related to the health of various aquatic marine species to a wide range of clients, from government agencies to small farms. The company presently has 13 employees, most of whom are graduates of Maine universities and colleges. Approved by Department of Agriculture, USDA, for export testing, Micro Technologies works with companies across the United States, Central and South America, as well as Europe.

The company's innovative research aids scientists in their quest to explain and solve a plethora of complicated health problems of aquatic animals, from common finfish like salmon and cod, to bivalves such as oysters and clams, to crustaceans like the Maine lobster. For instance, Micro Technologies' work has centered on studying viruses that affect shrimp and the causes of shell disease among lobsters. Additionally, the company tests various species for the presence of harmful viruses, ensuring that firms involved in the shipment of these species have the safest product possible. This, in turn, promotes expedient shipping, and reduces negative environmental impacts.

While the current economic insecurity poses problems to businesses large and small, Micro Technologies is moving forward on a plan to expand its facilities, add employees, and broaden the scope of its work. The company recently received a $200,000 grant from the Community Development Block Grant Program, which is aimed at helping communities across the country build affordable housing and retain businesses seeking to grow. Richmond's full board of selectmen unanimously endorsed the company's proposal before submitting the application to the Maine Department of Economic and Community Development, which approved the grant. Partnering with the town of Richmond, Micro Technologies will use this grant to make renovations to its existing facility, purchase a nearby building, add seven quality new positions, and expand its manufacturing capabilities. Micro Technologies also hopes to begin an apprenticeship program to introduce students interested in science to the unique work the company does.

American entrepreneurs have strengthened our country and its economy in good times and bad. As Micro Technologies seeks to grow, it will provide a positive impact on the local community as well as the aquatic animal health industry, which is crucial in Maine. I wish everyone at Micro Technologies best wishes and much success in their planned expansion.●

MESSAGE FROM THE HOUSE

At 12:10 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 39. An act to repeal section 10(f) of Public Law 93–531, commonly known as the ''Bennett Freeze''.

The message also announced that the House has passed the following joint resolution, without amendment:

S.J. Res. 8. Joint resolution providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 388. An act to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation,

financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes.

H.R. 411. An act to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations.

H.R. 1219. An act to make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992.

H.R. 1516. To designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the ''Sergeant Marcus Mathes Post Office''.

H.R. 1694. An act to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

The message also announced that pursuant to section 333(a)(2) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229), and the order of the House of January 6, 2009, the Speaker appoints the following members on the part of the House of Representatives to the Commission to study the Potential Creation of a National Museum of the American Latino:

As voting members: Mr. Luis Cancel of San Francisco, California; Ms. Eva Longoria Parker of San Antonio, Texas; Mr. Henry Munoz of San Antonio, Texas.

As a nonvoting member: Ms. Lorraine Garcia-Nakata of San Francisco, California.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 388. An act to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes; to the Committee on Environment and Public Works.

H.R. 411. An act to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations; to the Committee on Environment and Public Works.

H.R. 1219. An act to make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992; to the Committee on Energy and Natural Resources.

H.R. 1516. An act to designate the facility of the United States Postal Service located at 37926 Church Street in Dade City, Florida, as the ''Sergeant Marcus Mathes Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1694. An act to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program; to the Committee on Energy and Natural Resources.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1664. An act 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.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1356. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Spiromesifen; Pesticide Tolerances'' (FRL–8406–6) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1357. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyhalofop-butyl; Pesticide Tolerances'' (FRL–8406–8) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1358. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Payments made to a REMIC pursuant to the Home Affordable Modification Program'' (Notice 2009–36) received in the Office of the President of the Senate on April 21, 2009; to the Committee on Finance.

EC–1359. A communication from the Acting Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from Hood Building in Cambridge, Massachusetts, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–1360. A communication from the Acting Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from Westinghouse Atomic Power Development Plant in East Pittsburgh, Pennsylvania, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–1361. A communication from the Acting Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from Tyson Valley Powder Farm near Eureka, Missouri, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–1362. A communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, a report relative to the acquisitions made annually from entities that manufacture articles, materials, or supplies outside of the United States for fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC–1363. A communication from the Acting Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Public Readiness and Emergency Preparedness (PREP) Act Declarations for Botulinum Toxin, Smallpox, Acute Radiation Syndrome and Pandemic Influenza''; to the Committee on Health, Education, Labor, and Pensions.

EC–1364. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–35, ''Randall School Development Project Tax Exemption Temporary Act of 2009'' received in the Office of the President of the Senate on April 2, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1365. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–36, ''SOME, Inc. Tax Exemption Temporary Amendment Act of 2009'' received in the Office of the President of the Senate on April 2, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1366. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18–37, ''Records Access Temporary Amendment Act of 2009'' received in the Office of the President of the Senate on April 2, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC–1367. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to activities carried out by the Family Court during 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–1368. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, an annual report relative to Federal sector equal employment opportunity complaints filed with the Office during fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–1369. A communication from the Secretary, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Annual Report for fiscal year 2008; to the Committee on Homeland Security and Governmental Affairs.

EC–1370. A communication from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Inspector General, as received during adjournment of the Senate in the Office of the President of the Senate on April 7, 2009; to the Select Committee on Intelligence.

EC–1371. A communication from the Chief Judge, United States Court of Federal Claims, transmitting, pursuant to law, a report relative to the Land Grantors in Henderson, Union, and Webster Counties, Kentucky and their heirs v. United States (Congressional Reference No. 93–648X); to the Committee on the Judiciary.

EC–1372. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Ryan Haight Online Pharmacy Consumer Protection Act of 2008'' (RIN1117–AB20) as received during adjournment of the Senate in the Office of the President of the Senate on April 3, 2009; to the Committee on the Judiciary.

EC–1373. A communication from the Deputy Chief of the Regulatory Management Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Forwarding of Affirmative Asylum Applications to the Department of State'' (RIN1615–AB59) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2009; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–17. A resolution adopted by the legislature of the Province of Batangas, Republic of the Philippines, forwarded by the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, commending and expressing thanksgiving and commendation to the President of the United States, the U.S. Congress, and the American taxpayers for the signing of the U.S. Economic Stimulus Package, which includes $198 million in benefits to Filipino veterans who fought side-by-side with American soldiers in World War II; to the Committee on Appropriations.

RESOLUTION NO. 169

Whereas, the U.S. Economic Stimulus Package, recently signed into law by President Barack Obama includes some $198 Million in benefits to Filipino Veterans who fought with American soldiers of World War II;

Whereas, as provided, a one-time payment of $15,000 for each Filipino Veteran who had since become a U.S. citizen and $9,000 for non-citizens will be made to former soldiers or their surviving spouses;

Whereas, historically, it is a fact that Filipino Veterans of World War II had been conscripted and fought side-by-side with their American comrades in the Pacific Theater, more specifically in the battle front of Bataan and Corregidor. Quoting Senator Daniel Inouye of the American Senate: ''In 1941, President Franklin Delano Roosevelt issued a military order calling on the Commonwealth Army of the Philippines to serve with the U.S. Army in the Far East, entitling Filipino soldiers who served full U.S. Veterans benefits because of their service'';

Whereas, the best feature of the provision is its unequivocal recognition of the role played by Filipino Veterans during the World War II. The implication is that it is important enough to stand alongside solutions to Americans' present day economic slump. This rectifies previous ''snubs''—laws reneging on promises made to these soldiers as part of the U.S.' post war cost-saving measures, like the U.S. Recession Act of 1946, duly signed by then President Harry S. Truman into law;

Whereas, the measure is hailed by many and is seen as a victory after more than four decades of expectations. The surviving veterans are now in their 80s and 90s, any form of compensation will help make the remaining days of their lives more meaningful;

Now therefore, on motion by Honorable Board Member Florencio A. De Loyola, duly seconded,

Resolved, As it is hereby resolved, to COMMEND AND EXPRESS ITS SINCEREST THANKS to his Excellency President BARACK OBAMA of the United States of America, the American Congress more particularly the Speaker of the House of Representatives Honorable NANCY PELOSI, Senate President Honorable JOSEPH R. BIDEN JR., Democrat Senator from Hawaii Honorable DANIEL INOUYE and the American Taxpayers, in general, for the signing of the U.S. Economic Stimulus Package which includes some $198 Million in benefits to Filipino Veterans who fought side-by-side with American Soldiers in World War II.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MCCASKILL (for herself and Ms. SNOWE):

S. 848. A bill to recognize and clarify the authority of the States to regulate intrastate helicopter medical services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself, Mr. INHOFE, Mrs. BOXER, and Mr. KERRY):

S. 849. A bill to require the Administrator of the Environmental Protection Agency to conduct a study on black carbon emissions; to the Committee on Environment and Public Works.

By Mr. KERRY:

S. 850. A bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks; to the Committee on Commerce, Science, and Transportation.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 851. A bill to prohibit the issuance of any lease or other authorization by the Federal Government that authorizes exploration, development, or production of oil or natural gas in any marine national monument or national marine sanctuary or in the fishing grounds known as Georges Bank in the waters of the United States; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. 852. A bill to apply an alternative payment amount under the Medicare program for certain graduate medical education programs established to train residents displaced by natural disasters; to the Committee on Finance.

By Mr. KAUFMAN (for himself, Mr. CARPER, and Mr. CASEY):

S. 853. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself and Mr. BROWN):

S. 854. A bill to amend the Federal Water Pollution Control Act to update a program to provide assistance for the planning, design, and construction of treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows, and to require the Administrator of the Environmental Protection Agency to update certain guidance used to develop and determine the financial capability of communities to implement clean water infrastructure programs; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself and Ms. KLOBUCHAR):

S. 855. A bill to establish an Energy Assistance Fund to guarantee low-interest loans for the purchase and installation of qualifying energy efficient property, idling reduction and advanced insulation for heavy trucks, and alternative refueling stations, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 856. A bill to establish a commercial truck highway safety demonstration program in the State of Maine, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. DODD, Mrs. GILLIBRAND, Ms. LANDRIEU, and Mr. VITTER):

S. 857. A bill to amend the Internal Revenue Code of 1986 to allow a $1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations; to the Committee on Finance.

By Mrs. BOXER (for herself, Mr. CARDIN, Mr. LEVIN, Mr. MERKLEY, and Mr. WHITEHOUSE):

S. 858. A bill to protect the oceans and Great Lakes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL (for herself, Ms. SNOWE, Mr. KERRY, and Mr. NELSON of Florida):

S. 859. A bill to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON of Nebraska (for himself, Mr. BARRASSO, Mr. MERKLEY, Mr. JOHANNS, Mr. CARPER, Ms. KLOBUCHAR, and Mr. KAUFMAN):

S. 860. A bill to amend the Internal Revenue Code of 1986 to provide a Federal income tax exclusion for assistance provided to participants in State student loan programs for certain health professionals; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr. MCCAIN, Ms. COLLINS, Mr. MARTINEZ, Mr. DEMINT, Mr. CHAMBLISS, Mr. ISAKSON, Mr. BURR, and Mr. INHOFE):

S. 861. A bill to amend the Nuclear Waste Policy Act of 1982 to require the President to certify that the Yucca Mountain site remains the designated site for the development of a repository for the disposal of high-level radioactive waste, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE:

S. 862. A bill to require the Secretary of the Treasury to use any amounts repaid by a financial institution that is a recipient of assistance under the Troubled Assets Relief Program for debt reduction; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR:

S. 863. A bill to amend the Truth in Lending Act to protect consumers from certain practices in connection with the origination of consumer credit transactions secured by the principal dwelling of the consumer, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DORGAN (for himself, Ms. SNOWE, Mr. KERRY, Mr. SCHUMER, Mrs. LINCOLN, Ms. STABENOW, Mr. VOINOVICH, Mr. BURR, Mr. PRYOR, Mr. LEAHY, and Mr. LEVIN):

S. 864. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Finance.

By Mr. BENNETT:

S. 865. A bill to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909; to the Committee on Energy and Natural Resources.

By Mr. REED (for himself, Ms. COLLINS, Mr. DODD, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Mrs. LINCOLN, Mrs. MURRAY, Mr. MENENDEZ, Mr. SANDERS, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. DURBIN):

S. 866. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 867. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself, Mr. CRAPO, and Mr. TESTER):

S. 868. A bill to repeal certain provisions of the Federal Lands Recreation Enhancement Act; to the Committee on Energy and Natural Resources.

By Mr. THUNE:

S. 869. A bill to require the Secretary of the Treasury to use any amounts repaid by a financial institution that is a recipient of assistance under the Troubled Assets Relief Program for debt reduction; to the Committee on Finance.

By Mrs. LINCOLN (for herself, Mr. ROBERTS, and Ms. SNOWE):

S. 870. A bill to amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LEAHY (for himself, Mr. GREGG, Mr. FEINGOLD, Mr. KENNEDY, Mr. SANDERS, Mr. KERRY, and Mr. CHAMBLISS):

S. Res. 108. A resolution commending Captain Richard Phillips, the crew of the ''Maersk Alabama'', and the United States Armed Forces, recognizing the growing problem of piracy off Somalia's coast, and urging the development of a comprehensive strategy to address piracy and its root causes; considered and agreed to.

By Mr. CRAPO (for himself, Mr. LUGAR, and Mr. RISCH):

S. Res. 109. A resolution commending the bravery of the girls who attend the Mirwais School for Girls in Kandahar, Afghanistan; to the Committee on Foreign Relations.

By Mr. BURR (for himself and Mrs. HAGAN):

S. Res. 110. A resolution congratulating the University of North Carolina Tar Heels basketball team for winning the 2008-2009 NCAA men's basketball championship; considered and agreed to.

By Mr. FEINGOLD (for himself, Mr. ISAKSON, Mr. BINGAMAN, Mr. DURBIN, Mr. CARDIN, Mr. WICKER, Mr. BROWNBACK, Ms. CANTWELL, and Mr. MARTINEZ):

S. Con. Res. 18. A concurrent resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria; considered and agreed to.

ADDITIONAL COSPONSORS

S. 263

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 263, a bill to amend title 38, United States Code, to improve the enforcement of the Uniformed Services Employment and Reemployment Rights Act of 1994, and for other purposes.

S. 306

At the request of Mr. NELSON of Nebraska, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 306, a bill to promote biogas production, and for other purposes.

S. 343

At the request of Mrs. LINCOLN, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 343, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage services of qualified respiratory therapists performed under the general supervision of a physician.

S. 358

At the request of Mr. CORNYN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 358, a bill to ensure the safety of members of the United States Armed Forces while using expeditionary facilities, infrastructure, and equipment supporting United States military operations overseas.

S. 386

At the request of Mr. LEAHY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 386, a bill to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 386, supra.

S. 423

At the request of Mr. AKAKA, the names of the Senator from Maine (Ms. COLLINS), the Senator from Washington (Mrs. MURRAY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 423, a bill to amend title 38, United States Code, to authorize advance appropriations for certain medical care accounts of the Department of Veterans Affairs by providing two-fiscal year budget authority, and for other purposes.

S. 475

At the request of Mr. BURR, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 475, a bill to amend the Servicemembers Civil Relief Act to guarantee the equity of spouses of military personnel with regard to matters of residency, and for other purposes.

S. 482

At the request of Mr. FEINGOLD, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 482, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 491

At the request of Mr. WEBB, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 493

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 527

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 527, a bill to amend the Clean Air act to prohibit the issuance of permits under title V of that Act for certain emissions from agricultural production.

S. 540

At the request of Mr. KENNEDY, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 540, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to liability under State and local requirements respecting devices.

S. 553

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 553, a bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, and for other purposes.

S. 559

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 559, a bill to provide benefits under the Post-Deployment/Mobilization Respite Absence program for certain periods before the implementation of the program.

S. 565

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 565, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 567

At the request of Mr. CRAPO, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 567, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gains rates.

S. 611

At the request of Mr. LAUTENBERG, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 611, a bill to provide for

the reduction of adolescent pregnancy, HIV rates, and other sexually transmitted diseases, and for other purposes.

S. 614

At the request of Mrs. HUTCHISON, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from North Carolina (Mr. BURR) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 614, a bill to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

S. 621

At the request of Mr. DURBIN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 621, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 645

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 645, a bill to amend title 32, United States Code, to modify the Department of Defense share of expenses under the National Guard Youth Challenge Program.

S. 660

At the request of Mr. HATCH, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 660, a bill to amend the Public Health Service Act with respect to pain care.

S. 697

At the request of Mr. KENNEDY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 697, a bill to amend the Public Health Service Act to help individuals with functional impairments and their families pay for services and supports that they need to maximize their functionality and independence and have choices about community participation, education, and employment, and for other purposes.

S. 717

At the request of Mr. KENNEDY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 717, a bill to modernize cancer research, increase access to preventative cancer services, provide cancer treatment and survivorship initiatives, and for other purposes.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 769

At the request of Mrs. LINCOLN, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 769, a bill to amend title XVIII of the Social Security Act to improve access to, and increase utilization of, bone mass measurement benefits under the Medicare part B program.

S. 781

At the request of Mr. ROBERTS, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Michigan (Ms. STABENOW) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 814

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 814, a bill 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.

S. 815

At the request of Mr. NELSON of Florida, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 815, a bill to amend the Immigration and Nationality Act to exempt surviving spouses of United States citizens from the numerical limitations described in section 201 of such Act.

S. 816

At the request of Mr. CRAPO, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 816, a bill to preserve the rights granted under second amendment to the Constitution in national parks and national wildlife refuge areas.

S. 837

At the request of Mr. BROWNBACK, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 837, a bill to require that North Korea be listed as a state sponsor of terrorism, to ensure that human rights is a prominent issue in negotiations between the United States and North Korea, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAUFMAN (for himself, Mr. CARPER, and Mr. CASEY):

S. 853. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

Mr. KAUFMAN. Mr. President, I am joined by Senator CARPER and Senator CASEY in introducing a bill that would expand the designation of the White Clay Creek National Wild and Scenic River in Delaware and Pennsylvania to include two new sites: Lamborn Run in Delaware and the East Branch and Egypt Run in New Garden Township in Pennsylvania.

In 2000, the White Clay Creek watershed was designated Delaware's first and only National Wild and Scenic River. The watershed is home to a wide variety of plant and animal life, archeological sites dating back to prehistoric times, and a bi-State preserve and State park. It is also a source of drinking water for the region.

A National Park Service study released in 1994 details the watershed's diversity of natural, historic, cultural, and recreational resources, and its results led the way for its original designation.

The watershed covers approximately 107 square miles and drains over 69,000 acres in Delaware and Pennsylvania. Of those 69,000 acres, 5,000 acres are public lands owned by State and local governments and the rest is privately owned and maintained. There are no Federal lands within the watershed and no Federal dollars were used to purchase any of the land within its boundaries.

The watershed is centrally located between the densely urbanized regions of New York and Washington, DC. The legislation being introduced today will expand the designation by incorporating an additional 9 miles to White Clay's National Wild and Scenic River, bringing the total federally recognized miles within the watershed to 199.9 miles.

National Wild and Scenic designation brings recognition to the unique cultural, natural, scenic, and recreational values of the White Clay Creek watershed. It provides an added level of protection from overdevelopment, and it elevates the value of the watershed when applying for State, local, and Federal grants. Projects located within the White Clay Creek watershed have received almost $4 million in Federal funding since being designated in 2000.

While there are over 160 National wild and scenic rivers, the White Clay Creek can claim a few distinctions. First, it is Delaware's first and only wild and scenic river. It is one of only 12 rivers nationwide that is classified as a partnership river. That is a river that is managed on the local level with support from homeowners and communities and with the limited assistance of government on the local, State, and Federal level. It was the first to be studied and designated on a watershed basis, and it is the only wild and scenic

river that runs through a college or university.

Thirty years ago, I was privileged to be a part of the effort that eventually designated White Clay Creek as Delaware's first and only wild and scenic river. Today, I am proud to introduce legislation that will further expand and preserve this unique region.

I wish to thank everyone who has worked so hard and for so long to celebrate and preserve its natural beauty, so that 30 years from now our children and grandchildren can enjoy the same pristine landscape we appreciate today.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be placed in the RECORD, as follows:

S. 853

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 ''White Clay Creek Wild and Scenic River Expansion Act of 2009''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the White Clay Creek watershed is 1 of only a few relatively intact and unspoiled functioning river systems remaining in the highly congested and developed corridor between Philadelphia, Pennsylvania and Newark, Delaware;

(2) Public Law 102–215 (16 U.S.C. 1271 note; 105 Stat. 1664) directed the Secretary of the Interior, in cooperation and consultation with appropriate State and local governments and affected landowners, to conduct a study of the eligibility and suitability of White Clay Creek, in the States of Delaware and Pennsylvania, and the tributaries of the creek for inclusion in the National Wild and Scenic Rivers System;

(3) as a part of the study described in paragraph (2), all segments listed in the amendments made by section 3 were found eligible for inclusion in the National Wild and Scenic Rivers System;

(4) local communities and governments along the proposed river segments have passed resolutions in support of the designation of the segments listed in the amendments made by section 3 as components of the National Wild and Scenic Rivers System; and

(5) Public Law 106–357 (16 U.S.C. 1271 note; 114 Stat. 1393) designated 190 miles of river segments of White Clay Creek (including tributaries of White Clay Creek and all second order tributaries of the designated segments) in the States of Delaware and Pennsylvania, to be administered by the Secretary of the Interior.

SEC. 3. DESIGNATION OF SEGMENTS OF WHITE CLAY CREEK, AS SCENIC AND RECREATIONAL RIVERS.

Section 3(a)(163) of the Wild and Scenic Rivers Act (16 U.S. C. 1274(a)(163)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''190 miles'' and inserting ''199 miles''; and

(B) by striking ''(dated June 2000)'' and inserting ''(dated February 2009)'';

(2) by striking subparagraph (B) and inserting the following:

''(B) 22.4 miles of the east branch beginning at the southern boundary line of the Borough of Avondale, including Walnut Run, Broad Run, and Egypt Run, outside the boundaries of the White Clay Creek Preserve, as a recreational river.''; and

(3) by striking subparagraph (H) and inserting the following:

''(H) 14.3 miles of the main stem, including Lamborn Run, that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania and Delaware, and White Clay Creek State Park, Delaware beginning at the confluence of the east and middle branches in London Britain Township, Pennsylvania, downstream to the northern boundary line of the City of Newark, Delaware, as a scenic river.''.

SEC. 4. ADMINISTRATION OF WHITE CLAY CREEK.

Sections 4 through 8 of Public Law 106–357 (16 U.S.C. 1274 note; 114 Stat. 1393), shall be applicable to the additional segments of the White Clay Creek designated by the amendments made by section 3.

By Ms. COLLINS (for herself and Ms. KLOBUCHAR):

S. 855. A bill to establish an Energy Assistance Fund to guarantee low-interest loans for the purchase and installation of qualifying energy efficient property, idling reduction and advanced insulation for heavy trucks, and alternative refueling stations, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, today I introduce the Energy Assistance Fund Act of 2009, legislation which will assist people who want to invest in energy conservation and alternative energy technologies and help set us on a path toward energy independence.

As I visit communities around the State of Maine, I hear time and again that the costs of energy create hardship for many of our citizens. Unpredictable, and often increasing, prices for home heating oil, gasoline and diesel fuel are a huge burden for many families, truckers, and small businesses.

I am concerned that in a difficult economy, investments in energy conservation and alternative energy improvements are simply too costly for many American families and small businesses. For example, under the present code, taxpayers who install energy efficient windows and skylights or solar water heating systems receive a 30 percent tax credit. In both instances, the investment which must be made by the taxpayer far exceeds the credit amount. In the current economic climate, most families and small businesses are already scrimping and saving to make ends meet, and they do not have the money to finance the gap between the tax credit we provide and the cost of the investment.

The legislation I am introducing today calls for additional loan authority to support current Federal programs that help families and small businesses finance energy efficiency improvements. The loan authority I am proposing would expand existing Federal programs that make low-interest loans to individuals and small businesses for energy efficiency improvements. This new loan authority would be made available through a new energy assistance revolving loan fund within the Treasury Department. Individuals who make less than 115 percent of the national average median income would be able to apply for low-interest loans to cover the difference between the tax credits available for energy efficiency improvements and up to 90 percent of the cost of those improvements. The Federal agencies can make these loans through their lender networks.

USDA, HUD, and other Federal agencies already have programs that can make loans of this kind to individuals. Small businesses can seek low-interest loans for energy efficiency improvements under existing loan programs such as the SBA's 7(a) program. The revolving loan fund called for by my bill will enable these agencies to offer more loans to the individuals and small businesses we have asked them to serve.

I urge my colleagues to work together in a bipartisan way so that we can help Americans overcome the challenge of our dependence on foreign oil and restore and strengthen our Nation's economy.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 856. A bill to establish a commercial truck highway safety demonstration program in the State of Maine, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, I rise to join with my senior colleague from Maine in sponsoring the Commercial Truck Highway Safety Demonstration Program Act, an important bill that addresses a significant safety problem in our State.

Under current law, trucks weighing 100,000 pounds are allowed to travel on the portion of Interstate 95 designated as the Maine Turnpike, which runs from Maine's border with New Hampshire to Augusta, our capital city. At Augusta, the Turnpike designation ends, but I–95 proceeds another 200 miles north to Houlton. At Augusta, however, heavy trucks must exit the modern four-lane, limited-access highway and are forced onto smaller, two-lane secondary roads that pass through cities, towns, and villages.

Trucks weighing up to 100,000 pounds are permitted on interstate highways in New Hampshire, Massachusetts, and New York as well as the Canadian provinces of New Brunswick and Quebec. The weight limit disparity on various segments of Maine's Interstate Highway System is a significant impediment to commerce, increases wear-and-tear on our secondary roads, and, most important, puts our people needlessly at risk.

Senator SNOWE and I have introduced this legislation several times in recent years. We remain concerned about the safety of our citizens who are needlessly put at risk when heavy trucks are forced off the main interstate and onto secondary roads through our

towns and communities. Unfortunately, Maine has experienced two tragic deaths in the past few years due to accidents involving heavy trucks in this situation.

One of these tragic accidents took the life of Susan Abraham, a bright and talented 17-year-old high-school student from Hampden, Maine, when her car was struck by a heavy truck on Route 9. The truck driver could not see Susan's small car turning onto that two-lane road as he rounded a corner. It was an accident, but one that would have been avoided had the truck remained on the Interstate highway. Interstate 95 runs less than three-quarters of a mile away, but Federal law prevented the truck from using that modern, divided highway, a highway that was designed to provide ample views of the road ahead.

That preventable tragedy took place almost one year to the day after Lena Gray, an 80-year-old resident of Bangor, was struck and killed by a tractor-trailer as she was crossing a downtown street. Again, that accident would not have occurred had that truck been allowed to use I–95, which runs directly through Bangor.

The problem Maine faces due to the disparity in truck weight limits affects many communities, but it is clearly evident in the eastern Maine cities of Bangor and Brewer. In this region, a two-mile stretch of Interstate 395 connects two major State highways that carry significant truck traffic across Maine. I–395 affords direct and safe access between these major corridors, but because of the existing Federal truck weight limit, many heavy trucks are prohibited from using this multi-lane, limited access highway.

Instead, these trucks, which sometimes carry hazardous materials, are required to maneuver through the downtown portions of Bangor and Brewer on two-lane roadways. Truckers are faced with two options; the first is a 3.5 mile diversion through downtown Bangor that requires several very difficult and dangerous turns. The second route is a 7.5 mile diversion that includes 20 traffic lights and requires travel through portions of downtown Bangor as well. Congestion is a significant issue, and safety is seriously compromised as a result of these required diversions.

In June 2004, Wilbur Smiths Associates, a nationally recognized transportation consulting firm, completed a study to examine the impact a Federal weight exemption on non-exempt portions of Maine's Interstate Highway System would have on safety, pavement, and bridges. The study found that extending the current truck weight exemption on the Maine Turnpike to all interstate highways in Maine would result in a decrease of 3.2 fatal crashes per year. A uniform truck weight limit of 100,000 pounds on Maine's interstate highways would reduce highway miles, as well as the travel times necessary to transport freight through Maine, resulting in safety, economic, and environmental benefits.

Moreover, Maine's extensive network of local roads would be better preserved without the wear and tear of heavy truck traffic.

Most important, however, a uniform truck weight limit will keep trucks on the interstate where they belong, rather than on roads and highways that pass through Maine's cities, towns, and neighborhoods.

In addition to the safety of motorists and pedestrians, there is a homeland security aspect to this as well. An accident or attack involving a heavy truck carrying explosive fuel or a hazardous chemical on a congested city street would have devastating consequences. That risk can be alleviated substantially by allowing those trucks to stay on the open highway.

The legislation that Senator SNOWE and I are introducing addresses the safety issues we face in Maine because of the disparities in truck weight limits. The legislation directs the Secretary of Transportation to establish a commercial truck safety pilot program in Maine. Under the pilot program, the truck weight limit on all Maine highways that are part of the Interstate Highway System would be set at 100,000 pounds for three years. During the waiver period, the Secretary would study the impact of the pilot program on safety and would receive the input of a panel on which State officials, and representatives from safety organizations, municipalities, and the commercial trucking industry would serve. The waiver would become permanent if the panel determined that motorists were safer as a result of a uniform truck weight limit on Maine's Interstate Highway System.

Maine's citizens and motorists are needlessly at risk because too many heavy trucks are forced off the interstate and onto local roads. The legislation Senator SNOWE and I are introducing is a commonsense approach to a significant safety problem in my State. Our efforts are widely supported by public officials throughout Maine, including the Governor, the Maine Department of Transportation, the Maine Secretary of State, and the Maine State Police. I urge my colleagues to support this important legislation.

Ms. SNOWE. Mr. President, I rise today to join my colleague from Maine, Senator COLLINS, to once again introduce legislation that seeks not only to rectify an impediment to international commerce flowing through Maine, but more importantly, will offer a measure of safety and security that many of my constituents in Maine do not currently possess.

As many of our colleagues know, expanding upon the current federal truck weight limitation of 80,000 pounds is often looked upon as too dangerous, flaunting the safety of drivers who may be faced with a truck weighing as much as 145,000 pounds. While my record reflects my long commitment to safety on our roadways, I ask my colleagues not to overlook the safety of pedestrians as well.

Take the situation we face in Maine, where we currently have a limited exemption along the southern portion of the Maine Turnpike. Many trucks traveling to or from the Canadian border or into upstate Maine are not able to travel on our Interstates as a result of the 80,000 pound weight limit. This forces many of them onto secondary roads, many of which are two-lane roads running through small towns and villages in Maine. Tanker trucks carrying fuel teeter past elementary schools, libraries, weaving through traffic to reach locations like our Air National Guard station. Not only is it an inefficient method of bringing necessary fuel to Guardsmen that provide our national security, but imagine if you will one of those tanker trucks rupturing on Main Street, potentially causing serious damage to property, causing traffic chaos, and most importantly, killing or injuring drivers and pedestrians.

This is not a far-fetched scenario. In fact, two pedestrians were killed last year in Maine as a result of overweight trucks on local roadways, one tragic instance occurring within sight of the nearby Interstate. So I ask you, is the so-called safety argument truly a legitimate reason for opposition as my constituents and many others across small American communities are taking their lives in their hands when merely crossing Main Street?

What is the result of redirecting such traffic onto local roads? According to study conducted by the Maine Department of Transportation, traffic fatalities involving trucks weighing 100,000 pounds are 10 times greater on secondary roads in Maine than on the exempted Interstates. Serious injuries are seven times more likely. Not to mention the exorbitant cost of maintaining these secondary roads, forced to handle these massive trucks. These roads were not designed to handle this kind of traffic. Our Interstates were, yet these trucks are consistently prevented from traveling on them.

As you can see, safety is indeed the issue. Unfortunately, I believe the opponents of such legislation who continually cite safety as the reason behind their opposition are missing the point.

Another argument against allowing such trucks access to these Interstates is the classic ''slippery slope'', that if you allow one State to have such an exemption, pretty soon you'll have to give EVERY State such an exemption. Well, I would like to remind the opponents of this bill that we're already almost there. A total of 46 States possess some type of variance, already have some type of exemption, and 4 States allow trucks weighing over 130,000 pounds on some roads within their State! To offer a clear picture of this, if you are driving a truck weighing 100,000 pounds, you can leave Gary, Indiana, just outside of Chicago, and can

operate that vehicle all the way to Portland, ME. There, of course, they have to unload the additional weight—this case, 20,000 pounds—to continue on the Interstate, or travel the remainder of the way through the State on these local roads, endangering the populace and other drivers.

Conversely, you can operate a truck weighing 90,000 pounds from Kansas City, Missouri and travel to Seattle, WA. So I ask you, is this truly a legitimate reason for opposition while my constituents are taking their lives in their hands when merely crossing Main Street? Perhaps, for the sake of fairness, every State should rescind their current variances, instead requiring that all States operate at the present federal level of 80,000 pounds. I suspect if that were the case many of our opponents would no longer be so stalwart in their reluctance to support waivers.

Lastly, and most importantly, I would especially like to thank Senator COLLINS for her steadfast effort as, side-by-side, we continue to seek a resolution to this issue so vital to our State's economic competitiveness and to the safety of Maine's people.

By Ms. CANTWELL (for herself, Ms. SNOWE, Mr. KERRY, and Mr. NELSON, of Florida):

S. 859. A bill to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. CANTWELL. Mr. President, I rise today to introduce the Marine Mammals Rescue Assistance Amendments Act.

In my home State of Washington, our history and economy is based on a rich maritime tradition that contributes as much as $3 billion to the State's economy each year. There are 3,000 vessels in Washington's fishing fleet that employ 10,000 fishermen. Nationwide, ocean-dependent industries generate approximately $138 billion and millions of jobs to the U.S. economy. According to the National Ocean Economic Project, 30 U.S. coastal states accounted for 82 percent of total population and 81 percent of U.S. jobs in 2006.

For these communities, their histories and economies literally ebb and flow with the tide. It is vital we remember the ocean resources these communities depend on are a public trust, and a resource to be both treasured and protected.

One important element of the oceans' ecosystems is marine mammals. They reflect the greater health of the ocean environment, like a canary in a coal mine.

In Washington state, marine mammals like the endangered Puget Sound southern resident orcas are icons for our region.

My State's coastal waters are inhabited by gray whales, harbor seals, orcas, humpback whales, Dall's porpoise, California sea lions, and sea otters. They are an important part of Washington's marine environment, and deserve to be protected and respected.

But occasionally these remarkable animals run into trouble and need our help. They become stranded on beaches, ensnared in fishing gear, hit by boats, or harmed by marine trash. Human activities endanger these animals, as such, it is our responsibility to do all that we can to protect them.

The Marine Mammals Rescue Assistance Amendments Act continues our Government's efforts to protect and preserve these remarkable creatures.

It would reauthorize and amend provisions of the Marine Mammal Protection Act of 1972 relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, Prescott program.

Before this program was created, saving troubled marine mammals was the burden of small, locally-funded volunteer organizations, many of whom were members of the Marine Mammal Stranding Network. These groups of local citizens took on the financial burden of rescuing and rehabilitating stranded mammals, relied mainly on piecemeal fundraising, and were woefully underfunded.

The Prescott program lends a much-needed helping hand to these organizations, helping to defray their costs for marine mammal rescue and rehabilitation. It also allows eligible Marine Mammal Stranding Network participants to use funds to collect scientific data to improve the treatment and operation of rescue and rehabilitation centers.

Reauthorization of this program is important to the Marine Mammal Stranding Networks around the nation, aquariums and zoos, the environmental community, and NOAA.

For example, in my home state of Washington, organizations like the Orca Network, the Makah Tribe, The Whale Museum, and the Cascadia Research Collective rely on this funding, and last year received a total of $319,000 in Prescott grant funding to help support their work preserving and protecting marine mammals.

The Marine Mammal Rescue Assistance Amendments Act would amend section 403 of the MMPA to: define the term ''entanglement'' and add authorization for entanglement response as eligible for funding under the program; require the Secretary of Commerce to collect and update existing practices and procedures for rescuing and rehabilitating entangled marine mammals; establishes an interest bearing fund in the Treasury for emergency response to marine mammal entanglement and stranding, and allow the program to solicit and accept gifts and other donations to increase the impact of the program; increase authorization for the program to $7 million for each fiscal years 2009 to 2013; and increase the maximum grant for projects from $100,000 to $200,000.

We cannot turn our backs on the damage we do to our marine mammals every day. When marine mammals are harmed by human activities—whether intentional or unintentional, direct or indirect—we have an ethical obligation to do what we can to help.

As stewards of the oceans, we owe it to our coastal communities, our precious marine mammals, and future generations to fulfill that obligation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 859

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 ''Marine Mammal Rescue Assistance Amendments of 2009''.

SEC. 2. STRANDING AND ENTANGLEMENT RESPONSE.

(a) COLLECTION AND UPDATING OF INFORMATION.—Section 402(b)(1)(A) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421a(b)(1)(A)) is amended by inserting ''or entangled'' after ''stranded''.

(b) ENTANGLEMENT RESPONSE AGREEMENTS.—

(1) IN GENERAL.—Section 403 of that Act (16 U.S.C. 1421b) is amended—

(A) by striking the section heading and inserting the following:

''SEC. 403. STRANDING OR ENTANGLEMENT RESPONSE AGREEMENTS.'' ; and

(B) by striking ''stranding.'' in subsection (a) and inserting ''stranding or entanglement.''.

(2) CLERICAL AMENDMENT.—The table of contents for title IV of that Act is amended by striking the item relating to section 403 and inserting the following:

''Sec. 403. Stranding or entanglement response agreements.''.

(c) LIABILITY.—Section 406(a) of such Act (16 U.S.C. 1421e(a)) is amended by inserting ''or entanglement'' after ''stranding''.

(d) ENTANGLEMENT DEFINED.—

(1) IN GENERAL.—Section 410 of such Act (16 U.S.C. 1421h) is amended—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

''(1) The term 'entanglement' means an event in the wild in which a living or dead marine mammal has gear, rope, line, net, or other material wrapped around or attached to it and is—

''(A) on a beach or shore of the United States; or

''(B) in waters under the jurisdiction of the United States.''.

(2) CONFORMING AMENDMENT.—Section 408(a)(2)(B)(i) of such Act (16 U.S.C. 1421f–1(a)(2)(B)(i)) is amended by striking ''section 410(6)'' and inserting ''section 410(7)''.

(e) UNUSUAL MORTALITY EVENT FUNDING.—Section 405 of such Act (16 U.S.C. 1421d) is amended—

(1) by striking ''to compensate persons for special costs'' in subsection (b)(1)(A)(i) and inserting ''to make advance, partial, or progress payments under contracts or other funding mechanisms for property, supplies, salaries, services, and travel costs'';

(2) by striking ''preparing and transporting'' in subsection (b)(1)(A)(ii) and inserting ''the preparation, analysis, and transportation of'';

(3) by striking ''event for'' in subsection (b)(1)(A)(ii) and inserting ''event, including such transportation for'';

(4) by striking ''and'' after the semicolon in subsection (c)(2);

(5) by striking ''subsection (d).'' in subsection (c)(3) and inserting ''subsection (d); and''; and

(6) by adding at the end of subsection (c) the following:

''(4) up to $500,000 per fiscal year (as determined by the Secretary) from amounts appropriated to the Secretary for carrying out this title and the other titles of this Act.''.

(f) JOHN H. PRESCOTT MARINE MAMMAL RESCUE AND RESPONSE FUNDING PROGRAM.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 408(h) of such Act (16 U.S.C. 1421f–1(h)) is amended to read as follows:

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section, other than subsection (a)(3), $7,000,000 for each of fiscal years 2010 through 2014, to remain available until expended, of which—

''(A) $6,000,000 may be available to the Secretary of Commerce; and

''(B) $1,000,000 may be available to the Secretary of the Interior.

''(2) RAPID RESPONSE FUND.—There are authorized to be appropriated to the John H. Prescott Marine Mammal Rescue and Rapid Response Fund established by subsection (a)(3), $500,000 for each of fiscal years 2010 through 2014.

''(3) ADDITIONAL RAPID RESPONSE FUNDS.—There shall be deposited into the Fund established by subsection (a)(3) up to $500,000 per fiscal year (as determined by the Secretary) from amounts appropriated to the Secretary for carrying out this title and the other titles of this Act.''.

(2) ADMINISTRATIVE COSTS AND EXPENSES.—Section 408(f) of such Act (16 U.S.C. 1421f–1(f)) is amended to read as follows:

''(f) ADMINISTRATIVE COSTS AND EXPENSES.—Of the amounts available each fiscal year to carry out this section, the Secretary may expend not more than 6 percent or $80,000, whichever is greater, to pay the administrative costs and administrative expenses to implement the program under subsection (a). Any such funds retained by the Secretary for a fiscal year for such costs and expenses that are not used for such costs and expenses before the end of the fiscal year shall be provided under subsection (a).''.

(3) EMERGENCY ASSISTANCE.—Section 408 of such Act (16 U.S.C. 1421f–1) is amended—

(A) by striking so much of subsection (a) as precedes paragraph (2) and inserting the following:

''(a) IN GENERAL.—(1) Subject to the availability of appropriations, the Secretary shall conduct a program to be known as the John H. Prescott Marine Mammal Rescue and Response Funding Program, to provide for the recovery or treatment of marine mammals, the collection of data from living or dead stranded or entangled marine mammals for scientific research regarding marine mammal health, facility operation costs that are directly related to those purposes, and stranding or entangling events requiring emergency assistance. All funds available to implement this section shall be distributed to eligible stranding network participants for the purposes set forth in this paragraph and paragraph (2), except as provided in subsection (f).'';

(B) by redesignating paragraph (2) as paragraph (4) and inserting after paragraph (1) the following:

''(2) CONTRACT AUTHORITY.—To carry out the activities set out in paragraph (1), the Secretary may enter into grants, cooperative agreements, contracts, or such other agreements or arrangements as the Secretary deems appropriate.

''(3) PRESCOTT RAPID RESPONSE FUND.—There is established in the Treasury an interest bearing fund to be known as the 'John H. Prescott Marine Mammal Rescue and Rapid Response Fund', which shall consist of a portion of amounts deposited into the Fund under subsection (h) or received as contributions under subsection (i), and which shall remain available until expended without regard to any statutory or regulatory provision related to the negotiation, award, or administration of any grants, cooperative agreements, and contracts.'';

(C) by striking ''designated as of the date of the enactment of the Marine Mammal Rescue Assistance Act of 2000, and in making such grants'' in paragraph (4), as redesignated, and inserting ''as defined in subsection (g)(3). The Secretary''; and

(D) by striking ''subregions.'' in paragraph (4), as redesignated, and inserting ''subregions where such facilities exist.'';

(E) by striking subsections (d) and (e) and inserting the following:

''(d) LIMITATION.—

''(1) IN GENERAL.—Support for an individual project under this section may not exceed $200,000 for any 12-month period.

''(2) UNEXPENDED FUNDS.—Amounts provided as support for an individual project under this section that are unexpended or unobligated at the end of such period—

''(A) shall remain available until expended; and

''(B) shall not be taken into account in any other 12-month period for purposes of paragraph (1).

''(e) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the non-Federal share of the costs of an activity conducted with funds under this section shall be 25 percent of such Federal costs.

''(2) WAIVER.—The Secretary shall waive the requirements of paragraph (1) with respect to an activity conducted with emergency funds disbursed from the Fund established by subsection (a)(3).

''(3) IN-KIND CONTRIBUTIONS.—The Secretary may apply to the non-Federal share of an activity conducted with a grant under this section the amount of funds, and the fair market value of property and services, provided by non-Federal sources and used for the activity.''; and

(F) by redesignating paragraph (2) of subsection (g) as paragraph (3) and inserting after paragraph (1) the following:

''(2) EMERGENCY ASSISTANCE.—The term 'emergency assistance' means assistance provided for a stranding or entangling event—

''(A) that—

''(i) is not an unusual mortality event as defined in section 409(7);

''(ii) leads to an immediate increase in required costs for stranding or entangling response, recovery, or rehabilitation in excess of regularly scheduled costs;

''(iii) may be cyclical or endemic; and

''(iv) may involve out-of-habitat animals; or

''(B) is found by the Secretary to qualify for emergency assistance.''.

(4) CONTRIBUTIONS.—Section 408 of such Act (16 U.S.C. 1421f–1) is amended by adding at the end the following:

''(i) CONTRIBUTIONS.—For purposes of carrying out this section, the Secretary may solicit, accept, receive, hold, administer, and use gifts, devises, and bequests without any further approval or administrative action.''.

(5) CONFORMING AMENDMENT.—The section heading for section 408 is amended to read as follows:

''SEC. 408. JOHN H. PRESCOTT MARINE MAMMAL RESCUE AND RESPONSE FUNDING PROGRAM.''.

(g) AUTHORIZATION OF APPROPRIATIONS FOR MARINE MAMMAL UNUSUAL MORTALITY EVENT FUND.—Section 409 of such Act (16 U.S.C. 1421g) is amended—

(1) by striking ''1993 and 1994;'' in paragraph (1) and inserting ''2010 through 2014;'';

(2) by striking ''1993 and 1994;'' in paragraph (2) and inserting ''2010 through 2014;''; and

(3) by striking ''fiscal year 1993.'' in paragraph (3) and inserting ''each of fiscal years 2010 through 2014.''.

By Mr. DORGAN (for himself, Ms. SNOWE, Mr. KERRY, Mr. SCHUMER, Mrs. LINCOLN, Ms. STABENOW, Mr. VOINOVICH, Mr. BURR, Mr. PRYOR, Mr. LEAHY, and Mr. LEVIN):

S. 864. A bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes; to the Committee on Finance.

Mr. DORGAN. Mr. President, the Nation's charitable community has been damaged from the harsh realties of the economic downturn. Dwindling contributions and devastating market losses have hit many charities and philanthropic activities, and the trusts and funds that support them.

Experts at the Congressional Research Service suggest that charitable assets could have lost more than $400 billion in value from the stock market's peak in October 2007. Some foundations with narrow investment portfolios have lost close to 50 percent since that time. Donations are down at many charities across the country.

Yet, the work of these organizations to assist low-income families and individuals facing financial difficulty is more important than ever. The economy is in trouble—20,000 jobs are lost every day and the unemployment rate is approaching 9 percent. It is not surprising that many charities are seeing an increase in those seeking help for food, rent or mortgage payments or utility bills, along with an increase in the number of working poor seeking services, more generally.

The Senate recently sent a strong message to our charitable community that we understand their financial challenges and will do what it can to help. During consideration of the fiscal year 2010 Budget Resolution, the Senate unanimously passed an amendment I authored with Senator SNOWE that gives a green light to pass legislation to extend and enhance the soon-to-expire charitable individual retirement account, IRA, rollover tool that charities have used to help raise money. This tax incentive allows individuals to make gifts to charities from their IRAs without suffering adverse tax consequences.

Today, I am joined by Senator SNOWE and 9 of our colleagues in introducing the Public Good IRA Rollover Act, which would permanently extend and expand the tax-free charitable IRA rollover incentive.

Congress added a provision to the Tax Code in 2006 that permitted taxpayers age 70½ or older to give money

directly from their IRAs to charities, tax-free. This provision is modeled after an approach for direct charitable gifts that we have advanced in the Public Good IRA Rollover Act.

The results of this provision have been very exciting for many in the charitable community. According to one survey, approximately 900 charitable organizations had reported more than 8,500 individual IRA distributions, with a total value of nearly $140 million.

Unfortunately, the tax-favored benefit of the charitable IRA rollover is only available for a temporary period and is scheduled to expire at the end of this year unless Congress acts. The Public Good IRA Rollover Act will not only extend the charitable IRA rollover, it will modify it in a manner that we believe will result in more gifts to charity without busting the budget. These changes include: allowing taxpayers to make life-income gifts from their IRAs to charities at age 59½, eliminating the current dollar cap, and making the charitable IRA rollover benefits available to more charitable organizations.

Adopting these provisions will result in more charitable giving, particularly allowing taxpayers to make life-time gifts from their IRAs starting at the age of 59½. Many charities secure funds from life-income gifts, which involve the donation of assets to a charity, where the giver retains an income stream from those assets for a defined period. While this provision would stimulate additional giving, evidence also suggests that people who make life-income gifts become more involved with charities. And, because the income payouts for most gift annuities and charitable trusts will be higher than IRA payouts, IRA rollovers to life-income agreements may produce immediate taxable revenues and score positively. In short, the life-income gift provision would greatly benefit charities in a fiscally-responsible manner.

The Public Good IRA Rollover Act has strong bipartisan support in the Senate and House of Representatives. It has garnered the support of the Independent Sector, the Council on Foundations, and the Partnership for Philanthropic Planning. I am very pleased that the North Dakota Association of Nonprofit Organizations, which represents the interests of more than 140 nonprofits in my State, has also offered its support for this legislation that could help North Dakota charities raise millions of dollars in the coming years.

I also ask my colleagues to review this legislation and consider cosponsoring it.

Mr. President, I ask unanimous consent that letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NORTH DAKOTA ASSOCIATION OF NONPROFIT ORGANIZATIONS,
Bismarck, ND, April 13, 2009.

Hon. BYRON DORGAN,
U.S. Senate,
Washington, DC.

DEAR SENATOR DORGAN: The North Dakota Association of Nonprofit Organizations (NDANO), on behalf of the more than 140 member nonprofits in our state, writes to express our support for Public Good IRA Rollover Act you will be introducing later this month.

NDANO's mission is strengthening member nonprofits, building community and enhancing quality of life, and one of the key issues on NDANO's public policy agenda is charitable giving. More specifically, NDANO supports actions to preserve and expand tax policies that increase incentives for taxpayers to donate to charitable organizations. Donations by individuals to support nonprofit work in North Dakota are essential to increasing nonprofit capacity to meet the needs of the state's citizens and communities, particularly in these challenging economic times. This Act could be a real boost to fundraising, encouraging those age 59½ and older to make gifts to charities that would not otherwise be given.

NDANO appreciates your commitment to introduce this Act to incentivize charitable giving. Thank you for your continuing support of North Dakota nonprofits and the entire nonprofit sector.

Sincerely,

DANA SCHAAR,
Executive Director.

INDEPENDENT SECTOR,
Washington, DC, April 21, 2009.

Re: Public Good IRA Rollover Act of 2009.

Hon. BYRON L. DORGAN,
U.S. Senate,
Washington, DC.
Hon. OLYMPIA J. SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATORS DORGAN AND SNOWE: On behalf of the over 550 member organizations of Independent Sector, I am writing to express our sincere appreciation for your leadership in promoting nonprofits and the work they perform through your introduction of the Public Good IRA Rollover Act of 2009.

Since it was enacted in August 2006, the current IRA charitable rollover has helped nonprofits enrich lives and strengthen communities across the country and around the world by allowing individuals to make direct gifts to charities from their Individual Retirement Accounts without suffering adverse tax consequences. The IRA rollover is particularly helpful for older Americans who do not itemize their tax deductions and would not otherwise receive any tax benefit for their contributions. We wholeheartedly support the provisions in the Public Good IRA Rollover Act of 2009 that make the giving incentive permanent, allow planned giving programs to provide retirement security to donors while helping nonprofits serve their communities, and expand the IRA rollover to donor advised funds and supporting organizations.

We believe that your Public Good IRA Rollover Act of 2009 would greatly enhance the ability of individuals to give back to their communities and offer our assistance in helping to move this important bill through the legislative process.

Sincerely,

PATRICIA READ.

PARTNERSHIP FOR PHILANTHROPIC PLANNING,
Indianapolis, IN, April 21, 2009.

Hon. BYRON DORGAN,
U.S. Senate,
Washington, DC.
Hon. OLYMPIA SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATORS DORGAN AND SNOWE: On behalf of the Partnership for Philanthropic Planning (formerly the National Committee on Planned Giving), I write to thank you for reintroducing the Public Good IRA Rollover Act. We appreciate your efforts to help our nation's charities during this period of economic turmoil.

The Public Good IRA Rollover Act would make permanent and expand the IRA Charitable Rollover enacted in 2006 and extended at the end of last year. As you well know, the IRA Charitable Rollover has already generated a significant amount of new charitable giving by eliminating the barrier in the tax law that had discouraged transfers from individual retirement accounts to charities. These gifts are helping organizations in every state build cancer centers, develop programs for counseling at-risk youth, support housing for homeless families, conserve wilderness areas, help disadvantaged students attend college, and provide therapy for people with disabilities.

We are pleased that your legislation would expand the current law IRA Charitable Rollover by allowing for qualified charitable distributions to life-income gifts, including charitable gift annuities, charitable remainder trusts and pooled income funds. We are also delighted your legislation would permit distributions from IRA accounts to donor-advised funds, supporting organizations, and private foundations. These important provisions will offer increased options for charitable giving, allowing an entire generation of generous Americans to continue providing for others even in these challenging economic times.

Again, thank you for reintroducing the Public Good IRA Rollover Act. We look forward to working with your office to ensure it is signed into law soon.

Sincerely,

TANYA HOWE JOHNSON,
President and CEO.

COUNCIL ON FOUNDATIONS,
Arlington, VA, April 21, 2009.

Hon. BYRON DORGAN,
U.S. Senate,
Washington, DC.
Hon. OLYMPIA SNOWE,
U.S. Senate,
Washington, DC.

DEAR SENATOR DORGAN AND SENATOR SNOWE: On behalf of the Council on Foundations and our membership of more than 2,100 grantmaking foundations and corporations, we would like to thank you for your continued leadership on issues of critical concern to the philanthropic sector and the communities which we serve. We are particularly appreciative of your sponsorship of the ''Public Good IRA Rollover Act of 2009'', legislation which would both permanently extend current law authorizing charitable rollovers of individual retirement accounts (''IRAs''), and permit such rollovers to include gifts to donor-advised funds, supporting organizations, and private foundations.

Enactment of the ''Public Good IRA Rollover Act of 2009'' will be a crucial step forward in ensuring that philanthropic organizations have the means and flexibility to address dramatically growing needs. Making current law regarding IRA rollovers permanent will provide current donors the certainty needed for prudent charitable gift

planning, and will ensure future donors have the ability to use this efficient means of giving. Making the charitable IRA rollover available for gifts to donor-advised funds, supporting organizations, and private foundations will enable additional donors, particularly among middle-income Americans, to utilize charitable rollovers for the benefit of organizations that are particularly well-suited to delivering philanthropic resources quickly and effectively to communities in need.

Two recent studies by the Council on Foundations show that, in 2007, donor-advised funds accounted for over one-third of all community foundation assets and 62% of their total grantmaking. In addition, donor-advised funds located within community foundations have a payout rate of 16.4%, over three times the minimum required for private foundations by federal law. The Council also has found that donor-advised funds are a particularly effective tool for middle-income Americans to engage in philanthropy. With most community foundations accepting a donor-advised fund in the range of $5,000 to $15,000, donor-advised funds are a philanthropic vehicle that can go to work immediately, a particularly valuable asset given current demands on philanthropic resources.

Thank you again for your leadership in providing philanthropies with the tools needed to fulfill their missions, and to help meet the growing needs of their communities. We look forward to working with you to achieve passage of the ''Public Good Rollover Act of 2009''.

Very truly yours,

STEVE GUNDERSON,
President and Chief Executive Officer.

By Mr. REED (for himself, Ms. COLLINS, Mr. DODD, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Mrs. LINCOLN, Mrs. MURRAY, Mr. MENENDEZ, Mr. SANDERS, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. DURBIN):

S. 866. A bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I am introducing the No Child Left Inside Act of 2009, which will provide new support for environmental education in our Nation's classrooms. I thank Senators COLLINS, CARDIN, DODD, DURBIN, GILLIBRAND, KERRY, LAUTENBERG, LINCOLN, MENENDEZ, MURRAY, SANDERS, and WHITEHOUSE for agreeing to be original cosponsors of this bill. Given the major environmental challenges we face today, teaching our young people about their natural world should be a priority, and this legislation is an important first step.

For more than three decades, environmental education has been a growing part of effective instruction in America's schools. Responding to the need to improve student achievement and prepare students for the 21st century economy, many schools throughout the Nation now offer some form of environmental education.

Yet, environmental education is facing a significant challenge. Many schools are being forced to scale back or eliminate environmental programs. Fewer and fewer students are able to take part in related classroom instruction and field investigations, however effective or popular. State and local administrators, teachers, and environmental educators point to two factors behind this recent and disturbing shift: the unintended consequences of the No Child Left Behind Act and a lack of funding for these critical programs.

The legislation that I am introducing today would address these two concerns. First, it would provide a new professional development initiative to ensure that teachers possess the content knowledge and pedagogical skills to effectively teach environmental education in the classroom, including the use of innovative interdisciplinary and field-based learning strategies. Second, the bill would create incentives, through new funding, for states to develop a peer-reviewed comprehensive statewide environmental literacy plan to make sure prekindergarten, elementary, and secondary school students have a solid understanding of our planet and its natural resources. Lastly, the No Child Left Inside Act provides support for school districts to initiate, expand, or improve their environmental education curriculum, and for rigorous national studies to be conducted regarding the effectiveness of environmental education on improving student academic achievement and behavior. This legislation has broad support among national and state environmental groups and educational groups.

The American public recognizes that the environment is already one of the dominant issues of the 21st century. In 2003, a National Science Foundation panel noted that ''in the coming decades, the public will more frequently be called upon to understand complex environmental issues, assess risk, evaluate proposed environmental plans and understand how individual decisions affect the environment at local and global scales. Creating a scientifically informed citizenry requires a concerted, systemic approach to environmental education . . .'' In the private sector, business leaders also increasingly believe that an environmentally literate workforce is critical to their long-term success. They recognize that better, more efficient environmental practices improve the bottom line and help position their companies for the future.

Climate change, conservation of precious natural resources, maintaining clean air and water, and other environmental challenges are pressing and complex issues that influence human health, economic development, and national security. A federal study released earlier this month found that students participating in environmental air quality education programs took action that resulted in improved air quality in their communities. The study concludes by recommending increased support for environmental education programs. Finding widespread agreement about the specific steps we need to take to solve these problems is difficult. Environmental education will help ensure that our Nation's children have the knowledge and skills necessary to address these critical issues. In short, the environment should be an important part of the curriculum in our schools.

I know my constituents in Rhode Island, as well as the residents of other States, want their children to be environmentally literate and have a connection with the natural world. In Rhode Island, organizations such as the Rhode Island Environmental Education Association, Roger Williams Park Zoo, Save the Bay, the Nature Conservancy, and the Audubon Society as well as countless schools, teachers, and other groups across the country, reach out to children each and every day to offer educational and outdoor experiences that these children may never otherwise have, helping to inspire them to learn. Despite these extraordinary efforts, environmental education remains out of reach for too many kids. I am proud to sponsor this important legislation. I look forward to working with my colleagues to enact the No Child Left Inside Act of 2009.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 866

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''No Child Left Inside Act of 2009''.

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

Sec. 1. Short title; table of contents.
Sec. 2. References.
Sec. 3. Authorization of appropriations.

TITLE I—ENVIRONMENTAL LITERACY PLANS

Sec. 101. Development, approval, and implementation of State environmental literacy plans.

TITLE II—ESTABLISHMENT OF ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

Sec. 201. Environmental education professional development grant programs.

TITLE III—ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY

Sec. 301. Environmental education grant program to help build national capacity.

SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There is authorized to be appropriated to carry out section 5622(g) and part E of title II of the Elementary and Secondary Education Act of 1965, $100,000,000 for fiscal year 2010 and each of the 4 succeeding fiscal years.

(b) DISTRIBUTION.—With respect to any amount appropriated under subsection (a) for a fiscal year—

(1) not more than 70 percent of such amount shall be used to carry out section 5622(g) of the Elementary and Secondary Education Act of 1965 for such fiscal year; and

(2) not less than 30 percent of such amount shall be used to carry out part E of title II of such Act for such fiscal year.

TITLE I—ENVIRONMENTAL LITERACY PLANS

SEC. 101. DEVELOPMENT, APPROVAL, AND IMPLEMENTATION OF STATE ENVIRONMENTAL LITERACY PLANS.

Part D of title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

"Subpart 22—Environmental Literacy Plans

"SEC. 5621. ENVIRONMENTAL LITERACY PLAN REQUIREMENTS.

''In order for any State educational agency, or a local educational agency served by a State educational agency, to receive grant funds, either directly or through participation in a partnership with a recipient of grant funds, under this subpart or part E of title II, the State educational agency shall meet the requirements regarding an environmental literacy plan under section 5622.

"SEC. 5622. STATE ENVIRONMENTAL LITERACY PLANS.

''(a) SUBMISSION OF PLAN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the No Child Left Inside Act of 2009, a State educational agency subject to the requirements of section 5621 shall, in consultation with State environmental agencies and State natural resource agencies, and with input from the public—

''(A) submit an environmental literacy plan for prekindergarten through grade 12 to the Secretary for peer review and approval that will ensure that elementary and secondary school students in the State are environmentally literate; and

''(B) begin the implementation of such plan in the State.

''(2) EXISTING PLANS.—A State may satisfy the requirement of paragraph (1)(A) by submitting to the Secretary for peer review an existing State plan that has been developed in cooperation with a State environmental or natural resource management agency, if such plan complies with this section.

''(b) PLAN OBJECTIVES.—A State environmental literacy plan shall meet the following objectives:

''(1) Prepare students to understand, analyze, and address the major environmental challenges facing the students' State and the United States.

''(2) Provide field experiences as part of the regular school curriculum and create programs that contribute to healthy lifestyles through outdoor recreation and sound nutrition.

''(3) Create opportunities for enhanced and on-going professional development for teachers that improves the teachers'—

''(A) environmental subject matter knowledge; and

''(B) pedagogical skills in teaching about environmental issues, including the use of—

''(i) interdisciplinary, field-based, and research-based learning; and

''(ii) innovative technology in the classroom.

''(c) CONTENTS OF PLAN.—A State environmental literacy plan shall include each of the following:

''(1) A description of how the State educational agency will measure the environmental literacy of students, including—

''(A) relevant State academic content standards and content areas regarding environmental education, and courses or subjects where environmental education instruction will be integrated throughout the prekindergarten to grade 12 curriculum; and

''(B) a description of the relationship of the plan to the secondary school graduation requirements of the State.

''(2) A description of programs for professional development for teachers to improve the teachers'—

''(A) environmental subject matter knowledge; and

''(B) pedagogical skills in teaching about environmental issues, including the use of —

''(i) interdisciplinary, field-based, and research-based learning; and

''(ii) innovative technology in the classroom.

''(3) A description of how the State educational agency will implement the plan, including securing funding and other necessary support.

''(d) PLAN UPDATE.—The State environmental literacy plan shall be revised or updated by the State educational agency and submitted to the Secretary not less often than every 5 years or as appropriate to reflect plan modifications.

''(e) PEER REVIEW AND SECRETARIAL APPROVAL.—The Secretary shall—

''(1) establish a peer review process to assist in the review of State environmental literacy plans;

''(2) appoint individuals to the peer review process who—

''(A) are representative of parents, teachers, State educational agencies, State environmental agencies, State natural resource agencies, local educational agencies, and nongovernmental organizations; and

''(B) are familiar with national environmental issues and the health and educational needs of students;

''(3) include, in the peer review process, appropriate representatives from the Department of Commerce, Department of Interior, Department of Energy, the Environmental Protection Agency, and other appropriate Federal agencies, to provide environmental expertise and background for evaluation of the State environmental literacy plan;

''(4) approve a State environmental literacy plan not later than 120 days after the plan's submission unless the Secretary determines that the State environmental literacy plan does not meet the requirements of this section;

''(5) immediately notify the State if the Secretary determines that the State environmental literacy plan does not meet the requirements of this section, and state the reasons for such determination;

''(6) not decline to approve a State environmental literacy plan before—

''(A) offering the State an opportunity to revise the State environmental literacy plan;

''(B) providing technical assistance in order to assist the State to meet the requirements of this section; and

''(C) providing notice and an opportunity for a hearing; and

''(7) have the authority to decline to approve a State environmental literacy plan for not meeting the requirements of this part, but shall not have the authority to require a State, as a condition of approval of the State environmental literacy plan, to—

''(A) include in, or delete from, such State environmental literacy plan 1 or more specific elements of the State academic content standards under section 1111(b)(1); or

''(B) use specific academic assessment instruments or items.

''(f) STATE REVISIONS.—The State educational agency shall have the opportunity to revise a State environmental literacy plan if such revision is necessary to satisfy the requirements of this section.

''(g) GRANTS FOR IMPLEMENTATION.—

''(1) PROGRAM AUTHORIZED.—From amounts appropriated for this subsection, the Secretary shall award grants, through allotments in accordance with the regulations described in paragraph (2), to States to enable the States to award subgrants, on a competitive basis, to local educational agencies and eligible partnerships (as such term is defined in section 2502) to support the implementation of the State environmental literacy plan.

''(2) REGULATIONS.—The Secretary shall promulgate regulations implementing the grant program under paragraph (1), which regulations shall include the development of an allotment formula that best achieves the purposes of this subpart.

''(3) ADMINISTRATIVE EXPENSES.—A State receiving a grant under this subsection may use not more than 2.5 percent of the grant funds for administrative expenses.

''(h) REPORTING.—

''(1) IN GENERAL.—Not later than 2 years after approval of a State environmental literacy plan, and every 2 years thereafter, the State educational agency shall submit to the Secretary a report on the implementation of the State plan.

''(2) REPORT REQUIREMENTS.—The report required by this subsection shall be—

''(A) in the form specified by the Secretary;

''(B) based on the State's ongoing evaluation activities; and

''(C) made readily available to the public.''.

TITLE II—ESTABLISHMENT OF ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

SEC. 201. ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS.

Title II (20 U.S.C. 6601 et seq.) is amended by adding at the end the following:

"PART E—ENVIRONMENTAL EDUCATION PROFESSIONAL DEVELOPMENT GRANT PROGRAMS

"SEC. 2501. PURPOSE.

''The purpose of this part is to ensure the academic achievement of students in environmental literacy through the professional development of teachers and educators.

"SEC. 2502. GRANTS FOR ENHANCING EDUCATION THROUGH ENVIRONMENTAL EDUCATION.

''(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In this section, the term 'eligible partnership' means a partnership that—

''(1) shall include a local educational agency; and

''(2) may include—

''(A) the teacher training department of an institution of higher education;

''(B) the environmental department of an institution of higher education;

''(C) another local educational agency, a public charter school, a public elementary school or secondary school, or a consortium of such schools;

''(D) a Federal, State, regional, or local environmental or natural resource management agency that has demonstrated effectiveness in improving the quality of environmental education teachers; or

''(E) a nonprofit organization that has demonstrated effectiveness in improving the quality of environmental education teachers.

''(b) GRANTS AUTHORIZED.—

''(1) PROGRAM AUTHORIZED.—From amounts appropriated for this subsection, the Secretary shall award grants, through allotments in accordance with the regulations described in paragraph (2), to States whose State environmental literacy plan has been approved under section 5622, to enable the

States to award subgrants under subsection (c).

''(2) REGULATIONS.—The Secretary shall promulgate regulations implementing the grant program under paragraph (1), which regulations shall include the development of an allotment formula that best achieves the purposes of this subpart.

''(3) ADMINISTRATIVE EXPENSES.—A State receiving a grant under this subsection may use not more than 2.5 percent of the grant funds for administrative expenses.

''(c) SUBGRANTS AUTHORIZED.—

''(1) SUBGRANTS TO ELIGIBLE PARTNERSHIPS.—From amounts made available to a State educational agency under subsection (b)(1), the State educational agency shall award subgrants, on a competitive basis, to eligible partnerships serving the State, to enable the eligible partnerships to carry out the authorized activities described in subsection (e) consistent with the approved State environmental literacy plan.

''(2) DURATION.—The State educational agency shall award each subgrant under this part for a period of not more than 3 years beginning on the date of approval of the State's environmental literacy plan under section 5622.

''(3) SUPPLEMENT, NOT SUPPLANT.—Funds provided to an eligible partnership under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.

''(d) APPLICATION REQUIREMENTS.—

''(1) IN GENERAL.—Each eligible partnership desiring a subgrant under this part shall submit an application to the State educational agency, at such time, in such manner, and accompanied by such information as the State educational agency may require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

''(A) the results of a comprehensive assessment of the teacher quality and professional development needs, with respect to the teaching and learning of environmental content;

''(B) an explanation of how the activities to be carried out by the eligible partnership are expected to improve student academic achievement and strengthen the quality of environmental instruction;

''(C) a description of how the activities to be carried out by the eligible partnership—

''(i) will be aligned with challenging State academic content standards and student academic achievement standards in environmental education, to the extent such standards exist, and with the State's environmental literacy plan under section 5622; and

''(ii) will advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components in which students have the opportunity to directly experience nature;

''(D) a description of how the activities to be carried out by the eligible partnership will ensure that teachers are trained in the use of field-based or service learning to enable the teachers—

''(i) to use the local environment and community as a resource; and

''(ii) to enhance student understanding of the environment and academic achievement;

''(E) a description of—

''(i) how the eligible partnership will carry out the authorized activities described in subsection (e); and

''(ii) the eligible partnership's evaluation and accountability plan described in subsection (f); and

''(F) a description of how the eligible partnership will continue the activities funded under this part after the grant period has expired.

''(e) AUTHORIZED ACTIVITIES.—An eligible partnership shall use the subgrant funds provided under this part for 1 or more of the following activities related to elementary schools or secondary schools:

''(1) Creating opportunities for enhanced and ongoing professional development of teachers that improves the environmental subject matter knowledge of such teachers.

''(2) Creating opportunities for enhanced and ongoing professional development of teachers that improves teachers' pedagogical skills in teaching about the environment and environmental issues, including in the use of—

''(A) interdisciplinary, research-based, and field-based learning; and

''(B) innovative technology in the classroom.

''(3) Establishing and operating environmental education summer workshops or institutes, including follow-up training, for elementary and secondary school teachers to improve their pedagogical skills and subject matter knowledge for the teaching of environmental education.

''(4) Developing or redesigning more rigorous environmental education curricula that—

''(A) are aligned with challenging State academic content standards in environmental education, to the extent such standards exist, and with the State environmental literacy plan under section 5622; and

''(B) advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components.

''(5) Designing programs to prepare teachers at a school to provide mentoring and professional development to other teachers at such school to improve teacher environmental education subject matter and pedagogical skills;

''(6) Establishing and operating programs to bring teachers into contact with working professionals in environmental fields to expand such teachers' subject matter knowledge of, and research in, environmental issues.

''(7) Creating initiatives that seek to incorporate environmental education within teacher training programs or accreditation standards consistent with the State environmental literacy plan under section 5622.

''(8) Promoting outdoor environmental education activities as part of the regular school curriculum and schedule in order to further the knowledge and professional development of teachers and help students directly experience nature.

''(f) EVALUATION AND ACCOUNTABILITY PLAN.—

''(1) IN GENERAL.—Each eligible partnership receiving a subgrant under this part shall develop an evaluation and accountability plan for activities assisted under this part that includes rigorous objectives that measure the impact of the activities.

''(2) CONTENTS.—The plan developed under paragraph (1) shall include measurable objectives to increase the number of teachers who participate in environmental education content-based professional development activities.

''(g) REPORT.—Each eligible partnership receiving a subgrant under this part shall report annually, for each year of the subgrant, to the State educational agency regarding the eligible partnership's progress in meeting the objectives described in the accountability plan of the eligible partnership under subsection (f).''.

TITLE III—ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY

SEC. 301. ENVIRONMENTAL EDUCATION GRANT PROGRAM TO HELP BUILD NATIONAL CAPACITY.

Part D of title V (20 U.S.C. 7201 et seq.) (as amended by section 101) is further amended by adding at the end the following:

"Subpart 23—Environmental Education Grant Program

"SEC. 5631. PURPOSES.

''The purposes of this subpart are—

''(1) to prepare children to understand and address major environmental challenges facing the United States; and

''(2) to strengthen environmental education as an integral part of the elementary school and secondary school curriculum.

"SEC. 5632. GRANT PROGRAM AUTHORIZED.

''(a) DEFINITION OF ELIGIBLE PARTNERSHIP.—In this section, the term 'eligible partnership' means a partnership that—

''(1) shall include a local educational agency; and

''(2) may include—

''(A) the teacher training department of an institution of higher education;

''(B) the environmental department of an institution of higher education;

''(C) another local educational agency, a public charter school, a public elementary school or secondary school, or a consortium of such schools;

''(D) a Federal, State, regional, or local environmental or natural resource management agency, or park and recreation department, that has demonstrated effectiveness, expertise, and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced; and

''(E) a nonprofit organization that has demonstrated effectiveness, expertise, and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced.

''(b) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to eligible partnerships to enable the eligible partnerships to pay the Federal share of the costs of activities under this subpart.

''(2) DURATION.—Each grant under this subpart shall be for a period of not less than 1 year and not more than 3 years.

"SEC. 5633. APPLICATIONS.

''Each eligible partnership desiring a grant under this subpart shall submit to the Secretary an application that contains—

''(1) a plan to initiate, expand, or improve environmental education programs in order to make progress toward meeting—

''(A) challenging State academic content standards and student academic achievement standards in environmental education, to the extent such standards exist; and

''(B) academic standards that are aligned with the State's environmental literacy plan under section 5622; and

''(2) an evaluation and accountability plan for activities assisted under this subpart that includes rigorous objectives that measure the impact of activities funded under this subpart.

"SEC. 5634. USE OF FUNDS.

''Grant funds made available under this subpart shall be used for 1 or more of the following:

''(1) Developing and implementing State curriculum frameworks for environmental education that meet—

''(A) challenging State academic content standards and student academic achievement standards for environmental education, to the extent such standards exist; and

''(B) academic standards that are aligned with the State's environmental literacy plan under section 5622.

''(2) Replicating or disseminating information about proven and tested model environmental education programs that—

''(A) use the environment as an integrating theme or content throughout the curriculum; or

''(B) provide integrated, interdisciplinary instruction about natural, social, and economic systems along with field experience that provides students with opportunities to directly experience nature in ways designed to improve students' overall academic performance, personal health (including addressing child obesity issues), and understanding of nature.

''(3) Developing and implementing new policy approaches to advancing environmental education at the State and national level.

''(4) Conducting studies of national significance that—

''(A) provide a comprehensive, systematic, and formal assessment of the state of environmental education in the United States;

''(B) evaluate the effectiveness of teaching environmental education as a separate subject, and as an integrating concept or theme; or

''(C) evaluate the effectiveness of using environmental education-based field-based learning, service learning or outdoor experiential learning in helping improve—

''(i) student academic achievement in mathematics, reading or language arts, science, or other core academic subjects;

''(ii) student behavior;

''(iii) student attendance; and

''(iv) secondary school graduation rates.

''(5) Executing projects that advance widespread State and local educational agency adoption and use of environmental education content standards.

''SEC. 5635. REPORTS.

''(a) ELIGIBLE PARTNERSHIP REPORT.—In order to continue receiving grant funds under this subpart after the first year of a multiyear grant under this subpart, the eligible partnership shall submit to the Secretary an annual report that—

''(1) describes the activities assisted under this subpart that were conducted during the preceding year;

''(2) demonstrates that progress has been made in helping schools to meet the State academic standards for environmental education described in section 5634(1); and

''(3) describes the results of the eligible partnership's evaluation and accountability plan.

''(b) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of the No Child Left Inside Act of 2009 and annually thereafter, the Secretary shall submit a report to Congress that—

''(1) describes the programs assisted under this subpart;

''(2) documents the success of such programs in improving national and State environmental education capacity; and

''(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this subpart.

''SEC. 5636. ADMINISTRATIVE PROVISIONS.

''(a) FEDERAL SHARE.—The Federal share of a grant under this subpart shall not exceed—

''(1) 90 percent of the total costs of the activities assisted under the grant for the first year for which the program receives assistance under this subpart; and

''(2) 75 percent of such costs for each of the second and third years.

''(b) ADMINISTRATIVE EXPENSES.—Not more than 7.5 percent of the grant funds made available to an eligible partnership under this subpart for any fiscal year may be used for administrative expenses.

''(c) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this subpart shall remain available until expended.

''SEC. 5637. SUPPLEMENT, NOT SUPPLANT.

''Funds made available under this subpart shall be used to supplement, and not supplant, any other Federal, State, or local funds available for environmental education activities.''.

By Mrs. FEINSTEIN:

S. 867. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing a private relief bill on behalf of Shirley Constantino Tan. Ms. Tan is a Filipina national living in Pacifica, California. She is the loving mother of 12 year old U.S. citizen twin boys, Jashley and Joreine, and the spouse of Jay Mercado, a naturalized U.S. citizen.

I have decided to introduce a private bill on Ms. Tan's behalf because I believe her removal from the U.S. would cause undue hardship for her and her family. Without this legislation, this family will be separated or they will be relocated to a third country where Ms. Tan's safety and her children's well-being may be at risk. I believe Ms. Tan merits Congress' special consideration for such an extraordinary form of relief as a private bill.

Before coming to the U.S., Ms. Tan experienced tragic hardship in the Philippines after her mother and sister were murdered by her cousin. Ms. Tan was only 14 years old at the time and the violent assault left her with a bullet wound in the head. Although the cousin who committed the murders was eventually prosecuted, he received a short sentence and his impending release from jail in 1990 compelled her to leave the country out of fear for her safety. Ms. Tan legally entered the U.S. on a visitor's visa in 1989.

Ms. Tan faces deportation today in part because of the negligence demonstrated by her previous counsel. Ms. Tan applied for asylum in 1995. After years of appeals, the attorney received a brief from the Board of Immigration Appeals, BIA, outlining the Government's position on Ms. Tan's case. The attorney, however, failed to submit a reply brief in her client's favor and, in May 2002, the case was dismissed and Ms. Tan was granted an order of voluntary departure from the U.S.

Ms. Tan should have received notice of the voluntary removal order from her attorney. However, the attorney had moved offices, did not receive the order, and failed to inform Ms. Tan of the information. As a result, Ms. Tan did not depart the U.S. and the voluntary removal order against her became a deportation order.

The first time that Ms. Tan received notice of the deportation order was on January 28, 2009, when Immigration and Customs Enforcement officers appeared at her home and took her into custody.

In effect, Ms. Tan was denied the opportunity to adequately represent herself in U.S. immigration proceedings as a result of her attorney's negligence. Ms. Tan has since filed a complaint against her former attorney with the State Bar of California. A previous complaint has also been filed against the same attorney with the California Bar for similar misconduct.

One of the most compelling reasons for permitting Ms. Tan to remain in the U.S. is the impact that her deportation would have on her two U.S. citizen minor children, Jashley and Joreine.

These children are currently seventh graders at Cabrillo Elementary School in Pacifica, California, where they have made the honor roll. In letters to me from two teachers at Cabrillo Elementary, Jashley and Joreine were described as ''ideal'' students—''the kinds of kids that make my job feel easy.'' One of the teachers described their mother, Ms. Tan, as a highly-involved, ''model'' parent, one who ''attends every conference, drives on field trips and consistently checks in with her boys' teachers and the rest of our staff to make sure Jashley and Joreine continue to be successful.''

However, if Ms. Tan is forced to leave the United States, this family has stated that they would follow her to the Philippines or relocate to a third country to avoid their separation. This means that Jashley and Joreine will have to cut their education short and have to leave the U.S.—their birthplace and the only country they know to be home.

All too often, young U.S. citizen children like Jashley and Joreine are being put in this position when one or both of their parents may be removed from the United States. A January 2009 report by the Department of Homeland Security Office of Inspector General found that, over the last 10 years, 108,434 immigrants who were the parents of U.S. citizen children were removed from this country.

A separate report completed this year by Dorsey & Whitney LLP to the Urban Institute affirms what many of us know—that the removal or deportation of a parent is deeply traumatic and causes long-lasting harm to U.S. citizen children. For families that have no choice but to leave the United States as a unit in order to stay together, this has life-altering consequences for U.S. citizen children. Besides the fact that these children lose the opportunities that come with being raised in the United States, these children are more prone to anxiety, depression, eating and sleeping disorders, post- traumatic stress disorder, and behavior changes.

This is the situation facing the Tan family. While her marriage was legally performed under California law at the time, Ms. Tan cannot take steps to legally adjust her immigration status

through the regular family-based immigration channels.

I do not believe that it is in our Nation's best interest to force this family—including two U.S. citizen minor children—to make the choice between being separated and relocation to a country where they may face serious hardships.

The Tan family has built a stable and supportive home for themselves in the Pacifica, California community. Ms. Tan's spouse has worked for 17 years at Biddle-Shaw Insurance Services, Inc., where her employer describes her as ''hard-working . . . trustworthy and dependable.'' This couple owns their own home, and over many years they were active members of the Good Shepherd Catholic Church. At Good Shepherd, Jay was a member of the School Board and Ms. Tan was a consummate volunteer. I received a heartfelt letter from the Pastor at Good Shepherd that describes Ms. Tan as a ''dedicated mother'' and attests to the family's spirit of volunteerism and commitment at the church.

In fact, I have received 45 letters from friends and community members and 3 letters from organizations, including the Human Rights Campaign, Love Exiles, and Immigration Equality, in support of Ms. Tan remaining in the U.S. I have also been contacted by Representative JACKIE SPEIER's office in support of this case. This family has also received substantial attention from the media in the San Francisco Bay Area.

Enactment of the legislation I am introducing on behalf of Ms. Tan today will enable this entire family to us continue to remain in the U.S. and make positive contributions to their community in Pacifica, California.

Mr. President, I ask unanimous consent that the text of the bill and letters of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 867

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR SHIRLEY CONSTANTINO TAN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Shirley Constantino Tan shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Shirley Constantino Tan enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Shirley Constantino Tan, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act (8 U.S.C. 1152(e)).

CABRILLO SCHOOL,
Pacifica, CA, April 2, 2009.

TO WHOM IT MAY CONCERN: Jaylynn Mercado and Shirley Tan are model parents to their 12-year-old twin boys, Jashley and Joriene. It is upsetting to hear that Shirley is being forced to leave the country and be separated from her family. Due to the dedication of these parents, Jashley and Joriene are ideal students. They are well liked by their peers and the faculty of the school. They are both exceptional students. Jaylynn and Shirley are always willing to help the school out in any way possible. They are committed to encouraging their children to do great things. Jaylynn and Shirley have modeled and taught their boys some of the finest traits of respect and compassion. It is my hope that this respect and compassion is returned to the Mercado Family.

Please do what is possible to keep this family intact. They are a lovely addition to our school community. Please contact me if there is any more help that I can give.

Sincerely,

MEGHANN ELSBERND.

CABRILLO SCHOOL,
Pacifica, CA, March 30, 2009.

TO WHOM IT MAY CONCERN: My name is Jared Katz and I am writing this letter in support of Shirley Mercado. I teach 6th grade at Cabrillo Elementary in Pacifica, California and last year I was fortunate to have Joriene and Jashley Mercado in my class. Both boys were exceptional students. They were on the honor roll, athletic, confident, and popular with their peers. Joriene and Jashley are the kinds of kids that make my job feel easy.

Once I got to know their family a little bit I immediately understood why the boys were so successful. Each year I see sixty-four different families, from a variety of cultural and economic backgrounds, and I don't think I've ever seen a family as committed to each other as the Mercados. Being in a room with the four of them together it's impossible to not be envious of the strong bond between them and of the ease and comfort in the way they relate to one another. And from our first meeting it was obvious that Shirley is the center of their family's strength. When you talk to them together all the boys' actions revolve around her and as a member of our school community she is the model parent. She attends every conference, drives on field trips and consistently checks in with her boys teachers and the rest of our staff to make sure Joriene and Jashley continue to be successful.

When I heard the news this morning that she may be forced to leave the country and be separated from her family I was very shocked and saddened. If there's anything that can be done to help preserve her family I hope that it will be vigorously pursued. And if there's anything I can do to help, please don't hesitate to ask.

Sincerely,

JARED KATZ.

CHURCH OF THE GOOD SHEPHERD,
Pacifica, CA.

DEAR SENATOR FEINSTEIN, It is an honor for me to write this letter of support for one of your constituents, Ms. Shirley Tan. I am her Pastor here at Good Shepherd Catholic Church in Pacifica. I have gotten to know Shirley and her partner Jay Mercado as well as their twin boys Jashley and Joriene. I have been closely connected with this family for the past 5 years. Shirley is a wonderful mother to her sons. She is always available, her gentle spirit and loving heart guiding all that she does as a parent. She and Jay want the best for their sons. They want the boys to grow in wisdom and knowledge and find their true and definite place in this world. They provide a warm and welcoming home, with their door open to family and neighbors (and even strangers!!) Shirley and Jay were school parents here until recently, when, they found a public school that better met the needs of their boys. While they were here at Good Shepherd, Jay was a faithful and responsible member of the School Board, and Shirley was the consummate volunteer . . . always willing and able to help out on campus, as a classroom aide, on special school projects, as a chaperone on field trips . . . Whenever there was a call for help from our Principal or from the School Office, without a moment's hesitation, Shirley would be one of the first to call and offer whatever assistance was needed at the time.

Jay and Shirley were also faithful members of one of our Sunday Mass choirs. Coming to church every week . . . being faithful members of a Christian community . . . being whole-hearted servants of God as ministers of music in this local church . . . bringing their two boys to mass every Sunday and encouraging them to become altar servers . . . Jay and Shirley have for all the time I have known them been wonderful Christian partners, parents, role models for their two boys, and, as Scripture says, ''living stones'' helping to form and to build up the Church, the Body of Christ, in today's broken and violent world.

I urge you in the strongest possible terms to do to all that you can to assist Shirley and to help quickly and justly resolve her current legal situation.

Sincerely,

PIERS M. LAHEY,
Pastor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 108—COMMENDING CAPTAIN RICHARD PHILLIPS, THE CREW OF THE ''MAERSK ALABAMA'', AND THE UNITED STATES ARMED FORCES, RECOGNIZING THE GROWING PROBLEM OF PIRACY OFF SOMALIA'S COAST, AND URGING THE DEVELOPMENT OF A COMPREHENSIVE STRATEGY TO ADDRESS PIRACY AND ITS ROOT CAUSES

Mr. LEAHY (for himself, Mr. GREGG, Mr. FEINGOLD, Mr. KENNEDY, Mr. SANDERS, Mr. KERRY, and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 108

Whereas Somalia has been without a functioning central government since 1991, resulting in lawlessness and an increasingly desperate humanitarian situation;

Whereas according to a Somali human rights group, violence during the period from 2007 to 2009 has killed an estimated 16,000 people, wounded more than 28,000 people, and displaced more than 1,000,000 people;

Whereas these grim conditions and the absence of a functioning government have made Somalia an ideal base for piracy operations and a fertile ground for terrorist organizations, including the group al-Shabaab, whose leaders have ties to al-Qaeda;

Whereas acts of piracy off the coast of Somalia have been on the rise for more than a year, with the International Maritime Bureau reporting an estimated 111 attacks in 2008;

Whereas on Wednesday, April 8, 2009, Somali pirates used grappling hooks and weapons to board the Norfolk, Virginia-based container ship Maersk Alabama, which was captained by Richard Phillips, a resident of Underhill, Vermont, and crewed by 19 other citizens of the United States, and which was delivering food aid from the World Food Programme to hungry people in east Africa;

Whereas Captain Phillips, a native of Winchester, Massachusetts and a 1979 graduate of the Massachusetts Maritime Academy, bravely led the Maersk Alabama crew in successfully retaking control of the ship by offering himself as a hostage in exchange for the release of the crew;

Whereas 4 pirates took Captain Phillips into an 18-foot lifeboat, held him captive at gunpoint, and repeatedly threatened to kill him;

Whereas the United States Central Command dispatched to the scene the destroyer U.S.S. Bainbridge, which was joined in subsequent days by the U.S.S. Halyburton and the U.S.S. Boxer, along with Navy SEAL teams, Marine Corps helicopters, and other joint assets of the United States Armed Forces;

Whereas hostage recovery experts from the Federal Bureau of Investigation gave guidance to the crew of the U.S.S. Bainbridge, while the Department of State stayed in contact with Captain Phillips' family, including Phillips' wife Andrea and their 2 children, Daniel and Mariah, in Underhill, Vermont;

Whereas Maersk Limited, based in Norfolk, Virginia, worked diligently with the United States Armed Forces to try to obtain the release of Captain Phillips and the Maersk Alabama crew and to move the ship safely to port in Kenya, while sending personal representatives to Vermont to keep the Phillips family informed;

Whereas in the late evening of April 9, 2009, Captain Phillips made an escape attempt, jumping into the water of the Indian Ocean to swim for safety, only to be pursued by the pirates and quickly recaptured;

Whereas the President received regular briefings on the hostage crisis and provided the authority necessary for the United States Armed Forces to resolve it;

Whereas on April 12, 2009, Easter Sunday, Captain Phillips was rescued after the United States Armed Forces, which throughout the crisis spared no effort to defuse the situation and peacefully rescue Phillips, took the lives of 3 of the pirate captors when Phillips was seen to be in imminent danger; and

Whereas international commerce remains under threat while Somali pirates continue to hold for ransom more than 200 crew members of many nationalities: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Captain Phillips deserves the respect and admiration of all people of the United States for his brave conduct under life-threatening circumstances;

(2) the Senate shares the sense of relief and gratitude felt by the family and shipmates of Captain Phillips;

(3) all members of the United States Armed Forces involved in the rescue operation, in particular members of the Navy and Navy SEAL teams who rescued Captain Phillips, the officials of other Federal Government departments and agencies who contributed, and the crew of the Maersk Alabama, are to be commended for their exceptional efforts and devotion to duty; and

(4) the President should work with the international community and the transitional government of Somalia to develop a comprehensive strategy to address both the burgeoning problem of piracy and its root causes.

SENATE RESOLUTION 109—COMMENDING THE BRAVERY OF THE GIRLS WHO ATTEND THE MIRWAIS SCHOOL FOR GIRLS IN KANDAHAR, AFGHANISTAN

Mr. CRAPO (for himself, Mr. LUGAR, and Mr. RISCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 109

Whereas, on November 12, 2008, 15 girls who attend the Mirwais School for Girls in Kandahar, Afghanistan, were attacked by militants and sprayed with acid, causing them varying degrees of disfigurement;

Whereas the militants committed the egregious attack to intimidate the girls and their families and to discourage the girls from continuing to attend school;

Whereas, less than one week after the attacks, Headmaster Mahmood Qadari asked parents to return the girls to school;

Whereas, by January 14, 2009, nearly 1,300 girls, almost all the students, had returned to the 40-room Mirwais School for Girls;

Whereas the families of the girls from the Mirwais School for Girls defy threats of personal harm and staunchly assert the right to educate their daughters;

Whereas, according to the United Nations, educating girls and women reduces the incidence of domestic and community violence and raises the standard of living in a country;

Whereas, according to a study published by the Afghanistan Independent Human Rights Commission, it is a ''fact that child marriage takes place in a frequent and pervasive fashion'' in Afghanistan;

Whereas, according to that study, of women surveyed for the study, 43.6 percent stated that they married to solve their economic problems, 7.1 percent referred to the resolution of conflicts as the reason for their early marriage, 37 percent said that ''badal'', or the exchange of girls between 2 families, was the reason for their marriage, and 12.3 percent cited other reasons for their marriage, such as local traditional practices and parental interference;

Whereas, according to 2007 information from the World Health Organization, the health of women and children in Afghanistan is among the worst in the world;

Whereas, according to estimates from the Department of State for 2008, the literacy rate for women in Afghanistan is 12 percent;

Whereas it is a continuing priority of the United States government to advance the rights of women in Afghanistan by facilitating women's participation in social, political, and economic affairs and by ensuring women's safety and well-being;

Whereas the United States Government looks to the government of Afghanistan to proactively support the rights of women and girls, and recognizes that the recently-passed personal security law would severely diminish such rights;

Whereas the United States Agency for International Development (USAID) has integrated women-focused activities into most of its programs by strategic design, with the goal of increasing women's political participation and access to education, health care, economic opportunities, and roles in civil society;

Whereas USAID has noted that, despite women's nearly non-existent access to health, education, and political participation in 2001, there has been a 25 percent decrease in maternal mortality since 2001, due in great part to women's significantly improved access to health and hospital services;

Whereas, since 2001, Afghanistan has experienced a surge in school attendance to more than 6,000,000 children enrolled, of which 35 percent are girls, and has greatly increased participation of women in civil society, with women representing 26 percent of the civil service and holding 27 percent of the seats in the national assembly and 29 percent of provincial council seats; and

Whereas, despite significant gains made through assistance programs in Afghanistan since the fall of the Taliban government in 2001, there remains a great deal more work to be done toward achieving reasonable development in still one of the poorest countries in the world, and such development can be achieved only by empowering the 50 percent of the population that is women: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the extraordinary bravery shown by the girls and families of the Mirwais School for Girls in Kandahar, Afghanistan, especially the girls injured in the November 2008 attack, in the decision to return to school in the face of threats of bodily injury, or worse; and

(2) continues to support efforts to decrease illiteracy and gender-based violence in Afghanistan.

SENATE RESOLUTION 110—CONGRATULATING THE UNIVERSITY OF NORTH CAROLINA TAR HEELS BASKETBALL TEAM FOR WINNING THE 2008–2009 NCAA MEN'S BASKETBALL CHAMPIONSHIP

Mr. BURR (for himself and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 110

Whereas on April 6, 2009, the University of North Carolina defeated Michigan State University 89–72 to win the 2008–2009 National Collegiate Athletic Association (NCAA) men's basketball national championship;

Whereas the University of North Carolina was the consensus preseason number 1 basketball team in the Nation;

Whereas the University of North Carolina Tar Heels were saddled with a tremendous amount of pressure to get to the NCAA Final Four and win the national championship in 2009;

Whereas after the Tar Heels' 0–2 record to start the Atlantic Coast Conference (ACC) regular season, the team finished with a record of 13–3 and won 13 out of their last 14 games in conference;

Whereas the Tar Heels were the 2008–2009 ACC regular season conference champions;

Whereas the University of North Carolina's Tyler Hansbrough became the ACC's all-time leading scorer;

Whereas the University of North Carolina's Tyler Hansbrough and Ty Lawson were selected to the 2008–2009 All-Atlantic Coast Conference (All-ACC) first team;

Whereas Tyler Hansbrough became the first player in league history to be unanimously selected 4 times to the All-ACC first team;

Whereas the University of North Carolina's Danny Green was selected to the 2008–2009 All-ACC third team and the All-ACC defensive team;

Whereas the University of North Carolina's Ed Davis was selected to the All-ACC rookie team;

Whereas entering into the 2008–2009 NCAA College Basketball Championship, President Barack Obama picked the Tar Heels to win the championship title;

Whereas the University of North Carolina beat each of Radford University, Louisiana State University, Gonzaga University, and the University of Oklahoma by 12 points or more to win the South Division and reach the Final Four for the second straight year;

Whereas Ty Lawson was named the South Division most valuable player;

Whereas with their victory over the University of Oklahoma, the Tar Heels became the first team in NCAA Tournament history to reach 100 tournament wins;

Whereas several media outlets, including ESPN and CBS, reported that more than 60,000 fans in attendance at the final tournament game would be cheering for Michigan State University;

Whereas the 55 points the University of North Carolina scored in the first half of the championship game broke the all-time first half scoring record for any team in the history of the NCAA tournament;

Whereas the University of North Carolina's Wayne Ellington and Deon Thompson played exceptionally well in the first half of the championship game to push the lead to 21 points;

Whereas the University of North Carolina withstood Michigan State University's late surge and pushed the lead back to 19 points with less than 3 minutes remaining in the game;

Whereas the University of North Carolina's Wayne Ellington was named the Final Four most valuable player;

Whereas Ty Lawson's 8 steals set the record for the most steals in a NCAA championship game;

Whereas the 2008–2009 championship was the University of North Carolina's fifth national championship in school history;

Whereas the 2008–2009 championship was Coach Roy Williams' second national championship since taking over as head coach of the University of North Carolina men's basketball team; and

Whereas with the victory over Michigan State University, the University of North Carolina tied the University of Kentucky for the all-time winningest program in NCAA Division 1 men's basketball history: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of North Carolina for winning the 2008–2009 National Collegiate Athletic Association men's basketball national championship;

(2) recognizes the achievement of the players, coaches, students, and staff of the University of North Carolina whose perseverance and dedication to excellence helped propel the men's basketball team to win the championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the chancellor of the University of North Carolina, H. Holden Thorp;

(B) the athletic director of the University of North Carolina, Dick Baddour; and

(C) the head coach of the University of North Carolina men's basketball team, Roy Williams.

SENATE CONCURRENT RESOLUTION 18—SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY, AND REAFFIRMING UNITED STATES LEADERSHIP AND SUPPORT FOR EFFORTS TO COMBAT MALARIA

Mr. FEINGOLD (for himself, Mr. ISAKSON, Mr. BINGAMAN, Mr. DURBIN, Mr. CARDIN, Mr. WICKER, Mr. BROWNBACK, Ms. CANTWELL, and Mr. MARTINEZ) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 18

Whereas April 25 of each year is recognized internationally as World Malaria Day and in the United States as Malaria Awareness Day;

Whereas, despite malaria being completely preventable and treatable and the fact that malaria was eliminated in the United States over 50 years ago, more than 40 percent of the world's population is still at risk of contracting malaria;

Whereas, according to the World Health Organization, nearly 1,000,000 people die from malaria each year, the vast majority of whom are children under the age of 5 in Africa;

Whereas malaria greatly affects child health, with a child dying from malaria roughly every 30 seconds and nearly 3,000 children dying from malaria every day;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates by the Center for Disease Control and Prevention that malaria infection causes 400,000 cases of severe maternal anemia and from 75,000 to 200,000 infant deaths annually in sub-Saharan Africa;

Whereas HIV infection increases the risk and severity of malarial illness, and malaria increases the viral load in HIV-positive people, which can lead to increased transmission of HIV and more rapid disease progression, with substantial public health implications;

Whereas in malarial regions, many people are co-infected with malaria and one or more of the neglected tropical diseases (NTDs) such as hookworm and schistosomiasis, which causes a pronounced exacerbation of anemia and several adverse health consequences;

Whereas the malnutrition and chronic illness that result from childhood malaria leads to increased absenteeism in school and perpetuates cycles of poverty;

Whereas an estimated 90 percent of deaths from malaria occur in Africa, and the Roll Back Malaria Partnership estimates that malaria costs countries in Africa $12,000,000,000 in lost economic productivity each year;

Whereas the World Health Organization estimates that malaria accounts for 40 percent of healthcare expenditures in high-burden countries, demonstrating that effective, long-term malaria control is inextricably linked to the strength of health systems;

Whereas heightened efforts over recent years to prevent and treat malaria are currently saving lives;

Whereas the progress and funding to control malaria has increased ten-fold since 2000, in large part due to funding under the President's Malaria Initiative (a United States Government initiative designed to cut malaria deaths in half in target countries in sub-Saharan Africa), the Global Fund to Fight AIDS, Tuberculosis and Malaria, the World Bank, and new financing by other donors;

Whereas the President's Malaria Initiative has purchased almost 13,000,000 artemisinin-based combination therapies (ACT), protected over 17,000,000 people through spraying campaigns, and distributed over 6,000,000 insecticide-treated bed nets, the Global Fund to Fight AIDS, Tuberculosis and Malaria has distributed 70,000,000 bed nets to protect families from malaria and provided 74,000,000 malaria patients with ACTs, and the World Bank's Booster Program is scheduled to commit approximately $500,000,000 in International Development Association funds for malaria control in Africa;

Whereas public and private partners are developing effective and affordable drugs to treat malaria, with more than 23 types of malaria vaccines in development;

Whereas, according to the Centers for Disease Control and Prevention, vector control, or the prevention of malaria transmission via anopheles mosquitoes, which includes a combination of methods such as insecticide-treated bed nets, indoor residual spraying, and source reduction (larval control), has been shown to reduce severe morbidity and mortality due to malaria in endemic regions;

Whereas the impact of malaria efforts have been documented in numerous regions, such as in Zanzibar, where malaria prevalence among children shrank from 20 percent to less than 1 percent between 2005 and 2007, and in Rwanda, where malaria cases and deaths appeared to decline rapidly after a large-scale distribution of bed nets and malaria treatments in 2006; and

Whereas a malaria-free future will rely on consistent international, national, and local leadership and a comprehensive approach addressing the range of health, development, and economic challenges facing developing countries: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senate—

(1) supports the goals and ideals of Malaria Awareness Day, including the achievable target of ending malaria deaths by 2015;

(2) calls upon the people of the United States to observe Malaria Awareness Day with appropriate programs, ceremonies, and activities to raise awareness and support to save the lives of those affected by malaria;

(3) reaffirms the goals and commitments to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110–293);

(4) commends the progress made by anti-malaria programs, including the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(5) reaffirms United States support for and contribution toward the achievement of the targets set by the Roll Back Malaria Partnership Global Malaria Action plan;

(6) encourages fellow donor nations to maintain their support and honor their funding commitments for malaria programs worldwide;

(7) urges greater integration of United States and international health programs targeting malaria, HIV/AIDS, tuberculosis, neglected tropical diseases, and basic child and maternal health; and

(8) commits to continued United States leadership in efforts to reduce global malaria deaths, especially through strengthening

health care systems that can deliver effective, safe, high-quality interventions when and where they are needed and assure access to reliable health information and effective disease surveillance.

AMENDMENTS SUBMITTED AND PROPOSED

SA 982. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

SA 983. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 984. Mr. REID (for himself, Mr. KOHL, and Mr. LEVIN) proposed an amendment to the bill S. 386, supra.

SA 985. Mr. KYL proposed an amendment to the bill S. 386, supra.

SA 986. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, supra.

SA 987. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 988. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 989. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 990. Mr. KOHL submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 991. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 386, supra.

SA 992. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 993. Mr. LEAHY (for himself and Mr. GRASSLEY) proposed an amendment to the bill S. 386, supra.

SA 994. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 995. Mr. ISAKSON (for himself, Mr. CONRAD, Mr. DODD, Mr. WHITEHOUSE, Ms. SNOWE, and Mr. CHAMBLISS) proposed an amendment to the bill S. 386, supra.

SA 996. Mr. INHOFE (for himself, Mr. DEMINT, Mr. VITTER, and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 984 proposed by Mr. REID (for himself, Mr. KOHL, and Mr. LEVIN) to the bill S. 386, supra.

SA 997. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 998. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 999. Mr. DORGAN (for himself, Mr. MCCAIN, and Mr. GRASSLEY) proposed an amendment to the bill S. 386, supra.

SA 1000. Mrs. BOXER (for herself, Ms. SNOWE, Mr. CORKER, and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 386, supra.

SA 1001. Mr. DORGAN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

SA 1002. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 386, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 982. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

At the end of the bill, add the following:

SEC. 5. USE OF TARP FUNDS TO PAY FOR ADDITIONAL EXPENDITURES.

Effective upon the date of enactment of this Act, of the amounts of authority made available pursuant to paragraphs (1) and (2) of section 115(a) of the Emergency Economic Stabilization Act of 2008 (Public Law 110-343) to purchase troubled assets that remain unused as of such date of enactment, such amounts as may be necessary shall be available, notwithstanding any provision of such Act, to provide the amounts authorized under subsections (a), (b), (c), and (d) of section 3.

SA 983. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IG REPORT ON ACTIVITIES OF FANNIE MAE AND FREDDIE MAC.

Not later than 18 months after the date of enactment of this Act, the Inspector General of the Federal Housing Finance Agency shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the following:

(1) When did the Federal National Mortgage Association (in this section referred to as ''Fannie Mae'') and the Federal Home Loan Mortgage Corporation (in this section referred to as ''Freddie Mac'') begin buying large quantities of subprime and Alt-A mortgages? In what years did Fannie Mae and Freddie Mac purchase the largest number of subprime and Alt-A mortgages?

(2) To what extent were the purchase of subprime and Alt-A mortgages by Fannie Mae and Freddie Mac induced by Congressional action or Executive Order?

(3) To what extent were the purchase of large quantities of subprime and Alt-A mortgages by Fannie Mae and Freddie Mac induced by the Department of Housing and Urban Development affordable housing regulations issued in 1995?

(4) What actions by Fannie Mae and Freddie Mac contributed to the overvaluation of mortgage-backed securities?

(5) What political contributions were made by Fannie Mae and Freddie Mac on behalf of a political candidate or to a separate segregated legal fund described in section 316(b)(2)(c) of the Federal Election Campaign Act of 1971 (2 U.S.C. 441b(b)(2)(c)) between 1990 and 2008?

(6) What lobbying expenditures, as such term is defined in section 4911(c)(1) of the Internal Revenue Code of 1986, were made by Fannie Mae and Freddie Mac between 1990 and 2008?

(7) What contributions were made by Fannie Mae and Freddie Mac to any organization described under section 501(c) of the Internal Revenue Code of 1986 between 1990 and 2008?

SA 984. Mr. REID (for himself, Mr. KOHL, and Mr. LEVIN) proposed an amendment to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. ADDITIONAL FUNDING FOR HUD PROGRAMS TO ASSIST INDIVIDUALS TO BETTER WITHSTAND THE CURRENT MORTGAGE CRISIS.

(a) ADDITIONAL APPROPRIATIONS FOR ADVERTISING IN SUPPORT OF HUD PROGRAMS.—There is authorized to be appropriated to the Secretary of Housing and Urban Development, to remain available until expended, $10,000,000 for each of the fiscal years 2010 and 2011 for purposes of providing additional resources to be used for advertising in support of HUD programs and approved counseling agencies, provided that such amounts are used to advertise in the 50 metropolitan statistical areas with the highest incidence of home foreclosures per capita, and provided, further that at least $5,000,000 of such amounts are used for Spanish-language advertisements.

(b) ADDITIONAL APPROPRIATIONS FOR THE HOUSING COUNSELING ASSISTANCE PROGRAM.—There is authorized to be appropriated to the Secretary of Housing and Urban Development, to remain available until expended, $50,000,000 for each of the fiscal years 2010 and 2011 to carry out the Housing Counseling Assistance Program established within the Department of Housing and Urban Development, provided that such amounts are used to fund HUD-certified housing-counseling agencies located in the 50 metropolitan statistical areas with the highest incidence of home foreclosures per capita for the purpose of assisting homeowners with inquiries regarding mortgage-modification assistance and mortgage scams.

(c) ADDITIONAL APPROPRIATIONS FOR PERSONNEL AT THE OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY.—There is authorized to be appropriated to the Secretary of Housing and Urban Development, to remain available until expended, $5,000,000 for each of the fiscal years 2010 and 2011 for purposes of hiring additional personnel at the Office of Fair Housing and Equal Opportunity within the Department of Housing and Urban Development, provided that such amounts are used to hire personnel at the local branches of such Office located in the 50 metropolitan statistical areas with the highest incidence of home foreclosures per capita.

SA 985. Mr. KYL proposed an amendment to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

On page 26, strike lines 1 through 5, and insert the following:

''(3) the term 'obligation' means an established duty, whether or not fixed, arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, from a fee-based or similar relationship, from statute or regulation, or from the retention of any overpayment; and

SA 986. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

On page 26, after line 22, insert the following:

SEC. 5. LIMITATION ON AWARDS TO CERTAIN INTERVENORS.

Section 3730(d) of title 31, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence, by inserting ''but in no event more than the greater of $50,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''prosecution of the action''; and

(B) in the second sentence—

(i) by striking ''Government Accounting Office'' and inserting ''Government Accountability Office'';

(ii) by inserting ''but in no event more than the greater of $50,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''advancing the case to litigation''; and

(2) in paragraph (2), by striking the second sentence and inserting ''The amount, which shall be paid out of the proceeds of the action or settlement, shall be not less than 25 percent and not more than 30 percent of the amount of such proceeds, but in no event more than the greater of $50,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the third sentence of this paragraph''.

SA 987. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, after line 22, insert the following:

SEC. 5. LIMITATION ON AWARDS TO CERTAIN INTERVENORS.

Section 3730(d) of title 31, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence, by inserting ''but in no event more than the greater of $20,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''prosecution of the action''; and

(B) in the second sentence—

(i) by striking ''Government Accounting Office'' and inserting ''Government Accountability Office'';

(ii) by inserting ''but in no event more than the greater of $20,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''advancing the case to litigation''; and

(2) in paragraph (2), by striking the second sentence and inserting ''The amount, which shall be paid out of the proceeds of the action or settlement, shall be not less than 25 percent and not more than 30 percent of the amount of such proceeds, but in no event more than the greater of $20,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the third sentence of this paragraph''.

SA 988. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, after line 22, insert the following:

SEC. 5. LIMITATION ON AWARDS TO CERTAIN INTERVENORS.

Section 3730(d) of title 31, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence, by inserting ''but in no event more than the greater of $10,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''prosecution of the action''; and

(B) in the second sentence—

(i) by striking ''Government Accounting Office'' and inserting ''Government Accountability Office'';

(ii) by inserting ''but in no event more than the greater of $10,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''advancing the case to litigation''; and

(2) in paragraph (2), by striking the second sentence and inserting ''The amount, which shall be paid out of the proceeds of the action or settlement, shall be not less than 25 percent and not more than 30 percent of the amount of such proceeds, but in no event more than the greater of $10,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the third sentence of this paragraph''.

SA 989. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, after line 22, insert the following:

SEC. 5. LIMITATION ON AWARDS TO CERTAIN INTERVENORS.

Section 3730(d) of title 31, United States Code, is amended—

(1) in paragraph (1)—

(A) in the first sentence, by inserting ''but in no event more than the greater of $5,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''prosecution of the action''; and

(B) in the second sentence—

(i) by striking ''Government Accounting Office'' and inserting ''Government Accountability Office'';

(ii) by inserting ''but in no event more than the greater of $5,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the fourth sentence of this paragraph'' after ''advancing the case to litigation''; and

(2) in paragraph (2), by striking the second sentence and inserting ''The amount, which shall be paid out of the proceeds of the action or settlement, shall be not less than 25 percent and not more than 30 percent of the amount of such proceeds, but in no event more than the greater of $5,000,000 or 300 percent of the expenses, fees, and costs awarded to such person under the third sentence of this paragraph''.

SA 990. Mr. KOHL submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. GRANTS TO STATES FOR ENHANCED PROTECTION OF SENIORS FROM BEING MISLEAD BY FALSE DESIGNATIONS.

(a) FINDINGS.—Congress finds that—

(1) many seniors are targeted by salespersons and advisers using misleading certifications and professional designations;

(2) many certifications and professional designations used by salespersons and advisers represent limited training or expertise, and may in fact be of no value with respect to advising seniors on financial and estate planning matters, and far too often, such designations are obtained simply by attending a weekend seminar and passing an open book, multiple choice test;

(3) many seniors have lost their life savings because salespersons and advisers holding a misleading designation have steered them toward products that were unsuitable for them, given their retirement needs and life expectancies;

(4) seniors have a right to clearly know whether they are working with a qualified adviser who understands the products and is working in their best interest or a self-interested salesperson or adviser advocating particular products; and

(5) many existing State laws and enforcement measures addressing the use of certifications, professional designations, and suitability standards in selling financial products to seniors are inadequate to protect senior investors from salespersons and advisers using such designations.

(b) DEFINITIONS.—As used in this section—

(1) the term ''misleading designation''—

(A) means the use of a purported certification, professional designation, or other credential, that indicates or implies that a salesperson or adviser has special certification or training in advising or servicing seniors; and

(B) does not include any legitimate certification, professional designation, license, or other credential, if—

(i) it has been offered by an academic institution having regional accreditation; or

(ii) it meets the standards for certifications, licenses, and professional designations outlined by the North American Securities Administrators Association (in this section referred to as the ''NASAA'') Model Rule on the Use of Senior-Specific Certifications and Professional Designations, or it was issued by or obtained from any State;

(2) the term ''financial product'' means securities, insurance products (including insurance products which pay a return, whether fixed or variable), and bank and loan products;

(3) the term ''misleading or fraudulent marketing'' means the use of a misleading

designation in selling or advising a senior in the sale of a financial product;

(4) the term ''senior'' means any individual who has attained the age of 62 or older; and

(5) the term ''State'' means each of the 50 States, the District of Columbia, and the unincorporated territories of Puerto Rico and the U.S. Virgin Islands.

(c) GRANT PROGRAM.—The Attorney General of the United States (in this section referred to as the ''Attorney General'')—

(1) shall establish a program in accordance with this section to provide grants to States—

(A) to investigate and prosecute misleading and fraudulent marketing practices; or

(B) to develop educational materials and training aimed at reducing misleading and fraudulent marketing of financial products toward seniors; and

(2) may establish such performance objectives, reporting requirements, and application procedures for States and State agencies receiving grants under this section as the Attorney General determines are necessary to carry out and assess the effectiveness of the program under this section.

(d) USE OF GRANT AMOUNTS.—A grant under this section may be used (including through subgrants) by the State or the appropriate State agency designated by the State—

(1) to fund additional staff to identify, investigate, and prosecute cases involving misleading or fraudulent marketing of financial products to seniors;

(2) to fund technology, equipment, and training for regulators, prosecutors, and law enforcement in order to identify salespersons and advisers who target seniors through the use of misleading designations;

(3) to fund technology, equipment, and training for prosecutors to increase the successful prosecution of those targeting seniors with the use of misleading designations;

(4) to provide educational materials and training to regulators on the appropriateness of the use of designations by salespersons and advisers of financial products;

(5) to provide educational materials and training to seniors to increase their awareness and understanding of designations;

(6) to develop comprehensive plans to combat misleading or fraudulent marketing of financial products to seniors; and

(7) to enhance provisions of State law that could offer additional protection for seniors against misleading or fraudulent marketing of financial products.

(e) GRANT REQUIREMENTS.—

(1) MAXIMUM.—The amount of a grant under this section may not exceed $500,000 per fiscal year per State, if all requirements of paragraphs (2), (3), (4), and (5) are met. Such amount shall be limited to $100,000 per fiscal year per State in any case in which the State meets the requirements of—

(A) paragraphs (2) and (3), but not each of paragraphs (4) and (5); or

(B) paragraphs (4) and (5), but not each of paragraphs (2) and (3).

(2) STANDARD DESIGNATION RULES FOR SECURITIES.—A State shall have adopted rules on the appropriate use of designations in the offer or sale of securities or investment advice, which shall, to the extent practicable, conform to the minimum requirements of the NASAA Model Rule on the Use of Senior-Specific Certifications and Professional Designations, as in effect on the date of enactment of this Act, or any successor thereto, as determined by the Attorney General.

(3) SUITABILITY RULES FOR SECURITIES.—A State shall have adopted standard rules on the suitability requirements in the sale of securities, which shall, to the extent practicable, conform to the minimum requirements on suitability imposed by self-regulatory organization rules under the securities laws (as defined in section 3 of the Securities Exchange Act of 1934), as determined by the Attorney General.

(4) STANDARD DESIGNATION RULES FOR INSURANCE PRODUCTS.—A State shall have adopted standard rules on the appropriate use of designations in the sale of insurance products, which shall, to the extent practicable, conform to the minimum requirements of the National Association of Insurance Commissioners Model Regulation on the Use of Senior-Specific Certifications and Professional Designations in the Sale of Life Insurance and Annuities, as in effect on the date of enactment of this Act, or any successor thereto, as determined by the Attorney General.

(5) SUITABILITY RULES FOR INSURANCE PRODUCTS.—A State shall have adopted suitability standards for the sale of annuity products, under which, at a minimum (as determined by the Attorney General)—

(A) insurers shall be responsible and liable for ensuring that sales of their annuity products meet their suitability requirements;

(B) insurers shall have an obligation to ensure that the prospective senior purchaser has sufficient information for making an informed decision about a purchase of an annuity product;

(C) the prospective senior purchaser shall be informed of the total fees, costs, and commissions associated with establishing the annuity transaction, as well as the total fees, costs, commissions, and penalties associated with the termination of the transaction or agreement; and

(D) insurers and their agents are prohibited from recommending the sale of an annuity product to a senior, if the agent fails to obtain sufficient information in order to satisfy the insurer and the agent that the transaction is suitable for the senior.

(f) APPLICATION.—To be eligible for a grant under this section, the State or appropriate State agency shall submit to the Attorney General a proposal to use the grant money to protect seniors from misleading or fraudulent marketing techniques in the offer and sale of financial products, which application shall—

(1) identify the scope of the problem;

(2) describe how the proposed program will help to protect seniors from misleading or fraudulent marketing in the sale of financial products, including, at a minimum—

(A) by proactively identifying senior victims of misleading and fraudulent marketing in the offer and sale of financial products;

(B) how the proposed program can assist in the investigation and prosecution of those using misleading or fraudulent marketing in the offer and sale of financial products to seniors; and

(C) how the proposed program can help discourage and reduce future cases of misleading or fraudulent marketing in the offer and sale of financial products to seniors; and

(3) describe how the proposed program is to be integrated with other existing State efforts.

(g) LENGTH OF PARTICIPATION.—A State receiving a grant under this section shall be provided assistance funds for a period of 3 years, after which the State may reapply for additional funding.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $8,000,000 for each of the fiscal years 2010 through 2014.

SA 991. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. REPAYMENT OF TARP FUNDS.

Section 111(g) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5221(g)) is amended—

(1) by striking ''Subject to'' and inserting the following:

''(1) REPAYMENT PERMITTED.—Subject to'';

(2) by inserting ''if, subsequent to such repayment, the TARP recipient is well capitalized (as determined by the appropriate Federal banking agency having supervisory authority over the TARP recipient)'' after ''waiting period,'';

(3) by striking '', and when such assistance is repaid, the Secretary shall liquidate warrants associated with such assistance at the current market price''; and

(4) by adding at the end the following:

''(2) NO REPAYMENT PRECONDITION FOR WARRANTS.—A TARP recipient that exercises the repayment authority under paragraph (1) shall not be required to repurchase warrants from the Federal Government as a condition of repayment of assistance provided under the TARP. The Secretary shall, at the request of the relevant TARP recipient, repay the proceeds of warrants repurchased before the date of enactment of this paragraph.''.

SA 992. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ENHANCED OVERSIGHT OF THE TARP.

Section 116(a)(1) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5226(a)(1)) is amended by adding at the end the following:

''(I) With respect to any financial institution or other entity participating in a program established under this Act, any sole expenditure, transaction, or commitment to purchase or any pattern of expenditures, transactions, or commitments to purchase by such financial institution or other entity that exceeds $10,000, in aggregate, and is not essential to—

''(i) ensuring the recovery of the financial institution or entity;

''(ii) restoring the solvency of the financial institution or entity;

''(iii) improving the liquidity of the financial institution or entity;

''(iv) enhancing returns for the investors of the financial institution or entity; and

''(v) increasing the net worth of the financial institution or entity.''.

SA 993. Mr. LEAHY (for himself and Mr. GRASSLEY) proposed an amendment to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

On page 15, strike beginning with line 20 through page 16, line 10, and insert the following:

(d) MAJOR FRAUD AGAINST THE GOVERNMENT AMENDED TO INCLUDE ECONOMIC RELIEF AND TROUBLED ASSET RELIEF PROGRAM FUNDS.—Section 1031(a) of title 18, United States Code, is amended by—

(1) inserting after ''or promises, in'' the following: ''any grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance, including through the Troubled Assets Relief Program, an economic stimulus, recovery or rescue plan provided by the Government, the Government's purchase of any troubled asset as defined in the Emergency Economic Stabilization Act of 2008, or in'';

(2) striking ''the contract, subcontract'' and inserting ''such grant, contract, subcontract, subsidy, loan, guarantee, insurance or other form of Federal assistance,''; and

(3) striking ''for such property or services''.

SA 994. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATION ON USE OF TARP FUNDS.

Notwithstanding any other provision of law, on and after April 22, 2009, no funds made available to carry out the Troubled Asset Relief Program may be used for the acquisition of ownership of the common stock of any financial institution assisted under title I of the Emergency Economic Stabilization Act of 2008, either directly or through a conversion of preferred stock or future direct capital purchases.

SA 995. Mr. ISAKSON (for himself, Mr. CONRAD, Mr. DODD, Mr. WHITEHOUSE, Ms. SNOWE, and Mr. CHAMBLISS) proposed an amendment to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ___. FINANCIAL MARKETS COMMISSION.

(a) ESTABLISHMENT OF COMMISSION.—There is established in the legislative branch the Financial Markets Commission (in this section referred to as the ''Commission'') to examine all causes, domestic and global, of the current financial and economic crisis in the United States.

(b) COMPOSITION OF THE COMMISSION.—

(1) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(A) 2 members shall be appointed by the majority leader of the Senate;

(B) 2 members shall be appointed by the Speaker of the House of Representatives;

(C) 1 member shall be appointed by the minority leader of the Senate;

(D) 1 member shall be appointed by the minority leader of the House of Representatives;

(E) 1 member shall be appointed by the Chairman of the Committee on Banking, Housing, and Urban Affairs of the Senate;

(F) 1 member shall be appointed by the ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate;

(G) 1 member shall be appointed by the chairman of the Committee on Financial Services of the House of Representatives; and

(H) 1 member shall be appointed by the ranking member of the Committee on Financial Services of the House of Representatives.

(2) QUALIFICATIONS; LIMITATION.—

(A) IN GENERAL.—Individuals appointed to the Commission shall be United States citizens having significant experience in such fields as banking, regulation of markets, taxation, finance, economics and housing.

(B) LIMITATION.—No person who is a member of Congress or an officer or employee of the Federal Government or any State or local government may serve as a member of the Commission.

(3) CHAIRPERSON; VICE CHAIRPERSON.—

(A) IN GENERAL.—Subject to the requirements of subparagraph (B), the Chairperson of the Commission shall be selected jointly by the Majority Leader of the Senate and the Speaker of the House of Representatives, and the Vice Chairperson shall be selected jointly by the Minority Leader of the Senate and the Minority Leader of the House of Representatives.

(B) POLITICAL PARTY AFFILIATION.—The Chairperson and Vice Chairperson of the Commission may not be from the same political party.

(4) INITIAL MEETING.—If, 45 days after the date of enactment of this Act, 4 or more members of the Commission have been appointed, those members who have been appointed may meet and, if necessary, select a temporary Chairperson and Vice Chairperson, who may begin the operations of the Commission, including the hiring of staff.

(5) QUORUM; VACANCIES.—After the initial meeting of the Commission, the Commission shall meet upon the call of the Chairperson or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy on the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(c) FUNCTIONS OF THE COMMISSION.—The functions of the Commission are—

(1) to examine the causes of the current financial and economic crisis in the United States, including the role, if any, of—

(A) fraud and abuse in the financial sector;

(B) Federal and State financial regulators, including the extent to which they enforced, or failed to enforce statutory, regulatory, or supervisory requirements;

(C) the global imbalance of savings, international capital flows, and fiscal imbalances of various governments;

(D) monetary policy and the availability and terms of credit;

(E) accounting practices, including, mark-to-market and fair value rules, and treatment of off-balance sheet vehicles;

(F) tax treatment of financial products and investments;

(G) capital requirements and regulations on leverage and liquidity, including the capital structures of regulated and non-regulated financial entities;

(H) credit rating agencies;

(I) lending practices and securitization, including the originate-to-distribute model for extending credit and transferring risk;

(J) affiliations between insured depository institutions and securities, insurance, and other types of nonbanking companies;

(K) market participant expectations that certain institutions were ''too-big-to-fail'';

(L) corporate governance, including the impact of company conversions from partnerships to corporations;

(M) compensation structures;

(N) changes in compensation for employees of financial companies, as compared to compensation for others with similar skill sets in the labor market;

(O) Federal housing policy;

(P) derivatives and unregulated financial products and practices;

(Q) short-selling;

(R) financial institution reliance on numerical models, including risk models and credit ratings;

(S) the legal and regulatory structure governing financial institutions;

(T) the legal and regulatory structure governing investor protection;

(U) financial institutions and government-sponsored enterprises;

(V) the reliance on credit ratings by Federal financial regulators, and the use of credit ratings in financial regulation; and

(W) the quality of due diligence undertaken by financial institutions;

(2) to examine the causes of the collapse of each major financial institution that failed (including institutions that were acquired to prevent their failure) or was likely to have failed if not for the receipt of exceptional Government assistance from the Department of the Treasury during the period beginning in August 2007 through April 2009;

(3) to submit a report under subsection (g);

(4) to refer to the Attorney General of the United States and any appropriate State attorney general any person that the Commission finds may have violated the laws of the United States in relation to such crisis; and

(5) to review and build upon the record of the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Financial Services of the House of Representatives, other Congressional committees, the Government Accountability Office, and other legislative panels with respect to the current financial and economic crisis.

(d) POWERS OF THE COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission may, for purposes of carrying out this section—

(A) hold hearings, sit and act at times and places, take testimony, receive evidence, and administer oaths; and

(B) require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of books, records, correspondence, memoranda, papers, and documents.

(2) SUBPOENAS.—

(A) SERVICE.—Subpoenas issued under paragraph (1)(B) may be served by any person designated by the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under paragraph (1)(B), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—Sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under the authority of this section.

(3) CONTRACTING.—The Commission may enter into contracts to enable the Commission to discharge its duties under this section.

(4) INFORMATION FROM FEDERAL AGENCIES AND OTHER ENTITIES.—

(A) IN GENERAL.—The Commission may secure directly from any department, agency,

or instrumentality of the United States any information related to any inquiry of the Commission conducted under this section, including information of a confidential nature (which the Commission shall maintain in a secure manner). Each such department, agency, or instrumentality shall furnish such information directly to the Commission upon request.

(B) OTHER ENTITIES.—It is the sense of the Congress that the Commission should seek testimony or information from principals and other representatives of government agencies and private entities that were significant participants in the United States and global financial and housing markets during the time period examined by the Commission.

(5) FUNDING.—The Secretary of the Treasury shall provide, out of money previously appropriated, $5,000,000 to the Commission to carry out this section, to remain available until expended or until termination of the Commission under subsection (h).

(6) DONATIONS OF GOODS AND SERVICES.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(7) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(8) POWERS OF SUBCOMMITTEES, MEMBERS, AND AGENTS.—Any subcommittee, member, or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(e) STAFF OF THE COMMISSION.—

(1) DIRECTOR.—The Commission shall have a Director who shall be appointed by the Chairperson and the Vice Chairperson, acting jointly.

(2) STAFF.—The Chairperson and the Vice Chairperson may jointly appoint additional personnel, as may be necessary, to enable the Commission to carry out its functions.

(3) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this paragraph may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code. Any individual appointed under paragraph (1) or (2) shall be treated as an employee for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A, 89B, and 90 of that title.

(4) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(5) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(f) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION.—Each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(2) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

(g) REPORT OF THE COMMISSION; APPEARANCE BEFORE AND CONSULTATIONS WITH CONGRESS.—

(1) REPORT.—On December 15, 2010, the Commission shall submit to the President and to Congress a report containing the findings and conclusions of the Commission on the causes of the current financial and economic crisis in the United States.

(2) INSTITUTION-SPECIFIC REPORTS AUTHORIZED.—At the discretion of the chairperson of the Commission, the report under paragraph (1) may include reports or specific findings on any financial institution examined by the Commission under subsection (c)(2).

(3) APPEARANCE BEFORE CONGRESS.—The chairperson of the Commission shall, not later than 120 days after the date of submission of the final reports under paragraph (1), appear before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives regarding such reports and the findings of the Commission.

(4) CONSULTATIONS WITH CONGRESS.—The Commission shall consult with the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives, and may consult with other Committees of Congress, for purposes of informing Congress on the work of the Commission.

(h) TERMINATION OF COMMISSION.—

(1) IN GENERAL.—The Commission, and all the authorities of this section, shall terminate 60 days after the date on which the final report is submitted under subsection (g).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report submitted under subsection (g).

SA 996. Mr. INHOFE (for himself, Mr. DEMINT, Mr. VITTER, and Mr. ALEXANDER) submitted an amendment intended to be proposed to amendment SA 984 proposed by Mr. REID (for himself, Mr. KOHL, and Mr. LEVIN) to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

On page 3, after line 8, add the following:

(d) AMENDMENT TO TITLE 4.—

(1) IN GENERAL.—Title 4, United States Code, is amended by adding at the end the following:

"CHAPTER 6—LANGUAGE OF THE GOVERNMENT

"Sec.
"161. Declaration of national language.
"162. Preserving and enhancing the role of the national language.
"163. Use of language other than English.

"§ 161. Declaration of national language

"English shall be the national language of the Government of the United States.

"§ 162. Preserving and enhancing the role of the national language

"(a) IN GENERAL.—The Government of the United States shall preserve and enhance the role of English as the national language of the United States.

"(b) EXCEPTION.—Unless specifically provided by statute, no person has a right, entitlement, or claim to have the Government of the United States or any of its officials or representatives act, communicate, perform or provide services, or provide materials in any language other than English. If an exception is made with respect to the use of a language other than English, the exception does not create a legal entitlement to additional services in that language or any language other than English.

"(c) FORMS.—If any form is issued by the Federal Government in a language other than English (or such form is completed in a language other than English), the English language version of the form is the sole authority for all legal purposes.

"§ 163. Use of language other than English

"Nothing in this chapter shall prohibit the use of a language other than English.".

(2) CONFORMING AMENDMENT.—The table of chapters for title 4, United States Code, is amended by adding at the end the following new item:

"6. Language of the Government ..... 161".

SA 997. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NATIONWIDE MORTGAGE FRAUD TASK FORCE.

(a) ESTABLISHMENT.—There is established in the Department of Justice the Nationwide Mortgage Fraud Task Force (hereinafter referred to in this section as the "Task Force") to address mortgage fraud in the United States.

(b) SUPPORT.—The Attorney General shall provide the Task Force with the appropriate staff, administrative support, and other resources necessary to carry out the duties of the Task Force.

(c) EXECUTIVE DIRECTOR.—The Attorney General shall appoint one staff member provided to the Task Force to be the Executive Director of the Task Force and such Executive Director shall ensure that the duties of the Task Force are carried out.

(d) BRANCHES.—The Task Force shall establish, oversee, and direct branches in each of the 10 States determined by the Attorney General to have the highest concentration of mortgage fraud.

(e) MANDATORY FUNCTIONS.—The Task Force, including the branches of the Task Force established under subsection (d), shall—

(1) establish coordinating entities, and solicit the voluntary participation of Federal, State, and local law enforcement and prosecutorial agencies in such entities, to organize initiatives to address mortgage fraud, including initiatives to enforce State mortgage fraud laws and other related Federal and State laws;

(2) provide training to Federal, State, and local law enforcement and prosecutorial agencies with respect to mortgage fraud, including related Federal and State laws;

(3) collect and disseminate data with respect to mortgage fraud, including Federal, State, and local data relating to mortgage fraud investigations and prosecutions; and

(4) perform other functions determined by the Attorney General to enhance the detection of, prevention of, and response to mortgage fraud in the United States.

(f) OPTIONAL FUNCTIONS.—The Task Force, including the branches of the Task Force established under subsection (d), may—

(1) initiate and coordinate Federal mortgage fraud investigations and, through the coordinating entities established under subsection (e), State and local mortgage fraud investigations;

(2) establish a toll-free hotline for—

(A) reporting mortgage fraud;

(B) providing the public with access to information and resources with respect to mortgage fraud; and

(C) directing reports of mortgage fraud to the appropriate Federal, State, and local law enforcement and prosecutorial agency, including to the appropriate branch of the Task Force established under subsection (d);

(3) create a database with respect to suspensions and revocations of mortgage industry licenses and certifications to facilitate the sharing of such information by States;

(4) make recommendations with respect to the need for and resources available to provide the equipment and training necessary for the Task Force to combat mortgage fraud; and

(5) propose legislation to Federal, State, and local legislative bodies with respect to the elimination and prevention of mortgage fraud, including measures to address mortgage loan procedures and property appraiser practices that provide opportunities for mortgage fraud.

(g) DEFINITION.—In this section, the term ''mortgage fraud'' means a material misstatement, misrepresentation, or omission relating to the property or potential mortgage relied on by an underwriter or lender to fund, purchase, or insure a loan.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) $1,500,000 for the training of law enforcement personnel under subsection (e)(2); and

(2) $50,000,000 for the Task Force to carry out this section.

SA 998. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in section 3, insert the following:

(__) ADDITIONAL APPROPRIATIONS FOR THE SECURITIES AND EXCHANGE COMMISSION.—

(1) IN GENERAL.—There is authorized to be appropriated to the Securities and Exchange Commission, $17,000,000 for each of the fiscal years 2010 and 2011 for investigations and enforcement proceedings involving financial institutions, including financial institutions to which this Act and amendments made by this Act apply.

(2) INSPECTOR GENERAL.—There is authorized to be appropriated to the Securities and Exchange Commission, $3,000,000 for each of the fiscal years 2010 and 2011 for the salaries and expenses of the Office of the Inspector General of the Securities and Exchange Commission.

(3) REPORTS.—

(A) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review of the effectiveness, integrity, and efficiency of the Office of the Inspector General of the Securities and Exchange Commission and submit a report regarding the review to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(B) FOLLOWUP REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review as described in subparagraph (A) and submit a report regarding the review to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

SA 999. Mr. DORGAN (for himself, Mr. MCCAIN, and Mr. GRASSLEY) proposed an amendment to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

At the end of the bill, insert the following:

TITLE II—SELECT COMMITTEE ON INVESTIGATION OF THE ECONOMIC CRISIS

SEC. __01. FINDINGS.

The Senate finds the following:

(1) The United States is currently facing an unprecedented economic crisis, with massive losses of jobs in the United States and an alarming contraction of economic activity in the United States.

(2) The United States Government has pledged, committed, or loaned more than $9,000,000,000,000 as of February 2009 in an attempt to mitigate and resolve the economic crisis and trillions of dollars more may well be necessary before the crisis is over.

(3) The economic crisis reaches into, and has impacted, almost every aspect of the United States economy and significant parts of the international economy.

(4) Any thorough and complete study and investigation of this complex and far-reaching economic crisis will require sustained and singular focus for many months.

(5) A study and investigation of this size and scope implicates the jurisdiction of several Standing Committees of the Senate and, if it is to be done correctly and timely, will require a degree of undivided attention and resources beyond the capacity of the Standing Committees of the Senate, which are already overburdened.

(6) Adding such a significant study and investigation to the duties of the existing Standing Committees of the Senate would make it difficult for such committees to get their regular required work accomplished, particularly when so much attention and so many resources are appropriately devoted to responding to the ongoing economic crisis.

(7) Dozens of important investigations have been conducted with the creation of a select committee of the Senate for a specific purpose and a set time.

(8) The American public has a right to get straight answers on how this economic crisis developed and what steps should be taken to make sure that nothing like it happens again.

SEC. __02. SELECT COMMITTEE ON INVESTIGATION OF THE ECONOMIC CRISIS.

There is established a select committee of the Senate to be known as the Select Committee on Investigation of the Economic Crisis (hereafter in this title referred to as the ''Select Committee'').

SEC. __03. PURPOSE AND DUTIES.

(a) PURPOSE.—The purpose of the Select Committee is to study and investigate the facts and circumstances giving rise to the current economic crisis facing the United States and to recommend actions to be taken to prevent a future recurrence of such a crisis.

(b) DUTIES.—The Select Committee is authorized and directed to do everything necessary or appropriate to conduct the study and investigation specified in subsection (a). Without restricting in any way the authority conferred on the Select Committee by the preceding sentence, the Senate further expressly authorizes and directs the Select Committee to examine the facts and circumstances giving rise to the current economic crisis facing the United States, and report on such examination, regarding the following:

(1) The causes of the current economic crisis.

(2) Lessons learned from the current economic crisis.

(3) Actions to prevent a recurrence of an economic crisis such as the current economic crisis.

SEC. __04. COMPOSITION OF SELECT COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The Select Committee shall consist of 7 members of the Senate of whom—

(A) 4 members shall be appointed by the majority leader of the Senate; and

(B) 3 members shall be appointed by the minority leader of the Senate.

(2) DATE.—The appointments of the members of the Select Committee shall be made not later than 30 days after the date of enactment of this title.

(b) VACANCIES.—Any vacancy in the Select Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) SERVICE.—Service of a Senator as a member, Chair, or Vice Chair of the Select Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) CHAIR AND VICE CHAIR.—The Chair of the Select Committee shall be designated by the majority leader of the Senate, and the Vice Chair of the Select Committee shall be designated by the minority leader of the Senate.

(e) QUORUM.—

(1) REPORTS AND RECOMMENDATIONS.—A majority of the members of the Select Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) TESTIMONY.—One member of the Select Committee shall constitute a quorum for the purpose of taking testimony.

(3) OTHER BUSINESS.—A majority of the members of the Select Committee, or ⅓ of the members of the Select Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Select Committee.

SEC. __05. RULES AND PROCEDURES.

(a) GOVERNANCE UNDER STANDING RULES OF SENATE.—Except as otherwise specifically provided in this title, the investigation, study, and hearings conducted by the Select Committee shall be governed by the Standing Rules of the Senate.

(b) ADDITIONAL RULES AND PROCEDURES.—In addition to the provisions of section __08(h), the Select Committee may adopt additional rules or procedures if the Chair and the Vice Chair of the Select Committee agree, or if the Select Committee by majority vote so decides, that such additional rules or procedures are necessary or advisable to enable the Select Committee to conduct the investigation, study, and hearings

authorized by this title. Any such additional rules and procedures—

(1) shall not be inconsistent with this title or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

SEC. __06. AUTHORITY OF SELECT COMMITTEE.

(a) IN GENERAL.—The Select Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) POWERS.—The Select Committee or, at its direction, any subcommittee or member of the Select Committee, may, for the purpose of carrying out this title—

(1) hold hearings;

(2) administer oaths;

(3) sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate;

(4) authorize and require, by issuance of subpoena or otherwise, the attendance and testimony of witnesses and the preservation and production of books, records, correspondence, memoranda, papers, documents, tapes, and any other materials in whatever form the Select Committee considers advisable;

(5) take testimony, orally, by sworn statement, by sworn written interrogatory, or by deposition, and authorize staff members to do the same; and

(6) issue letters rogatory and requests, through appropriate channels, for any other means of international assistance.

(c) AUTHORIZATION, ISSUANCE, AND ENFORCEMENT OF SUBPOENAS.—

(1) AUTHORIZATION AND ISSUANCE.—Subpoenas authorized and issued under this section—

(A) may be done only with the joint concurrence of the Chair and the Vice Chair of the Select Committee;

(B) shall bear the signature of the Chair or the designee of the Chair; and

(C) shall be served by any person or class of persons designated by the Chair for that purpose anywhere within or without the borders of the United States to the full extent provided by law.

(2) ENFORCEMENT.—The Select Committee may make to the Senate by report or resolution any recommendation, including a recommendation for criminal or civil enforcement, that the Select Committee considers appropriate with respect to—

(A) the failure or refusal of any person to appear at a hearing or deposition or to produce or preserve documents or materials described in subsection (b)(4) in obedience to a subpoena or order of the Select Committee;

(B) the failure or refusal of any person to answer questions truthfully and completely during the person's appearance as a witness at a hearing or deposition of the Select Committee; or

(C) the failure or refusal of any person to comply with any subpoena or order issued under the authority of subsection (b).

(d) AVOIDANCE OF DUPLICATION.—

(1) IN GENERAL.—To expedite the study and investigation, avoid duplication, and promote efficiency under this title, the Select Committee shall seek to—

(A) confer with other investigations into the matters set forth in section __03(a); and

(B) access all information and materials acquired or developed in such other investigations.

(2) ACCESS TO INFORMATION AND MATERIALS.—The Select Committee shall have, to the fullest extent permitted by law, access to any such information or materials obtained by any other governmental department, agency, or body investigating the matters set forth in section __03(a).

SEC. __07. REPORTS.

(a) INITIAL REPORT.—The Select Committee shall submit to the Senate a report on the study and investigation conducted pursuant to section __03 not later than one year after the appointment of all of the members of the Select Committee.

(b) UPDATED REPORT.—The Select Committee shall submit an updated report on such investigation not later than 180 days after the submittal of the report under subsection (a).

(c) FINAL REPORT.—The Select Committee shall submit a final report on such investigation not later than two years after the appointment of all of the members of the Select Committee.

(d) ADDITIONAL REPORTS.—The Select Committee may submit any additional report or reports that the Select Committee considers appropriate.

(e) FINDINGS AND RECOMMENDATIONS.—The reports under this section shall include findings and recommendations of the Select Committee regarding the matters considered under section __03.

(f) DISPOSITION OF REPORTS.—All reports made by the Select Committee shall be submitted to the Secretary of the Senate. All reports made by the Select Committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

SEC. __08. ADMINISTRATIVE PROVISIONS.

(a) STAFF.—

(1) IN GENERAL.—The Select Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Select Committee, or the Chair and the Vice Chair of the Select Committee considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—The staff of the Select Committee shall consist of such personnel as the Chair and the Vice Chair shall jointly appoint. Such staff may be removed jointly by the Chair and the Vice Chair, and shall work under the joint general supervision and direction of the Chair and the Vice Chair.

(b) COMPENSATION.—The Chair and the Vice Chair of the Select Committee shall jointly fix the compensation of all personnel of the staff of the Select Committee.

(c) REIMBURSEMENT OF EXPENSES.—The Select Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Select Committee.

(d) SERVICES OF SENATE STAFF.—The Select Committee may use, with the prior consent of the chair of any other committee of the Senate or the chair of any subcommittee of any committee of the Senate, the facilities of any other committee of the Senate, or the services of any members of the staff of such committee or subcommittee, whenever the Select Committee or the Chair of the Select Committee considers that such action is necessary or appropriate to enable the Select Committee to carry out its responsibilities, duties, or functions under this title.

(e) DETAIL OF EMPLOYEES.—The Select Committee may use on a reimbursable basis, with the prior consent of the head of the department or agency of Government concerned and the approval of the Committee on Rules and Administration of the Senate, the services of personnel of such department or agency.

(f) TEMPORARY AND INTERMITTENT SERVICES.—The Select Committee may procure the temporary or intermittent services of individual consultants, or organizations thereof.

(g) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Select Committee. Such payments shall be made on vouchers signed by the Chair of the Select Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.

(h) CONFLICTS OF INTEREST.—The Select Committee shall issue rules to prohibit or minimize any conflicts of interest involving its members, staff, detailed personnel, consultants, and any others providing assistance to the Select Committee. Such rules shall not be inconsistent with the Code of Official Conduct of the Senate or applicable Federal law.

SEC. __09. EFFECTIVE DATE; TERMINATION.

(a) EFFECTIVE DATE.—This title shall take effect on the date of enactment of this title.

(b) TERMINATION.—The Select Committee shall terminate three months after the submittal of the report required by section __07(c).

SA 1000. Mrs. BOXER (for herself, Ms. SNOWE, Mr. CORKER, and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

On page 20, between lines 11 and 12, insert the following:

''(e) ADDITIONAL APPROPRIATIONS FOR THE SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM.—

''(1) IN GENERAL.—There is authorized to be appropriated to the Special Inspector General of the Troubled Asset Relief Program (in this subsection referred to as the Special Inspector General), $15,000,000 for fiscal year 2010.

''(2) PRIORITIES.—In utilizing funds made available under this subsection, the Special Inspector General shall prioritize the performance of audits or investigations of recipients of non-recourse Federal loans made under the Public Private Investment Program established by the Secretary of the Treasury or the Term Asset Loan Facility established by the Board of Governors of the Federal Reserve System, to the extent that such priority is consistent with other aspects of the mission of the Special Inspector General. Such audits or investigations shall determine the existence of any collusion between the loan recipient and the seller or originator of the asset used as loan collateral, or any other conflict of interest that may have led the loan recipient to deliberately overstate the value of the asset used as loan collateral.''.

SA 1001. Mr. DORGAN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

At the end of the bill, insert the following:

SEC. ___. SENSE OF THE SENATE IN SUPPORT OF CREATING AN INTERAGENCY TASK FORCE TO INVESTIGATE FINANCIAL FRAUD.

(a) FINDINGS.—The Senate finds that—

(1) the United States is currently facing an unprecedented economic crisis, with massive job losses and an alarming contraction of economic activity;

(2) as of March 31, 2009, the United States Government has spent, loaned, or committed more than $12,000,000,000,000 in an attempt to mitigate and resolve the economic crisis;

(3) the economic crisis reaches into, and has impacted, almost every aspect of the United States economy and significant parts of the global economy;

(4) there is compelling evidence of egregious and criminal conduct that has contributed to the collapse of the economy;

(5) any person, company or entity that has benefitted from such financial wrongdoing must be investigated and prosecuted to the full extent of the law;

(6) there are piecemeal initiatives by many different national, State, and local entities to investigate and prosecute financial fraud cases;

(7) a national multiagency task force headed by the Department of Justice would bring singular focus and intensity, coherence, and coordination to the investigations now underway and result in identifying and prosecuting violations of law much more quickly; and

(8) a similar Task Force was created in connection with the Enron scandal and it was instrumental in bringing criminals to justice.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Department of Justice should make it a top priority to facilitate a comprehensive national effort to investigate and prosecute financial fraud cases or any other violation of law that contributed to the collapse of our financial markets; and

(2) the Department of Justice should create an interagency Economic Crisis Financial Crimes Task Force dedicated solely to—

(A) investigating and prosecuting those responsible for creating, causing, or contributing to the financial crisis that is devastating our entire economy; and

(B) seeking to claw back any ill-gotten gains as a result of this wrongdoing.

SA 1002. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes; as follows:

At the end of the bill, add the following:

TITLE II—DEBT REDUCTION PRIORITY ACT

SEC. 21. SHORT TITLE.

This title may be cited as the ''Debt Reduction Priority Act''.

SEC. 22. FINDINGS.

Congress finds the following:

(1) On October 7, 2008, Congress established the Troubled Assets Relief Program (TARP) as part of the Emergency Economic Stabilization Act (Public 110-343; 122 Stat. 3765) and allocated $700,000,000,000 for the purchase of toxic assets from banks with the goal of restoring liquidity to the financial sector and restarting the flow of credit in our markets.

(2) The Department of Treasury, without consultation with Congress, changed the purpose of TARP and began injecting capital into financial institutions through a program called the Capital Purchase Program (CPP) rather than purchasing toxic assets.

(3) Lending by financial institutions was not noticeably increased with the implementation of the CPP and the expenditure of $250,000,000,000 of TARP funds, despite the goal of the program.

(4) The recipients of amounts under the CPP are now faced with additional restrictions related to accepting those funds.

(5) A number of community banks and large financial institutions have expressed their desire to return their CPP funds to the Department of Treasury and the Department has begun the process of accepting receipt of such funds.

(6) The Department of the Treasury should not unilaterally determine how these returned funds are spent in the future and the Congress should play a role in any determination of future spending of funds returned through the TARP.

SEC. 23. DEBT REDUCTION.

(a) IN GENERAL.—Title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5211 et seq.) is amended by adding at the end the following:

''SEC. 137. DEBT REDUCTION.

''Not later than 30 days after the date of enactment of this section, the Secretary of the Treasury shall deposit any amounts received by the Secretary for repayment of financial assistance or for payment of any interest on the receipt of such financial assistance by an entity that has received financial assistance under the TARP or any program enacted by the Secretary under the authorities granted to the Secretary under this Act, including the Capital Purchase Program, in the Public Debt Reduction Payment Account established under section 3114 of title 31, United States Code.''.

SEC. 24. ESTABLISHMENT OF PUBLIC DEBT REDUCTION PAYMENT ACCOUNT.

(a) IN GENERAL.—Subchapter I of chapter 31 of title 31, United States Code, is amended by adding at the end the following new section:

''§ 3114. Public Debt Reduction Payment Account

''(a) There is established in the Treasury of the United States an account to be known as the Public Debt Reduction Payment Account (hereinafter in this section referred to as the 'account').

''(b) The Secretary of the Treasury shall use amounts in the account to pay at maturity, or to redeem or buy before maturity, any obligation of the Government held by the public and included in the public debt. Any obligation which is paid, redeemed, or bought with amounts from the account shall be canceled and retired and may not be reissued. Amounts deposited in the account are appropriated and may only be expended to carry out this section.

''(c) There shall be deposited in the account any amounts which are received by the Secretary of the Treasury pursuant to section 137 of the Emergency Economic Stabilization Act of 2008. The funds deposited to this account shall remain available until expended.

''(d) The Secretary of the Treasury and the Director of the Office of Management and Budget shall each take such actions as may be necessary to promptly carry out this section in accordance with sound debt management policies.

''(e) Reducing the debt pursuant to this section shall not interfere with the debt management policies or goals of the Secretary of the Treasury.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 31 of title 31, United States Code, is amended by inserting after the item relating to section 3113 the following:

''3114. Public debt reduction payment account''.

SEC. 25. REDUCTION OF STATUTORY LIMIT ON THE PUBLIC DEBT.

Section 3101(b) of title 31, United States Code, is amended by inserting ''minus the aggregate amounts deposited into the Public Debt Reduction Payment Account pursuant to section 3114(c)'' before '', outstanding at one time''.

SEC. 26. OFF-BUDGET STATUS OF PUBLIC DEBT REDUCTION PAYMENT ACCOUNT.

Notwithstanding any other provision of law, the receipts and disbursements of the Public Debt Reduction Payment Account established by section 3114 of title 31, United States Code, shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

(1) the budget of the United States Government as submitted by the President,

(2) the congressional budget, or

(3) the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 27. REMOVING PUBLIC DEBT REDUCTION PAYMENT ACCOUNT FROM BUDGET PRONOUNCEMENTS.

(a) IN GENERAL.—Any official statement issued by the Office of Management and Budget, the Congressional Budget Office, or any other agency or instrumentality of the Federal Government of surplus or deficit totals of the budget of the United States Government as submitted by the President or of the surplus or deficit totals of the congressional budget, and any description of, or reference to, such totals in any official publication or material issued by either of such Offices or any other such agency or instrumentality, shall exclude the outlays and receipts of the Public Debt Reduction Payment Account established by section 3114 of title 31, United States Code.

(b) SEPARATE PUBLIC DEBT REDUCTION PAYMENT ACCOUNT BUDGET DOCUMENTS.—The excluded outlays and receipts of the Public Debt Reduction Payment Account established by section 3114 of title 31, United States Code, shall be submitted in separate budget documents.

NOTICES OF HEARINGS

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on the Library will meet on Thursday, April 23, 2009, at 11:30 a.m., in SC–4 to conduct its organization meeting for the 111th Congress.

For further information regarding this hearing, please contact Jean Bordewich at the Rules and Administration Committee on 202–224–6352.

JOINT COMMITTEE OF CONGRESS ON PRINTING

Mr. SCHUMER. Mr. President, I wish to announce that the Joint Committee of Congress on Printing will meet on Thursday, April 23, 2009, at 11:45 a.m., in SC–4 to conduct its organization meeting for the 111th Congress.

For further information regarding this hearing, please contact Jean Bordewich at the Rules and Administration Committee on 202–224–6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Wednesday, April 22, 2009, at 10 a.m., in room SD–366 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, April 22, 2009, at 10 a.m. in room 406 of the Dirksen Senate office building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 22, 2009, at 9:30 a.m., to hold a hearing entitled ''Global Climate Change: U.S. Leadership for a New Global Agreement.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 22, 2009, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, April 22, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERAN'S AFFAIRS

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, April 22, 2009. The Committee will meet in room 418 of the Russell Senate office building beginning at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Wednesday, April 22, 2009 at 3 p.m., to conduct a hearing entitled, ''Eliminating Waste and Fraud in Medicare and Medicaid.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services Subcommittee on Readiness and Management Support be authorized to meet during the session of the Senate on Wednesday, April 22, 2009, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, April 22, 2009, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING CAPTAIN RICHARD PHILLIPS, THE CREW OF THE MAERSK ALABAMA AND THE UNITED STATES ARMED FORCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 108, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 108) commending Captain Richard Phillips, the crew of the ''Maersk Alabama,'' and the United States Armed Forces, recognizing the growing problem of piracy off Somalia's coast, and urging the development of a comprehensive strategy to address piracy and its root causes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEAHY. Today I have submitted—along with Senators GREGG of New Hampshire, FEINGOLD of Wisconsin, KENNEDY and KERRY of Massachusetts, and, of course, my colleague, Senator SANDERS of Vermont—a Senate resolution on Captain Richard Phillips, the ship captain from Underhill, VT, who Somali pirates took hostage 2 weeks ago.

This resolution praises Captain Phillips for his selfless heroism—he offered himself in lieu of his crew as a hostage—his extraordinary rescuers, his family, and the Federal agencies that kept close watch on the captain while the pirates held him literally at gunpoint in an 18-foot lifeboat in the middle of the Indian Ocean.

This situation was an all too real drama that played out on the high seas. With grappling hooks and guns, Somali pirates took control of Captain Phillips' ship, the Maersk Alabama. The 20-member crew of the 500-foot container ship retook control after a harrowing struggle.

But to protect his crew from further danger, Captain Phillips agreed to go with the pirates into a lifeboat where he was held hostage at gunpoint for 5 days. Displaying a resourcefulness and the indomitable spirit that speaks to the best qualities of Vermont, New England, and our great Nation, he attempted to escape. He kept his cool and confidence in the most volatile situation where the pirates, in a second, could have easily killed him.

The U.S. Navy arrived, headed up by the guided missile destroyer, USS Bainbridge, and when the captain faced imminent danger, snipers from one of our most elite military units, the Navy SEALs, killed his captors.

The entire country has shared feelings of admiration for the courage and fortitude of Captain Phillips, relief that he and his crew are safely home, and gratitude for the outstanding performance of the U.S. Navy, particularly the Bainbridge crew and the SEALs, for their rescue of the captain.

The Maersk Alabama incident is part of a troubling pattern of piracy that comes from the anarchy and the poverty plaguing Somalia. Pirates have taken hostage more than 200 crew members in dozens of countries. They have absconded with tens of millions of dollars in ransom, reinvesting that money into more advanced equipment and weapons, from guns to rocket-propelled grenades to global positioning systems.

The scale and intensity of the piracy is only getting worse, as this resolution underscores. This piracy has to be addressed.

But on that Wednesday, those pirates met their match, from Captain Phillips and his crew, to the remarkable Phillips family, to the formidable U.S. military, and the wider U.S. Government.

The President monitored the situation closely. He gave the necessary direction to the SEALs to use force if required to protect Phillips. The FBI provided guidance to the USS Bainbridge to deal with the hostage situation, while the Department of State kept the family informed.

Andrea Phillips, Captain Phillips' wife, was incredible throughout this crisis. I was receiving calls from the White House. I was told what was going on, as were my staff. I was calling Mrs. Phillips and talking with her. And the calmness of this woman, realizing the harrowing danger that her husband faced, and her respect for our Government's efforts to save him were remarkable—she repeatedly thanked the Navy personnel, the FBI, and others for keeping such close tabs on the situation. Even though this was an especially difficult experience for their two children, Daniel and Mariah, they weathered the crisis and had a happy reunion.

I look forward to the next time I take the ferry boat across Lake Champlain and Daniel is piloting it. I think one of the happiest moments was with several friends at Easter Mass on Easter Sunday. I talked with the White House earlier that morning, and I knew that things may come to a conclusion. But I turned my cell phone off while I was at Mass. I came out and there was a message from the White House: ''He is safe.'' At the top, ''He is safe.'' Then they filled me in on what happened.

I was telling my friends, my wife, Marcelle, who was with me. We were standing there in the parking lot cheering, laughing, tears. People were kind of looking at us wondering just what was going on. I called Mrs. Phillips, and she had the same reaction. Later the President called her, as he called her husband. The reunions last week with the crew arriving at Andrews Air Force Base, Captain Phillips stepping off the plane at the Burlington, VT, airport were moments of joy and relief.

The country is so proud of these Americans who certainly did not want to be at the center of an international crisis. But when they were, they rose to the occasion with the strength and bravery that represent the best of our country.

With this resolution, we commend Captain Phillips and his family, the crew of the Maersk Alabama, the U.S. Armed Forces, and the Navy SEALs for their heroism. This resolution has one message above all others: Welcome home.

I yield the floor.

Mr. SANDERS. Mr. President, I wish to say a few words on this resolution commending Captain Richard Phillips, the crew of the Maersk Alabama, and the U.S. Navy.

The resolution recognizes the growing problem of piracy in international waters off the coast of Somalia, a country that has been without a functioning central government since 1991.

The resulting lawlessness and the desperate humanitarian situation have turned the area into a base for pirate operations.

Earlier this month, Somali pirates used grappling hooks and weapons to board the cargo ship captained by Richard Phillips, who lives with his family in Underhill, VT. He led a crew of 19 on the vessel that was delivering food aid to starving people in eastern Africa.

Captain Phillips bravely led the crew in retaking control of the ship by offering himself as a hostage in exchange for the release of his crew.

Four pirates then took Captain Phillips into an 18-foot lifeboat, held him captive at gunpoint, and repeatedly threatened to kill him.

On Easter Sunday, Captain Phillips was rescued by Navy SEALs who determined that Captain Phillips was in imminent danger and took the lives of three of his pirate captors.

The people of Vermont are proud of the extraordinary courage of Captain Phillips, the dignity of his family under great stress and the outstanding performance of the U.S. Navy and other governmental personnel in rescuing Richard and dispatching those who apprehended him.

Mr. LEAHY. Mr. President, Captain Phillips of Underhill, VT, held hostage by Somalians, where his own courage allowed the release of his crew, and the courage of the U.S. Navy and the courage of our military and the courage of our leadership, at the White House, the Department of Defense, and elsewhere brought about his release.

The Phillips family is a wonderful family. They live in a small and beautiful town in Vermont. There are few things that unite everybody. I can say as a lifelong Vermonter, I know my State is united in pride for Captain Phillips. All of us felt our prayers were answered on Easter Sunday when we received word that he was safe and was going back home. I know how much it meant to me to pick up the phone and call Mrs. Phillips, and the day before he arrived back home, to call her up and wish her a happy birthday and say: The best birthday present this Nation can give you is tomorrow afternoon at the Burlington Airport when your husband will arrive.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 108) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 108

Whereas Somalia has been without a functioning central government since 1991, resulting in lawlessness and an increasingly desperate humanitarian situation;

Whereas according to a Somali human rights group, violence during the period from 2007 to 2009 has killed an estimated 16,000 people, wounded more than 28,000 people, and displaced more than 1,000,000 people;

Whereas these grim conditions and the absence of a functioning government have made Somalia an ideal base for piracy operations and a fertile ground for terrorist organizations, including the group al-Shabaab, whose leaders have ties to al-Qaeda;

Whereas acts of piracy off the coast of Somalia have been on the rise for more than a year, with the International Maritime Bureau reporting an estimated 111 attacks in 2008;

Whereas on Wednesday, April 8, 2009, Somali pirates used grappling hooks and weapons to board the Norfolk, Virginia-based container ship Maersk Alabama, which was captained by Richard Phillips, a resident of Underhill, Vermont, and crewed by 19 other citizens of the United States, and which was delivering food aid from the World Food Programme to hungry people in east Africa;

Whereas Captain Phillips, a native of Winchester, Massachusetts and a 1979 graduate of the Massachusetts Maritime Academy, bravely led the Maersk Alabama crew in successfully retaking control of the ship by offering himself as a hostage in exchange for the release of the crew;

Whereas 4 pirates took Captain Phillips into an 18-foot lifeboat, held him captive at gunpoint, and repeatedly threatened to kill him;

Whereas the United States Central Command dispatched to the scene the destroyer U.S.S. Bainbridge, which was joined in subsequent days by the U.S.S. Halyburton and the U.S.S. Boxer, along with Navy SEAL teams, Marine Corps helicopters, and other joint assets of the United States Armed Forces;

Whereas hostage recovery experts from the Federal Bureau of Investigations gave guidance to the crew of the U.S.S. Bainbridge, while the Department of State stayed in contact with Captain Phillips' family, including Phillips' wife Andrea and their 2 children, Daniel and Mariah, in Underhill, Vermont;

Whereas Maersk Limited, based in Norfolk, Virginia, worked diligently with the United States Armed Forces to try to obtain the release of Captain Phillips and the Maersk Alabama crew and to move the ship safely to port in Kenya, while sending personal representatives to Vermont to keep the Phillips family informed;

Whereas in the late evening of April 9, 2009, Captain Phillips made an escape attempt, jumping into the water of the Indian Ocean to swim for safety, only to be pursued by the pirates and quickly recaptured;

Whereas the President received regular briefings on the hostage crisis and provided the authority necessary for the United States Armed Forces to resolve it;

Whereas on April 12, 2009, Easter Sunday, Captain Phillips was rescued after the United States Armed Forces, which throughout the crisis spared no effort to defuse the situation and peacefully rescue Phillips, took the lives of 3 of the pirate captors when Phillips was seen to be in imminent danger; and

Whereas international commerce remains under threat while Somali pirates continue to hold for ransom more than 200 crew members of many nationalities: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) Captain Phillips deserves the respect and admiration of all people of the United States for his brave conduct under life-threatening circumstances;

(2) the Senate shares the sense of relief and gratitude felt by the family and shipmates of Captain Phillips;

(3) all members of the United States Armed Forces involved in the rescue operation, in particular members of the Navy and Navy SEAL teams who rescued Captain Phillips, the officials of other Federal Government departments and agencies who contributed, and the crew of the Maersk Alabama, are to be commended for their exceptional efforts and devotion to duty; and

(4) the President should work with the international community and the transitional government of Somalia to develop a comprehensive strategy to address both the burgeoning problem of piracy and its root causes.

CONGRATULATING THE UNIVERSITY OF NORTH CAROLINA TAR HEELS

Mr. BEGICH. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 110, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 110) congratulating the University of North Carolina Tar Heels basketball team for winning the 2008–2009 NCAA men's basketball national championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BEGICH. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 110) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 110

Whereas on April 6, 2009, the University of North Carolina defeated Michigan State University 89–72 to win the 2008-2009 National Collegiate Athletic Association (NCAA) men's basketball national championship;

Whereas the University of North Carolina was the consensus preseason number 1 basketball team in the Nation;

Whereas the University of North Carolina Tar Heels were saddled with a tremendous amount of pressure to get to the NCAA Final Four and win the national championship in 2009;

Whereas after the Tar Heels' 0–2 record to start the Atlantic Coast Conference (ACC) regular season, the team finished with a record of 13–3 and won 13 out of their last 14 games in conference;

Whereas the Tar Heels were the 2008–2009 ACC regular season conference champions;

Whereas the University of North Carolina's Tyler Hansbrough became the ACC's all-time leading scorer;

Whereas the University of North Carolina's Tyler Hansbrough and Ty Lawson were selected to the 2008–2009 All-Atlantic Coast Conference (All-ACC) first team;

Whereas Tyler Hansbrough became the first player in league history to be unanimously selected 4 times to the All-ACC first team;

Whereas the University of North Carolina's Danny Green was selected to the 2008–2009 All-ACC third team and the All-ACC defensive team;

Whereas the University of North Carolina's Ed Davis was selected to the All-ACC rookie team;

Whereas entering into the 2008–2009 NCAA College Basketball Championship, President Barack Obama picked the Tar Heels to win the championship title;

Whereas the University of North Carolina beat each of Radford University, Louisiana State University, Gonzaga University, and the University of Oklahoma by 12 points or more to win the South Division and reach the Final Four for the second straight year;

Whereas Ty Lawson was named the South Division most valuable player;

Whereas with their victory over the University of Oklahoma, the Tar Heels became the first team in NCAA Tournament history to reach 100 tournament wins;

Whereas several media outlets, including ESPN and CBS, reported that more than 60,000 fans in attendance at the final tournament game would be cheering for Michigan State University;

Whereas the 55 points the University of North Carolina scored in the first half of the championship game broke the all-time first half scoring record for any team in the history of the NCAA tournament;

Whereas the University of North Carolina's Wayne Ellington and Deon Thompson played exceptionally well in the first half of the championship game to push the lead to 21 points;

Whereas the University of North Carolina withstood Michigan State University's late surge and pushed the lead back to 19 points with less than 3 minutes remaining in the game;

Whereas the University of North Carolina's Wayne Ellington was named the Final Four most valuable player;

Whereas Ty Lawson's 8 steals set the record for the most steals in a NCAA championship game;

Whereas the 2008-2009 championship was the University of North Carolina's fifth national championship in school history;

Whereas the 2008-2009 championship was Coach Roy Williams' second national championship since taking over as head coach of the University of North Carolina men's basketball team; and

Whereas with the victory over Michigan State University, the University of North Carolina tied the University of Kentucky for the all-time winningest program in NCAA Division 1 men's basketball history: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of North Carolina for winning the 2008–2009 National Collegiate Athletic Association men's basketball national championship;

(2) recognizes the achievement of the players, coaches, students, and staff of the University of North Carolina whose perseverance and dedication to excellence helped propel the men's basketball team to win the championship; and

(3) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the chancellor of the University of North Carolina, H. Holden Thorp;

(B) the athletic director of the University of North Carolina, Dick Baddour; and

(C) the head coach of the University of North Carolina men's basketball team, Roy Williams.

SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY

Mr. BEGICH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 18, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 18) supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FEINGOLD. Mr. President, this Saturday, I will join individuals and organizations around the world in marking World Malaria Day. This day is an opportunity to celebrate the progress that has been made by the international community in raising awareness of an invisible killer and the need to significantly reduce malaria deaths. Over the last decade, there has been a remarkable scaling up of efforts to prevent and treat this disease. In some places, such as the island of Zanzibar or the country of Rwanda, malaria prevalence has dropped significantly in just a few years. These success stories are a testament to the kind of positive difference we can make with robust and targeted health assistance.

I am especially proud of the leadership of the United States in this regard, particularly through the President's Malaria Initiative (PMI). Since its launch in 2005, PMI has purchased almost 13 million artemisinin-based combination therapies, protected over 17 million people through spraying campaigns, and distributed over 6 million insecticide-treated bed nets. In addition, the United States has worked multilaterally with international partners to fight this disease, through the Global Fund to Fight AIDS, Tuberculosis and Malaria. The Global Fund has provided roughly 74 million malaria patients with artemisinin-based combination therapies and distributed almost 70 million bed nets.

In addition to commemorating how far we have come, World Malaria Day is also an opportunity to recognize how far we still need to go. This disease is completely preventable and treatable, and yet more than 40 percent of the world's population is still at risk of contracting malaria and nearly 1 million people, the majority of them children, die from malaria each year. According to the World Health Organization, a child still dies every 30 seconds from malaria. Nearly 90 percent of those deaths occur in Africa. Moreover, malaria often coexists with HIV and neglected tropical diseases, and it causes great risks to efforts to promote child and maternal health.

In light of those realities, we must recommit to sustained international, national, and local leadership to end malaria deaths. I am pleased that Congress last year committed over the next 5 years to combat malaria in the Tom Lantos and Henry J. Hyde U.S. Global Leadership Against HIV/AIDS, TB, Malaria Act. We must now deliver on that commitment, including maintaining our support for multilateral efforts of the Global Fund. At the same time, we cannot afford to address malaria in isolation; our efforts must be part of a comprehensive, integrated and sustainable approach to global health. In particular, I believe we need to invest more in strengthening local health systems that can deliver effective, safe, high-quality interventions when and where they are needed and ensure access to reliable health information and effective disease surveillance.

I commend the thousands of Americans and the many organizations that have taken up this cause and continue to work to fight malaria and save lives.

On Saturday, we should join them in committing to work toward a malaria-free future. To that end and in support of the World Malaria Day, I have introduced a resolution with Senators ISAKSON, BINGAMAN, DURBIN, CARDIN, WICKER, BROWNBACK, and CANTWELL reaffirming U.S. leadership for efforts to combat malaria. I hope our colleagues will support this resolution and, more importantly, join us over the coming months and years in working toward this year's theme: ''counting malaria out.''

Mr. BEGICH. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 18) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 18

Whereas April 25 of each year is recognized internationally as World Malaria Day and in the United States as Malaria Awareness Day;

Whereas, despite malaria being completely preventable and treatable and the fact that malaria was eliminated in the United States over 50 years ago, more than 40 percent of the world's population is still at risk of contracting malaria;

Whereas, according to the World Health Organization, nearly 1,000,000 people die from malaria each year, the vast majority of whom are children under the age of 5 in Africa;

Whereas malaria greatly affects child health, with a child dying from malaria roughly every 30 seconds and nearly 3,000 children dying from malaria every day;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates by the Center for Disease Control and Prevention that malaria infection causes 400,000 cases of severe maternal anemia and from 75,000 to 200,000 infant deaths annually in sub-Saharan Africa;

Whereas HIV infection increases the risk and severity of malarial illness, and malaria increases the viral load in HIV-positive people, which can lead to increased transmission of HIV and more rapid disease progression, with substantial public health implications;

Whereas in malarial regions, many people are co-infected with malaria and one or more of the neglected tropical diseases (NTDs) such as hookworm and schistosomiasis, which causes a pronounced exacerbation of anemia and several adverse health consequences;

Whereas the malnutrition and chronic illness that result from childhood malaria leads to increased absenteeism in school and perpetuates cycles of poverty;

Whereas an estimated 90 percent of deaths from malaria occur in Africa, and the Roll Back Malaria Partnership estimates that malaria costs countries in Africa $12,000,000,000 in lost economic productivity each year;

Whereas the World Health Organization estimates that malaria accounts for 40 percent of healthcare expenditures in high-burden countries, demonstrating that effective, long-term malaria control is inextricably linked to the strength of health systems;

Whereas heightened efforts over recent years to prevent and treat malaria are currently saving lives;

Whereas the progress and funding to control malaria has increased ten-fold since 2000, in large part due to funding under the President's Malaria Initiative (a United States Government initiative designed to cut malaria deaths in half in target countries in sub-Saharan Africa), the Global Fund to Fight AIDS, Tuberculosis and Malaria, the World Bank, and new financing by other donors;

Whereas the President's Malaria Initiative has purchased almost 13,000,000 artemisinin-based combination therapies (ACT), protected over 17,000,000 people through spraying campaigns, and distributed over 6,000,000 insecticide-treated bed nets, the Global Fund to Fight AIDS, Tuberculosis and Malaria has distributed 70,000,000 bed nets to protect families from malaria and provided 74,000,000 malaria patients with ACTs, and the World Bank's Booster Program is scheduled to commit approximately $500,000,000 in International Development Association funds for malaria control in Africa;

Whereas public and private partners are developing effective and affordable drugs to treat malaria, with more than 23 types of malaria vaccines in development;

Whereas, according to the Centers for Disease Control and Prevention, vector control, or the prevention of malaria transmission via anopheles mosquitoes, which includes a combination of methods such as insecticide-treated bed nets, indoor residual spraying, and source reduction (larval control), has been shown to reduce severe morbidity and mortality due to malaria in endemic regions;

Whereas the impact of malaria efforts have been documented in numerous regions, such as in Zanzibar, where malaria prevalence among children shrank from 20 percent to less than 1 percent between 2005 and 2007, and in Rwanda, where malaria cases and deaths appeared to decline rapidly after a large-scale distribution of bed nets and malaria treatments in 2006; and

Whereas a malaria-free future will rely on consistent international, national, and local leadership and a comprehensive approach addressing the range of health, development, and economic challenges facing developing countries: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senate—

(1) supports the goals and ideals of Malaria Awareness Day, including the achievable target of ending malaria deaths by 2015;

(2) calls upon the people of the United States to observe Malaria Awareness Day with appropriate programs, ceremonies, and activities to raise awareness and support to save the lives of those affected by malaria;

(3) reaffirms the goals and commitments to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110–293);

(4) commends the progress made by anti-malaria programs, including the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(5) reaffirms United States support for and contribution toward the achievement of the targets set by the Roll Back Malaria Partnership Global Malaria Action plan;

(6) encourages fellow donor nations to maintain their support and honor their funding commitments for malaria programs worldwide;

(7) urges greater integration of United States and international health programs targeting malaria, HIV/AIDS, tuberculosis, neglected tropical diseases, and basic child and maternal health; and

(8) commits to continued United States leadership in efforts to reduce global malaria deaths, especially through strengthening health care systems that can deliver effective, safe, high-quality interventions when and where they are needed and assure access to reliable health information and effective disease surveillance.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BEGICH. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 61, the nomination of Ladda Tammy Duckworth to be an Assistant Secretary of Veterans Affairs for Public and Intergovernmental Affairs; that the nomination be confirmed and the motion to reconsider be laid upon the table; that no further motions be in order; that any statements relating to the nomination be printed in the Record; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF VETERANS AFFAIRS

Ladda Tammy Duckworth, of Illinois, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MEASURE READ THE FIRST TIME—H.R. 1664

Mr. BEGICH. Mr. President, I understand that H.R. 1664 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A 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.

Mr. BEGICH. Mr. President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR THURSDAY, APRIL 23, 2009

Mr. BEGICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, April 23; that following the prayer and the pledge, the Journal of proceedings be approved to date, the

morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of S. 386.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BEGICH. Mr. President, tomorrow, the Senate will resume consideration of the Fraud Enforcement Recovery Act, and rollcall votes are expected to occur throughout the day in relation to the pending amendments. Earlier today, the majority leader announced if the Senate is unable to complete action on the bill tomorrow, the Senate would remain in session through the weekend.

In addition, the Senate will turn to the consideration of the House message to request a conference with respect to the budget resolution when it is available. Senators should expect rollcall votes in relation to motions to instruct the conferees during tomorrow's session.

ORDER FOR ADJOURNMENT

Mr. BEGICH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senator DURBIN.

The PRESIDING OFFICER. Without objection, it is so ordered.

LADDA ''TAMMY'' DUCKWORTH CONFIRMATION

Mr. DURBIN. Mr. President, I thank the Senator from Alaska for yielding to me and I also thank him for reading into the RECORD the approval of the nomination of Tammy Duckworth as Assistant Secretary of Public and Intergovernmental Affairs for the Veterans' Administration. She is going to have an exceptional responsibility as the chief communicator for the VA, but I cannot think of a better person to fill that job.

Tammy Duckworth's life is one of service to her country. She was born into a military family. The daughter of a marine, she is a second generation Purple Heart recipient.

Tammy started her own military career by joining ROTC in graduate school. She was commissioned in the Army Reserve in 1992. After completing helicopter flight school, she joined the Illinois National Guard in 1996.

In 2004, Tammy was a doctoral student when she made a personal request to be deployed to Iraq. On the afternoon of November 12, 2004, she was on her last mission of the day flying a helicopter for the Illinois National Guard in Baghdad. Her Blackhawk helicopter was struck by a rocket-propelled grenade that ripped through the cockpit and hit Tammy in the legs. Not realizing the degree of her injuries, she tried to assist her copilot in landing the damaged aircraft.

Once on the ground, her crew loaded Tammy onto a second helicopter. Tammy's next memory was waking up at Walter Reed with her husband, Bryan Bowlsbey, also a member of the Illinois National Guard, by the side of her bed. She learned then that the incident in that helicopter had cost her both of her legs and shattered her right arm.

Well, 10 weeks later, after that horrendous experience, I met Tammy Duckworth. Each year, the President gives a State of the Union Address, and it has been my tradition to invite Illinois soldiers and sailors and airmen and marines who are recuperating in local military hospitals as my guests. That year, they told me there was a MAJ Tammy Duckworth from the Illinois National Guard who would join me. I will never forget it. She was in a wheelchair and in full dress uniform, with both legs missing, her arm in a sling, and her husband behind the wheelchair, and she had a big smile on her face. She came in and introduced herself. We got to know one another and spoke. We left my office then and went to an adjoining office for a press conference, where I introduced my guest to the Illinois press.

A number of people showed up from the Illinois media, and one was a friend of mine, a reporter for the Chicago Sun Times, Lynn Sweet. Lynn asked a hard question—an important one, but a very hard question for someone who is a disabled veteran having lost both of her legs in combat just a few weeks ago. Lynn asked of Major Duckworth: What do you think of those people who object to this war and complain that we never should have been in this war in the first place? What do you think of those who protest that this war should not have ever started?

Tammy paused for a moment and said: Isn't that why we are fighting this war, so that people in America can express their point of view regardless of whether they agree with this Government or not?

I was breathless at the end of that. I thought I cannot believe that answer from a woman who has been through what she had been through. I caught my breath and said: Are there any other questions? No. Afterward, I told Tammy that was the most amazing answer I can ever recall hearing from anybody. We had a good evening. I took her down to the Senate dinner before the State of the Union Address and introduced her to many colleagues, including JOHN MCCAIN, TOM HARKIN, DANNY INOUYE, and many others. She was my guest at the State of the Union Address. I kept in touch with her.

Tammy went through rehab. The Walter Reed Military Hospital did an extraordinary job fitting her with computer-assisted legs so she could walk with crutches. She made a miraculous recovery. I kept in touch for the next several months, and when I visited Walter Reed, a lot of those buff marines, who had lost a limb, said every time they were grunting and groaning and weren't sure they could go forward, somebody would say, ''Come on, Tammy,'' and they would keep pushing forward. She became an inspiration to everybody. At the time, she was the most seriously injured woman veteran in the Iraq war.

I kept in touch with her, and a few months later I called her with a rather bold suggestion. I said: Tammy, have you ever thought about running for office? She said: Never. I said: Would you consider it? We have a vacancy in a congressional seat in Illinois where you live. She called me back and said: Bryan and I have a lot of questions to ask. I said I would be glad to try to answer them.

At the end of the day, she became a candidate for Congress—just 13 months after she had been shot down over Iraq. She ran a spirited campaign. She did not succeed, but she brought together the most amazing group of friends and supporters and volunteers I had ever seen. She was asked to head up the Illinois Veterans Affairs Department, where she did a terrific job. She started several first-in-the-Nation programs in that department: the Illinois Warrior Assistance Program, requiring additional screening for PTSD and traumatic brain injury; the GI Loan for Heroes Mortgage Loan Program; the VetsCash grant program, which provided over $5 million in grants to service organizations; and Veterans Adaptive Activities Day, bringing together Illinois organizations specializing in adaptive recreations and sports.

Tammy is so self-sufficient and independent, it is hard to believe. She has her own pickup truck, which she likes to motor around in, which is all set up for her to use. She is so independent that the time came when her husband was activated to serve in Iraq, and instead of asking for special consideration because she would have been left alone in her rehabilitative state, she said: He wants to serve, and he should. He left for a year, and she kept things together while he was gone. She did a great job in the process.

When President Obama was elected, he called on Tammy to bring her ethic and record of public service to Washington. I know she is going to do a great job.

She was an Operation Iraqi Freedom veteran. She knows the difficulties servicemembers can face in the battlefield. As a recipient of VA military care at Walter Reed, you can bet the patients won't have a stronger advocate in the VA and for the VA facilities themselves. She uses them today and understands the frustration bureaucracies can create. She will be a real fighter for veterans. She has the perspective of somebody who has worked with and for veterans and is one herself.

As the spouse of a servicemember who deployed to combat, she certainly

knows what families go through when that happens.

In nominating Tammy Duckworth, President Obama knew he was getting a committed veterans advocate. She will be a strong voice for veterans. At the hearing the other day before Senators AKAKA and BURR, I know she made a dramatic impression when she gave her testimony. She is the kind of person I am proud to count as a friend. I am so honored that she served our country. She has shown extraordinary heroism throughout her life, and she will show it in her record of public service with the VA, and she will show that the trust President Obama put in her was well placed.

We all look forward to working with Tammy as she enters a new phase of service to our Nation and our veterans.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate is adjourned until 9:30 a.m.

Thereupon, the Senate, at 6:42 p.m., adjourned until Thursday, April 23, 2009, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate, Wednesday, April 22, 2009:

DEPARTMENT OF VETERANS AFFAIRS

LADDA TAMMY DUCKWORTH, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (PUBLIC AND INTERGOVERNMENTAL AFFAIRS).

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

ST. PETERSBURG AUDUBON SOCIETY CELEBRATES CENTENNIAL ANNIVERSARY

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. YOUNG of Florida. Madam Speaker, the St. Petersburg Audubon Society celebrates its centennial anniversary this month, marking 100 years of serving our community's conservation and awareness of local birds and the wild areas they call home.

The St. Petersburg chapter, Florida's oldest, was founded in 1909 as part of a crusade by the Florida and National Audubon Society to save wading birds from extinction. At that time, birds' feathers, aigrettes, and wings were used to decorate women's hats. This threatened many of Florida's unique wading birds with extinction. The result of this effort was the saving of these species of birds for future generations of Floridians and visitors to Florida to watch and enjoy.

The St. Petersburg chapter, under the leadership of President Mauri Peterson; Vice President Maureen Arnold; Secretary Nancy Ogden; Treasurer Rick Potter; and Board Members Harold Albers, Mary Brazier, Wanda Dean, Judi Hopkins, Saskia Janes, Dave Kandz, Mark Mueller, Lee Snyder, and Alice Tenney; continues to serve our community in many important ways including conservation leadership and educational opportunities. These activities include weekly field trips, monthly programs, and a long list of volunteer activities.

Specifically, the St. Petersburg Audubon Society raises funds to give Pinellas County fourth grade students an Audubon Adventure program, to provide scholarships to National Audubon Ecology Camps for local teachers, and to give monetary awards to Science Fair winners. The chapter also hosts its annual Pinellas Native Plant Society meeting every December to bring together members of local environmental organizations for a time of celebration and education.

The members of the chapter have also done what they do best — protect our shorebirds and habitats. They helped establish the Shell Key County Preserve and they led an effort to conduct a comprehensive study of beach-nesting birds in partnership with Eckerd College, Pinellas County government employees, and public land managers.

Chapter members have even taken their work neighborhood to neighborhood and house to house through their ''In Harmony With Nature'' programs to help homeowners create wildlife-friendly habitats in their yards and to become aware of bird nesting in their own neighborhoods. And they continue to sponsor annual Migratory and Christmas Bird Counts, a Florida tradition that dates back to 1900.

A special exhibit about the centennial celebration will be unveiled this Saturday at the St. Petersburg History Museum. It will feature information about the chapter's founder Katherine Bell Tippetts, milestones from the chapter's history, and information about the chapter's continuing commitment to the community.

Madam Speaker, The St. Petersburg Audubon Society continues to serve our community today just as energetically as it has throughout these past 100 years. The members of the chapter volunteer to protect our local wildlife and natural habitats and to make Pinellas County a better place to live. Please join me in congratulating the members of the St. Petersburg Audubon Society for their rich history of service.

CRYSTAL BELL AWARD RECIPIENTS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. VISCLOSKY. Madam Speaker, it is my distinct honor to commend seven exceptional teachers from Northwest Indiana who have been recognized as outstanding educators by their peers for the 2008–2009 school year. These individuals are: Robert Backe, Elizabeth Eaton, Wendy Magley, John McCarthy, Nancy McClatchey, Tom Reed, and Donna Scheidt. For their outstanding efforts, these honorees will be presented with the Crystal Bell Award at a reception sponsored by the Indiana State Teachers Association. This prestigious event will take place at the Andorra Restaurant and Banquets in Schererville, Indiana, on Tuesday, May 5, 2009.

Robert Backe, an eighth grade science teacher at Grimmer Middle School, has been in the teaching profession for more than 38 years with the Lake Central School Corporation. Throughout his tenure, Bob has always made a point of bringing fun and enjoyable learning into his labs in order to make sure his students remain interested and actively involved in science. In just one of many examples of his innovative lessons, Bob, an avid Chicago White Sox fan, organized a trip to a game as a means of showing his students how even a baseball game can be integrated into their studies.

Elizabeth Eaton, from the Hanover Community School Corporation, has been a role model and a true inspiration to not only her students but to adults in her community as well. For the past 38 years, Elizabeth has motivated her students to excel inside and outside her classroom. Known for her expertise in gardening, Elizabeth's efforts have led to the creation of an outdoor lab at Lincoln Elementary School. For the past 11 years, she, with the assistance of many of her students, has worked tirelessly to preserve this remarkable example of nature's beauty. For her efforts, Elizabeth Eaton has been named the ''Lake County Conservation Teacher of the Year,'' and her lab has been recognized for being the first of its kind in Lake County.

This year's recipient of the Crystal Bell Award from the Tri-Creek School Corporation is Wendy Magley. Wendy, of Lowell Senior High School, has been in the teaching profession for the past 28 years. The passion Wendy has for teaching and for her students goes far beyond the classroom. In addition to the grueling task of preparing for six English classes, Wendy also coaches basketball, where she instills in her players the same principles of hard work and dedication that she expects of her students. One other example of the immense impact she has had on her school and her students, Wendy spearheaded the creation of the Lowell High School Shakespeare Festival, which has been a memorable experience for hundreds of high school students.

Currently an elementary school teacher at Ernest R. Elliott Elementary School, John McCarthy is this year's recipient from the School Town of Munster. A truly selfless educator, John has made a point of preparing children to not only become better students but to become better people as well. John's desire to accomplish this goal is witnessed through his dedication to the Camp Tecumseh program. As participants in this program, Elliott Elementary's fifth graders partake in activities that promote team-building, positive values, and personal growth. In addition to his personal involvement with the students, John has also served on numerous committees with the School Town of Munster that aim to improve the quality of life and education for the students.

Nancy McClatchey, this year's recipient from the North Newton School Corporation, has had an outstanding teaching career, marked by innovative programs that allow her students the opportunity to experience real-world settings as part of their curriculum. Over the past 19 years, the Family and Consumer Science teacher at North Newton High School has developed a program that is recognized statewide. An educator whose responsibilities seem endless, Nancy's efforts have led to the creation of the ProStart Culinary Arts Program, which aims to make students better prepared for careers in the food service industry, and the Advanced Child Development and Cadet Teaching programs, which allow aspiring future educators the opportunity to gain critical experience in a classroom setting.

This year's recipient of the Crystal Bell Award from the Crown Point School Corporation is Thomas J. Reed. Tom has been nurturing young minds and sharing his passion for music for the past 22 years. Known for his enthusiasm and willingness to put in extra time to work individually with his students, Tom has also had an immense impact on younger educators. Tom has shown true commitment to his students and his community through donating his time and efforts to programs such as the local 4H and the Lake County Fair. He has also made his mark on his community through his musical abilities, where he can often be found performing at weddings, at church, and within the community.

Donna Scheidt, this year's recipient from the School Town of Highland, is known for her ability to engage her students in a way few other teachers can. For the past 13 years, Donna, an eighth grade language arts teacher at Highland Middle School, has constantly devised new ways to bring classic literature into her classroom. It is not uncommon to witness Donna as a character from a classic story to help bring the author's words to life. Donna's ability to reach others is not limited to her students. She has also taken a lead in developing staff and the school's curriculum. In fact, many of her colleagues would tell you they have grown from her guidance just as her students have.

Madam Speaker, I ask you and my distinguished colleagues to join me in commending these outstanding educators on their receipt of the 2009 Crystal Bell Award. Their years of hard work have played a major role in shaping the minds and futures of Northwest Indiana's young people, and each recipient is truly an inspiration to us all.

ARMENIAN GENOCIDE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. COSTA. Madam Speaker, I rise today to commemorate the 94th anniversary of the start of the Armenian Genocide, which was the first genocide of the 20th century and sadly, the template for a cycle of genocide that continues to this very day.

It is, by any reasonable standard, established history that between 1915 and 1923 the Ottoman Empire systematically killed an estimated 1.5 million Armenians and drove hundreds of thousands of others into exile from their ancestral homeland. The record of this atrocity is well documented in the United States Archives and has been universally accepted in the International Association of Genocide Scholars and the broader historical and academic communities.

This year, our Nation has the opportunity to finally recognize the Armenian Genocide as such in the annual commemoration from the White House. Year after year, we have seen the same standard letter from the White House which offers sympathy and apology for the "mass killings," yet refused to label these events as genocide. However, President Obama made promises during his campaign that he would right this wrong, and recognize the Armenian Genocide. I am hopeful Madam Speaker, we finally escape from being under Turkey's thumb on this issue. It is vital our Nation has a foreign policy that accurately reflects history.

Despite my optimism, I am told yet again that now is not the right time for our Nation to recognize the Armenian Genocide. Two years ago, we were told recognition would hurt our troops fighting in Iraq. Four years ago we were told the same thing. This year, we're being told that recognizing the Armenian Genocide will hurt American jobs. How? We cannot develop a foreign policy based solely on what other countries want to hear about their past. Should we not recognize the Soviet orchestrated famine which killed millions in the Ukraine? Should we allow Cambodia to rewrite the atrocities committed under the reign of the Khmer Rouge? What if our schools stopped teaching the American Revolution and we stopped celebrating the Fourth of July because it offended the British? All nations must recognize past events, both good and bad, and learn from it.

To ensure Congress does not mention or pass the Armenian Genocide resolution, Turkey hires powerful and expensive lobbyists to meet with Members and staff, distort the historical facts, and make veiled threats on what might happen if the Genocide is recognized. For the last 20 years, Turkey has been very successful. I firmly believe that we should work with foreign nations on challenges and mutual interests. However, I do not believe another nation can hold our foreign policy decisions hostage because they do not want to admit to dark periods in their past. It is unacceptable that we continue to allow threats from Turkey to hinder our Nation from recognizing a historical fact that has been recognized by historians, scholars, theologians, philosophers, common people, and President Ronald Reagan.

My district is home to thousands of Armenian-Americans, many who are the sons and daughters of survivors. When I am home, I am often approached in the store or on the street by my Armenian friends asking when our country will honor their parents and finally recognize the genocide. We are quickly approaching the 100th anniversary of the start of the Armenian Genocide, and I am hopeful we do not have to wait until then to bring justice to my Armenian friends and neighbors.

In closing, Madam Speaker, I will say again, genocide is not something that can simply be swept under the rug and forgotten. We need leaders around the world to not only recognize it, but to condemn it so the world can truly say "Never Again." The United States cannot continue its policy of denial regarding the Armenian Genocide, and I encourage passage of H. Res. 252 to recognize the Armenian Genocide in our Nation.

TRIBUTE TO KIDANGO

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. STARK. Madam Speaker, I rise today to pay tribute to Kidango, a quality early education and child care provider with administrative offices in Fremont, California. Kidango is celebrating 30 years of serving children in the California cities of Fremont, San Jose, Livermore, Dublin, Union City and Newark with plans for expansion in San Jose and Hayward.

In 1979, formerly known as Tri-Cities Children's Center, is now known by the community as Kidango. Kidango began providing mental health consultation to the staff and parents of the children enrolled at Kidango. Utilizing a relationship-based training strategy, staff was specially trained to understand and work with children with social and emotional challenges.

Kidango has a long history of serving children, including infants with developmental delays and disabilities, by providing Early Intervention Services. In 1994, Kidango merged with the Agency for Infant Development and expanded Kidango's services to children with special needs.

In 2002, Kidango created its own in-house mental health department and Inclusion Team comprised of staff from its Education, Intervention and Mental Health Departments. This program utilizes the relationships developed with families and teachers to provide effective mental health services and responsiveness to the special needs of all children.

Seven Kidango centers in San Jose, California received the honor of being designated as Smart San Jose sites. Smart San Jose is the City of San Jose's premier Early Education Initiative that works to expand the availability of high quality, affordable early care and education spaces in centers and family child care homes.

In 2006, Kidango added Community Family Services as part of their expansive program offerings. This partnership strengthened the work Kidango does with children and families by allowing Kidango to serve more infants and those children who do better in a family child care home environment.

Kidango currently serves 3,300 children annually through its quality early care and education programs, child development services, early intervention services, Mental Health Department, Head Start Department and Community Family Services.

I join the community in recognizing Kidango on its 30th anniversary of exemplary service in childcare, education and child development services to meet the diverse needs of children and families throughout the Bay Area. I send best wishes to Kidango for continued success.

HONORING WORLD MALARIA DAY

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Ms. WATSON. Madam Speaker, a person dies of malaria every 30 seconds. The vast majority of these deaths occur in children under five years in age. Today, malaria continues to cripple developing countries with the high costs of treatment and the loss of productivity.

However, there is continued hope on the horizon. A recently discovered drug could prevent mutations that led to drug resistance. There are significant efforts to discover a malaria vaccine, with over 20 vaccines currently in development. Treatment with A.C.T. is extremely effective, but unfortunately unavailable to poor people in developing nations who are ill and dying.

We must remember that almost half the world's population is at risk of dying from this preventable and treatable disease.

Madam Speaker, let us recommit ourselves with renewed vigor this World Malaria Day, April 25, to combat malaria and rid the developing world of this scourge.

HONORING TALLULAH FALLS SCHOOL ON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY

HON. PAUL C. BROUN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. BROUN of Georgia. I rise today to honor the centennial anniversary of an outstanding institution in my district: Tallulah Falls School. Located in Northeast Georgia near the Chattooga River, this school continues to thrive after one hundred years of instilling impeccable values and a superb work ethic in its students.

Though the school was formally dedicated on June 30, 1909, its first director, Mary Ann Lipscomb, began teaching the poor Georgia mountain children to read on her front porch in 1905. Quickly noticing the poor living conditions and a dire need for basic education, Mrs. Lipscomb petitioned the Georgia Federation of Women's Clubs to establish a school at Tallulah Falls.

Right away Tallulah Falls School was appreciated by the surrounding community. Not long after its creation, this school was recognized across the nation as a success by both the Dean of American Journalism and Good Housekeeping. In 1944, the original Willet Building was destroyed by fire. But within seven months, over $55,000 had been raised for reconstruction—an amazing amount considering that the Great Depression was just coming to an end and World War II was raging.

In the late 1980's, the school once again gained national exposure when nine of its students, led by Martha Cantrell, met with President George H.W. Bush to receive their award for naming the space shuttle Endeavour. Today, this great school is still producing successful citizens while expanding to include both boarding students and day students.

As many in Congress seek new and untested policies on education, I urge my colleagues to instead look to what has worked for a hundred years; the tried and true principles of Tallulah Falls School. We can learn so much from this school as we learn from its past and applaud its growth into the future.

Madam Speaker, I applaud the great effort by the teachers and students of Tallulah Falls School and congratulate them on celebrating 100 years of academic excellence.

100TH BIRTHDAY OF GENEVA POOLE

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. VISCLOSKY. Madam Speaker, it is with great pleasure and honor that I congratulate Geneva Williamson Poole on a momentous milestone, her 100th birthday, which will be on April 16, 2009. Geneva will be celebrating this milestone with family and friends on Saturday, April 18, 2009, at her home in Gary, Indiana. One of Gary's proudest and most adored residents for over 63 years, Geneva Williamson Poole is an inspiration to countless members of her community as well as her beloved family.

Geneva Williamson Poole was born on April 16, 1909, in Augusta, Georgia, to John and Mary Williamson. Geneva was raised with three sisters and two brothers and was brought up on strong Southern values and profound love. In 1936, she moved to Gary, Indiana, making her home with her four children: Justine, Virginia, Jerome, and Berniece, and her husband, Charlie Poole. Through the years, Geneva worked at many local businesses in Northwest Indiana, including: Barnette's Clothing Store, Dave's Fur Store, Westville Hospital, and Kingsbury Ordnance Plant. While she enjoyed the positions she held, Geneva devoted her life to her family and her community. Geneva's belief in strong family values has taught her children and grandchildren the meaning of a strong work ethic, the value of education, and how important it is for family and communities to stick together. Always leading by example, in 1982, Geneva planted a community garden at the end of her block, and she would give the fruits and vegetables to the people of the neighborhood. An extraordinary cook, Geneva was also known for hosting elaborate dinner parties for family and members of the community. As a senior citizen, Geneva adopted two children, Kathy and Vanetta, and helped raise her thirteen grandchildren. In the summers, Geneva has enjoyed opening her home to her grandchildren and teaching them how to sew, cook, garden, and fish. Geneva's passion for family has touched not only those related to her but also many members of the community. For passing along such essential family values, Geneva is worthy of our deepest admiration.

In addition to her remarkable dedication to her family, Geneva continues to serve her community as an active member at Israel Christian Methodist Episcopal Church in Gary, where she participates in many of the church's programs. Geneva has many friends and loved ones within the church who look to her for advice. They share a common respect for her commendable qualities, including her intelligence, wittiness, strength and perseverance. She is truly an inspiration and a role model for us all.

Madam Speaker, Geneva Williamson Poole has always generously given her time and efforts to preserving family values and strengthening the community in Gary, Indiana. She has taught her family, friends, and members of her community the true meaning of selfless devotion. I respectfully ask that you and my other distinguished colleagues join me in wishing Geneva a very Happy 100th Birthday!

HONORING THE VILLAGE OF LOMBARD ON ITS 140TH ANNIVERSARY

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. ROSKAM. Madam Speaker, I rise today to commemorate the 140th Anniversary of the incorporation of Lombard, Illinois, in the heart of my Congressional District.

In 1837, Sheldon Peck and his family settled on 80 acres in what was then known as Babcock's Grove. In 1869, the Village of Lombard was incorporated.

In the years since its humble founding, Lombard has become a center of culture and commerce, serving as a home to businesses, professionals, churches and organizations that have made this a vibrant and thriving community. Over the years, Lombard has developed a well-deserved reputation as an enjoyable place to live, work and raise a family.

On the occasion of this 140th Anniversary, we join together to celebrate Lombard's legacy of growth and prosperity, and to look ahead to the opportunities facing our local community and our nation. Today both marks 140 years of working together to build a brighter future, and reminds us that our work continues.

Madam Speaker and Distinguished Colleagues, please join me in recognizing Lombard Village President Bill Mueller, the Village Board of Trustees and the citizens of Lombard in wishing them happiness on this special occasion.

IN TRIBUTE TO MICHAEL STERN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mrs. MALONEY. Madam Speaker, I rise to pay tribute to Michael Stern, an extraordinary man who passed away on April 7, 2009 at the age of 98 He was a journalist, author, genius and visionary, and I was deeply fortunate to count him as a friend.

In 1978, he joined with his good friend Zachary Fisher, to save the aircraft carrier Intrepid from mothballs and use it as the base for an extraordinary museum situated in Pier 86 on the West Side of Manhattan. Since it opened its doors in 1982, the Intrepid Sea-Air-Space Museum has served more than 10 million visitors. Mr. Stern knew that the Intrepid was one of the most successful ships in U.S. history, and that it would be a fitting monument to the herorism of our nation's military.

Commissioned during World War II, the Intrepid served in the Pacific Theater, survived five kamikaze attacks and one torpedoing. In its year and a half of active duty, Intrepid's aircraft had destroyed 301 Japanese airplanes and helped sink 122 enemy ships, including shared credit for the super-battleships Yamoto and Musashashi. The ship went on to serve as one of the primary recovery vessels for NASA, did three tours of duty off Vietnam, and assisted submarine surveillance in the North Atlantic during the Cold War.

Together, Mr. Stern and Mr. Fisher also created the Fisher Center for Alzheimer's Research Foundation at Rockefeller University and Fisher Houses, a program to build houses for families of hospitalized military personnel to stay near to their loved ones while they are receiving treatment. After Mr. Fisher's death, Mr. Stern started the Michael Stern Parkinson's Research Foundation. I serve on the Board of Trustees of both research foundations and know that they support vital research to find cures for these devastating neurological diseases. Scientists tell us that the two diseases may have a common cause and, therefore, a common cure. Mr. Stern hoped the work he supported would eventually lead to that cure.

Mr. Stern joined the United States Army in 1943 as a war correspondent for Fawcett Publications and the North American Newspaper

Alliance. He was first shipped out to Algeria, and later traveled with American forces through Sicily and up the boot of Italy. He arrived in Rome just one day ahead of U.S. troops. As a young journalist from Brooklyn, he writes of feeling slightly provincial in the face of Rome's cosmopolitan ethos and rich historical past. Nonetheless, he relates that the city inspired him, thrilled him, made him become more worldly and knowledgable. He made it his home for the next 50 years.

In the foreward to Mr. Stern's book, An American in Rome, Robert Ruark creates a vivid portrait of him as a journalist in Italy: "Michael Stern is a myth. He never really existed outside a scriptwriter's imagination. He dug up and lived with the most famous outlaw of our time when ten thousand Italian police couldn't locate Salvatore Giuliano. He wrote the definitive pieces on such unlikely people as Lucky Luciano, Virginia Hill, Dorothy DiFrasso, Geroge Dawson, Freddie McEvoy, Roberto Rossellini, Vincenzo Moscatello and Calouste Sarkis Gubenkian. . . . The reason a lot of people hate Mike Stern's guts is that he is a writer of harsh truth. . . . Don't get me wrong. Mike's an operator. He's an arranger, a dealer, and if necessary, a law unto himself. He does not play to lose. If he were a baseball player, he'd dust off his mother to protect his earned run average, and if he were a boxer he would unhesitatingly club you in the neck to win. . . . I have seen people stop by his table in a Roman caffè and say: "You son of a bitch, I'll kill you for what you wrote about me." Mike doesn't even bother to scowl. So many people have been threatening to kill him for years that one more is only a bore. This is a tough boy, and he writes tough prose. I wish to Christ we had more like him in a soppy, soggy world of cotton-wooled halftruths."

Before becoming a war correspondent, Mr. Stern wrote for True Crime magazine and other publication, sometimes using his own name, sometimes employing a pseudonym. Later, he authored or co-authored a number of books, including Flight From Terror, Into the Jaws of Death, No Innocence Abroad and An American in Rome.

In 1934, Mr. Stern married Estelle Goldstein, who died in 1995. In addition to his daughter, Margaret, of Manhattan, he is survived by a son, Michael Jr., of Juno Beach, Fla., and a granddaughter.

Madam Speaker, I ask that my colleagues join me in paying respects to Michael Stern, a true American hero whose work has educated, inspired and benefitted generations of Americans.

RECOGNIZING JOHN T. ASDAL OF THE VILLAGES, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor John T. Asdal of The Villages, Florida. Mr. Asdal later this week will reach a momentous milestone. He will celebrate his 90th birthday.

John is a decorated veteran of the United States Army, serving from the 25th of May 1942 to the 11th of October 1945. He served with Company B, 1st Battalion 16th Infantry Regiment 1st Infantry Division in North Africa and Sicily. He served with Company H, 36th (Texas) Infantry Division in Italy.

Mr. Asdal participated in four major battles with the 1st and 36th Divisions, Kasserine Pass, Mateur Tunisia, Rapido River Italy and Monte Cassino Italy. The professional skill and personal devotion displayed by Mr. Asdal was repeatedly recognized by the military and reflects his immense commitment and sacrifice.

A rarity to be so decorated, John was awarded the Bronze Star, Purple Heart, Combat Infantryman Badge, Good Conduct Medal, American Campaign Medal, European-African-Middle Eastern Campaign Medal, World War II Victory Medal, Honorable Service Lapel Button, and three Service Stars. His unit received Presidential Citations for Mateur Tunisia & Sicily, French Croix de Guerre for Kasserine, and an Arrowhead for Algeria French Morocco. Because of his extensive time on the front lines and immense sacrifice, Mr. Asdal was among the earliest troops to be able to return to the U.S. in 1944.

I am honored to have such a decorated and respected citizen as a constituent. Madam Speaker, I ask that you join me in honoring John T. Asdal for reaching his 90th birthday. I hope we all have the good fortune to live as long as a life and with such distinction as Mr. Asdal.

COMMEMORATING THE 94TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. COSTELLO. Madam Speaker, I rise today to honor the memory of the victims of the Armenian genocide and ask my colleagues to support H. Res. 252, a bill to commemorate the Armenian genocide.

Over 94 years ago this week, Ottoman Empire authorities arrested some 250 Armenian community and political leaders in Constantinople. This event signaled the beginning of the deliberate and systematic mass murder of 1.5 million Armenian men, women, and children.

From 1915–1923, more than a million Armenians were forced to resettle in Ottoman Syria. To get there, ethnic Armenians were told to march from Turkish Armenia, many of them dying of starvation, disease, or massacre by Turkish forces. Those who survived faced continued abuse at the hands of the Turkish authorities, causing the rest of the population to perish or flee the region as refugees. This effectively eliminated the Armenian population from the Ottoman Empire.

Despite facing some of the worst atrocities of the modern world, Armenians have overcome adversity and continue to prosper as an independent, democratic state. The United States and Armenia have built a long-lasting, strong relationship and we continue to stand by our friend and ally to sustain cooperation on issues of global and regional importance.

As citizens of a global society, we have a solemn obligation not to ignore history or the horrific events of the past. The Armenian genocide marks the first known genocide of the 20th Century, a century only sadly to be marred by repeated offenses against humanity from the Holocaust to Darfur. To commemorate this inhumane event reminds us that ethnic conflict still plagues the modern world and is a pressing issue for the international community. As a member of the Congressional Armenian Caucus and the Tom Lantos Human Rights Commission, I remain committed to achieving a future free from unnecessary violence, hatred, and indifference.

Madam Speaker, I ask my colleagues to join me in remembering and acknowledging the American genocide and the victims of its atrocities to ensure we do not repeat the mistakes of the past.

"NICK ROUSSOS: AN AMERICAN HERO"

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. FRANK of Massachusetts. Madam Speaker, our jobs as Members of Congress are sources of great satisfaction to us, but there are occasional downsides. For me, the worst is the fact that I cannot literally be in two places at one time on certain occasions. One of those is coming up. On Friday, May 1st, at a time when I already committed myself irrevocably to be elsewhere, the Arnold M. Dubin Labor Education Center at the University of Massachusetts/Dartmouth will be celebrating the life of the late Nicholas Roussos.

Madam Speaker, at a time when we are trying to pass legislation that will restore to American working men and women the right to be fairly represented in the workplace through unions of their choosing, it is poignant that Nick Roussos passed away. No one I have ever worked with has been a better, more dedicated, tougher, and at the same time gentler crusader for the rights of working people than Nick Roussos. As a leader in the Southeastern Massachusetts branch of the International Ladies Garment Workers Union, and as a prominent member of the leadership of the labor movement in general, both in Southeastern Massachusetts and in the Commonwealth, Nick Roussos embodied the best in that activity.

I first met him in 1981, when congressional redistricting sent me to the City of Fall River to look for support. I found a strong supporter. But more importantly, I found a great friend and a source of inspiration. No one who worked with Nick Roussos—no one exposed to his infectious humor even in the face of the greatest adversity—could become jaded for too long. At the tensest moments I had to deal with. I would find excuses to call Nick and get the encouragement and energy that he could dispense as well as anybody else, and far more than most.

Economic trends, especially trade policy, have been unkind and unfair to the people that Nick represented. But he never gave up fighting hard for justice for them.

Madam Speaker, Nick Roussos was an American hero. He did as much as was humanly possible to improve the quality of life for his neighbors and for the people he represented.

And it's important to note that those whom he dealt with on the industry side shared the

great respect for him that I have expressed here.

Madam Speaker, the Arnold M. Dubin Labor Education Center is an institution in which he vigorously participated, and it does a great deal to carry on the best traditions of American labor policy. I very much regret that I cannot join so many of my friends in honoring Nick Roussos on May 1st, but I do want to take this opportunity to remind people of the spirit that he embodied and of the need for us to enact legislation that will allow people like Nick Roussos to continue the work that they have done on behalf of those most in need of assistance.

HONORING SUE CARY

HON. BILL CASSIDY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. CASSIDY. Madam Speaker, I rise today to honor Sue Cary, for her dedication and contributions to nephrology nursing and kidney patients in Louisiana and across the country. Sue is one of my constituents from Baton Rogue and has served as President of the American Nephrology Nurses' Association (ANNA) in 2008 and 2009. Sue has been an active member of ANNA for 24 years—serving in a variety of leadership roles. As ANNA President, she has implemented a broad range of initiatives that will continue to improve care for patients whose lives depend on dialysis and other kidney replacement treatments.

ANNA is one of the largest and most prestigious nursing associations in America. The organization is the recognized leader in nephrology nursing practice, education, research, and advocacy. ANNA's members are registered nurses and health care professionals that care for patients of all ages who are experiencing, or are at risk for, kidney disease.

Approximately 20 million Americans have chronic kidney disease. While African Americans only make up about 12 percent of the U.S., they constitute about 32 percent of chronic kidney disease cases and are 4 times more likely than Caucasians to develop kidney failure.

I urge my colleagues to take advantage of the educational opportunities offered by ANNA to learn more about kidney disease. I believe this information will help our nation better understand the issues facing kidney disease patients and nephrology nurses.

Sue Cary has also recognized the importance of recruiting and retaining nephrology nurses to help ensure the future of the profession. She currently is a key figure in ANNA's annual "Nephrology Nurses Week," a national campaign that recognizes and celebrates the critical role of nephrology nurses in patient care. During another annual ANNA event, Kidney Disease Awareness and Education (KDAE) Week, Sue and other nephrology nurses across the country invite state and federal legislators to visit dialysis units to learn more about kidney disease and treatments in their districts.

Professionally, Sue Cary has worked as a Nurse Practitioner in Louisiana and has served as an Associate Professor, in the Division of Nursing, at Our Lady of the Lake College from 1990–2003. She has also worked as an adjunct clinical nursing faculty member for Loyola University's Registered Nurse (RN) to Bachelors of Science in Nursing (BSN) program, where she was responsible for the clinical component of the programs' "Community Health Course."

Please join me in commending Sue Cary for her years of service.

EARMARK DECLARATION

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. BLUNT. Madam Speaker, pursuant to the House Republican standards on earmarks, I am submitting the following information for publication in the CONGRESSIONAL RECORD regarding an earmark I received as part of H.R. 1824, the Best Buddies Empowerment for People with Intellectual Disabilities Act of 2009.

Legal Name of Requesting Entity: Best Buddies.

Address of Requesting Entity: 100 Southeast Second Street, Suite 2200, Miami, FL 33131.

Description of Request: $10 million will be authorized to provide assistance to Best Buddies, a nonprofit organization dedicated to helping people with intellectual disabilities, to promote the expansion of Best Buddies, including activities to increase the participation of people with intellectual disabilities in social relationships and other aspects of community life, including education and employment, within the United States.

IN RECOGNITION OF BALLET ACADEMY EAST ON THE OCCASION OF ITS 30TH ANNIVERSARY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mrs. MALONEY. Madam Speaker, I rise to pay tribute to Ballet Academy East (BAE) as it celebrates its 30th Anniversary. BAE was founded in September 1979 by Julia Dubno, who continues to serve as its director and inspiring leader.

Ms. Dubno opened BAE in a brownstone on East 79th Street featuring one small studio. Under Ms. Dubno's careful tutelage the school has flourished, growing in size and reputation. Today the school occupies 5 spacious studios and features a world renowned faculty. Ms. Dubno has assembled a talented group of teachers and musicians to work with all levels of students from two year olds through adults. The school introduces toddlers to the concept of dance, provides a nurturing environment for training older children and enables adults of all ages to stay in shape.

There are times when it seems that every small girl on the Upper East Side is taking ballet class at BAE. Toddlers in pink leotards and their mothers or caretakers flock to BAE's building every day. The elevators are crowded with youngsters in strollers, scrambling to put on ballet slippers as they rush to class. They find a ballet fantasy world, filled with music, movement, story-telling and dance.

While toddlers of every degree of interest in dance are welcomed, by the time children reach first grade, the school begins to evaluate and grade students with an eye to preparing them for the rigorous world of dance. In the afternoon, these older children arrive, exuding a sense of purpose and a desire to succeed. Advanced students rave about the fact that instruction really seems to be a group effort, with each class complementing the others. The pre-professional program consists of classical training that is intended to prepare young dancers for any professional company. Combinations become more advanced as students improve their technique. BAE's faculty help students discover a love of dance and enable skilled students to improve their technique. Students find that BAE allows them to expand as artists, discovering their strengths and finding ways to overcome their weaknesses. BAE students perform for the public at annual spring and studio performances, and as part of Dances Patrelle's annual Nutcracker.

Darla Hoover (former member of New York City Ballet) is the artistic advisor and coordinator for the graded level program. Graduates have gone on to perform with many national and regional ballet companies or to attend other topnotch ballet schools, including the School of American Ballet, Dance Theater of Harlem Ensemble, Nashville Ballet School, BalletMet, Nashville Ballet II and Kansas City Ballet. Students often return for additional classes. As one student wrote in the most recent newsletter: "Change is good, but it's always nice to know you can go back."

The school was thrilled to welcome Cynthia Gregory, whom Rudolf Nureyev once called "America's prima ballerina assoluta," as one of its Permanent Guest Faculty. She staged Michael Fokine's Les Sylphides for the BAE Student Company Studio Showing in February.

For adults working to stay in shape or seeking to improve flexibility or muscle tone, BAE offers Open Classes for adult students of all levels in Pilates, yoga, jazz, and modern. Adults laud the intimate classes and the dedication of the faculty. Instructors are knowledgable and willing to offer advice so that even the most advanced dancers can improve.

Madam Speaker, I ask that my colleagues join me in recognizing the great contributions Ballet Academy East has made in training young ballerinas, and Julia Dubno for guiding young people to achieve their best.

HONORING NAPOLEON TOWNSHIP FIRE CHIEF JAY HAWLEY

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHAUER. Madam Speaker, I am proud today to honor a truly outstanding public servant, Napoleon Township Fire Chief Jay Hawley, as April marks the 35th anniversary of his service as a Napoleon firefighter.

Jay's unwavering dedication to the community, the breadth of his experience, the depth of his knowledge, and his skill as a leader are cornerstones the Napoleon Township Fire Department's long success rests on. He is endlessly creative in finding ways to do more with

less—stretching every local dollar through regional cooperation, obtaining financial grants from a wide array of external sources, and the old fashioned approach of just plain spending every fire department dollar wisely.

Jay is open to new ideas, willing to listen, ready to change, and always ready to cooperate for the larger good. He has been a tireless leader at the regional level on initiatives to improve emergency responder communications, strengthen training, pool fire resources, and enhance safety. He is never concerned with who gets credit for success, only that success is achieved.

How many millions of dollars in property were spared and how many dozens of lives were saved through Jay's efforts may never be known, but Napoleon Township and surrounding communities know he is owed a debt of gratitude that can never be fully repaid.

IN TRIBUTE TO JOHN HOPE FRANKLIN, HISTORIAN AND ACTIVIST

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. RANGEL. Madam Speaker, I rise today in recognition of the life and achievements of John Hope Franklin, and his dedication to, "weave into the fabric of American history enough of the presence of blacks so that the story of the United States could be told adequately and fairly." In March 2009, the passing of John Hope Franklin removed from the world a scholar whose academic excellence was profound in its effect on modern U.S. history. Though he is no longer with us we will not forget the contributions he has made to this country and the world.

John Hope Franklin succeeded in his intention to recognize the presence of African Americans in our history and through his scholarship which was unparalleled in its brilliance and so complete that it was universally acclaimed. He created an awareness of the role of the African American in American history that did not exist prior to his work.

John Hope Franklin was born just fifty years after the Emancipation Proclamation in Rentiesville, Oklahoma on January 2, 1915. He graduated from Fisk University in 1935 and earned a PhD from Harvard University in 1941. From Slavery to Freedom: A History of African-Americans, perhaps his most famous book, traces the African-American journey from the African continent to their struggle for equality in the twentieth century. Through his efforts to explain that African-American history is American history, John Hope Franklin himself became an integral actor in that history not only through his published scholarly papers but through his engagement in the Civil Rights Movement, beginning with the part he played in the landmark case of Brown vs. Board of Education and subsequently as an activist scholar providing an eloquent voice for the Movement.

John Hope Franklin was a true scholar and activist. Through his life he has inspired generations of historians. Today, I am proud to pay tribute to the life of Mr. John Hope Franklin.

ALLEN CAYIR, ELLIS ISLAND MEDAL OF HONOR

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. BACCA. Madam Speaker, I rise today to recognize Allen Cayir, President of Transech Engineers, Inc., who will receive the prestigious Ellis Island Medal of Honor.

Established in 1986 by the National Ethnic Coalition of Organizations, the Ellis Island Medal of Honor pays tribute to our nation's immigrant heritage by recognizing those individuals whose achievements have helped to foster respect and understanding for America's ethnic diversity. Since the award began, recipients have included United States Senators, Congressman, Nobel Laureates, military leaders, outstanding athletes, and clergy.

A native of Turkey, Mr. Cayir, or "Ali" as he is known to his friends, arrived in the United States after earning an engineering degree from Istanbul Technical University. In 1989, he founded Transtech Engineers, Inc, which provides professional and technical expertise to governmental agencies, educational institutions and the private development sector.

Through his dedication and hard work, he was able to grow the business to a multi-million dollar enterprise. Notable projects over the years have included the Alhambra Civic Center Public Library and the Renovation of the Historic Santa Fe Depot Train Station in San Bernardino, California.

In addition to his professional accomplishments, Ali is also known for his philanthropic contributions. He has participated in fundraising activities for the Tools for Education organization at California State University San Bernardino, as well as helped with the restoration work at Mission San Juan Capistrano. In 2005, Ali started a matching fund drive for local businesses for Hurricane Katrina victims, and personally matched other funds collected.

Ali is a volunteer teacher at California State University, where he sits on the board of the College of Education and the Tools for Education Project. He was instrumental in raising $3 million for a new education building at the University.

He is also very active in the Southern California Hispanic community, engaging in many community organizations that provide support services to the Latino population. In 2006, the Embracing Latino Leadership Alliance honored Ali with the "Honorary Latino Citizen" award.

Finally, Ali is a founding Board Member of American Friends of Israel and Turkey, an organization dedicated to improve cooperation and understanding between American, Turkish, and Israeli citizens by supporting cultural, ethnic, and community events.

Throughout his extraordinary career as an engineer and community servant, Ali has always remained a dedicated family man. For the past 31 years, he has been married to his wife Sybil. Together, they have a daughter, who is currently following in her father's footsteps, pursuing a degree in civil engineering.

On behalf of myself, my wife, and my family, I congratulate Mr. Cayir for this tremendous honor. His contributions to his family and his community provide a wonderful example of service for all Americans to follow.

HONORING THE SERVICE OF CLIFTON SPRINGS HOSPITAL & CLINIC AUXILIARY

HON. ERIC J. J. MASSA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MASSA. Madam Speaker, I would like to take a moment to recognize the service and achievements of the Clifton Springs Hospital & Clinic Auxiliary. The Hospital Auxiliary celebrated 50 years of community service on January 26, 2009. A reception to commemorate the first meeting of the Auxiliary was held on the same day. During their first year, the Auxiliary ambitiously initiated five projects that were used to better patient care: occupational therapy, hostesses to serve daily coffee/tea, magazine distribution, flower committee and Pinkie Puppets for Easter. The Hospital Auxiliary has since organized numerous fundraising events to pay for projects and equipment that would not have come to fruition otherwise. These important projects have been critical to increasing the comfort of Clifton Springs Hospital patients. For their tireless dedication to patient well-being, it is my pleasure to honor the Clifton Springs Hospital & Clinic Auxiliary.

CONGRATULATING MICHAEL W. DAWSON

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor and congratulate Michael W. Dawson upon his recognition as Mason of the Year by the Battle Creek Lodge #12 Free and Accepted Masons of Michigan.

Since being raised a Master Mason in 2005, Mike has served as Senior Deacon, Senior Warden and is now serving his second year as Worshipful Master. He also has served on the Finance Committee and is active on the lodge's MDOT Adopt-A-Highway program.

Mike is appreciated by other area lodges for his many visits and willingness to help in their degree work. He is active in his church and serves as a Greeter and Usher. Mike also is a past President of the local Optimist Club where he has presented monthly awards to outstanding middle school students.

Mike and his wife, Elizabeth (Betty), are both retired from the Federal Government, DOD. It is with deep appreciation of the significance of this recognition that I commend Michael W. Dawson upon being named Mason of the Year and wish him well in all his future endeavors.

RECOGNIZING CLAIN ROBERTS ON HIS 25TH ANNIVERSARY AS MINISTER OF MUSIC AT IMMANUEL BAPTIST CHURCH IN PACE, FLORIDA

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MILLER of Florida. Madam Speaker, on behalf of the United States Congress, it is an

honor for me to rise today in recognition of Clain Roberts on his 25th Anniversary as Minister of Music at Immanuel Baptist Church in Pace, Florida.

For the past twenty-five years Clain Roberts has inspired the congregation at Immanuel Baptist Church with music. As the Minister of Music, Mr. Roberts leads all of the church's choirs as well as the orchestra and band. Mr. Roberts has also written many of the choruses in use by Immanuel Baptist including the church's Easter musical.

The choir program has grown dramatically under Mr. Roberts who created ensembles, quartets, the orchestra, and band. But Mr. Roberts is also an integral figure in the church because of his active participation in all other aspects of the church's doings. He takes senior adults on outings and visits congregants in the hospital. Because of the hard work and dedication put forth by Mr. Roberts over the past twenty-five years, he enjoys a special relationship with the members of Immanuel Baptist Church and is greatly loved by the fellowship.

Madam Speaker, on behalf of the United States Congress, I am proud to recognize Clain Roberts for twenty-five years of outstanding achievement and look forward to seeing what the next twenty-five will bring.

HONORING THE MARIN CONSERVATION LEAGUE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Ms. WOOLSEY. Madam Speaker, it is with great pleasure that I rise today to honor the Marin Conservation League on the occasion of its 75th Anniversary Celebration. Founded by four visionary women, the League has worked to preserve and protect for public use many of the magnificent lands of Marin County.

As the Golden Gate Bridge was nearing completion in 1934 Caroline Livermore, Sepha Evers, Portia Forbes, and Helen Van Pelt were deeply concerned about unplanned growth a completed bridge would enable. Not wanting 'hot dog stands and billboards,' they met to discuss the future and agreed to raise money for the county to hire planning expert Hugh Pomeroy.

Intrepid women, not easily discouraged they raised $2500 and Pomeroy developed the first countywide planning study. Learning the powers of political persuasion quickly, the women convinced the Board of Supervisors to adopt the plan which recommended the preservation of significant open spaces and guided the county's future growth. Almost at once, they swiftly proposed and persuaded the Supervisors to enact a county ordinance forbidding billboards which is in force to this day.

Caroline Livermore and her three co-founders, along with a growing organization, worked for more than 30 years to create public parks and secure for permanent preservation such Marin landmarks as Stinson Beach, Samuel P. Taylor Park, Drake's Bay, Tomales Bay State Park, and Richardson Bay Wildlife Refuge.

Never shying away from battle, MCL stopped plans for the commercialization of Angel Island when it was declared surplus by the federal government after WWII. The League further fought to have it declared a state historic site and worked 14 more years to ensure the Park's master plan prevented commercial development, preserved historic resources, and protected wildlife habitat. Mt. Livermore, on Angel Island, was named to honor MCL co-founder Caroline Livermore.

Working with Audubon Canyon Ranch and the Nature Conservancy, MCL prevented the development of a recreational resort complex locally dubbed 'Newport Beach North.' By purchasing Kent Island and tidelands and donating the lands to Marin County as a park, Bolinas Lagoon was permanently preserved as a wildlife refuge.

Over the years Mann Conservation League has played many significant roles including helping to establish Point Reyes National Seashore and Golden Gate National Recreation Area. In the 1960's they led the fight against massive development in West Marin and stopped a proposed cross-county freeway. They advocated for agricultural zoning and in 1972, MCL helped launch the Marin County Open Space District.

During the 1970's and 80's, as land became more costly, MCL shifted its political priorities to work collaboratively towards the protection of environmental quality throughout the county. They campaigned vigorously to oppose offshore oil drilling, prevent logging on Bolinas Ridge, and worked tirelessly to defeat the peripheral canal, the environmentally costly state plan to divert Northern California water to the Southland.

Never resting on its laurels, MCL continues to work on protecting important natural features while developing environmental public policy, and working to implement that policy. Through careful research and evaluation, MCL prepares positions on government proposals, development projects and ballot propositions.

Madam Speaker, I have appreciated working with Marin Conservation League on many complicated issues and know they will conscientiously continue to monitor project proposals, track policies, and encourage government to adopt decisions that protect the environment. I congratulate the Marin Conservation League on its 75 years of extraordinary achievement!

RECOGNIZING EARTH DAY

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. TIBERI. Madam Speaker, as many of my colleagues know, today is Earth Day.

Earth Day is dedicated to raising awareness of how we can all be good stewards of our environment and leave our world better than we inherited it for future generations.

An important task to achieve this laudable objective is a comprehensive federal energy policy, one which puts all options on the table for debate and discussion. In other words, an "all of the above" approach.

Included in this energy policy will be exciting new technologies which incorporate more efficient, cleaner and safer ways to harness energy from the sun and our natural resources. There will also be an expansion of commonsense practices to conserve our resources.

One such method is recycling. We're familiar with recyclables, as more and more Americans chose to participate in local recycling programs nationwide. Recycling results in a net reduction in ten major categories of air pollutants and eight major categories of water pollutants. To put this in perspective, a national recycling rate of 30 percent reduces greenhouse gas emissions as much as removing nearly 25 million cars from the road.

One vital contributor is the scrap recycling industry. In these challenging economic times, the scrap recycling industry employs more than 85,000 workers while providing high-quality products at lower costs, thus strengthening our economy.

Each year the scrap recycling industry keeps over 160 million tons of material out of landfills. Recycled aluminum saves our country 95 percent of the energy that would have been required to make new aluminum from ore. It also invests significant capital in high-tech, environmentally-designed manufacturing machinery that is used to sort, pack, transform, process, manufacture and ship materials to become new products.

As a member of the House Recycling Caucus, I believe Congress must continue to build our partnership with the scrap recycling industry. Last year's Recycling Investment Saves Energy tax credit has been well received, and I think we all agree that more can be done.

On this Earth Day I would like to thank the scrap recycling industry for the dedication to strengthening our economy in earth friendly way.

PERSONAL EXPLANATION

HON. CHRISTOPHER P. CARNEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. CARNEY. Madam Speaker, on Tuesday, April 21, I was absent for three rollcall votes. If I had been here, I would like the RECORD to reflect that I would have voted: "yes" on Rollcall Vote 193; "yes" on Rollcall Vote 194; and "yes" Rollcall Vote 195.

I would like this inserted into the RECORD in its appropriate place.

IN HONOR OF MAYOR ELWOOD L. MALICK

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. PALLONE. Madam Speaker, I rise today to honor an exemplary citizen, someone who has served the people of Spring Lake Heights and my state of New Jersey with distinction—Mayor Elwood L. Malick. He is being recognized as the 2009 Citizen of the Year by The Greater Spring Lake Chamber of Commerce for the exceptional work he has performed in his community.

Mayor Malick served as mayor of the Borough of Spring Lake Heights from 2004 to 2009. Located on the Jersey Shore, Spring Lake Heights is considered one of New Jersey's best places to live, with a vibrant and small beachside community. In his position, Mayor Malick has helped Spring Lake Heights continue to thrive as a vibrant town with acclaimed picturesque views and a tight-knit

community. Under his leadership, Spring Lake Heights has become a welcoming summer escape for thousands of visitors every year.

Mayor Malick has served on the governing body of Spring Lake Heights for 31 years, 26 as a member of the Borough Council, 13 as council president, and the last five as mayor. Beyond his dedicated service in government, Mayor Malick has served as a model school teacher for over 20 years. His dedication to education is commendable, though his commitment to community service extends outside the classroom. As a coach of Little League and high school basketball, Mayor Malick has touched the lives of young students in many meaningful ways.

Madam Speaker, I am proud to congratulate Mayor Malick on his award, and I wish him the best as he opens a new chapter in his life. His example will continue to inspire us all and visitors will continue to enjoy their visits to Spring Lake Heights as a result of his accomplishments.

HONORING CHIEF MICHAEL G. CURRY

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor a truly exemplary public servant, Chief Michael G. Curry, as April marks the 35th anniversary of his service as Napoleon Township Police Chief. Mike's unflagging dedication to the community, his extensive knowledge and experience in police work, and his effectiveness as a leader are keys to the long and continued success of the Napoleon Township Police Department.

Mike has always placed the welfare of children as his highest priority. That emphasis is reflected in a long list of local initiatives he has championed: child safety training, pedestrian and bike safety programs, SAVE (school active violence event) training for students and teachers, student finger printing, driving safety training, uniformed police officers taking children out to shop at Christmas, and numerous other initiatives.

He is especially resourceful in finding ways to maximize the benefit Napoleon residents receive from every local dollar spent on law enforcement—obtaining financial grants from many different external sources, leveraging resources through regional cooperation and consortiums, staffing the department with highly experienced officers who are willing to work part-time for Napoleon, and closely managing every expenditure large or small.

A recognized leader at the regional level, he is a past president of the Village and Township Police Association, past chair of the 911 Board, as well as current board member and chair of the curriculum committee for the Jackson and Lenawee County Training Consortium. Mike treats every resident issue, no matter how small, as important because every resident is important to him. Napoleon is a safer and more desirable community to live in, its children are better protected, and its residents are served by a highly effective Police Department thanks to Chief Curry.

How many lives have been saved, traffic accidents prevented, injuries avoided and crimes deterred through his efforts may never be known, but we as a community know we owe him a debt of gratitude that can never be fully repaid.

MOLECULAR IMAGING WEEK

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MORAN of Virginia. Madam Speaker, I rise today to acknowledge this week as Molecular Imaging Week. During this week, the molecular imaging and therapy community at hospitals, clinics, imaging centers, educational institutions, and corporations around the world, will educate Congress and the public about health policy issues related to molecular imaging and therapy.

Annually, more than 20 million men, women, and children need noninvasive molecular/nuclear medicine procedures. These safe, cost-effective procedures include: positron emission tomography (PET) scans to diagnose and monitor treatment of cancer, diagnose neurological disease such as Alzheimer's and stroke, cardiac stress tests to analyze heart function, bone scans for orthopedic injuries and follow-up for breast and prostate cancer patients, and lung scans for blood clots. Patients also undergo procedures to diagnose liver and gall bladder abnormal function and to diagnose and treat hyperthyroidism and thyroid cancer.

Molecular imaging and therapy procedures provide safe, painless, and cost-effective techniques to image the body and treat disease. These procedures are crucial in the early diagnosis of cancer, renal disease, cardiac disease, and Alzheimer's. Imaging procedures often identify abnormalities very early in the progress of a disease—long before many medical problems are apparent with other diagnostic tests. The techniques that are used in molecular imaging include radiotracer imaging/nuclear medicine, magnetic resonance imaging (MRI), magnetic resonance spectroscopy (MRS), optical imaging, the PET scan, ultrasound and others.

Molecular imaging offers unique insights that allow a more targeted approach to evaluation and management of heart disease. It also plays a pivotal role in guiding the management of cancer: diagnosis, staging (extent and location), assessing therapeutic targets, monitoring therapy, and evaluating prognosis; and is playing an increasingly significant role in conditions such as: tumors, dementias (Alzheimer's and other), movement disorders, seizures disorders and psychiatric disorders.

Why is molecular imaging important? It is revolutionizing the practice of medicine and is critical to quality health care. Molecular imaging delivers on the promise of "personalized medicine"—it can provide patient-specific information that allows tailored treatment of disease. It can show a precise (molecular) level of detail that provides new information for diagnosis, for determining which kinds of therapy will and will not work for which patient, and for tracking the results of a specific therapy to see exactly how well it is working. It is also key to the development of pharmaceuticals and genetic therapy. Molecular therapy utilizes targeting molecules that deliver the therapeutic agent directly to the site of interest, bypassing normal tissue that is responsible for the toxic side effects of many current therapies.

Based in Reston, Virginia, the Society of Nuclear Medicine (SNM) is an international scientific and professional organization founded in 1954 to promote the science, technology and practical application of nuclear medicine. Its 16,000 members are physicians, technologists and scientists specializing in the research and practice of molecular imaging and nuclear medicine. In 2005, SNM created the Molecular Imaging Center of Excellence, an organizational component within SNM, dedicated to all aspects of molecular imaging in the detection and management of disease. The primary focal areas of the Center are educational programs, professional and intersociety networking, and serving as a resource for development and implementation of SNM policy in this specialized area.

I applaud SNM and its members for their efforts to educate others on this major healthcare innovation during Molecular Imaging Week (April 19–25), and I urge my Colleagues to join me in supporting policies that will continue to keep our nation on the cutting edge of molecular imaging research.

PERSONAL EXPLANATION

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. WESTMORELAND. Madam Speaker, on March 23, 2009 I stayed at home due to an ongoing medical. As a result, I missed a number of votes. Had I been present, I would have voted the following:

Aye on Motion to Suspend the Rules and Pass the Stan Lundine Post Office Building Designation. (Roll Call #145)

Aye on Motion to Suspend the Rules and Pass the Lance Corporal Drew W. Weaver Post Office Building Designation. (Roll Call #146)

On March 24, 2009 I stayed at home due to an ongoing medical. As a result, I missed a number of votes. Had I been present, I would have voted the following:

Aye on Motion to Suspend the Rules and Pass the Department of Homeland Security Component Privacy Act of 2009. (Roll Call #147)

No on Motion to Suspend the Rules and Pass the Nuclear Forensics and Attribution Act (Roll Call #148)

Aye on Motion to Suspend the Rules and Agree to Expressing support for designation of the week of March 1 through March 8, 2009, as School Social Work Week. (Roll Call #149)

On March 25, 2009 I stayed at home due to an ongoing medical. As a result, I missed a number of votes. Had I been present, I would have voted the following:

No on Ordering the Previous Question providing for consideration of the Senate amendments to H.R. 146, the Omnibus Public Land Management Act. (Roll Call #150)

No on Agreeing to the Resolution providing for consideration of the Senate amendments to H.R. 146, the Omnibus Public Land Management Act. (Roll Call #151)

Aye on Motion to Suspend the Rules and Pass the Special Inspector General for the

Troubled Asset Relief Program Act. (Roll Call #152)

No on Motion to Concur in Senate Amendments to Omnibus Public Land Management Act of 2009. (Roll Call #153)

Aye on Motion to Suspend the Rules and Agree to Recognizing the 188th anniversary of the independence of Greece and celebrating Greek and American democracy. (Roll Call #154)

No on Motion to Table Raising a question of the privileges of the House regarding earmarks and campaign contributions. (Roll Call #155)

No on Agreeing to the Resolution, the Rule providing for the consideration of H.R. 1404, the Federal Land Assistance, Management, and Enhancement Act. (Roll Call #156)

On March 30, 2009 I stayed at home due to an ongoing medical. As a result, I missed a number of votes. Had I been present, I would have voted the following:

No on Motion to Table Raising a question of the privileges of the House. (Roll Call #163)

No on Motion to Suspend the Rules and Pass, as Amended the Melanie Blocker Stokes MOTHERS Act. (Roll Call #164)

Aye on Motion to Suspend the Rules and Pass, as Amended the Wakefield Act (Roll Call #165)

On March 31, 2009 I stayed at home due to an ongoing medical. As a result, I missed a number of votes. Had I been present, I would have voted the following:

No on Agreeing to the Resolution Providing for the consideration of the Senate amendments to H.R. 1388. (Roll Call #166)

Aye on Motion to Suspend the Rules and Pass the Dextromethorphan Distribution Act. (Roll Call #167)

Aye on Motion to Suspend the Rules and Pass, as Amended the Recognizing the 30th anniversary of the peace treaty between Egypt and Israel. (Roll Call #168)

No on Motion To Concur in the Senate Amendments Generations Invigorating Volunteerism and Education (GIVE) Act. (Roll Call #169)

No on Motion to Suspend the Rules and Pass, as Amended the Vision Care for Kids Act of 2009. (Roll Call #170)

Aye on Motion to Suspend the Rules and Pass the Health Insurance Restrictions and Limitations Clarification Act. (Roll Call #171)

No on Agreeing to the Resolution Providing for the expenses of certain committees of the House of Representatives in the One Hundred Eleventh Congress. (Roll Call #172)

No on Motion to Suspend the Rules and Pass to establish the Daniel Webster Congressional Clerkship Program. (Roll Call #173)

Aye on Motion to Suspend the Rules and Pass the Capitol Police Administrative Technical Corrections Act of 2009. (Roll Call #174)

On April 1, 2009 I stayed at home due to an ongoing medical. As a result, I missed a number of votes. Had I been present, I would have voted the following:

No on Motion to Table the Flake Resolution. (Roll Call #175)

No on Agreeing to the 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. (Roll Call #176)

No on Agreeing to the 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. (Roll Call #177)

No on Motion to Suspend the Rules and Pass, as Amended the End Government Reimbursement of Excessive Executive Disbursements (End GREED) Act. (Roll Call #178)

Aye on Motion to Suspend the Rules and Agree to 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. (Roll Call #179)

Aye on Agreeing to the Bean of Illinois Amendment (Roll Call #180)

No on Agreeing to the Dahlkemper of Pennsylvania Amendment (Roll Call #181)

No on Passage 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. (Roll Call #182)

On April 2, 2009 I stayed at home due to an ongoing medical. As a result, I missed a number of votes. Had I been present, I would have voted the following:

No on Agreeing to the Resolution providing for the adjournment of the House and Senate. (Roll Call #183)

No on Agreeing to the Resolution providing for consideration of H. Con. Res. 85. (Roll Call #184)

Aye on Agreeing to the Buyer of Indiana Substitute Amendment. (Roll Call #185)

Aye on Motion to Recommit with Instructions the Family Smoking Prevention and Tobacco Control Act. (Roll Call #186)

No on passage of the Family Smoking Prevention and Tobacco Control Act. (Roll Call #187)

No on Agreeing to the Woolsey of California Amendment in the Nature of a Substitute. (Roll Call #188)

Aye on Agreeing to the Jordan of Ohio Amendment in the Nature of a Substitute. (Roll Call #189)

No on Agreeing to the Lee of California Amendment in the Nature of a Substitute. (Roll Call #190)

Aye on Agreeing to the Ryan of Wisconsin Amendment in the Nature of a Substitute. (Roll Call #191)

No on Agreeing to the Resolution Congressional Budget for Fiscal Year 2010. (Roll Call #192)

THE FALLEN STARS MEMORIAL MURAL

HON. MICHAEL A. ARCURI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. ARCURI. Madam Speaker, I rise today to highlight the efforts of the Herkimer Lions Club, Mohawk American Legion Post 25, Frankfort Kiwanis Club, Little Falls Rotary Club, and the Herkimer Polish Community Home in creating the Fallen Stars Memorial Mural to honor the memory of New York State's fallen soldiers who gave their lives in Iraq and Afghanistan.

The Fallen Stars Memorial Mural was unveiled Memorial Day 2008 at Herkimer County Community College's Veterans Memorial Park, in Herkimer, NY. This memorial recognizes 229 brave men and women who selflessly and honorably made the ultimate sacrifice for their country and this Memorial Day, a second mural will be dedicated to further recognize their life and our loss.

I am proud to inform Congress and the nation that each fallen hero has been remembered by either a service project improving the quality of life in Central New York, or by a donation to a veterans' service organization. As a Member of Congress and as a New Yorker, I am forever grateful for the commitment and valor of our veterans, and I am touched by the spirit of their communities as those they left behind work to improve the quality of life for so many in the name of these heroes.

I would like to recognize the following individuals in particular for their dedication to this initiative: RJ Lenarcic, Chairman of Special Projects for the Herkimer Lions Club; Mimi Martin, spokeswoman for the Fallen Stars Tribute whose husband was tragically lost in Iraq in 2007; Kay Lenarcic; Kelly Brown; Devin McDonald; Dan Ferguson; Paul Scanlon; Elmer Heston; and Bob Critser.

Madam Speaker, it is with great privilege and honor that I recognize here today the Fallen Stars Memorial Mural and the individuals who have worked so tirelessly to make this memorial a reality, while paying respect to the American heroes we have lost too soon.

A TRIBUTE TO MISS USA 2009 KRISTEN DALTON

HON. MIKE McINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. McINTYRE. Madam Speaker, I rise to pay tribute to Miss North Carolina USA Kristen Dalton for winning the title of Miss USA 2009 on April 19, 2009.

An aspiring motivational speaker and entertainer from Wilmington, North Carolina, Miss Dalton competed against 49 other beauty queens to win the prestigious title of Miss USA 2009, in addition to receiving the highest scores for the swimsuit and evening gown competition. She will represent the United States of America in the Miss Universe 2009 pageant in August 2009.

A 22-year-old graduate of East Carolina University with a degree in Psychology and Spanish, Miss Dalton's duties as Miss USA will enable her to continue working with the Miss Universe organization's charitable alliances including Susan G. Komen for the Cure, the USO, Special Olympics, the American Cancer Society and speaking to youth audiences targeting issues such as peer pressure and perseverance. She will be afforded a year's use of a New York apartment, a public relations team, a two-year scholarship at the New York Film Academy and a salary to carry out her duties and continue the Miss USA focus on charity.

A singer and dancer who credits her strong religious faith and family for her success, Miss Dalton comes from a long line of pageant winners. Her mother, Jennie Dalton served as

Miss North Carolina USA in 1982, and her sister, Julia Dalton, served as Miss North Carolina Teen USA in 2008 and as second runner-up in the Miss Teen USA pageant.

Madam Speaker, dedicated service to others combined with dynamic leadership has been the embodiment of Miss Dalton's life and qualities that the Miss USA pageant upholds in selecting its winners. May we all wish Miss Dalton the very best in her quest for the Miss Universe title, in addition to using her selflessness, tenacity and integrity as a beacon of direction, and example of dedication, and a source of inspiration. Indeed, may God bless Miss Dalton and her time serving our country as Miss USA 2009.

HONORING SSGT. RICHARD HOWARD HEMENWAY

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor SSgt. Richard Howard Hemenway, Jr. of the 110th Fighter Wing Chaplain's Office in Battle Creek, Michigan on the occasion of his retirement. SSgt. Hemenway has been a dedicated member of the armed forces for 21 years, five of which were active duty, including four tours to the Middle East. He was commended twice for this service, among many other honors. In October of 2000, SSgt. Hemenway was presented the Leadership Award by his peers for Outstanding Academic and Leadership Performance Air Force Sergeants Association Cereal City Chapter 774. In 2005, SSgt. Hemenway was named Base Non-Commissioned Officer of the Year. He has done all of this as a loving husband to his wife, Kathy, and dedicated father to his children. SSgt. Richard Howard Hemenway, Jr. is a model of patriotism and well deserves our respect and appreciation for his many years of dedication and distinguished service.

ON THE PASSING OF AMBASSADOR SARATA OTTRA ZIRIGNON-TOURE

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. BUTTERFIELD. Madam Speaker, it is with deep sadness that I report to the House of Representatives that Cote d'Ivoire's roving Ambassador Sarata Ottra Zirignon-Toure suddenly passed away on April 9, 2009. I have had the distinct pleasure of working with Ambassador Zirignon-Toure on the establishing the Congressional Caucus on Cote d'Ivoire. She proved instrumental in the establishment of the Caucus, which focuses on issues in West Africa, specifically the pending elections and peace efforts in Cote d'Ivoire.

For decades Ambassador Zirignon-Toure has been at the forefront of Cote d'Ivoire's political landscape—as a freedom fighter, advocate for democracy and leader in the women's movement. Her commitment landed her in jail in 1970 with a group of fellow activists who are now key members of government, including President Laurent Gbagbo. When their party, the Ivorian Popular Front, was recognized as the official opposition in 1990, she was named to the shadow cabinet, eventually receiving the foreign affairs portfolio.

A linguist, teacher and child psychologist by training, Ambassador Zirignon-Toure served President Gbagbo as deputy chief of staff since his election in 2000. She served as a roving envoy and troubleshooter with a special focus on relations with the United States. Her academic credentials include degrees and diplomas earned in the United Kingdom and Cote d'Ivoire. She worked for several years as a translator in New York and for the U.S. Foreign Broadcasting Information Service at the embassy in Abidjan.

Her intellect and leadership is most certainly a loss to Cote d'Ivoire and the United States. She will be remembered for her powerful advocacy in the United States on behalf of all Ivorian people.

On behalf of the Congressional Caucus on Cote d'Ivoire, I offer my sincere condolences to Ambassador Zirignon-Toure's family, President Gbagbo and the people of Cote d'Ivoire.

A TRIBUTE TO RICHARD L. TALBOTT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. GEORGE MILLER of California. Madam Speaker, I rise with my colleague Congresswoman ELLEN O. TAUSCHER, to recognize Richard L. Talbott, Regional Manager for the Readjustment Counseling Service, Pacific Western Region within the Department of Veteran's Affairs, and congratulate him as he approaches his retirement this June and thank him for his outstanding service to our nation's military veterans.

Dick served our country with honor as a member of the US Army, 9th Infantry Division and from 1968 to 1969 fought in Vietnam. Following his release from active duty, Dick began his VA career. He first joined the San Diego VA Medical Center, Psychology Department and in 1988 he became a counselor at the Escondido Vet Center. Dick was soon promoted to the position of Team Leader, a position he held from 1990 through 1993. It was during this period that Dick also served as the Executive Director and CEO of the Vietnam Veterans of San Diego (VVSD), and co-authored a "how to" manual on Stand Down for homeless veterans. It was largely due to Dick's tireless efforts and his keen sense of purpose that the program was deemed a huge success, as he more than doubled the residential services capacity for homeless veterans and was the primary negotiator in securing nearly $2 million for expanded homeless veteran services related to the base closure process in San Diego. The Stand Down as developed in San Diego, has been replicated by agencies across our country and is considered by experts in the field, a stellar program for providing a wide range of services to our homeless and at risk veterans.

It was at this time that Dick also took on the responsibilities of Regional Manager for the Readjustment Counseling Service. Since assuming this position, he has been responsible for the oversight and operation of thirty-two highly successful Vet Centers throughout California, Hawaii, Oregon, and the Territory of Guam.

Madam Speaker. we invite our colleagues to join us in also thanking Dick's wife Maureen, his daughter Megan and son Michael for the sacrifices they have undoubtedly made during the span of his career. We join today with his family, colleagues, friends, and most importantly with the men and women of our veteran communities across the nation who have benefited most from his work, in recognizing, celebrating and sincerely thanking Richard L. Talbott for a remarkable career.

IN RECOGNITION OF EVA PLASCENCIA

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. COSTA. Madam Speaker, I rise today to pay tribute to the distinguished service of Eva Plascencia. After 30 years with the Internal Revenue Service, she continues to dedicate herself to her career of service.

Eva was born in Clovis, California on September 25, 1956 to Roy Woodley and Juanita Tovar. She graduated from James Logan High School in Union City, California in 1974. In 1979, she married Robert T. Plascencia and their marriage blessed them with three daughters. She is most proud of the fact that all of her children have earned college degrees. Personally, Eva enjoys arts and crafts, sewing and spending time with her grandson Joshua Diego Ojeda.

Mrs. Plascencia began her career with the Internal Revenue Service on January 17, 1978 as a Career Conditional Appointment Clerk—GS03. Since then Eva has worked hard to advance into many different positions and levels within the IRS. Her commitment to learning new policies, honing her skills, and taking on new challenges provided her the opportunity to progress on a yearly basis within the Service. Her most recent positions where in 1998 when she was promoted into Accounting and in 2006 when she moved into the Collections department as a GS8.

Throughout her career at the Internal Revenue Service, Mrs. Eva Plascencia is well known for her hard work ethic and determination. As she celebrates her 30 years of service, I wish her continued success and good luck in all her future endeavors.

HONORING SCHULER'S RESTAURANT AND PUB

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor Schuler's Restaurant & Pub in Marshall, Michigan as they celebrate 100 years of dedicated service. Schuler's was opened in 1909 by Albert Schuler, Sr. and is a family-owned restaurant. Four generations of Schuler's have built the family reputation and have helped to maintain traditions that grow

out of good, honest work and a love of food, people, and the community. Along the way, each generation has shown a flair for imagination and innovation in the hospitality and food industry. In an era of many constant challenges that face our daily lives, the tireless efforts of establishments like Schuler's help to make our community, state and country an outstanding place to live and work. It is with deep appreciation of the significance of this milestone that I commend Schuler's Restaurant & Pub as they celebrate 100 years of exemplary service to the Marshall community and the State of Michigan.

HONORING THE LIFE OF MIRIAM WITHERSPOON

HON. ARTUR DAVIS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. DAVIS of Alabama. Madam Speaker, I rise to extend my condolences to the family of Miriam Witherspoon, a city council member whose death on April 21 is being mourned by the entire city of Birmingham, Alabama. Ms. Witherspoon was a note of grace in Birmingham politics: if you knew her, you had to appreciate that she was genuinely kind and generous in a profession known more for its sharp edges.

Miriam was the kind of individual who excelled at whatever she did. Academically, that meant graduating with high honors from Alabama A&M, and second in her class at Miles Law School. Professionally, it meant crafting a career as one of the leading experts on elder law in the state of Alabama. Politically, it meant forging a political career in her adopted community of Birmingham on her own, independent terms. She lost her first council race, but came back so strong that in 2005, she won easily, the only non-incumbent to win outright without a runoff. Miriam won the confidence of her peers so quickly that in her first days, they elected her president pro tempore of the council.

Miriam Witherspoon happened to have a disability. An automobile accident twenty-one years ago ruined her spinal cord. Her spirit only grew stronger. When she entered public life, disabled citizens in Birmingham finally had their voice. Miriam pushed Birmingham and its city buildings to live up to the obligations of the Americans with Disabilities Act. When told that following the law cost money, her answer was, in effect, ''we are Americans by way of Birmingham, Alabama, and we belong here too''. Her passion reminded us that Birmingham of all places has no business keeping people out.

She goes home to rest now, having fought the good fight. Her legacy will be the people she inspired, who used to have an excuse for why they couldn't compete or excel. That is, they had an excuse until the moment they met Miriam Witherspoon, and felt the spirit that was standing upright around her wheelchair.

CELEBRATING EARTH DAY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHIFF. Madam Speaker, the Los Angeles basin holds one of the greatest concentrations of humanity in the world. People have come from all over the Earth to live there—when one walks down a street in Glendale or Alhambra one can hear a language from ten thousand miles away on one block and read signs in a vastly different language on the next. But if you look up a little higher, above the signs and above the buildings, you'll see gray-green mountains looking down on it all. In my district, we're right up against the Verdugo, Santa Monica and San Gabriel Mountains, and they surprise you all the time, appearing at street corners from behind the buildings, playing hide-and-seek with intervening hills and highways.

Though few of my constituents live up there, I try to get up into the hills as often as I can, and I'm often surprised by how many of my neighbors I run into on the trail. I think that, like me, they wander in the chaparral and oak forests to get away for a while, and find some perspective in the process. Among the families, teenagers and retirees I pass, I see all of the cultures I know from the streets of my district, all enjoying the fact that they can find some peace and quiet just a few minutes away from one of the largest cities in the world.

Our green spaces play an irreplaceable role in our communities, and on this Earth Day, I would like to celebrate them. This is a day to think globally, but it is also a day to act locally, by taking your family to the park and exploring all that you find there. In the words of John Muir, ''When one tugs at a single thing in nature, he finds it attached to the rest of the world.''

A TRIBUTE TO RON SAILOR

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MICHAUD. Madam Speaker, I rise today to recognize and honor the dedication, service and commitment of Ron Sailor to the veterans of Maine.

Ron was born in Orono, Maine, and is a graduate of George Stevens Academy in Blue Hill. He attended Husson College and graduated with a Bachelor of Science in accounting in 1968. He then briefly worked for Great Northern Paper Company and the Internal Revenue Service.

Ron served 32 years in the Maine Air National Guard, attaining the rank of Colonel. He served in a number of roles, including Chief of Staff to the Adjutant General, Public Affairs Officer, and Director of Operations and Training.

Like so many veterans across our nation, Ron's service did not end when he took off his uniform. Following his Maine Air National Guard service, Ron became active in the American Legion, serving as Orono Post 84 Commander, the Penobscot County Vice Commander and the Department of Maine Commander.

For the past 10 years, Ron has served as the Adjutant for the Department of Maine. Throughout his service to the American Legion, he has worked tirelessly on behalf of all the Maine legionnaires to ensure they receive the rights and benefits they have earned from their service.

Maine veterans, both now and for generations to come, will benefit because of Ron's efforts. Through his hard work and dedication, Ron has left a lasting legacy and brought honor and credit to himself, his family, his community, the American Legion and his nation. I have valued his candor, his guidance and his friendship, and I extend my sincere thank you to him for his many years of service on behalf of the veterans of Maine.

THE INTRODUCTION OF THE CHILD CARE AFORDABILITY ACT OF 2009

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mrs. MALONEY. Madam Speaker, the rising cost of child care is squeezing working families in these difficult economic times, and the amount of assistance the federal government currently provides to ease the burden of these expenses is inadequate. To address this issue, today I am introducing the Child Care Affordability Act.

A substantial gap exists between what high-quality early care and education programs cost and what most families can afford to pay. The average cost of full-time care for one child in a child care center is about $13,000 per year in urban areas—nearly one quarter of the typical family's income. The amount of assistance that the typical family can receive from the current federal credit for child care expenses is limited to $600 for one child and $1,200 for two children. The Child Care Affordability Act helps families to fill that gap so that more of America's children will experience high-quality child care and early education settings.

The Child Care Affordability Act of 2009 acts on two fronts. First, it creates a new tax deduction for child and dependent care expenses. Much of a so-called ''martini lunch'' is currently a tax-deductible business expense, while child care is not. But for the typical family, child care is a very necessary expense for being able to work. Second, the bill expands the current credit for child and dependent care expenses so that it provides a more meaningful level of assistance to families. Families would be able to choose either the deduction or the credit, making the choice that gives them the biggest tax break. A family with median income of $56,788 and two children could receive as much as $5,200 in tax assistance.

I urge my colleagues to join me in this initiative to ease the burden on working families while making an essential investment in the future prosperity of our country.

HONORING JACOB TANENBAUM

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. ENGEL. Madam Speaker, I rise today to honor Mr. Jacob Tanenbaum, an outstanding constituent and educator from the 17th Congressional District of New York, for his exemplary efforts in bringing real scientific research to the classroom.

Jacob Tanenbaum, an elementary school teacher at the South Orangetown schools in Rockland County, New York, was chosen by the National Oceanic and Atmospheric Administration's (NOAA) Teacher at Sea Program to participate in a two-week research cruise in the North Atlantic this past fall to study Atlantic fisheries while aboard NOAA Ship Henry B. Bigelow.

Embarking from Newport, Rhode Island, Mr. Tanenbaum's research cruise followed a track off the United States' northeastern coast. Mr. Tanenbaum not only researched fisheries, but also wrote a daily blog, took photographs, interviewed scientists, and engaged in dialogue with his students, fellow teachers, and the general public. Mr. Tanenbaum became an integral part of the research team and ship's crew and established relationships that will give him and his colleagues access to scientific resources for many years to come. With his at-sea experience, Mr. Tanenbaum has been able to enrich his curriculum and excite his students about science.

In one of his logs, Mr. Tanenbaum wrote, "Through NOAA's Teacher at Sea Program, students are not just learning about exciting research projects at sea, they are witnesses to them, and on some level, participants in them. The Teacher at Sea program is about something far more important than test scores and text books. It is about inspiration and excitement. Inspiring learning and creating excitement about learning are not just simple hoped-for extras in an educational setting—they are the most essential parts of a culture of learning."

I congratulate, Mr. Tanenbaum on his spirit of adventure in the name of education, his willingness to try new things, and his ability to bring this experience back into the classroom. NOAA's Teacher at Sea program has afforded Mr. Tanenbaum an unparalleled opportunity to provide his students with hands-on scientific education, grounded in his unique experience. The lessons he learned on the Bigelow will stay with Mr. Tanenbaum for the rest of his teaching career, acting as a source from which he will always be able to draw inspiration and creativity.

HONORING PATRICK GARRETT

HON. MARK H. SCHAUER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHAUER. Madam Speaker, I am proud to honor Patrick Garrett, President and Chief Executive Officer of Battle Creek Health System (BCHS) as he transitions into a new executive role as Vice President of the Operations Performance Leadership Department with Trinity Health.

Pat has served as President and CEO of Battle Creek Health System (BCHS) since July of 1999. His legacy includes strong community involvement, a growing partnership with medical staff and marked improvements in finances, quality, and service.

During Pat's tenure, BCHS was honored for outstanding clinical outcomes by HealthGrades, the nation's leading independent health care ratings company and the American College of Surgeons' Commission on Cancer. It was named one of the nation's leaders in development of an electronic medical record by Hospitals & Health Networks magazine.

BCHS has also been recognized for five consecutive years as one of West Michigan's "Best and Brightest Places to Work" by Michigan Business & Professional Association. For the past nine years, Patrick has earned both the respect and admiration of medical staff, associates, and community members for his skillful and honest leadership. Patrick is a model of patriotism and well deserves our respect and appreciation for his many years of dedication and distinguished service.

HONORING THE 2009 CLASS 5A GIRLS SOCCER STATE CHAMPIONS COPPELL HIGH SCHOOL COWGIRLS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MARCHANT. Madam Speaker. I rise today to recognize the exceptional achievement of the Coppell High School Girls soccer team: 2009 Class 5A State Champions of Texas. The Coppell Cowgirls completed their historic title run with a victory over the nation's previously top-ranked team and a dramatic 3-2 victory over The Woodlands in the state championship game.

Winning a state title is a remarkable accomplishment. It takes many crucial components working together to achieve this level of success. The 2009 Class 5A Girls Soccer State Champions of Texas, the Coppell High School Cowgirls, include: Kailey Hicks; Tannah Deloach; Katie Bass; Laura Sadler (Captain); Lauren Johnson; Alyssa Diggs (Captain); Sydney Frazier (Captain); Spayne Avant; Dominique Dinka; Chioma Ubogagu; Brittany Redus; Amina Radoncic; Allison Guderian; Danielle Herubin; Kristen Hart; Christina Baker; Erin Barlow; Haley Powers; Rebekah Henderson; Rachel Henderson; Cara Manning (Captain); Tori Van Riper; Whitney Borstad; Lauren Scott; Maddie Peter; Jessica Berdan; Bear Bass; Lindsey Meyer; Arielle Ghoston (manager); Arresha Robinson; Yvette Carson; Kristen Hester (trainers); Michelle Mcalister; Justin Heller; Tito Schwabe (assistant coaches); John Crawford (athletic director); Sherri Hankins (athletic coordinator); and the head coach, Chris Stricker. Educators, teachers, school officials, families and friends also deserve significant praise for their efforts in supporting the Cowgirls.

The state title earned by the Cowgirls has brought great pride to the school and community. On behalf of the 24th Congressional District of Texas, congratulations to the entire team and coaching staff and best of luck in all of your future endeavors.

TRIBUTE TO THE 150TH ANNIVERSARY OF THE TEMECULA POST OFFICE

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. ISSA. Madam Speaker, today marks the one hundred and fiftieth anniversary of the Temecula Post Office. In 1859, at its establishment, it became only one of seven post offices in California south of the Tehachapi Mountains.

John Butterfield, an experienced stagecoach company owner was awarded a contract to deliver mail between St. Louis, Missouri and San Francisco, California. There was a time consideration in the contract requiring that each trip be completed in 25 days. On September 16, 1858, Mr. Butterfield began the first east to west journey and it was completed in 23 days and 23 hours.

Six months after the passage of the first Butterfield Stage through Temecula, U.S. President James Buchanan appointed Louis A. Rouen as the first Temecula Postmaster on April 22, 1859. Rouen served at the Magee store, near what is now Margarita Road and the Temecula Parkway. This was the first of the fourteen post office sites that have been used in the collection and distribution of Temecula's mail; the post office location changed frequently during the ensuing decades. It was located in several places including private residences, the Wolf Store, the Machado Stores, the train station, the Palomar and the Temecula Hotels, Hall's Café, Security Pacific Bank and the two sites operating today.

During its journey to and from Temecula, mail may have been in ships, planes, 18 wheelers, golf carts and many other conveyances including the last mule train delivery used in the United States. Mail Service in Temecula has been a significant part of the community for a century and a half. It is sometimes little appreciated except by those who serve. Following September 11, 2001 the Postal Service ran a series of reminders in magazines, papers and on television that summarize what they do for the citizens of Temecula and our Nation.

"We are mothers and fathers. And sons and daughters who every day go about our lives with duty, honor and pride. And neither snow, nor rain, nor heat, nor gloom of night, nor winds of change, nor a nation challenged, will stay us from our appointed rounds. Ever."

Still standing today, the Temecula Post Office is a monument to the faithful and dedicated work of the men and women who have served the community for 150 years.

PAYING TRIBUTE TO MSU RECEIVING THE AFRICA-U.S. HIGHER EDUCATION INITIATIVE PLANNING GRANT

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. ROGERS of Michigan. Madam Speaker, I rise to honor Michigan State University in

East Lansing, Michigan. Continuing their proud history of service MSU recently won a United States Agency for International Development and the Higher Education Development Africa-U.S. Higher Education Initiative Planning Grant Competition.

Nearly 300 applications were submitted for capacity building partnerships between U.S. colleges and universities and higher education institutions in Sub-Saharan African nations. Michigan State University is one of 40 winners that will each receive a planning grant of $50,000.

This initiative was proposed during the Higher Education Summit for Global Development and subsequent regional summits held in Rwanda last year. It is the beginning of an ongoing campaign to assist higher education institutions in Africa.

In total, the grants will help to develop plans to address regional and national economic development priorities in Africa such as engineering, health, agriculture, environment and natural resources, science and technology, education and teacher training/preparation, and business, management and economics.

Michigan State University will partner with the University of Malawi to address critical 21st century environment and development challenges. Their project is titled ''Ecosystem Services: Linking Science to Action, in Agriculture, Environment, and Natural Resources.''

Madam Speaker, I ask my colleagues to join me in honoring Michigan State University on their receipt of this important grant. They are truly deserving our respect and admiration.

A TRIBUTE TO ROBERT B. CATELL

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. TOWNS. Madam Speaker, I rise today in recognition of Robert B. Catell, a visionary leader in our community and an inspiration to all of New York.

Robert B. Catell was raised and educated in New York City, having earned both his Bachelor's and his Master's degrees in Mechanical Engineering from the City College of New York. A Registered Professional Engineer, Mr. Catell also attended Columbia University's Executive Development Program and the Advanced Management Program at the Harvard Business School.

Robert B. Catell began his career in New York's energy industry in 1958 at Brooklyn Union Gas. As the corporation evolved into the nation's fifth-largest natural gas distributor, Keyspan, Mr. Catell established himself as a leader for the corporation, guiding it through multiple transitions in a growing, competitive industry.

Robert B. Catell is now the Chairman of National Grid, U.S. following the acquisition by National Grid of Keyspan Corporation. He is also Chairman of Northeast Gas Markets, of Alberta Northeast Gas Ltd., and a member of the Board of Directors of KEYERA Energy Management Ltd.

Robert B. Catell is also a leader in securing New York's economic, educational, and cultural future. He co-chairs the Board of the Downtown Brooklyn Partnership and chairs the Long Island Association. He also serves as member of the Board of Directors/Trustees for many local organizations, including the Business Council of New York State, the Partnership for New York City, the Energy Association of New York State, the City College of New York 21st Century Foundation, and the New York City Police Foundation.

Madam Speaker, I would like to recognize Robert B. Catell, a dynamic community leader for all of New York.

CONGRATULATING SARAH BAIRD—2009 ARIZONA TEACHER OF THE YEAR

HON. HARRY E. MITCHELL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MITCHELL. Madam Speaker, I rise today to congratulate Sarah Baird on being honored as the 2009 Arizona Teacher of the Year. Sarah is a math teacher at Kyrene de las Lomas and Kyrene del Milenio elementary schools in Phoenix, Arizona where she teaches in nearly 60 classrooms at the two schools, with kids ranging from kindergarten through fifth grade.

Sarah started down her chosen path when she drove to Northern Arizona University and became the first person in her family to attend college. She graduated in 2½ years with a bachelor's degree in elementary education and later went on to receive a master's degree in early child education, also from NAU.

For Sarah, teaching is all about helping students find the same potential that a teacher once helped her find in herself, and she works tirelessly to ensure that her students have the opportunity to fulfill their full potential. Besides instructing math, Sarah also educates her fellow teachers in ways to make their lessons more easily understood by students.

The Arizona Teacher of the Year program is a statewide program that spotlights the many contributions of Arizona's teachers. The program annually recognizes exceptionally skilled and dedicated teachers in pre-kindergarten through 12th grade public schools. Those who are honored, like Sarah, play an active and useful role in their communities as well as their schools. They also show an exceptional ability to help their students achieve. I know she will represent our state well in the National Teacher of the Year Program.

Madam Speaker, please join me in congratulating Sarah Baird on being honored as the 2009 Arizona Teacher of the Year. Her incredible dedication to her students and her community should be an inspiration to us all.

IN HONOR OF THE DELAWARE AUTISM PROGRAM

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to pay tribute to the Delaware Autism Program as it celebrates its 30th anniversary in the State of Delaware. The Delaware Autism Program currently serves approximately 700 students statewide in six approved centers and operates at more than 30 community-based sites with the support of more than 400 staff members.

Designed in 1978 through the collaboration of state legislators and parents of children with autism, the Delaware Autism Program (DAP) offers valuable services to both students and families. DAP seeks, in its core components, to provide access to respite for parents of children with autism, residential support through the public school system, and community and vocational training and support. Along with the dedication to providing students with the best educational services in the nation, these have established DAP as a significant and invaluable resource for Delaware's Autism community

Since its inception, DAP has been a leader in autism education. The development of the Picture Exchange Communication System (PECS), an educational tool now recognized worldwide for its initiation component of communication, was pioneered at DAP in 1985. The Brennen School in Newark, along with other DAP sites, has proven itself a leader in the implementation of evidence-based best practices in education for students with autism, including Applied Behavior Analysis (ABA) interventions. Over the past 30 years, DAP has continued to grow and expand; in the past decade alone, the number of school districts hosting the program and the number of students and staff have doubled. With a continuum of educational settings ranging from separate schools, to community-based preschools, to inclusive settings in general education classrooms, the Delaware Autism Program has done and continues to do our great state of Delaware an immeasurable service.

On this 30th Anniversary, I would like to recognize the unequaled devotion of the Delaware Autism Program staff and the ongoing support of their parent community and host districts. Since 1978, DAP staff have given their time, their energy, and their hearts in the support and education of students and their families. I commend the Delaware Autism Program for its tireless dedication and I look forward to its continued success in serving this special group of students and their families.

HONORING MR. CHARLES Q. ''C.Q.'' SMITH

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SHUSTER. Madam Speaker, I rise today to honor the efforts of Mr. Charles Q. ''C.Q.'' Smith. Mr. Smith has devoted a lifetime to the development and nurturing of young citizens and future leaders, as the scoutmaster of Scout Troop 127.

CQ Smith entered the world of Cub Scouting in 1948 at the age of 9, joining Cub Scout Pack 127. At the age of 11, he crossed over to Boy Scouting with Troop 127, and by age 13 he achieved the rank of Eagle Scout with one Eagle Palm. His commitment to attaining this rank in such a short period of time is a tribute to his determined passion to achieve and succeed in life.

Following his graduation from Lafayette College in 1961 with the highest honors and a

long list of academic and social accomplishments, Mr. Smith completed a graduate degree from the University of Chicago in 1963. This was followed immediately by active military service in Germany where he formed Boy Scout Troop 444, which soon became the largest and most active Scout Troop in the Transatlantic Council.

For 55 years of his adult life, Charles, has been an inspiration to hundreds of young men who have come to know and revere him as a caring and motivating mentor. He has instilled in each of them traits of character, citizenship, fitness of mind and body, and a full appreciation for the outdoors.

Serving with distinction as Scoutmaster for Troop 127 for 25 of its 90 years, Mr. Smith has led his Troop to all of the high adventure destinations that Scouting has to offer, as well as participating in National and World Jamborees. He has also provided his scouts with experiences in some of the finest natural environments in this region and across the World.

Through all of his endeavors, Mr. Smith's accomplishments, be they educational, spiritual, or professional, stand as models for all Scouts and Scouters to admire. For these reasons I congratulate Charles Q "C.Q." Smith for all that he has done to better our community and nation as a whole.

HONORING MAJOR GENERAL FRED WOMACK USAF (RET.)

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. DUNCAN. Madam Speaker, Major General Fred Womack USAF (Ret.) of Loudon County, Tennessee has been inducted into the Tennessee Aviation Hall of Fame. He is one of the finest members of the Armed Forces I know, and I cannot think of anyone who deserves this honor more.

As a boy, the future Major General loved to build model airplanes and looked skyward with awe and envy as military planes flew in formation overhead. He vowed to one day be one of those pilots. But flying did not come easy. Like every great American story, his dream was realized only after overcoming many obstacles which would have led most men to simply give up.

Because he needed a degree to get into the U.S. Air Force pilot training program, Major General Womack enlisted in the Air National Guard while simultaneously pursuing a college degree. After earning a degree in business, Major General Womack applied for the U.S. Air Force pilot training program; unfortunately, he failed several times to make the minimum weight requirement. His dream was slipping away.

As fate would have it, the Berlin Air Lift called him to service in Germany. While overseas, he hired a pilot instructor and took his first flying lesson.

When he returned from Germany, Major General Womack gained enough weight for acceptance into the U.S. Air Force pilot training program, but another obstacle stood in his way. He was now past the 26-year-old cutoff age for acceptance. It was only through the foresight of Major General/Commander Robert Akin—who issued him a waiver—that Major General Womack finally realized his dream of attending the U.S. Air Force pilot training program.

His love of flight led him to two simultaneous careers, both of which he took to the pinnacle of success.

As an airline pilot for Piedmont Airlines, he went from flying a Martin 404 prop plane to Boeing 767s. He eventually became the airline's Flight Operations and Flying Safety Director and was Chairman of the Air Transport Association Flight Integration Committee. He also served as the project manager for the Traffic Alert Collision Avoidance System for the entire airline industry, technology which is still in use today and that has undoubtedly saved many lives.

While achieving success as a civilian pilot, Major General Womack was also making a name for himself in the Tennessee Air National Guard. As Commander of the 134th Consolidated Maintenance Squadron, he achieved an unparalleled safety record. His diligence and devotion to safety as a pilot and commander led him to eventually become the Commander of the Tennessee Air National Guard.

Major General Womack is an example of the opportunities available only in America and a testimony to commitment, patience, and sacrifice. Throughout his careers, Major General Womack says he never felt like he worked a day. We should all be that lucky.

Madam Speaker, in closing, I would like to call the accomplishments of Major General Fred Womack and his induction into the Tennessee Aviation Hall of Fame to the attention of my colleagues and other readers of the RECORD.

CONGRATULATING ELEANOR KERRIGAN, THE 2009 WOMAN OF THE YEAR OF THE LACKAWANNA COUNTY FEDERATION OF DEMOCRATIC WOMEN

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. KANJORSKI. Madam Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Eleanor Kerrigan, of Luzerne Street in Scranton, Pennsylvania, upon the occasion of being named as 2009 Woman of the Year by the Lackawanna County Federation of Democratic Women.

Ms. Kerrigan has distinguished herself for many years as a tireless advocate for her family, her church, several charitable organizations and for Democratic candidates for public office.

A daughter of the late Carmel McPhillips and Jerome McDonald, Ms. Kerrigan has five sisters, Carmel Cunningham, Patricia Ward, Madelon Williams, Barbara Harding and Catherine Flynn; one brother, Michael McDonald, and 19 nieces and nephews.

She is currently employed as Lackawanna County Deputy Recorder of Deeds. Previously, she worked for the Lackawanna County Bureau of Elections and the Pennsylvania Bureau of Revenue, both in Scranton. She also worked for the Pennsylvania Bureau of Elections in Harrisburg during the administration of the late Gov. Robert P. Casey.

Ms. Kerrigan is a member and past president of the Holy Cross Church Men's and Women's Society in West Scranton where she was instrumental in raising funds for church renovation projects.

For more than 30 years, she has been a member at St. Joseph's Center in Dunmore, which is devoted to helping those who are mentally and physically challenged. She also served as president of the St. Joseph's Center for two years and is a member of the St. Joseph's Center Auxiliary Board.

For nearly 40 years, Ms. Kerrigan has been highly active with the Scranton City and Lackawanna County Democrat organizations. For several years, she served as Chairwoman of the Scranton Democrats and she is currently the Treasurer of the Lackawanna County Democrats.

Ms. Kerrigan is a member of the Society of Irish Women, an organization that fosters education and cultural awareness of those with Irish heritage.

For many years, she has been a devoted member of the Race for the Cure Committee, an organization dedicated to eradicating the scourge of cancer.

Madam Speaker, please join me in congratulating Eleanor Kerrigan on this auspicious occasion. Her selfless service to so many worthy causes is an inspiration to others and has earned her widespread respect and admiration. Her selection as Woman of the Year by the Lackawanna County Federation of Democratic Women is entirely fitting and well deserved.

THE INTRODUCTION OF THE BOTTLE RECYCLING CLIMATE PROTECTION ACT OF 2009

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MARKEY of Massachusetts. Madam Speaker, today, on Earth Day, I am re-introducing the Bottle Recycling Climate Protection Act of 2009, which would create a national beverage container recycling program. This national Bottle Bill would build on the success of existing state bottle laws and promote recycling by offering a 5 cent deposit on beverage containers, including plastic water bottles that have become more prevalent in recent years. Recycling these products saves energy and money, cuts global warming pollution, and reduces landfill waste.

Twenty-seven years ago, my state of Massachusetts became one of the first states to adopt a state bottle law in order to encourage the recycling of cans and bottles. Since its inception, Massachusetts' bottle law has been a tremendous success. In 2006, over 2 billion beverage containers were sold in Massachusetts and nearly 70 percent of them were recycled rather than littered or incinerated.

Recycling and reusing these bottles not only reduces the amount of trash that ends up in our landfills, it also dramatically reduces the amount of global warming pollution that ends up in our atmosphere. American consumers purchase nearly 600 million beverage bottles and cans, on average, every day. Roughly 385 million of them are landfilled, incinerated or littered. Nine of ten plastic water bottles end

up as garbage or litter where they take up to 1,000 years to biodegrade. A national bottle bill will help us turn this trend around.

A national bottle recycling program would have profound economic benefits from energy savings for American businesses. The energy use associated with manufacturing these containers from virgin materials is far greater than the cost of using recycled materials. In fact, making an aluminum can from recycled materials requires 95 percent less energy than to make it from scratch.

I am proud to introduce this important bill today on Earth Day. Passing this bill would send a clean energy message in a bottle to American consumers and businesses. A national Bottle Bill can help America quench its thirst for imported oil and will allow us to have carbon dioxide in our fizzy drinks, while cutting down on heat-trapping carbon dioxide in the atmosphere.

IN MEMORY OF MEGAN MILLER

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. PENCE. Madam Speaker, I rise today to remember the remarkable life of Megan Miller. I was deeply saddened to learn of her passing and believe her courage in the face of adversity is something special that deserves recognition today on the floor of the people's House.

Megan Nichole Miller was born on November 26, 2000, to her loving parents, Scott and Suzanne Miller of Jamestown, Indiana. Megan attended Granville Wells Elementary School and was a member of New Brunswick Church of Christ.

Though Megan faced remarkable challenges throughout her brief time with us, she will be remembered by her friends and family for the spirit with which she lived and the faith that guided her life. Megan's passion for life brightened the world for everyone around her. Instead of focusing on her physical difficulties, she used her disabilities to teach others the importance of accepting all people—no matter what their circumstances. It is fitting that Megan loved music, especially hymns about God and heaven, where I am certain she is now.

None were more blessed by Megan than her family. She shared a special bond and deep love with her sister Hannah. Megan's parents are forever blessed by their remarkable daughters, and have gained a greater understanding of the worth that we all carry in the eyes of God.

Though Megan sadly has passed away, those who knew her will continue to benefit from the inspiring example that she set throughout her life. I would like to offer my sincere appreciation to the doctors and nurses who gave Megan the best possible care and my deepest condolences to Scott, Suzanne, and Hannah.

GEORGE MASON AWARDED USAID GRANT

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. WOLF. Madam Speaker, I would like to share with our colleagues a recent announcement from USAID indicating that Virginia's George Mason University was one of 40 paired winners of the highly competitive Africa-U.S. Higher Education Initiative Planning Grant Competition.

George Mason will partner with the University of Sierra Leone to develop a four-campus community college system for the nation. The development of this sort of higher education is critical to Africa's future development, particularly in nations like Sierra Leone, which not too many years ago had been ravaged by civil war.

GEORGE MASON UNIVERSITY AWARDED USAID-FUNDED GRANT IN AFRICA-U.S. HIGHER EDUCATION INITIATIVE GRANT COMPETITION

WASHINGTON, DC—The U.S. Agency for International Development (USAID) and the Higher Education for Development (HED) announced today that George Mason University is one of 40 paired winners of the Africa-U.S. Higher Education Initiative Planning Grant Competition. Nearly 300 applications were submitted for capacity-building partnerships between U.S. colleges and universities and higher education institutions in Sub-Saharan African nations. George Mason University and other paired winners will receive planning grants from USAID of $50,000 each (a complete list of winners may be found at *www.hedprogram.orq*).

''This competition is an important opportunity to build the kind of higher education capacity critical to the development of Africa,'' said Joseph Carney, director of USAID's Office of Education. ''This initiative was proposed during the Higher Education Summit for Global Development and subsequent regional summit held in Rwanda last year. We are delighted to see this effort moving forward and expect great results from these planning grants.''

These paired institutions will use the grants to develop plans to address regional and national economic development priorities such as engineering, health, agriculture, environment and natural resources, science and technology, education and teacher training/preparation, and business, management and economics.

George Mason University will partner with the University of Sierra Leone to develop a four-campus community college system for the nation, under the sponsorship of Ernest Bai Koroma, President of Sierra Leone, and under the direction of the Sierra Leone Ministry of Education, Youth and Sports.

HED manages the competition which grew out of the Africa-U.S. Higher Education Initiative (*www.aplu.orq*), a collaborative effort between a number of higher education associations and other organizations, led by the Association of Public and Land-grant Universities (A.P.L.U), formerly the National Association of State Universities and Land-Grant Colleges (NASULGC).

''We were elated by the astounding number of highly qualified applications received, and even more pleased by how many applications demonstrated a strong understanding of higher education needs in Africa,'' said Dr. Tully Cornick, executive director of HED. ''The top 40 paired winning institutions represent the best of these applications, and plans that are developed as a result of the grants will address a variety of critical development needs. It is our belief that if funding is found to implement these plans, we will see tangible, measurable and sustainable impact made in these African countries.''

''This important initiative continues to illustrate the enormous unmet need for higher education partnerships in Africa,'' added Peter McPherson, president of A.P.L.U. ''We see this as just the beginning—this is an ongoing campaign to accomplish much more in engaging higher education institutions in Africa.''

HED, funded by a cooperative agreement with USAID, was founded by the six major U.S. higher education associations to engage U.S. colleges and universities in international development. For more information about HED and to view details about the planning grants corn petition, visit *www.HEDprodram.orcl*.

The American people, through the U.S. Agency for International Development, have provided economic and humanitarian assistance worldwide for nearly 50 years. For more information on USAID, visit *www.USAID.gov*.

THE 94TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. VAN HOLLEN. Madam Speaker, I rise to commemorate the suffering of millions of Armenians between 1915 and 1923 due to actions by the Ottoman Empire. In those eight years, approximately 2 million Armenians were deported from their traditional homeland. Of those, 1.5 million were senselessly killed and the remaining 500,000 were expelled from their homes. This genocide served as models for other horrific massacres and ethnic purges that sadly persisted throughout the 20th century.

There is broad agreement that indeed what took place was genocide. On May 24, 1915, the Allied Powers England, France and Russia issued a joint statement charging the Sublime Porte of committing ''a crime against humanity.'' The U.S. showed firm opposition to the unfolding horrors. Secretary of State Lansing in 1915 authorized the Ambassador to the Sublime Porte to engage to ''stop Armenian persecution,'' and President Wilson set up relief funds for the victims and survivors, including 132,000 orphans who became foster children of the American people.

Genocide was also corroborated by German and British archives and records of diplomats who served in the Ottoman Empire at the time. The United States National Archives and Record Administration holds extensive documentation on the genocide, and the UN General Assembly in 1946 and the UN Convention on the Prevention and Punishment of Genocide recognized the Armenian Genocide as they type of crime the U.N. intended to prevent and punish by codifying existing standards. In 1975, a House Joint Resolution designated April 24 of that year as ''National Day of Remembrance of Man's Inhumanity to Man'' in part to remember all victims of genocide, especially those of Armenian ancestry.

We welcome steps today by the governments of Turkey and Armenia—as the official

inheritors of these fateful policies of the Ottoman government—to normalize relations and begin working through this history. Indeed, reconciliation of painful history is an important means of preventing future tragedies of this scope.

We believe this process will be strengthened if the President—in his annual message commemorating the April 24, 1915 declaration by Allied Powers—to accurately characterize the mindless massacre of Armenians as genocide and to recall the proud record of U.S. opposition to this persecution.

IN HONOR OF THE KNIGHTS OF COLUMBUS COUNCIL #3182

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. CASTLE. Madam Speaker, it is with great pleasure that I rise today to pay tribute to the Knights of Columbus ''Christopher Council'' (Council #3182) as they celebrate their 60th anniversary of service to the Church and Community in the State of Delaware.

The Knights of Columbus exists throughout the United States, providing valuable services to their communities that would otherwise be left undone. For over 125 years, the organization has dedicated time, money, energy, and service to the sick, disabled, and anyone in need of help through a variety of programs. During the last sixty years, the Christopher Council has gone above and beyond its call of duty and provided an extraordinary amount of service to our local community. I commend them for their efforts.

This Council's work here extends to a variety of organizations and interests, as the members have continually sought to help others indiscriminately since the inception of its charter on September 29, 1948. Most recently, this Council has given major support to the St. Helena and Holy Rosary Parishes and Schools by actively supporting their annual carnivals and by sponsoring scholarships. Furthermore, the Christopher Council regularly offers numerous services to the Claymont and Wilmington area outreach programs as well as Claymont's annual Community Pride Festival and their yearly Christmas parade. Additionally, this organization assists the Cub Scouts, the Little Sisters of the Poor, and the Special Olympics, among other worthy organizations. They act as a leader within their own great institution by hosting our statewide Knights of Columbus summer picnic each year.

Once again, I am proud to recognize the Knights of Columbus Christopher Council for the profound impact they have made on our community. I am confident that they will continue to build on their accomplishments and strengthen their organization while improving our community even further. I wish them all the very best for the future.

INTRODUCING THE SENATOR PAUL SIMON WATER FOR THE WORLD ACT OF 2009

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. BLUMENAUER. Madam Speaker, in honor of the 39th Annual Earth Day celebration, I am introducing the Senator Paul Simon Water for the World Act of 2009, with Representatives DONALD PAYNE, DANA ROHRABACHER, JESSE JACKSON JR., ZACH WAMP, PETER WELCH, JOHN BOOZMAN, DAN BURTON, GEORGE MILLER, and JEFF FORTENBERRY as original cosponsors. The purpose of this Act is to empower the U.S. Government to respond to the pressing poverty, security, and environmental threats presented by the dire mismanagement and shortage of global freshwater.

Today, one-fifth of the world's population relies on freshwater that is either polluted or significantly overdrawn. A lack of safe water and sanitation is an ongoing threat to global security and remains the world's greatest health problem, accounting for 2 million deaths a year and half the illness in the developing world.

At the 2002 World Summit on Sustainable Development in Johannesburg, South Africa the United States and 185 other countries agreed to the goal of cutting in half the percentage of people without access to safe water and basic sanitation by 2015. I worked with the Chair and Ranking Member of the House Foreign Affairs Committee, Henry Hyde and Tom Lantos, and Senate Majority and Minority Leaders Bill Frist and HARRY REID to enact the Senator Paul Simon Water for the Poor Act of 2005. This landmark bipartisan legislation established investment in safe and affordable water for the world's poorest as a major goal of U.S. foreign assistance.

We are halfway to the 2015 Millennium Development completion date and we must redouble our efforts. Although progress is being made through innovative partnerships between the U.S. Government, NGOs, businesses, and local partners, nearly 900 million people worldwide still lack access to safe drinking water and 2 out of 5 people on the planet lack basic sanitation services. By 2025, climate change and rapid population growth will further stress water resources and are expected to leave 2.8 billion people in more than 48 countries facing severe and chronic water shortages.

The United States cannot sustainably meet its poverty alleviation, global health, or development assistance goals without addressing the issue of safe water and sanitation. This legislation answers the call to act. The overarching goal of the Water for the World Act is to provide 100 million of the world's poorest with first-time access to safe drinking water and sanitation on a sustainable basis by 2015. To accomplish this goal the legislation builds upon the Water for the Poor framework for investment, expands U.S. foreign assistance capacity, and recognizes sustainable water and sanitation policy as vital to long-term diplomatic and development efforts.

The Water for the World Act complements legislation introduced recently in the Senate by Senators RICHARD DURBIN, BOB CORKER, and PATTY MURRAY. Through this legislation we will help the U.S. government focus its efforts and fully implement a smart and efficient global water strategy that meets our commitment to extend safe drinking water and sanitation to over a billion people in need.

HONORING THE LIFE AND WORK OF BART ANDERSON

HON. JIM MATHESON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MATHESON. Madam Speaker, Southern Utah has lost a local treasure with the passing of Bart Anderson of St. George, Utah.

Bart Anderson was often described by people who meet him for the first time as ''bear-sized Bart Anderson''. He loomed large in the community life of Washington County. He was a retired St. George hematologist, historian and folklorist. Everyone knew him as ''Ranger Bart'' because he devoted his golden years to giving slide shows at nearby national parks—including Zion National Park—as well as at state parks.

I knew Bart Anderson as a man with a passion for the stories of this part of the West, known as Utah's Dixie—so named because cotton was one of the crops grown by the Mormon settlers here at the time of the Civil War.

One of Bart's most popular presentations was one on the outlaw Butch Cassidy. It featured vintage photos of Butch Cassidy, who Bart often pointed out, could charm the locals and even the lawmen of that era.

Bart was a talented and versatile man, who turned down a number of more lucrative business offers because they would take him away from Dixie and he said he had too much red dirt running through his veins to leave.

As a child, he contracted polio and when doctors said he wouldn't walk again, his father threw him in the swimming pool to help make him strong. When he was 11, Bart's father arranged for him to work for the Boy Scouts as a guide into the back country. He developed a great love of hiking, including the Grand Canyon.

As an adult, he merged his love of hiking with his passion for story-telling by giving walking tours in downtown St. George. That morphed into a series of history lectures for which he developed over 100 slide programs that communicated his love of place to residents and visitors alike.

He married his sweetheart, Delorice, whom he called ''the wind beneath my wings.'' She was often in the audience during his lectures and performances. Whether he was reciting ''The Ballad of Sam McGee'' around a campfire with a troop of Boy Scouts, or researching history at the Washington County Historical Society, Bart Anderson was happiest when he was immersed in folklore. He received many local state and national honors, including an award as Outstanding Volunteer from former First Lady Hillary Clinton.

One of his close friends, Lyman Hafen, told the local newspaper that Anderson was one-of-a-kind—with a heart as big as Zion Canyon. I was very proud to be his friend and while he will be missed, he will never be forgotten.

HONORING MRS. JOYCE HERNCANE

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SHUSTER. Madam Speaker, I rise today to recognize Mrs. Joyce Herncane of Schellsburg for her efforts in preserving the history and heritage of Bedford County and its people.

Mrs. Herncane led efforts, on behalf of the Schellsburg Bicentennial Committee, to celebrate the town's 2008 bicentennial. This included the opening of a museum that documented much of Schellsburg's past, and was made free to the public throughout the summer. This exhibit, brimming with memorabilia of the town's beginnings as well as items from throughout Schellsburg's history, contained displays ranging from school and sports history, to a saddlebag belonging to Peter Schell that was carried in the 1908 Centennial Parade. Exhibits paid tribute to author Dean Koontz and songwriter Maribeth Derry as well. The town's bicentennial activities culminated with a Christmas Home Tour of new and historic Schellsburg homes. All these events served to fund the continued restoration and preservation of the Old Log Church and Cemetery in Schellsburg.

I congratulate Mrs. Herncane for all her hard work. Her efforts, to preserve and make known the history of her community, will afford future generations the opportunity to benefit from Schellsburg's rich past.

COMMEMORATING THE 94TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mrs. MALONEY. Madam Speaker, as a proud member of the Congressional Caucus on Armenian Issues, and the representative of a large and vibrant community of Armenian Americans, I join my colleagues in the sad commemoration of the Armenian Genocide.

Today we declare once again that the Turkish and American governments must finally acknowledge what we have long understood: that the unimaginable horror committed on Turkish soil in the aftermath of World War I was an act of genocide.

The tragic events began on April 24, 1915, when more than 200 of Armenia's religious, political and intellectual leaders were arrested in Constantinople and killed. Ultimately, more than 1.5 million Armenians were systematically murdered at the hands of the Young Turks, and more than 500,000 more were exiled from their native land.

On this 94th anniversary of the genocide, I join with the chorus of voices that grows louder with each passing year. We simply will not allow the planned elimination of an entire people to remain in the shadows of history. The Armenian Genocide must be acknowledged, studied, and never, ever allowed to happen again.

Three years ago I joined with my colleagues in the Caucus in urging PBS not to give a platform to the deniers of the genocide by canceling a planned broadcast of a panel which included two scholars who deny the Armenian Genocide. This panel was to follow the airing of a documentary about the Armenian Genocide. Along with Representative ANTHONY WEINER, I led a successful effort to convince Channel Thirteen in New York City to pull the plug on these genocide deniers.

The United States must join other parliaments in passing a resolution affirming that the Armenian people were indeed subjected to genocide. The House Committee on Foreign Affairs took an important step two years ago in passing such a resolution. In the 111th Congress, I am a proud cosponsor of H. Res. 252, and I am hopeful that this resolution will make it to the Floor.

An acknowledgment of the genocide is not our only objective. I remain committed to ensuring that the U.S. government continues to provide direct financial assistance to Armenia. Over the years, this aid has played a critical role in the economic and political advancement of the Armenian people. This year I have joined with my colleagues in requesting economic and military assistance for Armenia.

Legislation passed in the 109th Congress and signed into law to reauthorize the Export Import Bank included important language prohibiting the Bank from funding railroad projects in the South Caucasus region that deliberately exclude Armenia.

American tax dollars should not be used to support efforts to isolate Armenia, and these provisions would prevent that by ensuring that U.S. funds are not used to support the construction of a new railway that bypasses Armenia. A railway already exists that connects the nations of Turkey, Georgia, and Azerbaijan, but because it crosses Armenia, an expensive and unnecessary new railway had been proposed. Allowing the exclusion of Armenia from important transportation routes would stymie the emergence of this region as an important East-West trade corridor.

On this solemn day, our message is clear: the world remembers the Armenian Genocide, and the governments of Turkey and the United States must declare—once and for all—that they do, too.

A TRIBUTE TO THE LIFE OF REVEREND CHESTER RIGGINS, SR.

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. COSTA. Madam Speaker, I rise today to pay tribute to the life of Reverend Chester Riggins, Sr. of Fresno, California, who passed away at the age of 80 years old. Reverend Riggins was preceded in death by his first wife Lillian Hines, his son Rodney Chester and daughter Diedra Grazelle and is survived by his second wife Anna Marie and his children Chester Jr., Shawn Mark, Noel Patrick, Sheila Antionette and Freida Yvonne along with their families.

Chester was born on December 8, 1928 in Marshall, Texas to John and Effie Riggins. Chester grew up in Marshall, Texas, until the middle of the fifth grade at which time his family moved to Fresno, CA, in December of 1938. Upon arriving in Fresno, he began attending Lincoln Elementary School. During his teenage years he attended junior high at Thomas A. Edison Jr. High School and graduated from Thomas A. Edison High School in 1945. In 1946, he volunteered for the U.S. Army and following his basic training was stationed in Guam. After an honorable discharge from the U.S. Army in 1947 he enrolled at Fresno State College.

As a child Chester answered an altar call during a chapel service at Park School in Marshall, Texas. Upon settling in Fresno his family attended the Second Baptist Church where he was baptized by Reverend Charles H. Byrd and Reverend L.C. Garret, and then transferred to Mount Pleasant Baptist Church. In 1950, he served as a Sunday school teacher, Director of Baptist Training Union, church clerk and church financial secretary. Two years later he was ordained as Deacon and served as Deacon Chairman for 5 years.

Chester continued to grow in his religious studies when he was called to the Gospel Ministry in 1960. On January 8, 1961, he was licensed as a Pastor by Reverend H.S. Moore. In 1961, he was invited and served as Youth Minister for Mt. Pleasant. He was ordained on Januray 25, 1962, to the Gospel Ministry by Reverend L.C. Garrett and assumed pastorage at St. Rest on February 13, 1962.

Reverend Riggins was instrumental in bringing many people back to the church even after being inactive members. The church grew both in spirituality and financially under the leadership of Pastor Riggins. As the congregation grew so did the need for a bigger building. His leadership in the community proved to be instrumental as the new building broke ground in March of 1979 and was ready for use at the Christmas Eve celebration in December 1979.

Pastor Riggins was also an active member of the community throughout the years. He was a founding board member of the Fresno Police Chaplains Organization, member of the Concerned Citizens for Quality Education, temporary Chairman of the Fresno Model Cities Program and a member of the West Fresno Interdenominational Alliance.

It is my privilege to say Reverend Chester Riggins, Sr., was an honorable and respected man with a commitment to God, family, and the community. He will forever live in the lives of the people he so graciously touched. I am honored and humbled to join his family in celebrating the life of this spiritually amazing man whose legacy lives on at Saints Rest Missionary Baptist Church of Fresno, California.

HONORING ARMSTRONG WOODS STATE NATURAL RESERVE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Ms. WOOLSEY. Madam Speaker, I rise today to honor the 75th Anniversary of California's Armstrong Woods State Natural Reserve, the only protected old growth Redwood forest in Sonoma County that was once thick with some of the largest trees on the planet. This serene and stunning natural retreat comprises 805 acres of land and is home to California's majestic coast Redwoods.

Armstrong Woods boasts a diversity of trees and shrubs that create a multi-layered canopy

supporting the growth of each species in the grove. Trees and plants in Armstrong Woods, such as Douglas Fir, Big Leaf Maple, Redwood Trillium, Sword Fern, and the most renowned, the imperial coast Redwood, contribute to the forest's diverse ecosystem.

Nurtured by abundant winter rain, moderate year-round temperatures and partial shade, coast Redwoods can grow up to 2–3 feet per year. At more than 310-feet tall, Parson Jones is the Reserve's tallest tree. The cloak of fog that protects the Redwoods from summer's harsh drought conditions allows these supreme trees to flourish along the coast from southern Oregon to central California.

Despite logging and raging fires, these mighty trees continue to provide their striking beauty, ecological significance and are witnesses to hundreds of years of history. The Reserve's oldest tree, Colonel Armstrong, is estimated to be more than 1,400 years old.

Part of the Redwood's resiliency is attributed to its natural resistance to insects, fungi, and fire. Some trees bare scars of the fire that roared in 1926, which is a testament to the strength of the thick, reddish bark.

The history of Armstrong Redwoods State Natural Reserve extends back to 1850, when the area was established as a lumber camp on the north bank of the Russian River called Stumptown, known today as Guerneville.

In 1874, Colonel James Boydston Armstrong, a journalist, surveyor and colonel with the Union Army, relocated from Ohio to Sonoma County where he logged and operated a sawmill site. Armstrong acquired 440 acres of land three miles north of Guerneville, and deeded the land to his daughter, Kate Armstrong, with the intention of preserving the land until its opening as an arboretum.

Because of Armstrong's financial distress and his daughter's ailing health, the parcel was eventually purchased by a family friend, Harrison M. LeBaron. Armstrong's vigilant efforts to preserve the land prevailed under the direction of his daughter Lizzie and the LeBaron family. They launched a well-supported campaign to protect the once mighty forest.

In 1917, the County of Sonoma purchased the property for $80,000 and operated the grove until the State of California assumed ownership in 1934. The Reserve's trails and amphitheatre were created by the Civil Conservation Corps during the Great Depression.

Thanks in large part to Colonel Armstrong's preservation efforts, today the beauty, history and serenity of Armstrong Woods is enjoyed by students, campers, hikers and visitors from around the globe.

Armstrong Woods State Natural Reserve offers visitors an abundance of hiking trail choices, ranging from brief one-mile walks, to an intense 9-mile loop that ascends from 120 feet to 1,250 feet at the summit by Bullfrog Pond. Adventure seekers can enjoy back country campsites, equestrians can trot along trails and families can meander into the park to enjoy lunch flanked by awe-inspiring, 300-foot trees.

Through Stewards of the Coast and Redwoods, the Reserve's cooperating volunteer association, students learn about the forest's flora and fauna and can participate in an Environmental Living Program where they discover and explore the area.

Madam Speaker, my hope is that through continued preservation efforts and work on behalf of park staff and volunteers, Armstrong Woods State Natural Reserve will continue to serve as a tranquil reprieve, an ecological treasure, and a recreational destination for years to come.

HONORING RUSSELL DUNHAM, WORLD WAR II MEDAL OF HONOR WINNER

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. COSTELLO. Madam Speaker, I rise today to ask my colleagues to join me in honoring Russell Dunham, Medal of Honor Winner, who passed away at the age of 89 on April 6, 2009.

Russell Dunham was born in 1920, in East Carondelet, Illinois and grew up on a farm in Fosterburg, Illinois. With his brother, Ralph, Russell traveled to Peoria, Illinois in August, 1940 to find work. Instead of finding a job, both of them enlisted in the Army and would serve together throughout the war.

Russell saw action in North Africa, Sicily, and Anzio as part of the 3rd Infantry Division. On January 8, 1945, TSgt. Russell Dunham and his platoon were stationed on a snowy hillside near Kaysersberg, in the Alsace region of France, near the German border. German machine gun nests were covering the Americans from positions at the top of the hill and American artillery units were about to begin shelling the location where Dunham and his men were situated. This prompted Dunham to take the courageous action that would earn him the Medal of Honor.

With a mattress cover over his uniform to help blend into the white surroundings and carrying 12 carbine magazines and a dozen grenades, Dunham made his way up the hill toward the enemy position. When he was within 10 yards of the enemy machine guns, Dunham stood up to attack and was struck in the back by enemy fire. Despite his wounds, Dunham got to his feet to resume his attack, kicking away an enemy grenade that had landed at his feet.

Dunham continued his assault, taking out the first machine gun nest, then proceeded another 50 yards where he took out a second machine nest. Finally, he made his way up the hill another 65 yards where he took out the third and final enemy location.

As a direct result of Russell Dunham's single-handed charge, the lives of 150 of his fellow soldiers were saved. For this heroism, Russell Dunham was awarded the Medal of Honor at Zeppelin Stadium in Nuremberg, Germany on April 23, 1945.

After returning home from the war, Russell Dunham accepted a position with the Veterans Administration where he worked for 30 years, explaining benefits to veterans.

As is typical of so many who display rare acts of courage, Russell Dunham would deflect praise and insist that he did not consider himself a hero. He claimed that he was just doing his job. I am sure the 150 soldiers who survived that day because of Dunham's heroics would have a different opinion.

Russell Dunham is survived by a daughter, stepdaughter, stepson, three brothers, three sisters, three grandchildren and nine great-grandchildren.

Madam Speaker, I ask my colleagues to join me in an expression of honor and appreciation for a true American hero, Russell Dunham.

IN RECOGNITION OF THE PASSING OF SPECIALIST MICHAEL J. ANAYA, UNITED STATES ARMY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. MILLER of Florida. Madam Speaker, I rise to honor the memory of Specialist Michael J. Anaya, United States Army. Specialist Anaya gave his life in defense of our Nation and was killed in action on April 12, 2009 in Bayji, Iraq. Specialist Anaya was serving with the 2nd Battalion, 27th Infantry Regiment, 3rd Infantry Brigade Combat Team, 25th Infantry Division, Schofield Barracks, Hawaii.

Nick-named the ''Anayalator'' by his Army buddies, Michael loved the Army and wanted to serve in the Infantry. His military skills were obvious to everyone, as he was awarded the Expert Infantryman's Badge along with other military awards. He loved the military and his country. He also loved his family, friends, and fishing. He was a fine young American—an example of the greatness of our Nation.

Michael was buried with full military honors and will go to his eternal rest as an American hero. We remember this patriot—this fine soldier—and thank him for making the ultimate sacrifice for the United States of America. I am always reminded of the greatness of our country when I meet military families like the Anaya's who supported Michael as he volunteered to defend America.

The people of Crestview, Northwest Florida, and our Nation have many reasons to be proud of Specialist Anaya. Vicki and I will keep Michael's entire family, especially his parents, Carmelo Sr. and Cheryl Anaya of Crestview, his brother Carmelo Jr., and his sister, Trista, in our thoughts and prayers. I hope all the people of Northwest Florida and our nation do the same. May God bless Specialist Michael Anaya and all of those who serve in our armed forces and defend our Nation around the globe.

HONORING THE 125TH ANNIVERSARY OF THE ST. ANTHONY CATHOLIC SCHOOL IN SAN ANTONIO, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor the 125th Anniversary of St. Anthony Catholic School in San Antonio, Florida. Founded on April 29, 1884 through the tireless efforts of Father E.J. Dunne, the school grew out of a class of 14 children taught in the home of Mrs. Ceclia E. Morse.

The first school house was a small 12 foot by 24 foot wooden structure. In 1892, the Benedictine Sisters, who remain involved with the school to this day, arrived from Pennsylvania and constructed two large wooden

school buildings. In 1922, Bishop Barry of St. Augustine dedicated a three story, red brick building which opened to 100 students. Today, St. Anthony's campus includes seven buildings and the enrollment has doubled in just the last 10 years.

As the oldest parochial school in Pasco County and in the Diocese of St. Petersburg, St. Anthony's strives to offer students the best educational start possible regardless of religion. In its 125th year, St. Anthony continues to welcome a new generation of young students with the goal of educating the total person: mind, body and spirit.

Madam Speaker, it is truly an honor to have such an exceptional and longstanding school in my district. St. Anthony Catholic School and all who have contributed to its success over the last 125 years should be commended for their commitment to education, child development and service to the community.

COMMEMORATION OF ARMENIAN GENOCIDE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. WAXMAN. Madam Speaker, today marks the 94th Anniversary of the beginning of the Armenian genocide. This devastating event is a reminder that we cannot allow for such atrocities to happen again. It is unacceptable to witness thousands of innocent victims suffer and die without taking any action.

Ninety-four years ago, the Ottoman Turks began their attempts to exterminate the Armenian people. From 1915 until 1923, 1.5 million Armenians were tortured and killed. Men were separated from their families and murdered; women and children were forced to march across the Syrian desert without water, food, or possessions; many died of hunger or thirst or were killed when they lagged behind during the forced marches into the desert.

These acts of intolerance cannot be termed anything but genocide. We must honor and recognize those who survived but also remember those who perished. Acknowledging the commemoration of the Armenian genocide, is an important to tribute to the Armenian people, especially the American-Armenian community.

CHICAGOAN RITA SALLIE'S COURT STATEMENT BEFORE TWO MEN WERE SENTENCED IN HER DAUGHTER'S SLAYING

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. RUSH. Madam Speaker, it's my sad responsibility to call your attention to the anguish that Ms. Rita Sallie is experiencing. Hers is a pain felt by so many mothers and families across this great nation. Losing a child is a tragedy that no parent should have to endure but, once again, an innocent child whose life was so full of promise abruptly lost her life due to gun violence in my Chicago community.

Rather than add more of my own words, I'm taking this opportunity to enter into the record the entire statement by Ms. Rita Sallie. Somehow, she found the courage to speak through her pain and wrote a heartfelt statement to the Chicago Sun-Times—a statement aimed, directly, at the convicted murderers of her daughter, 15-year-old Schanna. It is important that history remembers her petition as it sadly resonates for millions of parents throughout the United States.

Here's her statement, in its entirety:

They stole the life of a beautiful, kind, free-spirited girl and made her a statistic. Why? To get revenge for an argument? A fight? The leader should have gotten over it and walked away. But he was mad, you see, so the only reasonable thing for a coward to do was to get an idiot to shoot up a park where children play, only to hurt my child who was feet away.

She was born on Dec. 16, 1993, and was a cute, bald bundle of quiet joy. She grew to be a sincere, respectful, loving, selfless spirit filled with the joy of life. Her smile is infectious and no one can deny her energy and pure heart. She has a confident yet modest bearing and a smile like a balm to the soul. I would not realize until after I saw her smile how much I yearned for it.

The child I anticipated seeing everyday was gunned down in the middle of a park, behind Funston Elementary School, by two nothings. She was supposed to start 8th grade in the fall of 2007, but she never made it. She will never have the chance to show herself to the world. I will never have the chance to watch her make her way.

Schanna has always been so full of life. Her energy and vitality would leave me rolling my eyes in exasperation because sometimes I just wanted her to sit still and take a breath. They took the energy that left me breathless and left her lying, unmoving in the park behind Funston Elementary School where people could see her at her most vulnerable. They denied her the right to live, breathe, laugh, love and dream.

Schanna has such a generous spirit. She thought nothing of sharing her time or her possessions with you. She hated to see others unhappy or angry. There was nothing that she had that she wasn't willing to share. This child would take her birthday money and buy Christmas presents for everyone else. She was supposed to donate her organs so that others could continue living, even though she would not. They denied her that right, as well, because her heart stopped before her organs could be harvested, leaving them unusable and the recipients to wait and maybe even succumb themselves.

I have always been amazed by her. Over the years I would ask myself what did a barely passable person like me do to earn the privilege of having Schanna as my child? Somehow I was blessed to have a little girl with a brilliant mind, a big heart and a generous spirit. Although I struggle with being a better person, I do try to teach my children to know right from wrong, to make principled decisions and to have good moral character. Schanna took what I taught her and magnified it. She not only listened to what I advised, she put it into practice so much that she became the teacher, and I, the student. She is the person that I have struggled all my life to become.

People have always been drawn to her. Even as a toddler, people would stop me on the street to admire her and buy her small gifts, a piece of candy, or lollipop. That never changed. Up until she was taken from me, I would watch her walk to school by herself and before she made it, she would be surrounded by so many friends that I would no longer be able to tell her apart from the sea of blue and white uniforms.

All I have left are memories. The memories of our life before they intruded. The memories that I cannot call up because they are pushed aside for what they did to her on June 25, 2007. I saw my baby lying in the park, eyes open staring, with bits of her favorite fruit scattered around her. I struggle to recall the constant twinkle in her eye, the bright smile and the distinctive cackle of her laugh. I am embarrassed to admit that I try to avoid thinking of her at all because I don't want to recall that day and all the days that came after. I have to put her away, for now. Maybe, in the future, but not now.

She had a life plan at 12 years old and they denied her all of her dreams and aspirations. She'll never experience going to high school, or college, or even the 8th grade. She will never be consumed by her first love and I will never have the chance to help her through her first broken heart. There will be no stories of her travels, the people she would meet and the things she would see and do. She never even got the chance to ride public transportation by herself.

Over the years, people have told me that I was a strong woman. On June 25, 2007, I was exposed as a fraud. I'm not the strong woman I've always considered myself to be. My armor is only as strong as its weakest point. My weakness is my family, my children. They not only put a chink in my armor, but shattered it and left it lying at my feet, leaving me fearful and weak. I have gone from a strong, independent person to someone who would like nothing more than to crawl into a dark hole and lick the wounds that will never heal. My sleep is restless. I am overly emotional and struggle to make the simplest decisions and have felt no true happiness since that time.

Since losing her, I have tried to find some sense of normalcy to my life. But I can't, because I know that I'm supposed to kiss three children before I go to work, not two. I know that I'm supposed to cook for four people, not three. I know I am supposed to hear three voices when I come home from a long day. I know I'm supposed to talk to three children about what is going on in their lives. I know that I'm supposed to hug three children. It's impossible to return to normal when you know these things in your heart and mind and that knowing is not enough. Her absence is the 800 pound gorilla in the room that everyone notices but tries to ignore, hoping that someone else will mention it first. The emptiness is physical and must be kept at bay.

They left me powerless. I would do everything to help my children through crises real and imagined, and they knew it. They took away my power when they hurt my little girl. I had to leave her in the care of the paramedics, police, hospital, morgue and funeral home, only to lay her to rest in a cemetery surrounded by strangers.

She could forgive people for anything. Make her sad or angry and a few minutes later all would be forgiven, whether you apologized or not. Knowing her, she's probably forgiven them. For years I wished I were more like her, but I'm not and despite my best efforts, I never will be. Schanna is a better person that I am in every way. She may have forgiven them, but I hate them. I have a fiery hatred for both of them that I know will one day consume me. The anger eats away at my mind and heart, knowing what they did to her, I seethe at the very thought of them as part of our history, that they are an asterisk on my family tree. We don't want them there, but they are, forever.

When the situation occurred, my imagination made them seem big, menacing, nearly otherworldly. Upon actually seeing them, I realize they are two nothings. One, a pint-sized, arrogant wannabe outsider and the

other, a stupid and spineless follower. Two insignificant, pathetic nobodies who barged into my life and took away my child. They had no right to decide if anyone lives or dies, yet they took the liberty of walking away with the life of my child.

The leader made the fateful decision to have his lackey discharge a weapon in broad daylight into a park behind a school where scores of children congregated because he was mad. Even after hurting my child, he neither ran like the coward he is nor admitted his involvement like the man he should have been; rather he stood on the street and drank alcoholic beverages as though hurting a child made him thirsty. The circumstances surrounding the loss of my little girl makes me light hearted with nervous rage.

The leader came to my country, my state, my city, my neighborhood, took my child's life and stole her future. Because he was mad, he committed an act from which none of us can ever recover. Not my family, not the shooter's family or even his family. His arrogance and leadership over those in the gang made for a potent mix and we, my family and the community, paid the price for it. He came here thinking that he could do whatever he wanted to whomever he wanted, whenever he wanted and would suffer no consequences. This makes him extremely dangerous to the general public.

After the guilty verdict for the shooter, I happened to run into Susanna Rosa, who proceeded to tell me that that shooter was a good kid and that the gang threatened him. They told him to do it or else they would kill him. She let me know that he'd graduated from high school and everything. Well, the shooter is stupid and lacks moral character. He let a person who is of no importance tell him to commit an act with wide-ranging consequences. Why? To defend him from an argument that he could have and should have walked away from. The only person wielding a gun out there was the shooter. He hid near a car like a 2-year-old and came out gun blazing like an Old West villain to defend someone else. Nothing Ms. Rosa told me changes my opinion at all. I will accept no excuses. My hatred has not dimmed but flares white-hot at the idea of the destruction he's caused in our lives, throwing away his own in the process for a nothing, a nobody.

I had the opportunity to observe the shooter and watched him smile. He neither smirked nor grinned, but smiled a big smile when he sat at the defense table towards the end of the trial. My stomach clinched and my skin became flushed. I was mad, just like his leader, the arrogant nobody who he came to rescue, but I did nothing, nor did I try to enlist anyone to do anything. The leader and his defender should have done the same thing and none of us would be here today and my little girl would be finishing her first year of high school.

During the trial, the shooter had a number of family members and friends at court to support him. He didn't consider those same people who sat behind him and gave him them their strength. He didn't think about those people then. No. He thought only about rescuing his leader from an argument by using armed violence. High school diploma or not, if he's stupid and dangerous enough to let someone convince him to hurt others, then he needs to be taken off the street for the rest of his life.

They took away her life and her future, her sister Joyce's best friend, her brother Antwun's protector and my dearly loved child and teacher.

What they did is nothing less than an act of domestic terrorism. They took Schanna Danielle Gayden, just 13 years old, and left in their wake a destroyed family, distraught friends and a traumatized community. Despite their actions, Schanna actually brought the community together. People recognized how special she is and they came together for her and for us. They stood vigil with us during the darkest hours of our lives and they stand with us still. Schanna touched more people in her 13 years than I have during my entire life and continues to do so. She has an intangible gift for which people would recognize and respond.

A tree was planted and a stone set up in her memory in the park where she suffered such a terrible hurt. The park has also been dedicated to her memory. This is the same park where so many children came to play or just watch the world go by. In fact, had they been just a little earlier, I could have been their victim, and my Schanna would still be here to continue the path she set out for herself. I've done all I'm going to do in this life, whereas she hadn't even begun. But it says something about her as a person that a park would be dedicated to her and a memorial tree and stone placed in her memory. On June 27, 2009, there will also be a tree planted at the cemetery where she has been laid to rest. It will be dedicated to her and all of the children lost to violence. These actions say that she is not disposable, the damage done is not collateral. She is important, not just to her family, but to her friends and community.

It is fortunate for them that I was not responsible for charging them with a crime. If I were, they would have been charged with aggravated theft for stealing my baby's life, a gift which is truly priceless and cannot be replaced; and attempted murder, for all the people who were there who could have also been victims. Were it up to me, life without parole is nothing less than they would receive. With that sentence, Your Honor, I am being generous.

However, I do request that because of their deplorable and thoughtless actions, sickening behavior and blatant disregard for all life, and the convictions that stemmed from these, I am respectfully requesting that you, the Honorable Judge Nicholas T. Ford, sentence both defendants to the maximum punishment allowed by law.

Thank you for your consideration.

RECOGNIZING THE VOLUNTEERS SERVING WITH THE FAIRFAX COUNTY SHERIFF'S OFFICE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, I rise today to recognize the volunteers who assist the Fairfax County Sheriff's Office. These volunteers work with deputies and civilian staff to help inmates to improve their lives during incarceration and to prepare them for a successful transition back into the community.

With more than 500 deputies, the Fairfax County Sheriff's Office is the largest Sheriff's office in Virginia and among the largest in the country. These deputies perform invaluable services for Fairfax County residents to include providing court security, managing the detention center, serving the civil law process. Volunteers with the Sheriff's Office help provide inmate programs and services at the Adult Detention Center (ADC) and Pre-Release Center, including mental health counseling, religious services, alcohol and drug support groups, health education, library services and job training.

Volunteers complete a Sheriff's Office training program and also work closely with staff to ensure that best practices are followed. A recent study completed at the Fairfax County Adult Detention Center showed the significant impact that detention center rehabilitation programs can provide. The efforts of these volunteers improve the lives of those incarcerated, reduce recidivism, and make our communities safer.

Each year, the Sheriff's Office hosts a luncheon to thank all of the dedicated individuals who help make the volunteer program a success. The office also recognizes one individual in each service area and it is my honor to recognize these extraordinary citizens:

EDUCATION

Bill Richey shows tremendous dedication as he works to help Hispanic inmates improve their literacy level and enable them to take better advantage of the educational resources provided to inmates. He works very hard to ensure that these inmates achieve some measure of education to provide a much needed tool on their pathways to success.

ALCOHOL AND DRUG SERVICES

Noah Freeman recognized the need to provide more substance abuse services and helped to coordinate with Alcoholics Anonymous (AA) to provide greater resources and assistance to those in need. A testament to his impact is witnessed daily as individuals he assisted share the message and practices of AA with their fellow inmates.

CHAPLAIN'S OFFICE

Celine Baker serves as the volunteer female chaplaincy coordinator. She has worked tirelessly to launch new services, develop a consistent ministry strategy for female inmates, coordinate one-on-one ministry for female inmates, and provide counsel and advice to volunteers, staff, and the chaplains. Celine often dedicates in excess of 25 volunteer hours per week and consistently exemplifies the character and integrity of the chaplaincy office.

OPPORTUNITIES, ALTERNATIVES, and RESOURCES

Ben Perchik began to volunteer at the Adult Detention Center with the goal of "generating good." He has succeeded in this effort and has even received letters from several past students naming Ben as the person who most positively affected their lives. Since beginning to volunteer with OAR in 2004, he has consistently undertaken more responsibility and currently serves a facilitator for two classes—Life Skills and Fatherhood.

SHERIFF'S OFFICE

Norma "Timmie" Edwards has served as a volunteer at the Adult Detention Center longer than some employees have worked there. In fact, the Sheriff's Office volunteer program does not know how long it has been and she cannot remember! Ms. Timmie's commitment to serve the inmates at the Adult Detention Center is impressive for its longevity and her passion. As she reluctantly ends her time volunteering at the Adult Detention Center, there is no doubt about the inspiration she has provided for inmates, volunteers, and staff.

The outstanding efforts of the above-mentioned individuals are particularly noteworthy but one must acknowledge the nearly 300 volunteers who have contributed their time and support to the Sheriff's Office during the past year. These volunteers provide services that help to place inmates on a path to success. They offer their time that could be spent elsewhere to provide encouragement and support

that will improve lives during incarceration and provide for a successful transition to help get inmates back on their feet. The efforts of each and every one of these volunteers is worthy of our praise

The staff of Fairfax County Sheriff Stan Barry should be commended for their critical role in administering the volunteer program. The efforts of these staffers maximize the contributions of volunteers in the most effective way and provide the support that makes this program a success.

Madam Speaker, I ask my colleagues to join me in honoring the contributions these individuals and all of the volunteers supporting the Fairfax County Sheriff's Office. The selfless commitment of these individuals helps to provide enumerable benefits to Northern Virginia and life-changing services to the inmates being served.

PERSONAL EXPLANATION

HON. J. GRESHAM BARRETT

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. BARRETT of South Carolina. Mr. Speaker, unfortunately I missed recorded votes on the House floor on Tuesday, April 21, 2009.

I ask that the RECORD reflect that had I been present, I would have voted ''nay'' on Rollcall vote No. 193 (Motion to suspend the rules and Agree to H.R. 388), ''nay'' on Rollcall vote No. 194 (Motion to Suspend the Rules and Agree to H.R. 411), ''aye'' on Rollcall vote No. 195 (Motion to Suspend the Rules and Agree to H.R. 1219).

INTRODUCTION OF H.R. 2024, THE COMMERCIAL MOTOR VEHICLE ADVANCED SAFETY TECHNOLOGY TAX ACT OF 2009

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. DREIER. Mr. Speaker, I am pleased to be an original cosponsor of H.R. 2024, the Commercial Motor Vehicle Advanced Safety Technology Tax Act of 2009. This bill is an important step toward improving safety in the commercial vehicle industry. It offers tax credits to incentivize businesses to implement proven safety systems for their fleet. These market-ready technologies will help reduce the number of truck-related crashes, injuries and fatalities on our Nation's roads.

H.R. 2404 addresses a number of critical concerns. First, it identifies widely recognized technologies that are proven to increase safety on our roads. Brake stroke monitoring, collision warning, lane departure warning and vehicle stability systems are proven to reduce collisions, rollovers and crashes resulting from brake failure. We know from the Federal Motor Carrier Safety Administration's, FMCSA, 2006 Large Truck Crash Causation Study that these are the most prevalent types of large truck crashes.

Second, during these challenging economic times, there is no better way to move businesses in the right direction on increasing their safety systems than to provide tax incentives, reducing their financial burdens. This is especially important considering that 95 percent of all trucking companies have fewer than 20 trucks, making almost the entire industry one composed of small businesses.

Finally, this bill takes an appropriate long-term view of emerging safety systems technology by allowing the FMCSA or the National Highway Traffic Safety Administration to add qualified safety systems for this tax incentive, once they are proven to significantly enhance the safety or security of drivers and vehicles. I strongly believe that GPS navigation devices for trucks should be made eligible for this incentive. In order to certify this technology as a proven safety system, I have asked the FMCSA to study the effectiveness of GPS navigation devices for trucks and their ability to improve safety for drivers and vehicles. In addition, I have asked the Federal Highway Administration to ensure that any real-time information programs implemented by the Department of Transportation include truck safety as one of its major determinants of effective real-time data collection and dissemination.

There are cutting edge technologies in the navigational device, mapping software and data collection industries that are available and deployed to fleets right now. However, with so many small trucking companies and owner/operator small businesses, not all fleets have access to these sophisticated systems. In addition, challenges remain in the industry with respect to timely and accurate data collection specific to trucks, including changing road conditions or restrictions, as well as grade inclines and declines. There is also a lack of information dissemination to drivers, fleet managers and dispatch centers with no real national framework for real-time data, especially for interstate trucking needs. Unfortunately, my district has seen the tragic consequences of these gaps first hand.

Last September, a tractor trailer filled with over 75,000 pounds of onions was routed onto the Angeles Crest Highway in Southern California, State Rte. 2, by a driver using a GPS navigation device seeking the shortest route to his destination. The Angeles Crest Highway is not suitable for tractor trailers due to its turns and grade inclines and declines. However, the road is often used by drivers as a short-cut in order to avoid congestion on 1–210 and 1–5. With his brakes losing function on the decline into the City of La Cañada Flintridge, the driver lost control of the truck and it plowed through one of the main intersections in the city, through a parking lot, and fortunately only resulted in one injury. Earlier this month, on April 1, an eerily similar accident took place at exactly the same location, but the result was tragically fatal. A driver was using the same Angeles Crest Highway short-cut. His brakes were seen smoking, indicating they had burned out on the steep grade of the road. He hit a vehicle, killing Angel and Angelina Posca, a father and his 12-year-old daughter; struck several more vehicles seriously injuring a dozen more individuals, three critically; and crashed through a bookstore in a local shopping center, causing significant property damage. While the investigation is ongoing, we know that there was a GPS navigation device in the cab of that truck.

In the aftermath of these accidents, our local leaders in La Cañada Flintridge have been working tirelessly to find solutions that will prevent this kind of accident from happening again in our area and in any other community across the country. I am very pleased that CalTrans banned truck traffic on Angeles Crest Highway for 90 days and that they are now working with the city and the Los Angeles County Sheriff's Department on mitigation measures that will ensure this road remains free of trucks. I also applaud California State Assemblyman Anthony Portantino and State Senator Carol Liu for introducing State legislation to prohibit, with specified exemptions, truck traffic on the Angeles Crest Highway. I am honored to be working alongside our local leaders in pursuing all means necessary to improve safety on our roads. Like them, I am committed to seeing real-time information provided to drivers through GPS navigation devices that can relay the kind of information drivers need to make the safest decisions on the road.

I strongly believe we must partner cutting-edge safety systems with the kinds of incentives provided in this bill to improve truck safety on our roads. I want to thank my colleagues MIKE THOMPSON and GEOFF DAVIS for providing the leadership they have on this issue and am proud to join them in this effort. I encourage all my colleagues to support this important legislation.

EARTH DAY 2009

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. PRICE of North Carolina. Madam Speaker, Earth Day 2009 marks the 39th year in which we've set aside a day to reflect upon our solemn responsibility to protect the environment from the adverse effects of human activity and preserve it for future generations. Earth Day reminds us of our nation's obligation to be good stewards of the planet—a responsibility both moral and practical, personal and collective.

As individuals, we are learning to assess our ''footprint'' and to recognize that the decisions we make on a daily basis—the cars we drive, the foods we eat, the energy we consume—must be measured against not only our own comfort, but also the sustainability of our planet and its limited resources. It is a personal obligation that cannot be taken lightly; an ethos that firmly commits each of us to passing the great inheritance we have been given to our children in a better form than it was given to us.

As communities, we must reconcile the competing demands of economic development with those of responsible stewardship. It's a particular challenge in high growth areas like the one I represent. My district, the Research Triangle area of North Carolina, has been widely recognized as one of the best areas in the country to live, work, raise a family, and start a business. It is the fastest growing metro region in the country, on track to double in population over the next 20 years, and the dramatic population expansion will bring significant environmental challenges in tow.

We know that we must grow, and we embrace the economic opportunities that such growth presents. But how will we grow? To

maintain and improve our quality of life in the midst of robust expansion and development, we need to undertake a coordinated regional planning effort that meets our infrastructure needs white preserving livability and sustainability. We must promote not just growth, but smart growth.

That is why I brought our colleague, Rep. EARL BLUMENAUER, to the Triangle this week to help me host a summit on Smart Growth Development. He stands as an expert in our body on sustainable development, and the summit brought together elected officials, business leaders, environmentalists, and community activists for panel discussions on smart growth principles and transportation infrastructure. I look forward to working with Rep. BLUMENAUER and my other colleagues to develop tools that will encourage smarter growth, more responsible development, and greater livability in communities across the country.

And as a nation, we need to pursue policies that promote responsible stewardship of the earth here at home while providing responsible leadership in the global arena. This Congress has already begun working with the Obama Administration to forge a new direction for energy policy that will emphasize renewable fuels and energy efficiency.

Through the American Recovery and Reinvestment Act, we've made an unprecedented investment in public transportation and renewable energy production that will spur energy savings. This legislation will accelerate deployment of a new, smart power grid to make the electricity grid more efficient and reliable. They will advance scientific research into battery technology and energy efficiency measures, expand the national effort to weatherize homes, and make a sizeable investment in alternative energy research.

The recovery package addresses critical transit needs as well, investing in buses, commuter and light rail, and intercity passenger rail, including Amtrak and high speed rail. Public transportation, beyond saving individual Americans both time and money, can also help our nation save as much as 4.2 billion gallons of gasoline and reduce carbon emissions by 37 million metric tons each year.

This spending is not simply driven by our commitment to a cleaner and healthier planet; rather, it represents a down-payment on investments to meet our country's economic and infrastructure needs and a blueprint for the direction in which our country's energy and transportation policies will go. They are investments that can fuel our future economy and make our country more prosperous and competitive than ever before.

We must think globally as well, and continue to work towards a comprehensive solution to dramatically curb our greenhouse gas emissions and address the threats of climate change—a threat that our government ignored for far too long. I am pleased that House and committee leadership have recently released draft legislation that would establish a market-based cap and trade policy to serve as a basis for discussion of comprehensive clean energy legislation. This is no idle threat we now face: scientists tell us that we must reduce emissions by roughly 80 percent by mid-century to avoid a dangerous climate tipping point. As the world's largest per capita emitter of greenhouse gases, our nation must be a leader in finding clean energy solutions that reduce our dependence on fossil fuels, create a new generation of jobs, and provide climate and energy security for us and the generations to come.

On Earth Day 2009, I urge President Obama to continue working with Congress to develop climate change legislation that will set us on a path that is science-based and adequately aggressive. I also urge the President and my colleagues to foster smart growth in American communities by developing policies that promote accessible transit, affordable and sustainable housing, and responsible management of water and other resources. And I urge us all to take actions in our individual lives that reflect our commitment to preserving this wondrous planet and all the diverse forms of life that thrive upon it.

HONORING THE LIFE AND SERVICE OF MICHAEL AND MARIAN ILITCH ON THE 50TH ANNIVERSARY OF THE FOUNDING OF LITTLE CAESARS

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. McCOTTER. Madam Speaker, today I rise to honor and acknowledge Michael and Marian Ilitch, entrepreneurs and pillars of the Michigan community, upon the 50th anniversary of the founding of Little Caesars.

On April 22, 1959 fifty years ago to the day, Mike and Marian opened the first Little Caesars in Garden City, Michigan, under the name Little Caesars Pizza Treat. From this one store, Little Caesars would grow to include a pizza empire of many thousands of restaurants through franchising. The company eventually became widely known for its famous catchphrase, ''Pizza! Pizza!'' which was introduced in 1979. The phrase refers to two pizzas being offered for the comparable price of a single pizza from competitors. In 1998, Little Caesars filled what was then the current largest pizza order, filling an order of 13,386 pizzas from the VF Corporation of Greensboro, NC. Today, Little Caesars is the largest carry-out pizza chain in the world.

Mike was born in Detroit, Michigan in 1929. He is a first generation American of Macedonian descent. A graduate of Cooley High School, Mike also served his country in the United States Marine Corps for four years. After returning home from the Marine Corps, Mike was offered a contract by the Detroit Tigers baseball team and went on to play three years in the minor leagues before he was forced to prematurely end his promising career due to injury. In 1954 Mike met Marian on a blind date arranged by his father. Marian was born and raised in Dearborn, Michigan, a daughter of Macedonian immigrants. They were married a year later.

Over the course of their lives together Mike and Marian have expanded their business and personal partnership very successfully. Today, the family's entities remain privately held. In 1999, the Ilitch's established Ilitch Holdings, Inc. to provide their various enterprises with professional and technical services. These enterprises include Little Caesars, the Detroit Red Wings, the Detroit Tigers, numerous property investments in and around Detroit, as well as the MotorCity Casino. They have been married for over 50 wonderful years and have seven children together: son Christopher Paul Ilitch (born June 1965) is CEO and President of Ilitch Holdings, Inc.; daughter Denise D. Ilitch (born November 1955) is an attorney and former co-President, with her brother, of Ilitch Holdings. Other children are Ronald ''Ron'' Tyrus Ilitch (born June 1957), Michael C. Ilitch, Jr., Lisa M. Ilitch Murray, Atanas Ilitch (born Thomas flitch) and Carole M. Ilitch Trepeck. Further, in Stanley Cup history, only 12 women have had their names engraved on the trophy including Marian and their three daughters.

The Ilitch family has also established a charitable foundation called Ilitch Charities for Children (ICC). Among other things, the ICC sponsors Little Caesars AAA Hockey Scholarship to encourage amateur sports. The ICC in 2009, so far, has given a total of $50,000 in grants to the Detroit Renaissance Foundation ($25,000) and the United Way of Southeastern Michigan ($25,000) for innovative community programs, demonstrating a broader scope for the charitable organization. Most recently, Ilitch Charities to present a total of $200,000 to benefit the Greening of Detroit's Conservation Leadership Corps and the Guidance Center's Project CEO.

Madam Speaker for 50 years Little Caesars has stood as a tribute to the hard work of Michael and Marian Ilitch and their family. As they celebrate this enormous milestone, they personify a legacy of excellence, ingenuity, and the irrepressible spirit of the American entrepreneur. Today, I ask my colleagues to join me in congratulating the Ilitch's and recognizing their years of loyal service to our community and country.

IN MEMORIAL OF STATE SENATOR VERNON MALONE

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. ETHERIDGE. Madam Speaker, today I rise to honor the life of State Senator Vernon Malone, who passed away on Saturday, April 18, 2009. In his passing, I lost a friend and North Carolina lost one of its most outstanding citizens; a man who was instrumental in his community, county, and state.

A native of Raleigh, North Carolina, Senator Malone was known for his passionate support for education. After graduating from Shaw University, where he was a member of Alpha Phi Alpha Fraternity, Malone worked for 34 years as a teacher and eventually superintendent at the Governor Morehead School for the Blind. As chairman of the Wake County school board, he presided over the merger of Raleigh city schools and Wake County public schools in 1976. This was a significant achievement because it took other school systems in the state years to do the same. When others shied away from issues of race and class, Senator Malone tackled them head-on.

After his work with the school board, Vernon served as a Wake County Commissioner, and eventually as chairman of the Commission, from 1980 until his election to the State Senate in 2002. As always, he fought fervently for education and for equality. He also found time to serve his community in his spare time, serving as vice-chair of Shaw University's board of

trustees; as a trustee for North Carolina State University, the North Carolina Museum of Art and the Wake Education Partnership; as Chairman of the Wake County Coalition for the Homeless; and as a director of Capital Bank, a community bank headquartered in Raleigh.

Most recently, Vernon served in the North Carolina General Assembly representing the state's 14th Senate district and was reelected three times. In the State Senate, he continued to work on education. He was co-chairman of the Senate's Higher Education Committee and Appropriations Committee for Higher Education.

Vernon Malone rose to prominence during a time when prejudice ran high. Rather than succumb to intolerance, he was able to rise above it. I am glad that he was able to witness the inauguration of President Barack Obama earlier this year. It was Vernon and his contemporaries who made it possible for our nation to eventually elect an African American President.

Madam Speaker, Senator Vernon Malone had a commitment to excellence in everything he did. He was a respected legislator, a dedicated public servant, and a great North Carolinian. It is fitting that we honor him and his family today.

CELEBRATING EARTH DAY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. SCHIFF. Madam Speaker, the Los Angeles basin holds one of the greatest concentrations of humanity in the world. People have come from all over the Earth to live there—when one walks down a street in Glendale or Alhambra one can hear a language from ten thousand miles away on one block and read signs in a vastly different language on the next. But if you look up a little higher, above the signs and above the buildings, you'll see grey-green mountains looking down on it all. In my district, we're right up against the Verdugo, Santa Monica and San Gabriel Mountains, and they surprise you all the time, appearing at street corners from behind the buildings, playing hide-and-seek with intervening hills and highways.

Though few of my constituents live up there, I try to get up into the hills as often as I can, and I'm often surprised by how many of my neighbors I run into on the trail. I think that, like me, they wander in the chaparral and oak forests to get away for a while, and find some perspective in the process. Among the families, teenagers and retirees I pass, I see all of the cultures I know from the streets of my district, all enjoying the fact that they can find some peace and quiet just a few minutes away from one of the largest cities in the world.

Our green spaces play an irreplaceable role in our communities, and on this Earth Day, I would like to celebrate them. This is a day to think globally, but it is also a day to act locally, by taking your family to the park and exploring all that you find there. In the words of John Muir, "When one tugs at a single thing in nature, he finds it attached to the rest of the world."

EARTH DAY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to talk about Earth Day which as you know is being celebrated in communities throughout our country and around the world today.

I can't begin any conversation about Earth Day without talking about Wisconsin's former governor and U.S. Senator Gaylord Nelson, who was the driving force behind this important event.

I don't mean to boast but I don't think its coincidental that Wisconsin has been the birthplace of many prominent figures in the environmental movement and who helped shaped the environmental laws that have helped to create.

Wisconsinites have long recognized the need to be stewards of the environment. It's common sense when you grow up next to one of the largest sources of freshwater on the planet.

Gaylord Nelson is certainly one of those environmental champions of whom our state is proud and whose record of advocacy and accomplishment around the environment has not only impacted our nations, but the world. Earth Day is but one example of that.

He is rightly noted and celebrated for his role in the first "Earth Day" event which took place some 39 years ago.

But that is not where his involvement in the environmental movement began and not where it ended either. Before it was popular to be an environmentalist, Senator Nelson was working to make sure our nation's air, water, and natural resources were protected.

Senator Nelson was a mover and shaker not just in creating Earth Day but in starting the movement to bring the protection of our air, water, and public lands to the center of national attention and policy, not just an afterthought.

According to Senator Nelson, his efforts to create what is now Earth Day began in the early 1960s when he became troubled "that the state of our environment was simply a non-issue in the politics of the country."

In 1962, he approached the Kennedy Administration with an idea about how to shift the political spotlight to the need for better and pro-environment laws and policies.

He helped convince President Kennedy to undertake a national conservation tour to draw attention to the issue. While the President did the tour, according to Senator Nelson, "For many reasons the tour did not succeed in putting the issue onto the national political agenda. However, it was the germ of the idea that ultimately flowered into Earth Day."

This has probably been one of the most successful grassroots movements ever as today millions of Americans and millions more around the world are organizing in their communities at river and park cleanup events, planting trees and gardens, and other actions to promote environmental awareness, with the simple message: We ignore the damage being done to our environment at our own peril.

Over 3,000 people were out in force in my district on Saturday to clean rivers and streams throughout the area.

Since the First Earth Day, we have seen the passage of legislation strengthening the Clean Air and Clean Water Acts, the establishment of the Environmental Protection Agency, the passage of the Endangered Species Act, and other steps.

Yet, the battle continues. Our environment continues to face threats from pollution. Rising greenhouse gas emissions and climate change will present their own challenge.

Water shortages and droughts not only in our own country but around the world are of great concern. Just today, another report was released showing that rivers in some of the world's most populated regions are losing water, many because of climate change according to researchers.

We could all continue to live without oil, but we can't live without clean water.

The battle to keep invasive species out of our nation's waters will also continue. In the Great Lakes alone, it is estimated that over 180 non-native species have taken hold in the Great Lakes and on average, a new species is discovered every nine months or so.

I was pleased to be at an event yesterday in celebration of Earth Day where I had the chance to address high school students from my district about the importance of the environment and clean water.

It is future generations that stand to lose the most if we do not continue to make the protection and preservation of our environment a priority. This is what Senator Nelson and others understood so well back then. It is what is incumbent on us all, including policymakers, to understand today.

This Congress has a number of efforts underway to ensure that we continue environmental protection remains a prominent place in federal policy.

Senator Nelson was one of the authors of the Wilderness Act of 1964 which authorized the federal government to protect forever areas of our forests with unspoiled and untrammeled wilderness qualities.

Earlier this year, Congress passed by strong bipartisan margins the Omnibus Public Lands Management Act of 2008 (H.R. 146) which would provide wilderness protection to over 2 million acres of federal lands. Senator Nelson would be proud.

The House has also passed legislation—Water Quality Investment Act—reauthorizing the Clean Water State Revolving Fund program which is critical to clean water efforts because it helps pay for building and improving wastewater treatment facilities in our nation's communities.

A number of other important pieces of legislation including a bill to address climate change and another to restore protections to our waterways granted by the Clean Water Act that have been undermined by various court rulings are pending.

Our nation owes Senator Nelson a great deal of appreciation. As we celebrate Earth Day, let us renew our commitment as individuals and as a Congress to continuing to pursue policies that will ensure that our nation's air, water, and natural resources remain a priority and remain protected for future generations to come.

COMMEMORATING EARTH DAY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. KIND. Madam Speaker, I rise today to recognize the 39th annual Earth Day celebration. While our Nation is facing many other important and difficult challenges, I think it is incredibly important that we take this day to reflect on the status of our environment and how each of us affects it individually. Little decisions made in our own daily lives snowball into large changes that have tremendous impact—a fact worth remembering.

Earth Day founder and Wisconsin Senator Gaylord Nelson is the perfect example of just how great an impact one person can have. Born in the small town of Clear Lake in northwest Wisconsin, Sen. Nelson went on to become governor of the state and then U.S. Senator. He founded Earth Day in 1970 to put pressing environmental issues on the national political map. Now, 39 years later, Earth Day is celebrated in 175 countries, helping motivate and mobilize hundreds of millions of people to commit to better environmental practices and policies.

Not all of us can have this same kind of global influence, but Earth Day's message of collective action means that each of us has a role in preserving our world for future generations, one step at a time. For instance, if each of us simply replaces one incandescent light bulb with a compact fluorescent bulb, we would prevent the annual emission of greenhouse gases equal to those of 2 million. We also would save enough electricity to shut down two dirty coal power plants. At the same time, American families would save money, as CFL bulbs use 75 percent less electricity than traditional bulbs—a win-win for the environment and the consumer.

In recent years we have witnessed countless other examples of individuals making decisions that help them go green. For example, Wisconsin leads the nation in anaerobic digesters, which take livestock manure and convert it into biogas that produces clean, renewable energy. Additionally, schools across our state have been able to save on their energy costs and help us meet our carbon management goals by utilizing biomass energy projects. These are just two ways people in my district and my state are doing their part.

On this Earth Day, as I recognize and applaud the actions of countless people around the world, I also challenge each of us to continue our efforts. We must take additional steps to meet our shared environmental challenges and to leave this world a healthy, vibrant, and beautiful place for generations to come.

EARTH DAY 2009

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. REICHERT. Madam Speaker, almost forty years ago today, what was an idea to spread awareness about our environment has become global recognition and awareness of the importance of protecting the Earth. Earth Day began in 1970, when 20 million people participated across the U.S.

Earth Day has grown into a global tradition, with a billion people expected to take part this year in 180 nations around the world.

It is a movement that succeeds because of the passion of each individual, realizing that there's something bigger than ourselves—that what each of us contribute can make a difference in our world, and on our environment.

In Washington State, we take special pride in our natural resources, and I'm proud to follow in the footsteps of so many in our great State who have worked together to protect the outdoors and our environment.

One of the popular, natural glories of my Congressional district in Washington State is the Alpine Lakes Wilderness, a 362,000 acre wilderness that sits just west of the Seattle metropolitan area. Just over a week ago, I joined the senior Senator from Washington State to discuss our recently introduced legislation to designate over 22,000 acres of additional wilderness and institute federal protection for two pristine rivers in my district. Our new legislation will expand the boundary of the existing Alpine Lakes wilderness area to embrace important lower-elevation lands, and establish Wild and Scenic designations for the Pratt and parts of the Middle Fork Snoqualmie Rivers.

Earth Day brings an excitement to the movement of protecting our environment, but we need to take the Earth Day movement from single-day actions—such as park cleanups and tree-planting parties—to longterm commitments in our everyday lives. Whether that is supporting legislation, or making small changes to be more environmentally conscious, each is equally important. These commitments will make a difference for our children and the generations to come.

RECOGNIZING THE 40TH ANNIVERSARY OF CRISISLINK

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 22, 2009

Mr. CONNOLLY of Virginia. Madam Speaker, it is my great honor to rise today to recognize an outstanding organization serving Northern Virginia. CrisisLink is a community-based nonprofit dedicated to crisis prevention, intervention, and response. Since its founding in 1969, CrisisLink has evolved to become an invaluable resource to our communities.

Originally founded as a hotline for Arlington teens, CrisisLink was incorporated in February 1970 as the around-the-clock Northern Virginia Hotline. Just ten years ago, the name of the organization was changed to reflect the extended mission and range of services that CrisisLink has continued to provide. CrisisLink now has the ability to refer callers to over 4,400 resources located in Northern Virginia that can help callers address the problems and situations affecting their lives.

CrisisLink is experiencing a huge increase in demand for its services. Over the past twelve months, the volume of suicide-related calls has increased by 60% when compared to the twelve month period immediately prior and increased by 150% when compared to five years ago. CrisisLink's hotlines are staffed for sixteen hours every day by highly trained volunteers. These volunteers contribute over 15,000 hours of service every year. Virginia Hospital Center provides in-kind contributions totaling over $500,000 each year including providing $50,000 worth of space for programs.

Although CrisisLink is often noted for its role as a suicide and crisis intervention hotline, it also provides a number of programs that extend its reach throughout the community. CrisisLink added a 2-1-1 number to serve as a central number to help connect those in need with information on community resources and health and human services. The 2-1-1 call volume has increased by 50% since July 2008. Over 30,000 calls to the CrisisLink hotline and the 2-1-1 number will be answered this year alone.

CrisisLink's programs are estimated to save the Greater Washington region over $4,320,000 in ambulance, police, 9-1-1, hospital, and follow-up costs by preventing suicide attempts throughout the region. This financial savings multiplies as localities are able to apply these saved resources to greater preventative and proactive measures.

The Tara Sirmans Survivor HOPE program was launched in September 2006. The Help and Outreach for Prevention and Education (HOPE) program works with families and loved ones to help them as they struggle with the intense grief experienced following a suicide or other form of sudden and traumatic loss. Through peer support, workshops, and survivor support groups, the HOPE program works to assist families and friends through the most difficult of situations.

In 2008, Washingtonian Magazine recognized CrisisLink as one of the top charities in the Washington region. CrisisLink was also the recipient of the first ever ''National Award for Crisis Center Excellence'' for its works responding to the September 11th attack on the Pentagon.

Madam Speaker, I ask my colleagues to join me in honoring the contributions of CrisisLink over its 40 years of existence. CrisisLink saves lives and prevents tragedies. Perhaps someday our society will no longer need services such as CrisisLink, but until that day, we are grateful for their selfless and critical service. I ask my colleagues to join me in paying tribute to the dedicated staff and volunteers who are so deserving of our recognition for their commitment to helping those in their time of need.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, April 23, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

APRIL 28

9 a.m.
Armed Services
To hold hearings to examine the nominations of Raymond Edwin Mabus, Jr., of Mississippi, to be Secretary, and Robert O. Work, of Virginia, to be Under Secretary, both of the Department of the Navy, Elizabeth Lee King, of the District of Columbia, to be Assistant Secretary for Legislative Affairs, Michael Nacht, of California, to be Assistant Secretary for Global Strategic Affairs, and Wallace C. Gregson, of Colorado, to be Assistant Secretary for Asian and Pacific Security Affairs, all of the Department of Defense, Donald Michael Remy, of Virginia, to be General Counsel, and Jo-Ellen Darcy, of Maryland, to be Assistant Secretary for Civil Works, both of the Department of the Army, and Ines R. Triay, of New Mexico, to be Assistant Secretary of Energy for Environmental Management.
SD–106

9:30 a.m.
Foreign Relations
To hold hearings to examine war powers in the 21st Century.
SD–419

10 a.m.
Health, Education, Labor, and Pensions
Employment and Workplace Safety Subcommittee
To hold hearings to examine introducing meaningful incentives for safe workplaces and meaningful roles for victims and their families.
SD–430

Energy and Natural Resources
To hold hearings to examine financing for deployment of clean energy and energy efficiency technologies and to enhance United States' competitiveness in this market through the creation of a Clean Energy Deployment Administration within the Department of Energy.
SD–366

Environment and Public Works
To hold hearings to examine the nominations of Michelle DePass, of New York, and Cynthia J. Giles, of Rhode Island, both to be Assistant Administrators, and Mathy Stanislaus, of New Jersey, to be Assistant Administrator for Office of Solid Waste, all of the Environmental Protection Agency.
SD–406

Homeland Security and Governmental Affairs
To hold hearings to examine cyber security, focusing on developing a national strategy.
SD–342

Judiciary
To hold hearings to examine the Victims of Crime Act, focusing on 25 years of protecting and supporting victims.
SD–226

10:30 a.m.
Commerce, Science, and Transportation
Consumer Protection, Product Safety, and Insurance Subcommittee
To hold hearings to examine formaldehyde in textiles and consumer products.
SR–253

2:30 p.m.
Foreign Relations
To hold hearings to examine the nomination of Harold Hongju Koh, of Connecticut, to be Legal Adviser of the Department of State.
SD–419

Health, Education, Labor, and Pensions
To hold hearings to examine individual state experiences with health care reform coverage initiatives in the context of national reform.
SD–430

Judiciary
Immigration, Refugees and Border Security Subcommittee
To hold hearings to examine comprehensive immigration reform in 2009.
SD–226

Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings to examine the future of national surface transportation policy.
SR–253

APRIL 29

9:30 a.m.
Foreign Relations
To hold hearings to examine the nominations of Johnnie Carson, of Illinois, to be Assistant Secretary for African Affairs, and Luis C. de Baca, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, both of the Department of State.
SD–419

Veterans' Affairs
To hold hearings to examine pending benefits related legislation.
SR–418

10 a.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine restoring fairness to federal sentencing, focusing on addressing the crack-powder disparity.
SD–226

Health, Education, Labor, and Pensions
Business meeting to consider pending calendar business.
SD–430

Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Ivan K. Fong, of Ohio, to be General Counsel, Department of Homeland Security; to be immediately followed by a hearing to examine the nomination of Timothy W. Manning, of New Mexico, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.
SD–342

2 p.m.
Aging
To hold hearings to examine the life settlement market, focusing on what is at stake for seniors.
SD–106

2:30 p.m.
Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To hold hearings to examine the federal government's role in empowering Americans to make informed financial decisions.
SD–342

Armed Services
Personnel Subcommittee
To hold hearings to examine the implementation of Wounded Warrior policies and programs.
SH–216

APRIL 30

10 a.m.
Appropriations
To hold hearings to examine proposed budget estimates for fiscal year 2010 for the War Supplemental.
SD–106

2 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine the current and future roles, missions, and capabilities of United States military air power.
SR–222

MAY 6

9:30 a.m.
Veterans' Affairs
To hold hearings to examine the nominations of Roger W. Baker, of Virginia, to be Assistant Secretary for Information and Technology, William A. Gunn, of Virginia, to be General Counsel, Jose D. Riojas, of Texas, to be Assistant Secretary for Operations, Security, and Preparedness, and John U. Sepulveda, of Virginia, to be Assistant Secretary for Human Resources, all of the Department of Veterans Affairs.
SR–418

2:30 p.m.
Commerce, Science, and Transportation
Communications and Technology Subcommittee
To hold hearings to examine the future of journalism.
SR–253

MAY 21

9:30 a.m.
Veterans' Affairs
Business meeting to markup pending legislation.
SR–418

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4527–S4601

Measures Introduced: Twenty-three bills and four resolutions were introduced, as follows: S. 848–870, S. Res. 108–110, and S. Con. Res. 18.

Pages S4573–74

Measures Passed:

Commending Captain Richard Phillips, The "Maersk Alabama" Crew, and U.S. Armed Forces: Senate agreed to S. Res. 108, commending Captain Richard Phillips, the crew of the ''Maersk Alabama'', and the U.S. Armed Forces, recognizing the growing problem of piracy off Somalia's coast, and urging the development of a comprehensive strategy to address piracy and its root causes. **Pages S4596–97**

Congratulating University of North Carolina Tar Heels Men's Basketball Team: Senate agreed to S. Res. 110, congratulating the University of North Carolina Tar Heels basketball team for winning the 2008–2009 NCAA men's basketball championship.

Pages S4597–98

World Malaria Day: Senate agreed to S. Con. Res. 18, supporting the goals and ideals of World Malaria Day, and reaffirming U.S. leadership and support for efforts to combat malaria. **Pages S4598–99**

Measures Considered:

Fraud Enforcement and Recovery Act—Agreement: Senate began consideration of S. 386, to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to Federal assistance and relief programs, for the recovery of funds lost to these frauds, taking action on the following amendments proposed thereto:

Page S4531

Adopted:

Leahy/Grassley Modified Amendment No. 993, to clarify the amendments relating to major fraud.

Pages S4540–43

By 94 yeas to 1 nay (Vote No. 160), Kyl Amendment No. 985, to modify the definition of the term ''obligation''. **Pages S4539–40, S4543**

By 92 yeas to 4 nays (Vote No. 161), Isakson Amendment No. 995, to establish the Financial Markets Commission. **Pages S4543–52**

Dorgan/McCain Amendment No. 999, to establish a select committee of the Senate to make a thorough and complete study and investigation of the facts and circumstances giving rise to the economic crisis facing the United States and to make recommendations to prevent a future recurrence of such a crisis.

Pages S4552–54, S4561

Pending:

Reid Amendment No. 984, to increase funding for certain HUD programs to assist individuals to better withstand the current mortgage crisis.

Pages S4538–39

Inhofe Amendment No. 996 (to Amendment No. 984), to amend title 4, U.S. Code, to declare English as the national language of the Government of the United States. **Pages S4554–55**

Vitter Amendment No. 991, to authorize and remove impediments to the repayment of funds received under the Troubled Asset Relief Program.

Pages S4555–56

Boxer Amendment No. 1000, to authorize monies for the Special Inspector General for the Troubled Asset Relief Program to audit and investigate recipients of non-recourse Federal loans under the Public Private Investment Program and the Term Asset Loan Facility. **Pages S4556–58**

Kyl Amendment No. 986, to limit the amount that may be deducted from proceeds due to the United States under the False Claims Act for purposes of compensating private intervenors to the greater of $50,000,000 or 300 percent of the expenses and cost of the intervenor. **Pages S4558–59**

Coburn Amendment No. 982, to authorize the use of TARP funds to cover the costs of the bill.

Pages S4559–61

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Thursday, April 23, 2009.

Pages S4599–S4600

Appointments:

The following appointment was made on Monday, April 20, 2009:

Congressional-Executive Commission on the People's Republic of China: The Chair, on behalf of the President of the Senate, and after consultation with the Majority Leader, pursuant to Public Law 106–286, appointed the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: Senators Baucus, Levin, Feinstein, Dorgan (Chairman), and Brown.

Nomination Confirmed: Senate confirmed the following nomination:

Ladda Tammy Duckworth, of Illinois, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs). **Pages S4599, S4600, S4601**

Messages From the House: **Pages S4571–72**

Measures Referred: **Page S4572**

Measures Read the First Time: **Pages S4572, S4599**

Executive Communications: **Page S4572**

Petitions and Memorials: **Page S4573**

Additional Cosponsors: **Pages S4574–75**

Statements on Introduced Bills/Resolutions: **Pages S4575–88**

Additional Statements: **Page S4569**

Amendments Submitted: **Pages S4588–95**

Notices of Hearings/Meetings: **Page S4595**

Authorities for Committees To Meet: **Page S4596**

Record Votes: Two record votes were taken today. (Total—161) **Pages S4543, S4552**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:42 p.m., until 9:30 a.m. on Thursday, April 23, 2009. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4601.)

Committee Meetings

(Committees not listed did not meet)

ENVIRONMENTAL MANAGEMENT

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine environmental management stimulus funding, after receiving testimony from Ines R. Triay, Acting Assistant Secretary of Energy for Environmental Management.

READINESS OF U.S. GROUND FORCES

Committee on Armed Services: Subcommittee on Readiness and Management Support concluded a hearing to examine the current readiness of U.S. ground forces, after receiving testimony from General Peter W. Chiarelli, USA, Vice Chief of Staff, U.S. Army, and General James F. Amos, USMC, Assistant Commandant, U.S. Marine Corps, both of the Department of Defense.

SAVE AMERICAN ENERGY ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 548, to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal energy efficiency resource standard for retail electricity and natural gas distributors, after receiving testimony from Senator Schumer; Patricia Hoffman, Acting Assistant Secretary of Energy for Electricity Delivery and Energy Reliability; Paul A. Centolella, Ohio Public Utilities Commission, Columbus; David J. Manning, National Grid, Brooklyn, NY; Steven Nadel, American Council for an Energy-Efficient Economy, Washington, DC; Thomas E. Skains, Piedmont Natural Gas Company, Charlotte, NC, on behalf of the American Gas Association; and Rich Wells, The Dow Chemical Company, Midland, MI.

GSA AND ENERGY EFFICIENCY IN PUBLIC BUILDINGS

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the General Services Administration and energy efficiency in public buildings, after receiving testimony from Paul F. Prouty, Acting Administrator, General Services Administration; Doug Gatlin, U.S. Green Building Council, and Lane Burt, Natural Resources Defense Council, both of Washington, DC; and Harvey Bryan, Arizona State University School of Sustainability, Tempe.

GLOBAL CLIMATE CHANGE

Committee on Foreign Relations: Committee concluded a hearing to examine global climate change, focusing on U.S. leadership for a new global agreement, after receiving testimony from Todd Stern, Special Envoy for Climate Change, Department of State; Helene D. Gayle, CARE USA, Atlanta, GA; Ned Helme, Center for Clean Air Policy, Washington, DC; and Paul Camuti, Siemens Corporate Research, Princeton, NJ.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Susan Flood Burk, of Virginia, to be Special Representative of the President, with the rank of Ambassador, and Ivo H. Daalder, of Virginia, to be U.S. Permanent Representative on the Council of the North Atlantic Treaty Organization, both of the Department of State, after the nominees testified and answered questions in their own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of William Craig Fugate, of Florida, to be Administrator of the Federal Emergency Management Agency, after the nominee, who was introduced by Senators Bill Nelson and Martinez, testified and answered questions in his own behalf.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of John Morton, of Virginia, to be Assistant Secretary of Homeland Security for Immigration and Customs Enforcement, after the nominee testified and answered questions in his own behalf.

MEDICARE AND MEDICAID FRAUD

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security concluded a hearing to examine eliminating waste and fraud in Medicare and Medicaid, after receiving testimony from Kay L. Daly, Director, Financial Management and Assurance, Government Accountability Office; Deborah Taylor, Acting Director and Chief Financial Officer, Office of Financial Management, Centers for Medicare and Medicaid Services, and Lewis Morris, Chief Counsel, Office of Inspector General, both of the Department of Health and Human Services; and James G. Sheehan, Medicaid Inspector General, New York State Office of the Medicaid Inspector General, Albany.

VA HEALTH RELATED LEGISLATION

Committee on Veterans' Affairs: Committee concluded a hearing to examine pending health related legislation, after receiving testimony from Adrian Atizado, Disabled American Veterans, Cold Spring, KY; Ammie Hilsabeck, Oscar G. Johnson VA Medical Center, Department of Veterans Affairs, Iron Mountain, MI, on behalf of the American Federation of Government Employees, AFL–CIO; and Hilda R. Heady, West Virginia University Robert C. Byrd Health Sciences Center, Ralph Ibson, Wounded Warrior Project, and Blake C. Ortner, Paralyzed Veterans of America, all of Washington, DC.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 38 public bills, H.R. 2020–2057; and 6 resolutions, H.J. Res. 43; H. Con. Res. 104; and H. Res. 351, 353–355 were introduced. **Pages H4685–87**

Additional Cosponsors: **Pages H4687–88**

Report Filed: A report was filed today as follows:

H. Res. 352, providing for consideration of the bill (H.R. 1145) to implement a National Water Research and Development Initiative (H. Rept. 111–82). **Page H4677**

Speaker: Read a letter from the Speaker wherein she appointed Representative Holden to act as Speaker Pro Tempore for today. **Page H4587**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of the U.S. House of Representatives regarding the hijacking of the Maersk Alabama: H. Res. 339, to express the sense of the U.S. House of Representatives regarding the hijacking of the Maersk Alabama, the kidnapping of Captain Richard Phillips by Somali pirates, and the rescue of Captain Phillips by U.S. Navy SEALs and the crews of the USS Bainbridge, USS Boxer, USS Halyburton and Patrol Squadron (VP) 8; **Pages H4590–94**

Amending the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate: H.R. 749, to amend the Federal Election Campaign Act of 1971 to permit candidates for election for Federal office to designate an individual who will be authorized to disburse funds of the authorized campaign committees of the candidate in the event of the death of the candidate; **Pages H4594–95**

House Reservists Pay Adjustment Act of 2009: H.R. 1679, to provide for the replacement of lost income for employees of the House of Representatives who are members of a reserve component of the armed forces who are on active duty for a period of more than 30 days, by a ⅔ yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 196; **Pages H4595–97, H4653–54**

Civil Rights History Project Act of 2009: H.R. 586, to direct the Librarian of Congress and the Secretary of the Smithsonian Institution to carry out a joint project at the Library of Congress and the National Museum of African American History and Culture to collect video and audio recordings of personal histories and testimonials of individuals who participated in the Civil Rights movement, by a ⅔ recorded vote of 422 ayes with none voting "no", Roll No. 197; **Pages H4597–H4601, H4654–55**

Authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a bust of Sojourner Truth: H. Con. Res. 86, to authorize the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a bust of Sojourner Truth; **Pages H4601–02**

Providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution: S.J. Res. 8, to provide for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution; **Pages H4602–03**

Providing for the acceptance of a statue of Ronald Wilson Reagan from the people of California for placement in the U.S. Capitol: H. Con. Res. 101, to provide for the acceptance of a statue of Ronald Wilson Reagan from the people of California for placement in the U.S. Capitol; **Pages H4603–06**

Electronic Waste Research and Development Act: H.R. 1580, amended, to authorize the Administrator of the Environmental Protection Agency to award grants for electronic waste reduction research, development, and demonstration projects; **Pages H4606–10**

Agreed to amend the title so as to read: "To authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes.". **Page H4610**

Green Energy Education Act of 2009: H.R. 957, to authorize higher education curriculum development and graduate training in advanced energy and green building technologies, by a ⅔ yea-and-nay vote of 411 yeas to 6 nays, Roll No. 199; **Pages H4610–12, H4656**

Supporting the goals and ideals of National Library Week: H. Res. 336, to support the goals and ideals of National Library Week; **Pages H4613–15**

Best Buddies Empowerment for People with Intellectual Disabilities Act of 2009: H.R. 1824, to provide assistance to Best Buddies to support the expansion and development of mentoring programs; and **Pages H4615–18**

Statutory Time-Periods Technical Amendments Act of 2009: H.R. 1626, to make technical amendments to laws containing time periods affecting judicial proceedings. **Pages H4665–66**

Suspensions—Proceedings Postponed: The House debated the following measures under suspension of the rules. Further proceedings were postponed:

Expressing support for designation of March 22, 2009, as "National Rehabilitation Counselors Appreciation Day": H. Res. 247, to express support for designation of March 22, 2009, as "National Rehabilitation Counselors Appreciation Day" and **Page H4612**

COPS Improvements Act of 2009: H.R. 1139, amended, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program. **Pages H4656–65**

Budget resolution for FY2010: Pursuant to H. Res. 316, the House agreed to take from the Speaker's Table S. Con. Res. 13, setting forth the congressional budget for the U.S. Government for fiscal year 2010, revising the appropriate budgetary levels for fiscal year 2009, and setting forth the appropriate budgetary levels for fiscal years 2011 through 2014; strike all after the resolving clause of S. Con. Res. 13 and insert in lieu thereof the provisions of H. Con. Res. 85 as agreed to by the House; agree to S. Con. Res. 13, as amended; and insist on its amendment and request a conference with the Senate thereon. **Pages H4618–53**

Rejected the Ryan (WI) motion to instruct conferees on the resolution by a recorded vote of 196 ayes to 227 noes, Roll No. 198. **Pages H4655–56**

Later, the Chair appointed the following conferees: Representatives Spratt, Boyd, DeLauro, Ryan (WI), and Hensarling. **Page H4656**

Moment of Silence: The House observed a moment of silence in honor of the victims of the tragedy at Columbine High School in April 1999 and their families. **Page H4654**

Moment of Silence: The House observed a moment of silence in honor of the victims of the shooting at the American Civic Association in Binghamton, NY. **Page H4655**

Quorum Calls—Votes: Two yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H4653–54, H4654–55, H4655–56, H4656. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8 p.m.

Committee Meetings

FEDERAL CROP INSURANCE PROGRAM

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review producers' views on the effectiveness and operations of the Federal crop insurance program. Testimony was heard from public witnesses.

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development Food and Drug Administration, and Related Agencies met on Member Requests. Testimony was heard from Members of Congress.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Supplemental Request. Testimony was heard from GEN David Petraeus, USA, Commander, U.S. Central Command, Department of Defense.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies met on Members Requests. Testimony was heard from Members of Congress.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on U.S. Coast Guard: Measuring Mission Needs. Testimony was heard from ADM Thad Allen, USCG, Commandant, U.S. Coast Guard, Department of Homeland Security; and John Hutton, Director, Acquisition and Sourcing Management, GAO.

INTERIOR, ENVIRONMENT AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment and Related Agencies, held a hearing on Bureau of Indian Affairs: Law Enforcement and Violence. Testimony was heard from the following officials of the Department of the Interior: George Skibine, Acting Assistant Secretary, Indian Affairs; and Jerry Gidner, Director, Bureau of Indian Affairs.

The Subcommittee also met on Member Requests. Testimony was heard from Members of Congress.

LEGISLATIVE BRANCH APPROPRIATIONS

Committee on Appropriations: Subcommittee on Legislative Branch held a hearing on the U.S. Capitol Police, and on the Government Printing Office. Testimony was heard from the following officials of the U.S. Capitol Police: Phillip Morse, Chief; and Daniel Nichols, Assistant Chief; and Robert Tapella, Public Printer, GPO.

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Construction, Veterans Affairs, and Related Agencies held a hearing on Base Realignment and Closure. Testimony was heard from the following officials of the Department of Defense: Wayne Arne, Deputy Under Secretary, Installations and Environment; Keith Eastin, Assistant Secretary of the Army, Installations and Environment; B. J. Penn, Assistant Secretary of the Navy, Installations and Environment; and Kevin W. Billings, Acting Assistant Secretary of the Air Force, Installations, Environment and Logistics.

AIR SOVEREIGNTY ALERT OPERATIONS

Committee on Armed Services: Subcommittee on Readiness held a hearing on Air Sovereignty Alert Operations. Testimony was heard from Davi M. D'Agostino, Director, Homeland Defense and Emerging Threats and Warfare, Defense Capabilities and Management Team, GAO; and the following officials of the Department of Defense: Peter F. Verga, Deputy Under Secretary, Policy Integration and Chief of Staff; LTG Daniel J. Darnell, USAF, Deputy Chief of Staff, Air, Space and Information Operations, Plans and Requirements, U.S. Air Force; and LTG Harry M. Wyatt, III, USAF, Director, U.S. Air National Guard.

RETIREMENT SECURITY/401(k)

Committee on Education and Labor: Subcommittee on Health, Employment, Labor and Pensions held a hearing on the 401(k) Fair Disclosure for Retirement Security Act of 2009. Testimony was heard from public witnesses.

AMERICAN CLEAN ENERGY SECURITY ACT OF 2009

Committee on Energy and Commerce: and the Subcommittee on Energy and Environment continued joint hearings on The American Clean Energy Security Act of 2009. Testimony was heard from Lisa Jackson, Administrator, EPA; Steven Chu, Secretary of Energy; Ray LaHood, Secretary of Transportation; John Fetterman, Mayor, Braddock, PA; and public witnesses.

9/11 HEALTH AND COMPENSATION ACT OF 2009

Committee on Energy and Commerce: Subcommittee on Health held a hearing on H.R. 847, James Zadroga 9/11 Health and Compensation Act of 2009. Testimony was heard from Representatives Nadler, and King of New York; and public witnesses.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2009

Committee on Financial Services: Ordered reported, as amended, H.R. 627, Credit Cardholders' Bill of Rights Act of 2009.

U.S. FOREIGN POLICY PRIORITIES

Committee on Foreign Affairs: Held a hearing on New Beginnings: Foreign Policy Priorities in the Obama Administration. Testimony was heard from Hillary Rodham Clinton, Secretary of State.

LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2009

Committee on the Judiciary: Began markup of H.R. 1913, Local Law Enforcement Hate Crimes Prevention Act of 2009.

Will continue tomorrow.

MISCELLANEOUS MEASURES

Committee on Natural Resources: Ordered reported, as amended, the following bills: H.R. 31, Lumbee Recognition Act; H.R. 1385, Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2009; and H.R. 860, Coral Reef Conservation Act Reauthorization and Enhancement Amendments of 2009.

FEDERAL WORKFORCE STATE

Committee on Oversight and Government Reform: Subcommittee on Federal Workforce, Postal Service and the District of Columbia held a hearing entitled "Public Service in the 21st Century: An Examination of the State of the Federal Workforce." Testimony was heard from John Berry, Director, OPM; Yvonne D. Jones, Director, Strategic Issues Team, GAO; and public witnesses.

NATIONAL WATER RESEARCH AND DEVELOPMENT INITIATIVE ACT OF 2009

Committee on Rules: Granted, by a non-record vote, a structured rule providing for consideration of H.R. 1145, the "National Water Research and Development Initiative Act of 2009." The rule provides for one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Science and Technology. The rule waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Science and Technology shall be considered as an original bill for the purpose of further amendment. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment are waived except those arising under clause 10 of rule XXI. The rule makes in order only those amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed, may be offered only by a Member designated, shall be considered as read, shall be debatable for the time specified equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment or demand for division of the question. The rule waives all points of order against such amendments except those arising under clause 9 or 10 of rule XXI. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Gordon, Representatives Cardoza, Arcuri, Pingree, Stupak, Blumenauer, McCollum, Connolly, Teague, Quigley, Linder, Kirk and Miller of Michigan.

GREENHOUSE GAS EMISSIONS MONITORING

Committee on Science and Technology: Held a hearing on Monitoring, Measurement and Verification of Greenhouse Gas Emissions II: The Role of Federal and Academic Research and Monitoring Programs. Testimony was heard from the following officials of the Department of Commerce: Alexander MacDonald, Director, Earth Systems Research Laboratory, NOAA; and Patrick D. Gallagher, Deputy Director, National Institute of Standards and Technology; Dina Kruger, Director, Climate Change Division, Office of Atmospheric Programs, EPA; Michael Freilich, Director, Earth Science Division, NASA; Richard Birdsey, Project Leader, Climate, Fire, and Carbon Cycle Science, Forest Service, USDA; and public witnesses.

TECHNOLOGY AND ECONOMIC RECOVERY

Committee on Small Business: Held a hearing entitled "The Importance of Technology in an Economic Recovery." Testimony was heard from Edsel M. Brown, Jr., Assistant Administrator, Office of Technology, SBA; Michael Caccuitto, Assistant Director, Office of Small Business Programs, SBIR and STTR Program Administrator, Department of Defense; Jo Anne Goodnight, NIH SBIR/STTR Program Coordinator, Office of Extramural Research, NIH, Department of Health and Human Services; Larry James, Acting SBIR/STTR Program Manager, Office of Science, Department of Energy; Kesh S. Narayanan, Division Director, Industrial Innovations and Partnerships,

Directorate for Engineering, NSF; and public witnesses.

HELICOPTER MEDICAL SERVICES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held a hearing on Oversight of Helicopter Medical Services. Testimony was heard from Representative Salazar; the following officials of the Department of Transportation: Christa Fornarotto, Acting Assistant Secretary, Aviation and International Affairs; and John Allen, Director, Flight Standards Service, FAA; Robert L. Sumwalt, III, Board Member, National Transportation Safety Board; Gerald Dillingham, Director, Physical Infrastructure Issues, GAO; and public witnesses.

RAILROAD REHAB/IMPROVEMENT FINANCING PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing on Railroad Rehabilitation and Improvement Financing Program. Testimony was heard from Mark Yachmetz, Associate Administrator, Railroad Development, Federal Railroad Administration, Department of Transportation; Patrick Simmons, Rail Director, Department of Transportation, State of North Carolina; and public witnesses.

HEALTH INSURANCE MARKET REFORM

Committee on Ways and Means: Continued hearings on reforming the health insurance market. Testimony was heard from public witnesses.

BRIEFINGS—AFRICOM UPDATE AND FBI UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a briefing on AFRICOM Update. The Committee was briefed by Terry Ford, Director, Intelligence and Knowledge Development, U.S. Africa Command, Department of Defense.

The Committee also met in executive session to receive a briefing on FBI Update. The Committee was briefed by Robert Mueller, Director, FBI, Department of Justice.

BRIEFING—GLOBAL CLIMATE CHANGE

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Community Management met in executive session to receive a briefing on Global Climate Change. The Subcommittee was briefed by John Phillips, Chief Scientist, CIA; MG Rich Engel, USAF (ret.), Director, Climate Change and State Stability Program, Office of the Director of National Intelligence; Darrell G. Herd, Chief Research Scientist, Defense Intelligence Agency, Department of Defense; and Ralph Cicerone, President, National Academy of Science.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D 351)*

H.R. 1388, to reauthorize and reform the national service laws. Signed on April 21, 2009. (Public Law 111–13)

COMMITTEE MEETINGS FOR THURSDAY, APRIL 23, 2009

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold an oversight hearing to examine the funding of the Department of Commerce, 10 a.m., SD–192.

Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2010 for the Office of the Secretary of the Senate, the Office of the Sergeant at Arms, and the Office of the U.S. Capitol Police, 2:30 p.m., SD–138.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nominations of Ronald C. Sims, of Washington, to be Deputy Secretary, Peter A. Kovar, of Maryland, to be Assistant Secretary for Congressional and Intergovernmental Affairs, Helen R. Kanovsky, of Maryland, to be General Counsel, David H. Stevens, of Virginia, to be Assistant Secretary for Housing-Federal Housing Commission, and John D. Trasvina, of California, to be Assistant Secretary for Fair Housing and Equal Opportunity, all of the Department of Housing and Urban Development, David S. Cohen, of Maryland, to be Assistant Secretary of the Treasury for Terrorist Financing, and Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States, 10:30 a.m., SD–538.

Committee on Energy and Natural Resources: to hold hearings to examine the nominations of Kristina M. Johnson, of Maryland, to be Under Secretary, Steven Elliot Koonin, of California, to be Under Secretary for Science, Ines R. Triay, of New Mexico, to be Assistant Secretary for Environmental Management, and Scott Blake Harris, of Virginia, to be General Counsel, all of the Department of Energy, and Hilary Chandler Tompkins, of New Mexico, to be Solicitor of the Department of the Interior, 2 p.m., SD–366.

Committee on Environment and Public Works: business meeting to consider the nomination of Regina McCarthy, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency, 10:30 a.m., SD–406.

Committee on Finance: to hold hearings to examine technology neutrality in energy tax, focusing on issues and options, 10 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine soldiers' stories from the Afghan war, 10:15 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: to hold an oversight hearing to examine State and local stimulus funding, 9 a.m., SD–342.

Committee on Indian Affairs: to hold hearings to examine the nomination of Yvette Roubideaux, of Arizona, to be Director of the Indian Health Service, Department of Health and Human Services, 2:15 p.m., SD–628.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2 p.m., HVC–304.

House

Committee on Agriculture, Subcommittee on Livestock, Dairy, and Poultry, hearing to review Federal food safety systems at the USDA, 1 p.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies, on Department of Justice, 2:30 p.m., 2359 Rayburn.

Subcommittee on Financial Services and General Government, on U.S. Supreme Court, 10 a.m., 2358–A Rayburn.

Subcommittee on Homeland Security, on Member Requests, 10 a.m., 2362–A Rayburn.

Subcommittee on Interior, Environment and Related Agencies, on Public Witnesses, 9:30 a.m., B–308 Rayburn.

Subcommittee on Legislative Branch, on Architect of the Capitol, and CBO, 2 p.m., H–144 Capitol.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, on Outside Witnesses, 10 a.m., and on Related Agencies, 2 p.m., H–143 Capitol.

Subcommittee on State, Foreign Operations, and Related Programs, on Fiscal Year 2009 Supplemental Appropriations Request, 9 a.m., 2359 Rayburn.

Committee on Armed Services, hearing on Effective Counterinsurgency: The Future of the U.S.-Pakistan Military Partnership, 1 p.m., 2118 Rayburn.

Subcommittee on Air and Land Forces, hearing on Army aircraft programs, 9 a.m., 2118 Rayburn.

Defense Acquisition Reform Panel, on measuring value and risk in services contracts, 8 a.m., 1310 Longworth.

Committee on Education and Labor, Subcommittee on Health, Employment, Labor and Pensions, hearing on Ways to Reduce the Cost of Health Insurance for Employers, Employees and Their Families, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications, Technology and the Internet, hearing on Communications Networks and Consumer Privacy: Recent Development, 10 a.m., 2322 Rayburn.

Subcommittee on Energy and Environment, hearing on The American Clean Energy Security Act of 2009, 9:30 a.m., 2123 Rayburn.

Committee on Financial Services, hearing on H.R. 1728, Mortgage Reform and Anti-Predatory Lending Act, 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Africa and Global Health, hearing on U.S. Assistance to Africa: A Call for Foreign Aid Reform, 11:30 a.m., 2172 Rayburn.

Committee on the Judiciary, to continue mark up of H.R. 1913. Local Law Enforcement Hate Crimes Prevention Act of 2009; and to mark up the following bills: H.R. 1748, Fight Fraud Act of 2009; H.R. 1788, False Claims Act Correction Act of 2009; H.R. 1676, PACT Act; H.R. 1667, War Profiteering Prevention Act of 2009; and H.R. 1741, Witness Security and Protection Grant Program Act of 2009, 10 a..m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife, hearing on H.R. 669, Nonnative Wildlife Invasion Prevention Act, 10 a.m., 1324 Longworth.

Subcommittee on National Parks, Forests and Public Lands, hearing on the following bills: H.R. 1121, Blue Ridge Parkway and Town of Blowing Rock Land Exchange Act of 2009; and H.R. 1376, Waco Mammoth National Monument Establishment Act of 2009, 10 a.m., 1334 Longworth.

Committee on Oversight and Government Reform, to mark up the following measures: H. Res. 298, Expressing the sense of the House of Representatives that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 4 through 10, 2009, and throughout the year; H. Res. 340. Expressing sympathy to the victims, families, and friends of the tragic act of violence at the American Civic Association in Binghamton, NY; H. Res. 341, Expressing heartfelt sympathy for the victims and families of the shootings in Geneva and Coffee Counties in Alabama, on March 10, 2009; H. Res. 342, Expressing support for designation of May 2, 2009, as "Vietnamese Refugees Day;" and H.R. 1271, To designate the facility of the U.S. Postal Service located at 2351 West Atlantic Boulevard in Pompano Beach, FL, as the "Elijah Pat Larkins Post Office Building," 10 a.m., 2154 Rayburn.

Subcommittee on Domestic Policy, hearing entitled "The H–2B Guestworker Program and Improving the Department of Labor's Enforcement of the Rights of Guestworkers," 10 a.m., 2154 Rayburn.

Committee on Science and Technology, Subcommittee on Energy and Environment, to continue hearings on Oversight of NOAA's Geostationary Weather Satellite System, 10 a.m., 2318 Rayburn.

Subcommittee on Technology and Innovation, hearing on the Role of the SBIR and STTR Programs in Stimulating Innovation at Small High-Tech Businesses, 1 p.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, hearing on An Independent FEMA: Restoring the Nation's Capabilities for Effective Emergency Management and Disaster Response, 11 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing on H.R. 952, COMBAT PTSD Act, 10 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, hearing on VA Non-competitive Contracts, 1 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Income Security and Family Support, hearing to review the implementation and impact of the unemployment insurance

provisions included in the American Recovery and Reinvestment Act of 2009, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, briefing on Intelligence Community Diversity Report, 1 p.m., 304–HVC.

Joint Meetings

Joint Committee on the Library: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and committee's rules of procedure for the 111th Congress, 11:30 a.m., SC–4, Capitol.

Joint Committee on Printing: organizational business meeting to consider an original resolution authorizing expenditures for committee operations, and committee's rules of procedure for the 111th Congress, 11:45 a.m., SC–4, Capitol.

Joint Economic Committee: to hold hearings to examine a quarterly report by the Special Inspector General for the Troubled Asset Relief Program (TARP), 9:30 a.m., 210, Cannon Building.

Next Meeting of the SENATE

9:30 a.m., Thursday, April 23

Senate Chamber

Program for Thursday: Senate will continue consideration of S. 386, Fraud Enforcement and Recovery Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, April 23

House Chamber

Program for Thursday: Consideration of H.R. 1145—National Water Research and Development Initiative Act (Subject to a Rule).

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